



Board of Mineral County Commissioners

Hawthorne, Nevada
Wednesday, June 21, 2017

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

Honorable Jerrie Tipton	Vice-Chairman
Honorable Chris Hegg	Member
Honorable Sean Rowe	District Attorney

Absent:

Honorable Garth D. Price	Chairman
Honorable Christopher Nepper	Clerk-Treasurer

1. Pledge of Allegiance and Safety Message

Commissioner Hegg led the Pledge of Allegiance.

Safety Message was given by Mineral County Emergency Manager Patrick Hughes on heat stress.

2. Public Comment – Jon Johnson commented on the importance of knowing your limits in relation to heat stress.

3. Approval of Agenda/Necessary Changes

Time specific item 10:00AM regarding Resolution of Intent needed to be moved to the June 29th Commissioner’s agenda.

Item 13 spelling correction, this is a renewal of contract, not contact.

Item 19 was continued to July 19th

Item 20 moved to after the 1:00 PM time specific.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to approve changes to the agenda as presented.

A vote of the Board disclosed the following:

Ayes:	Commissioner Hegg Commissioner Tipton
Nays:	None
Abstain:	None
Absent:	Garth D. Price

Motion carried and so ordered.

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 and Teresa McNally Deputy Auditor presented accounts payable vouchers, credit card approval form requests, capital outlay, purchase orders and the auditor’s cash report.

Ms. Hoferer said Park & Recreation may need a transfer to their budget and suggested the transfer should not exceed \$5,000.00.

Public Comment:

Cherrie George was present, stated she was a life time member of County Fiscal Officers Association (CFOA) and explained why she felt it was important for her to attend the CFOA conference.

Christine Hoferer stated she felt the Commissioner’s should sign vouchers individually in lieu of signing the expenditure approval list.

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to approve a budgeted transfer to Park & Recreation Fund, if needed, not to exceed \$5,000.00.

A vote of the Board disclosed the following:

Ayes: Commissioner Tipton
Commissioner Hegg
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered

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

The Treasurer's Accounting fund summary balance report and Financial Horizon Credit Union accounts report.

6. Reports and Correspondence – None

7. Minutes of May 3, 15, & 17, 2017 – for review and possible action.

Minutes of May 3rd, 15th, and 17th, 2017 were presented to the Commissioners for approval.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to approve the minutes of May 3rd, 15th, and 17th, 2017.

A vote of the Board disclosed the following:

Ayes: Commissioner Tipton
Commissioner Hegg
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

8. Kenneth Collum – For consideration and possible action relative to the BLM program updates.

Kenneth Collum, Dennis Strange - Fire Management Officer, Ralph Thomas BLM District Manager and Lisa Ross BLM Public Affairs Specialist were present for the BLM.

Dennis Strange reported on Nevada Wild-land fire.

Kenneth Collum, discussion ensued regarding projects that were happening in Mineral County.

Ralph Thomas stated schools need to remember to get on the CFC list for donations from the BLM office.

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

James Boswell; Great West Asphalt LLC; 133 E. Warm Springs Rd, Las Vegas, NV 89119 – New Application

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to approve the business license for **James Boswell;** Great West Asphalt LLC; 133 E. Warm Springs Rd, Las Vegas, NV 89119.

A vote of the Board disclosed the following:

Ayes: Commissioner Tipton

Nays: Commissioner Hegg
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

Martin Waggoner; Wagg Swagg Productions; PO BOX 354, Hawthorne, NV 89415 –
New Application

The Wagg Swagg needed a 5 pound fire extinguisher installed within 30 days.

Public Comment: Larry Grant asked about business and the location address.

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to approve the business license for **Martin Waggoner;** Wagg Swagg Productions; PO BOX 354, Hawthorne, NV, with the stipulation that a 5# fire extinguisher.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
 Commissioner Tipton
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

- 10. Jon Johnson** – For consideration and possible action relative to a request that larger, more pronounced signs are located at the gates of Liberty Park/Veterans Park prohibiting dogs from entering the park.

Jon Johnson stated his concerns and frustration regarding Veterans Park. He felt this was sacred ground and that he would like to see bigger signs or a fence around the Memorial to keep animals away from the monument. Dog owners were not cleaning up after their animals.

Discussion ensued regarding options to resolve concerns.

Public Comment: None

Item to be continued on July 19th.

- 11. Kendall Harris** – For consideration and possible action relative to appeal of utilities decision on the charge for landfill for property at 938 Desert St, Hawthorne, NV.

Public Comment: None

Item was addressed during the 10:00AM time specific Hawthorne Utilities.

- 12. Susan Maple** – For consideration and possible action relative to landfill assessments and lack of previous communication on raise of assessments without more landowner participation.

Susan Maple stated several concerns regarding her 40 acre plot and felt the assessments were unfair. She also stated she concerns about public hearings, flood zones on her property and county tax rates.

Discussion ensued regarding dump fees and the purpose of the fees.

Ana Fitzgerald, Hawthorne Utilities Office Manager gave background on how parcels were selected for assessment. If there was any development on the property, the land owner was assessed fees.

Public Comment: None

- 13. Sheriff Randy Adams** – For consideration and possible action relative to Regional Medical Examiner's Office Contact Renewal.

The renewal contract for Regional Medical Examiner's Office Contact was presented by Undersheriff Ferguson, he stated the fees were the same.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to approve and sign the renewal of the Regional Medical Examiner's Office Contract.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
Commissioner Tipton
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

- 14. Mark Nixon, Regional Planning Commission** – For consideration and possible action relative to Special Use Permit Application by Walker Lane Minerals Corporation for mining operation of the Isabella Pearl Mine.

Mr. Nixon stated the Regional Planning Commission recommended approval of the Special Use Permit Application by Walker Lane Minerals Corporation for the Isabella Pearl Mine. Commissioner Tipton read the letter from the Regional Planning Commission recommending approval of the Special Use Permit Application by Walker Lane Minerals Corporation for the Isabella Pearl Mine.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to accept the Planning Commissions recommendation to approve the Special Use Permit Application by Walker Lane Minerals Corporation for the Isabella Pearl Mine.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
Commissioner Tipton
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

- 15.** For consideration and possible action relative to the purchase of a computer for Joyce Brown, Secretary to the following Boards, Hawthorne Airport Board, Local Emergency Planning Committee (LEPC), and the Regional Planning Committee. Purchase of computer to be shared between boards.

Mr. Nixon stated the Joyce Brown was the secretary for the Hawthorne Airport Board, Local Emergency Planning Committee (LEPC), and the Regional Planning Committee and she needed a new computer to perform her duties. Mr. Nixon stated the computer was old and could not open several of the programs needed to complete her job.

Christine Hoferer addressed the Board regarding concerns with purchasing a computer for the use of an independent contractor. Mr. Nixon stated the computer would remain the property of Mineral County. He said he also preferred not to have Mineral County information on his personal computer.

District Attorney Sean Rowe came forward and donated a computer for the use by the secretary of Hawthorne Airport Board, Local Emergency Planning Committee (LEPC), and the Regional Planning Committee. Commissioner Tipton stated if the computer did not work for their needs the item could be revisited.

Public Comment: None

- 16. Kathy Kachelries, Museum Conservator Commission** – For consideration and possible action relative to hiring a part time assistant conservator.

Ms. Kachelries stated she would like to hire a part time assistant conservator. She is concerned about extending summer hours, possible closure due to unforeseen absence. Discussion ensued regarding a budgeted part-time assistant conservator for FY 2017-18.

Christine Hoferer stated a part-time employee would cost approximately \$10,500.00.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to approve an assistant museum conservator for \$9.25 an hour not to exceed 19 hours per week.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
Commissioner Tipton
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

- 17. Honorable Dorothy Fowler, Assessor** – For consideration and possible action relative to applying tax exemption to property located at 398 G St., Hawthorne, NV 89415. Exemption was turned in but applied to wrong fiscal year. Remove delinquencies from account and apply exemption properly.

Kelly Owens, Assessor Deputy II, presented documents for 398 G Street, Hawthorne, NV.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to approve removal of penalties on property located at 398 G St., Hawthorne, NV 89415.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
Commissioner Tipton
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

- 18.** For consideration and possible action relative to removal of penalties on Account # MH 1257, mobile was converted to real property but was valued on the unsecured roll.

Kelly Owens, Assessor Deputy II, presented documents for mobile home account #1257.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to approve removal of penalties on Account # MH 1257, mobile was converted to real property.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
Commissioner Tipton
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

- 19. Honorable Commissioner Chris Hegg** – For consideration and possible action relative to removal of County exempt labor status for Manager/Department Heads and Supervisors in part or in whole as determined by the Board. Designation of new position title changes from exempt position to hourly position status and determination of new department assignments, if any. All wage adjustments considered for change to hourly status.

Public Comment: None

Item was tabled until July 19th.

- 20. 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.

Mr. Fontaine asked the Commissioner's if they had reviewed the ordinance. Discussion ensued regarding possible ordinance changes. Commissioner Hegg stated he would review the ordinance and forward any suggestions to District Attorney Sean Rowe.

Mr. Fontaine suggested if a fine was to be imposed, there could be a review board of three department heads that would need to agree that a nuisance exists.

Public Comment: None

Item to be continued on October 4th.

TIME SPECIFIC ITEMS:

- 10:00 AM Ana Fitzgerald - Office Manager, Hawthorne Utilities** – For discussion and possible action relative to appeals of the Mineral County Solid Waste Review Board decisions and the review and approval of recommendations from the Mineral County Solid Waste Review Board's decision of applications for adjustments of the Solid Waste Landfill Assessment for the 2017-2018 tax year.

Kendall Harris was present and disputed the assessment by Hawthorne Utilities. The assessment was \$144.00 per residence equaling \$288.00 for the year. Solid Waste Board reduced the assessment to \$184.00.

Discussion ensued regarding assessments, property and how appeals were processed by the Solid Waste Board and the Commissioners.

Public Comment: Beth Cichowlaz stated she owned several properties in the county and she pays the assessments because it's her obligation as a land owner to pay to benefit the community.

Max Pattee was not present, but filed a dispute with the Solid Waste Board. His assessment was reduced to \$40.00.

Susan Maple was present and disputed the assessment by Hawthorne Utilities. The assessment was for her residence. There was no recommendation for reduction from the Solid Waste Review Board because she lives in the home year round.

Ana Fitzgerald read a letter to the Commissioner's outlining the actions of the Solid Waste Review Board.

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to approve the Solid Waste Review Board recommendations and letter.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
 Commissioner Tipton
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

Immediately Following For discussion and possible action relative to write-off uncollectible accounts for Hawthorne, Mina/Luning water systems.

Public Comment: None

Ana Fitzgerald reviewed the list of uncollectible aged accounts and how they were determined as uncollectible. She stated the write-off's were tentative until further review. The Hawthorne Town write-off total was \$1784.87. The Mina write-off total was \$ 558.66, there were no write-off's in Luning.

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to approve the tentative list of Hawthorne Utilities to write-off uncollectible accounts for Hawthorne, Mina/Luning water systems.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
Commissioner Tipton
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

Immediately Following Consideration and possible action relative to approval of resolution of intent, proposing the issuance of, and authorizing the publication of notices relating to General Obligation (Limited tax) Sewer Bonds (additionally secured by pledged revenues) in the maximum principal amount of \$1,500,000 for the purpose of financing sewer projects for the Town; authorizing the County Clerk-Treasurer or designee to arrange for the sale of the Bonds; providing other matters properly related thereto; and providing the effective date.

Item tabled until June 29th.

Immediately Following **Larry Grant, Hawthorne Industrial Airport Mineral County Airport Land Use Advisory Committee, Chairman** – For consideration and possible action relative to approval of lease for land on which a hanger owned by Brent Wilson is located for one year, with any and all changes, additions to terms of lease.

Larry Grant stated a sub-committee was developed to form a hanger policy. Discussion ensued regarding policies for hanger leases and FAA guidelines. Commissioner Tipton read a letter from Hawthorne Industrial Airport Mineral County Airport Land Use Advisory Committee recommending approval of the lease.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton for approval of the Hawthorne Industrial Airport Mineral County Airport Land Use Advisory Committee recommendation of approval of lease for land on which a hanger owned by Brent Wilson is located for one year, with any and all changes, additions to terms of lease.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
Commissioner Tipton
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

Immediately Following **Eric Hamrey, Public Works Director** – For consideration and possible action relative to approval of use of Road Department Equipment for the repair of boat ramp at State Beach (AKA) Monument Beach, tentative to State Parks agreement and decision.

Eric Hamrey read an email he sent to Eric Johnson at state parks outlining repairs at State Beach (AKA) Monument Beach. Discussion ensued regarding for the planned repairs at State Beach including repairs to the boat ramp, tentative to State Parks

agreement and decision. Mr. Hamrey read correspondence between himself and Eric Johnson. Mr. Johnson stated suggested repairs were approved and could move forward. He also reminded Mr. Hamrey that the shade structures at State Beach now belonged to Mineral County.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to allow Public Works to complete work at the State Beach (AKA) Monument Beach.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
 Commissioner Tipton
Nays: Commissioner
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

Immediately Following

For consideration and possible action relative to Review, Approval & Signature for Contract Agreement between Nevada Division of State Parks and Mineral County Road Department.

Eric Hamrey stated he was asking for permission to sign the agreement between Nevada Division of State Parks and Mineral County Road Department. Discussion ensued regarding contract points.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to allow Eric Hamrey of Public Works to sign the Contract Agreement between Nevada Division of State Parks and Mineral County Road Department.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
 Commissioner Tipton
Nays: Commissioner
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

1:00 PM

Honorable Board of County Commissioners – For consideration and possible action relative to Nuisance complaint for 351 First Ave, Luning, Nevada APN: 002-011-02.

Mike Fontaine, Building Inspector presented photos of the property to the Commissioners. Appliances, trash and old furniture were visible on the property, exterior doors were open and not secure. Mr. Fontaine stated the property needed to be cleaned up and did meet the code requirements to be considered a nuisance. Also the property appeared to be vacant.

Darlene Wilkerson stated there was raw garbage on the property. She has also seen large rats and many cats on the property.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to determine there was an existing nuisance at 351 First Ave, Luning, Nevada.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
 Commissioner Tipton

Nays: Commissioner
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

2:00 PM Closed Session – Pursuant to Nevada Revised Statute (NRS) 241.015(2)(b)(2) to receive information from legal counsel relative to existing/pending litigation.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to go into 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.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
Commissioner Tipton
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered

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

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to go back into back into open session.

A vote of the Board disclosed the following:

Ayes: Commissioner Hegg
Commissioner Tipton
Nays: None
Abstain: None
Absent: Commissioner Price

Motion carried and so ordered.

Board of Highway Commissioners – Commissioner Tipton and Public Works are working together on pre-1976 Mineral County Road maps that are maintained by the County.

Public Comment – None

Commissioner Recognition – Commissioner Hegg commend Kathy Kachelries, Museum Conservator Commission on her work at the Mineral County Museum.

There being no further business to come before this Board, the meeting of the Board adjourned until Thursday, June 29, 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: 7.5.17

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.