



Board of Mineral County Commissioners

Hawthorne, Nevada
Wednesday April 5, 2017

The Honorable Board of Mineral County Commissioners met this day in a regular session with the following people present:

Honorable Garth D. Price	Chairman
Honorable Jerrie Tipton	Vice-Chairman
Honorable Chris Hegg	Member
Honorable Christopher Nepper	Clerk-Treasurer

Absent: Honorable Sean Rowe District Attorney

1. Pledge of Allegiance and Safety Message

Pledge of Allegiance was led by Commissioner Hegg.

Commissioner Price stated Mineral County is expecting a wind event this weekend, so remember to be safe.

Safety Message was offered by Emergency Manager Patrick Hughes on office safety, electricity, power stripes, and extension cords.

2. Public Comment – Former resident Mike Guss stated his concerns with divisions within the community. He stated he was aware of the 74 million dollar lawsuit between Green Energy Nevada and Mineral County. He stated he was also aware of unpaid judgments against Izzie Razack in Clark County Nevada. He felt Mineral County was “hoodwinked” by Green Energy Nevada.

3. Approval of Agenda/Necessary Changes

Items 22 and 23 were moved to 10AM

Items 5, 12 & 13 were continued to April 19th

Public Comment: None

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to approve the April 5, 2017 agenda as presented.

4. Accounts Payable Vouchers, Credit Card Approval Form Requests, Capital Outlay Purchase Orders and Auditor’s Cash Report by Fund presented for review, discussion and possible action.

Honorable Christine Hoferer Recorder-Auditor and Teresa McNally, Deputy Recorder-Auditor presented the accounts payable vouchers and the auditor’s cash report to the Commissioners for approval. Cash balances were low and a budgeted transfer from PILT would be processed today.

5. Treasurer’s Accounting Fund Summary Balance Report and Financial Horizon Credit Union Accounts Report – presented for review, discussion and possible action.

No report until April 19, 2017

6. Reports and Correspondence

The Deputy Clerk read the following letters into the record:

Barbara Owens resignation from the Mineral County Convention and Tourism Authority (MCCTA) Board letter dated March 24th.

TC Knight, Chairman Mineral County Local Emergency Planning Committee (MCLEPC) regarding the Emergency Operations Center (EOC) Renovations, letter dated March 22nd.

Lyle Timmins regarding Patented Mine Auctions, letter received March 28th.

Anonymous letter regarding Hawthorne Utilities office security, letter received March 20th.

7. **Minutes of March 15, 2017**– for review and possible action.

The minutes of March 15, 2017 were presented for approval.

Public Comment: None

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to approve the minutes of March 15, 2017 as presented.

8. **Business License Applications** – The following applications will be presented for discussion and possible action. (Public comment following each application):

David Ziegler, Hawthorne Pop Warner Association Inc., PO BOX 2511 Hawthorne, NV 89415; New Application

Public Comment: None

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to approve the business license for David Ziegler, Hawthorne Pop Warner Association Inc.

Joseph Ciolino, Belfor USA Group Inc., 50 Artisan Means Way #B, Reno, NV 89511; New Application

Public Comment: None

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to approve the business license for Joseph Ciolino, Belfor USA Group Inc.

Shannon Erickson, PO BOX 2597 Hawthorne, NV 89415; New Application

Public Comment: None

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to approve the business license for Shannon Erickson.

9. **Liquor License Applications** – The following applications will be presented for discussion and possible action. (Public comment following each application):

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to suspend the Commissioners Meeting and call to the Liquor Board to order.

Cassie Dore, Barley's Sports Bar, Hawthorne Nevada; Special Event Micro Wrestling - Armed Forces Day Fundraiser.

Public Comment: None

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to approve the liquor license application for Special Event Micro Wrestling to be held at the Convention Center as presented.

Cassie Dore, Barley's Sports Bar, Hawthorne Nevada; Special Event at Mr. Beane's.

Public Comment: None

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to approve the liquor license Special Event at Mr. Beane's as presented.

Cassie Dore, Barley's Sports Bar, Hawthorne Nevada; Special Event Various Armed Forces Day events.

Public Comment: Beth Cichowlaz asked for clarification on the special event liquor licenses.

Discussion ensued regarding the various Armed Forces Day events. It was decided to continue this item until the April 19, 2017 Commission Meeting.

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to close the Liquor Board resume the Board of Commissioners.

10. **Susan Maple** – For consideration and possible action relative to landfill assessment on empty sagebrush desert of my 40 acre parcel where the county's flood plain ditch runs through and excessive yearly raised taxes.

Ms. Maple was not present. Mr. Larry Grant, Hawthorne Utilities Director, stated Ms. Maple owns 4 lots in Cory Canyon. Mr. Grant said when the resolution was passed to remove the landfill gate fee, a fee of \$20.00 dollars per empty lot was set, with no option of rate reduction. This made each of Ms. Maple's lots subject to the \$20.00 per year fee. Mr. Grant reviewed the costs involved with running the landfill.

Commissioner Tipton stated if the taxes went up on this property that would need to be addressed with the Assessor's Office. Discussion ensued, without Ms. Maple being in attendance, it was unknown to the Board what resolution Ms. Maple was seeking.

Commissioner Price stated that if Ms. Maple came into the Commissioner's Meeting, the Board would revisit the later item later during the meeting.

Public Comment: Ms. Hoferer asked if parcels were combined would the fee be less.

Beth Cichowlaz stated she took her assessment notices to the Utilities Office and the office manager explained the assessments to her.

Mike Guss suggested the bill could be assessed monthly instead of billed annually.

Cherrie George asked how landfill gate fees were decided. Mr. Grant explained construction and household refuse was dealt with differently so it was charged at different rates.

11. **Michael Stephens** – For consideration and possible action relative to putting on a fireworks show in July, and possible donation of funds towards fireworks display.

Michael Stephens could not be present.

Public Comment: None

Continued to April 19th Commissioner's Meeting.

12. **Sheryl Samson** – For consideration and possible action relative to conflict of interest. Proof of two commissioners in business together. Jerrie Tipton, Registered Agent and Chris Hegg Member of Crown Point Gold & Silver Mining Company, LLC. Limits a quorum on possible issues.

Public Comment:

Sheryl Samson asked to have the items continued to May 3rd, due to scheduling conflicts with April 19th.

Tabled until May 3, 2017 Commissioner's Meeting.

13. For consideration and possible action relative to correction and possibly readdress March 15, 2017 letter to Steve Hill at the Nevada Governor's Office of Economic Development as end of 2nd paragraph is an incorrect statement. If transparency is the issue this should be restated to Mr. Hill.

Public Comment:

Sheryl Samson asked to have the items continued to May 3rd, due to scheduling conflicts with April 19th.

Tabled until May 3, 2017 Commissioner's Meeting.

14. **Honorable Christine Hoferer** – Review of FY 16-17 and FY 17-18 Budget Estimates for possible adjustments.

Ms. Hoferer stated there had been an error in the budget in regard to the PILT transfer. She stated an additional \$107,000.00 would need to be cut from the budget. Discussion ensued regarding options for making adjustments to the budget and PILT transfers.

Sheriff Randy Adams stated he would be \$50,000.00 short on his salary line. However he felt there would be \$20,000.000 in the benefits line and other funds would make up for a portion of the salary line.

Commissioner Tipton stated she received the Health Nurse contract and it had an increase of \$6,000-\$8,000.00. It was decided to hold off on making changes to Health Nurse budget item at that time.

With the additional items from the Clerk's office, the budget would need to be reduced by \$112,000.00.

Discussion ensued and it was decided to make the following changes to the budget:

2017-18 255-901-55568 Decrease \$50,000.00 PILT set aside for the future computer operating system.

2017-18 255-901-51209 Decrease \$20,000.00 PERS retirement buy-outs.

The new Justice Court position would be reduced from full-time to part-time not more than 19 hours per week.

The transfer to the general fund would be changed to \$450,000.00.

Public Comment:

Cherrie George stated the Care & Share wages were among the lowest paid county employees and felt the Care & Share employees should make a higher wage.

- 15. Curtis Schlepp, Juvenile Probation Office** – For consideration and possible action relative to purchase of copy machine for Juvenile Probation Office.

Mr. Schlepp said the copy machine at the Juvenile Probation Office was malfunctioning. He would like to attempt break the lease they have on their current machine due to customer service and maintenance issues. He stated funds for a new machine would come from administrative assessments to pay for the lease. If he was able break the lease JPO asked for permission to enter into a lease with a different vendor. The copy machine would be \$2,999.00 to purchase with a \$19.99 monthly maintenance agreement that would include up to 1250 copies per month.

Public Comment: None

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to allow the Juvenile Probation Office (JPO) to if necessary get out of the current lease and enter into a lease with OPI at the costs stated.

- 16. Honorable Christopher Nepper** – For consideration and possible action relative to submitting a letter in support of keeping funding for FY 2018 for U.S. Department of Agriculture (USDA) water and waste disposal loan and grant program.

Larry Grant, Hawthorne Utilities Director explained the importance of USDA funding for water and wastewater disposal loan and grant program. Mr. Grant reviewed future needs that the USDA grant program would need to be utilized for.

Commissioner Tipton read the letter to be sent to Senator Dean Heller, Senator Catherine Cortez Masto and Congressman Ruben Kihuen into the record.

Mr. Grant stated he would check on the proper program title and have corrections made to the letter if necessary.

Public Comment:

Mike Guss stated the actual name of the program was the Water and Environmental Program. He encouraged the Board to look at the overall proposed cuts to the USDA of 29%. If the Board was going to criticize one budget cut, they should consider criticizing all of the proposed cuts to the USDA. Mr. Guss added the name of the program would need to be verified incase he was mistaken about the name.

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to have the Chairman of the Board sign the letters.

AN AMENDED MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner

Hegg and unanimously carried by the Board to change the program title from Water and Waste, to Water and Environmental and to have the Chairman of the Board sign the letters.

17. For consideration and possible action relative to voter election equipment and supplies. Budget figures were \$27,900.00. The Board only approved \$25,000.00.

2017-18 Election Equipment increased \$3,000.00.
2017-18 Estimated Budget Elections \$45,200.00.

Public Comment: Mike Guss asked what the average cost was of a recall election. Discussion ensued, it was estimated the cost to hold a recall election would cost \$10,000.00 dollars.

Nancy Black asked about PILT (Payment in lieu of tax) funding. Discussion ensued.

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to add \$3,000.00 to the FY17-18 Election Equipment budget and supplies item and \$1,500.00 back to FY 16-17 services and supplies line.

18. For consideration and possible action relative to readdressing the services and supplies line item for FY 2016-17 Clerk-Treasurer's budget.

Requested to have \$1,500.00 of the FY 16-17 budget returned to services and supplies 100-002-54400.

Public Comment: None

The motion to approve this item was combined with the motion for item 17.

19. **Honorable Board of County Commissioners** – For consideration and possible action relative to issuing a letter of support, nonsupport, or no position regarding the Nevada Association of Counties (NACO) sponsored SB451 regarding Indigent Criminal Defense.

Commissioner Tipton stated that the NACO Board voted to remain neutral on SB451.

Public Comment: None

No Action was taken.

20. For consideration and possible action relative to establishing a job description, job duties, hours, salary and benefits for Park and Recreation Coordinator.

Ms. Hoferer distributed a job description for the Parks & Recreation Coordinator. The position was now hourly, 40 hours per week. She reminded the Commissioners this is a safety sensitive position working with children. Discussion ensued.

Public Comment: None

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to approve the final Mineral County Park and Recreation Coordinator job description, salary range, hours, benefits and duties for the as presented.

21. **Honorable Commissioner Jerrie Tipton and Mike Fontaine, Building Inspector** – For consideration and possible action relative to revising the nuisance ordinance 8.40 to review and amend the appeals process and code enforcement.

Discussion ensued regarding the current nuisance ordinance and previous attempts to update the code enforcement process. Mr. Fontaine was not available due to scheduling conflicts.

Public Comment: None

Continued to April 19, 2017 Commissioner Meeting.

22. **Closed Session** – Pursuant to Nevada Revised Statute (NRS) 241.015(2)(b)(2) to receive information from legal counsel relative to existing/pending litigation.

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to move to a closed session Pursuant to Nevada Revised Statute (NRS) 241.015(2)(b)(2) to receive information from legal counsel relative to existing/pending litigation.

23. Open Session – Discussion and possible action relative to existing/pending litigation.

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to move back to open session.

Public Comment:

Mike Guss stated his opinion regarding the Green Energy Nevada litigation and local economic development.

Cherrie George asked if the county liability insurance would be covering the litigation fees, it was stated liability insurance was not covering the litigation fees.

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to have the Mineral County Chairman sign the documentation and enter into legal representation for the lawsuit with Green Energy Nevada using Kevin Benson with Allison & McKenzie at a rate of \$300.00 an hour.

TIME SPECIFIC ITEMS:

1:00 PM **Honorable Board of County Commissioners** – For consideration and possible action relative to Nuisance complaint for 715 H Street, Hawthorne, NV. Parcel 001-112-16.

Public Comment: None

Continued to April 19th Commissioners Meeting.

2:00 PM For consideration and possible action for initial reviewing of candidates for Park and Recreation Coordinator, conducting interviews and offering position to final candidate.

The Commissioners interviewed candidates for Park and Recreation Coordinator.

John "Bud" Gazaway, Mr. Gazaway reviewed his college education, facility management and business experience. He discussed the importance of sports and recreation for all ages and customer service. Mr. Gazaway was asked to define his goals for this department. He stated participation of the entire community was important and to increase the number of programs available. He stated he was passionate about recreation, and had fresh energy to bring to the community.

Melissa Isom, Ms. Isom stated she had been a Mineral County program aide for approximately 3 years and a volunteer for approximately 8 years. She reviewed the upcoming events that were planned for Hawthorne and various programs and events that she had been involved with for Mineral County. She stated her passion was for the kids. Ms. Isom discussed ideas for future events to bring more people to Mineral County.

Commissioner Price asked both candidates if they were aware they would be responsible for the pool personal.

Discussion ensued regarding the candidates and the attributes they could offer this position.

It was decided to offer the position to Mr. Gazaway.

The Commissioners thanked Melissa Isom for going above and beyond in her job duties. Commissioner Tipton stated she would like to set a goal to increase revenue in this department in so in the future a full-time position could be offered.

Discussion ensued about responsibilities, future plans for this department, salary range and required certifications.

Public Comment: Beth Cichowlaz asked in the future if the county has the funds would there be an opportunity for employees to move from part-time employment to full-time employment.

Alicia Dalton stated she has worked hard help the Park & Recreation program for many years and hopes that the programs would continue to be successful and welcomed Mr. Gazaway back to the community.

Schyler Hagen congratulated both candidates on their public interviews.

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to award the Park and Recreation Coordinator position to John "Bud" Gazaway at \$15.00 per hour, contingent upon all requirements being met, effective April 11, 2017.

4:30 PM PUBLIC HEARING – For consideration and possible action relative to approval of resolution to form a Walker Lake Refuse Collection Fund in the Mineral County, Hawthorne Utilities Budget.

Larry Grant and Anna Fitzgerald were present for Hawthorne Utilities. They presented and explained the estimated budget for Walker Lake Refuse Collection.

Commissioner Tipton clarified that if the resolution was passed and there was not enough interest that the County would not have to follow up with the collection fund.

Ana Fitzgerald would be at the Walker Lake Fire House to take applications for service from Walker Lake residence April 17th from 8:00 AM-12:00PM and April 24th from 12:00PM to 4:00 PM.

Discussion ensued regarding a part-time employee vs. a full time employee to cover Walker Lake.

Commissioner Tipton read Resolution 17-008, a Resolution to Form a Walker Lake Refuse Collection Fund into the record.

Public Comment: None

A MOTION WAS MADE BY Commissioner Tipton, seconded by Commissioner Hegg and unanimously carried by the Board to adoption Resolution 17-008 a Resolution to Form a Walker Lake Refuse Collection Fund as read into the record.

Board of Highway Commissioners – No Action

Public Comment – None

Commissioner Recognition –

Commissioner Price stated Mr. Nixon's presentation at the Legislature about ABR 11, did a very good job of representing Mineral County. Commissioner Price added he was thankful for the Planning Commission and the work they have done regarding I-11.

Commissioner Hegg stated Kathy Kachelries was already taking charge at the Museum and asking questions. Commissioner Tipton asked to have Kathy Kachelries and Sue Silver get in touch with each other.

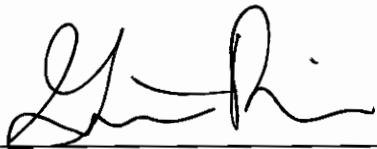
Commissioner Hegg stated the Armed Forces Day Committee is interested in doing tours at old court house. It was decided that Commissioner Hegg would submit an agenda item regarding the proposed tours.

Commissioner Tipton stated she had attended Mason Valley Conservation District, which she is a Board member of. Commissioner Tipton said she is drafting a letter that will detail the estimated costs to Mineral County for the proposed State Parks. The letter would go to the Ways and Means Committee.

There being no further business to come before this Board, the meeting of the Board adjourned until Wednesday, April 19, 2017 at 9:00 AM.

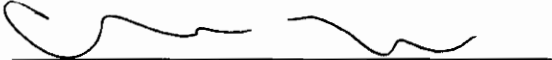
A verbatim recording of this meeting has been prepared and by reference becomes a part thereof.

Approved: Board of County Commissioners

By: 
Garth D. Price, Chairman

Date: 5.3.17

Attest:



Christopher Nepper, Clerk of the Board

Mineral County is an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.