



# Board of Mineral County Commissioners

Hawthorne, Nevada

January 17, 2018

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

Honorable Jerrie Tipton	Chairman
Honorable Chris He	Vice-Chairman
Honorable Garth Price	Member
Honorable Christopher Nepper	Clerk-Treasurer
Honorable Sean Rowe	District Attorney

## Absent:

### 1. Pledge of Allegiance and Safety Message

Pledge of Allegiance was led by Commissioner Price

Safety Message was provided by Emergency Manager Patrick Hughes relative to the flu virus, handout provided.

### 2. Public Comment –

Wade Barton stated he had attended an Airport Advisory Board meeting regarding placing a billboard at the industrial park; it was his understanding that someone else had the same idea and that the Board acted even though there wasn't an agenda item. He would like a fair chance to put a billboard at that location.

Fire Chief, Chris Lawrence advised the Board the contract for the ARFF vehicle had changed; the payment was \$1 instead of \$500. Betty Easley did not want her money back so they were going to establish a maintenance fund for the ARFF vehicle.

### 3. Approval of Agenda/Necessary Changes

The Board advised there would be no open or close item and they were going to move Staci Emm's items to 11:00 AM.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve changes to the agenda as discussed.

### 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.

Accounts Payable Vouchers were presented for review.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and to unanimously carried by the Board to approve the Capital Outlay from the Sheriff's Office for tasers in the amount of \$2,159.

The motion was made but not approved, it had already been approved.

Ms. Hoferer advised the Board they were low on cash; she would like to hold off on a payment to Mt. Grant Electric for contract work that was not finished. Discussion ensued regarding the AT&T bills.

Commissioner Tipton would like the Clerk's Office to send out a notice regarding back-up for agenda items being sent in a timely manner.

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

Treasurer's Accounting Fund Summary Balance Report and Financial Horizon Credit Union Accounts Report was presented for review.

### 6. Reports and Correspondence

A letter from Mineral County Assessor, Dorothy Fowler regarding resignation was read by Clerk Treasurer, Christopher Nepper

A letter from Mr. Bergeron regarding election equipment and road cuts was read by Clerk Treasurer, Christopher

Nepper.

7. **Minutes of** – January 3, 2018 for review and possible action.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the minutes of January 3, 2018.

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

Colleen Dullen was present to provide an update on BLM representation, mining, grazing OHV events and the Walker Lake Boat ramp.

Commissioner Tipton asked Ms Dullen to remind the Lithium Plant that if they deviate from the special use permit they have with the county, they would need to revisit with the Planning Commission.

Commissioner Tipton asked why the Isabella Pearl mine was having to do another Environment Assessment. Ms. Collum advised the new well was outside of the assessed area. Commissioner Tipton disagreed. Ms. Dullen said she would look into the matter and get back to Commissioner Tipton.

Mike McNeil stated the Mineral County Convention and Tourism Board was asked to coordinate with the BLM on providing mapping which they would use for their tourism brochures; he had contacted Mr. Collum but had not heard from him.

9. **Business License Applications** – The following applications will be presented for discussion and possible action.

- A. Shane M. Krogg; Auto Glass and More; 270 W. Williams Ave., Fallon, NV 89406; New Applicant

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the Business License for Auto Glass and More.

10. **Mark Nixon, Chairman Mineral County Regional Planning Commission** – For consideration and possible action relative to approval of renewal of membership of Wilfred Buffington and David Ellis.

Mr. Nixon advised they received letters of interest from both men.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to accept the Planning Commission recommendation to re-appoint Wilfred Buffington and David Ellis.

11. **Honorable Christine Hoferer Recorder-Auditor** – For consideration and possible action relative to the status of appointed Interim Recreation Coordinator at YCAC.

The Board tabled until 11:00 AM.

Ms. Hoferer advised there was a threshold on the number of hours a 19 hour a week position could not exceed; the Interim Recreation Coordinator at the YCAC was about to be exceeded and they were going to have to pay PERS for this position. A decision needed to be made on what was going to be done with this position. Discussion ensued.

Sheri Sampson asked if any marketing had been done to get the word out so families in the area could utilize the programs being provided.

Beth Cichowlaz asked how far away they would advertise the position.

Larry Grant suggested putting the notice on Job Connect.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to move Samantha Lopez back to 19 hours per week and to advertise for a full time Park and Recreation Coordinator.

Public Comment: None

The Board advised advertising for the position starting tomorrow and ending February 2, 2018; they would review

applications on February 7 2018.

- 12. For consideration and possible action relative to updating the list of Automatic Payments for Accounts Payable items.

Ms. Hoferer advised the automatic payment list needed to be updated. Discussion ensued relative to the changes to the list.

Commissioner Tipton would like to have this item to be visited every other year in January starting in 2020.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the list for automatic payments.

- 13. **Honorable Randy Adams, Sheriff** – For consideration and possible action relative to Critical Need Position Designation Form sent to PERS.

Mr. Adams advised that Curtis Schlepp just retired from Mineral County; he was willing to come back to work but he can't unless the Sheriff's Office meets the statute regarding a Critical Labor Shortage.

Commissioner Tipton advised Mr. Adams that the National Association of County Officials would post job notices.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to declare that the Sheriff's Office did meet the requirement for a critical needs position.

- 14. **Larry Grant Chairman Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Committee** – For consideration and possible action relative to approval of renewal of membership of Tony Tipton and Woody Isom to the Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Committee.

Mr. Grant advised the renewal of Mr. Tipton and Mr. Isom was unanimous.

**A MOTION WAS MADE BY** Commissioner Price and seconded by Commissioner Hegg to accept the recommendation of the Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Committee for the membership renewal of Tony Tipton and Woody Isom.

A vote of the Board disclosed the following:

- Ayes:** Commissioner Price, Hegg  
Commissioner
- Nays:** Commissioner
- Abstain:** Commissioner Tipton
- Absent:** None

Motion carried and so ordered

Public Comment: None

- 15. For consideration and possible action relative to approval of new member to fill vacancy on the Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Committee, Vern Watson.

Mr. Grant advised he would be resigning at the end of the February meeting, they were already advertising to fill a position so they would have a full board.

Commissioner Tipton advised Mr. Watson was filling the last year of a two year term; it expires December 31, 2018.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to accept the Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Committee recommendation to appoint Vern Watson as a non- aviation.

- 16. **Donna Oberhansli, Public Works Office Manager** – For consideration and possible action relative to review and signature for Armstrong Disadvantaged Business Enterprise Plan for Hawthorne Industrial Airport.

Ms. Oberhansli advised she needed a signature for the Armstrong Disadvantaged Business Enterprise Plan.

Commissioner Tipton advised the Armstrong Plan was already done and this was just a requirement by the FAA.

17. For consideration and possible action relative to setting salary range for Public Works Forman.

Commissioner Tipton advised that when Eric Hamrey was moved to the director position they stipulated the Forman position could not be filled until after the first of the year.

Ms. Hoferer provided the wage scale and suggested addressing the exempt or non exempt status.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to set the salary range at an hourly unclassified for \$43,000 to \$46,000.

18. **Patrick Hughes Emergency Manager** – For consideration and possible action relative to approval by Board of the Local Emergency Planning Commission Bylaws to be submitted to State Emergency Response Commission (SERC) with annual compliance paperwork.

Mr. Hughes advised he needed a signature on the Local Emergency Planning Commission Bylaws.

**A MOTION WAS MADE BY** Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to approve the Local Emergency Planning Commission Bylaws.

19. For consideration and possible action relative to submission of FY 2019 Hazardous Materials Emergency Preparedness (HMEP) Planning and Training Grant application to State Emergency Response Commission (SERC).

Mr. Hughes advised the vendor for the smart board had cancelled after submitting the grant. He was resubmitting and asking for two this time.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve FY 2019 Hazardous Materials Emergency Preparedness (HMEP) Planning and Training Grant.

20. For consideration and possible action relative to the review of Local Emergency Planning Commission Membership List and changes to the Hazardous Response Plan.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to accept the updated list for the Local Emergency Planning Commission Membership List.

Public Comment: None

Mr. Hughes advised the changes were names and phone numbers.

21. For consideration and possible action relative to providing a quarterly report from Emergency Management.

Mr. Hughes provided a quarterly update on the Local Emergency Planning Commission grants and advised the Board of the programs he was working on.

22. **Mike McNeill** – For consideration and possible action relative to selection and appointment of an elector from letters of interest received to fill a new 2 year term 1/1/18 to 12/31/19 of a “Motel Representative” to the Mineral County Convention and Tourism Board.

Mr. McNeill advised there was one Motel position open and Mr. Rideout submitted a letter for this position. Mr. Isom was applying for the Hotel position.

Discussion ensued regarding the Hotel position.

**A MOTION WAS MADE BY** Commissioner Hegg and seconded by Commissioner Tipton to appoint Terri Rideout and Woody Isom to the Motel/Hotel Representatives to the Mineral County Convention and Tourism Board.

A vote of the Board disclosed the following:

**Ayes:** Commissioner Hegg, Tipton

**Nays:** Commissioner  
 Commissioner  
**Abstain:** Commissioner Price  
**Absent:** None

Motion carried and so ordered

Public Comment: None

Commissioner Price abstained due to being a voting member of the Board

The Board revisited this item, and a new motion was made.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to appoint Terri Rideout and Woody Isom to the Motel/Hotel Representatives to the Mineral County Convention and Tourism Board.

Public Comment: None

The Board revisited this item again to propose a new motion.

**A MOTION WAS MADE BY** Commissioner Tipton and seconded by Commissioner Hegg to appoint Terri Rideout as the Motel Representative to the Mineral County Convention and Tourism Board.

A vote of the Board disclosed the following:

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

Motion carried and so ordered

23. For consideration and possible action relative to selection and appointment of an elector from letters of interest received to fill a new 2 year term 1/1/18 to 12/31/19 of a "Hotel Representative" to the Mineral County Convention and Tourism Board.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg\_ and unanimously carried by the Board to appoint Woody Isom to the Hotel/RV Representative to the Mineral County Convention and Tourism Board.

24. For consideration and possible action relative to appointing a new Mineral County Convention & Tourism Authority Board Member to the vacant "Representative at Large".

Mr. Mc Neill advised they had not had a quorum to view the letters of interest.

Commissioner Tipton asked the District Attorney if the Board could select a member for the Representative at Large.

District Attorney, Sean Rowe advised the Board stay consistent to what was done in the past and to send it back to the Mineral County Convention & Tourism Authority Board to review.

25. **Staci Emm** – For consideration and possible action relative to the discussion of the Mineral County reorganization meeting held on January 4, 2018.

Ms. Emm advised the recommendation from the reorganization meeting was to keep everything the same regarding the Park and Recreation program; coordinator and the two part time positions. The big issue she saw was the pushing back of the department heads.

Commissioner Hegg said the sticking point at the meeting was the pool.

Ms. Hoferer asked if everything was staying the same, why Cooperative Extension was doing the basketball program by themselves.

Ms. Emm explained that she was collaborating with the previous director so they could have numbers for the 4-H club; she advised that if the county was going to pay for two part time employees and a coordinator it needed to

determine what their jobs were going to be and what they expected to be accomplished, to set the goals and a time line to accomplish them.

Alicia Sweet provided the board with a list of improvements that had been made and requested building improvements, a daily attendance log dated back to September and an activity log.

Cherrie George Senior service Director stated the committee discussed the park maintenance and this was where the head butting started; she thought this needed to be addressed by the Board since it had been going on for years; she would also like to see more program coordination between the different entities.

- 26. Staci Emm and Travis Crowder** – For consideration and possible action relative to funding allocation to the Boys and Girls Club of Mason Valley – Hawthorne site and the lease agreement for the Armory building.

Mr. Crowder stated the Boys and Girls Club was interested in cooperating with the other agencies on the programs, but their program leans more toward homework, tutoring and youth development; he advised the first year they saw support and had a surplus but this year they were running in the red, they had not seen a significant amount of support. Discussion ensued.

Commissioner Tipton advised the Boys and Girls Club was asking for \$30,000 in support.

Ms. Hoferer advised this was a budget discussion.

Mr. Grant suggested a payroll deduction and match program.

Ms. George asked what families were charged; she suggested charging on a sliding fee scale.

Ms. Emm asked if the committee would continue to meet once a month.

Commissioner Hegg advised continuing with the meetings.

Commissioner Tipton requested an agenda item for February 7, 2018 to read for consideration and possible action regarding a payroll deduction for the Boys and Girls club of Mason Valley Hawthorne Site.

Mr. Crowder said the End of Year Banquet event was this Saturday, cocktails at 5:00 dinner at 6:00.

- 27. Jay Woods** – For consideration and possible action relative to the request for a Public Action for parcels #007-190-37, 002-022-02, 003-122-03, 003-122-04, 003-122-05, 003-122-07, and 002-054-06.

Mr. Woods was not present.

Commissioner Tipton advised there was another gentleman who also wanted to purchase in this area, she advised sending Mr. Woods a letter advising him to put the item back on the agenda and this land may need to be surveyed.

- 28. Honorable Board of County Commissioners** – For consideration and possible action relative to amending or rescinding Ordinance 234A Bill 250 banning medical marijuana establishments.

Commissioner Tipton stated she was sure there was going to be a request for a grow facility so Ordinance 234A Bill 250 may need to be rescinded or amended.

Mr. Rowe advised the ordinance encompassed both the cultivation site and dispensary site, so he suggested rescinding a section in title 17.

David Ellis a member of the Planning Commission advised the Commission had discussed requiring the grow facility to also have a dispensary.

Jeff Gundzik with Queen Valley Resources stated they were looking at filling this requirement by doing deliveries.

Commissioner Tipton read by Title only and proposed ordinance 247A Bill 263 amending Mineral County Code Title 17 chapter 8 section 070 which regulated the operation of medical marijuana establishments.

- 29. Closed Session** – Pursuant to NRS 288.220 to discuss/review all labor/bargaining unit contracts, grievances and negotiations. Not Necessary

- 30. Open Session** – Discussion and possible action relative to all labor/bargaining unit contracts, grievances and negotiations. Not Necessary

#### TIME SPECIFIC ITEMS:

**10:00 AM Chris Lawrence Fire Chief** – For consideration and possible action relative to approval of lease

agreement and medium term obligation in the amount of \$197,080.17 between LN Curtis & Sons and Mineral County Fire Department for Respiratory Equipment.

Dan Brea from LN Curtis & Sons and Fire Chief Chris Lawrence was present. Mr. Lawrence advised they had received a letter from the Department of Taxation and some language in the lease contract had to be changed, the payment was \$28154.31 a year for seven years.

Dan Brea took contract back to the company and they would send it back.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to enter into the Medium Term Obligation with LN Curtis & Sons for \$197,080.17 to be paid from Hawthorne Town Fund.

Commissioner Price Amended his motion.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to enter into the Medium Term Obligation with LN Curtis & Sons for \$197,080.17 to be paid from Hawthorne Town.

**Immediately Following**

For consideration and possible action relative to adjusting the standby pay of unclassified staff to match standby pay for union staff.

Mr. Lawrence advised the Board he had one unclassified personnel; she does a lot of standby, because of the lack of certified personnel.

Ms. Hoferer advised trying to make this position a union position; why have a Contract with Union employees paying dues if you are going to give the same benefits to unclassified personnel.

Beth Cichowlaz asked how often did the person go out on calls and suggested someone talk to the Union about this position.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to adjust the standby pay to match Union staff.

**Immediately Following**

**Cherrie George Senior Services Director** – For consideration and possible action relative to projects/reports and the status of current/open grants.

Ms. George gave the Board an update on the grants, programs and revenue at the Senior Center; she advised her cook would be retiring, this was going to make the cost of food would be going up this person clips coupons, and shops for the Senior Center during her personal trips to Reno. She does have the assistant cook that she could move up, but she was going to start advertising in February. Ms George stated she has a Senior Service Specialist that goes above and beyond what was required and is involved in other services in the community.

**12:30 PM**

**Regional Transportation Commission**

**1:00 PM**

**Vincent Kellison** – For consideration and possible action relative to the award and process of the awarding of the contract for pool bonding.

Mr. Kellison provided the Board with a letter from Barbara Owens. He quoted the State Statute NRS 332.039 regarding advertising for the bidding process; discussion ensued regarding the bidding for the swimming pool bonding job.

District Attorney, Sean Rowe stated this job did not have to go out to bid; he asked Mr. Kellison what he wanted the Board to do.

Mr. Kellison wanted to know why there was not a building permit. He would like the job shut down and put back out to bid or given to the person who did the leg work.

Gary Moody with G- Dubs Construction stated 5 months ago he saw Eric Hamrey and asked when they were going to start the job. Mr. Hamrey was well aware of who had put the bid in.

Mr. Rowe advised the Board to end the discussion until they could get more information and to table the item until the next meeting at 1:00.

Ms. Hoferer asked the Board about paying the voucher for Mt. Grant Electric.

The Board advised not to pay at this time.

Ms. George stated the Board could not make an informed decision without the backup for the item.

**1:30 PM Public Hearing** – For consideration and possible action relative to rate increases for Hawthorne Water System, Sewer Operation, Garbage Department and the Mina/Luning Water Systems.

Hawthorne Utilities Office Manager, Ana Fitzgerald provided a slide show with updates on the revenue and the operational expenses; she advised the rate increases proposed were to keep up with the national inflation; Utilities was a not for profit department. They were proposing a rate increase of 1% or .35 for the Mina/Luning Water System; 1% or .16 for the Hawthorne Water System; .05 annually for the Hawthorne Wastewater system; ½% or .05 for the Garbage Department. New fees to be effective July 1, 2018. Also proposing to raise the additional dumping fees.

Public Comment: None

**5:30 PM Public Hearing** – For consideration and possible action relative to rate increases for Hawthorne Water System, Sewer Operation, Garbage Department and the Mina/Luning Water Systems.

Ana Fitzgerald read Resolution 18-002 into the record; relative to Hawthorne Water System.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to adopt Resolution 18-002 as read into the record.

Ana Fitzgerald read Resolution 18-003 into the record relative to Mina Luning Water System.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to adopt Resolution 18-003 as read into the record.

Ana Fitzgerald read Resolution 18-003 into the record relative to Mina Luning Water System.

Public Comment: None

Ana Fitzgerald read Resolution 18-004 into the record relative to Mina Luning Water System.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve Resolution 18-004; as read into the record.

Ana Fitzgerald read Resolution 18-005 into the record relative to Mina Luning Water System.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve Resolution 18-005; as read into the record.

Attached to the minutes is the list of the public that attended both Public Hearings.

**Board of Highway Commissioners** – Not Necessary

**Public Comment** - Mr. Kellison wanted to know if work was going to be stopped at the pool. He filed a complaint with the Contractors Board. He had looked at the work and it was not being done by code.


**Commissioner Recognition** – Commissioner Hegg would like to thank Samantha Lopez for standing in at the Park and Recreation.

There being no further business to come before this Board, the meeting of the Board adjourned until Monday, January 22, 2018 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:   
Jerrie Tipton, Chairman

Date: 2.7.18

**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](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](mailto:program.intake@usda.gov).

# Public Hearing

1:30

Merrie George  
Larry Jones  
Vernon J. Allen  
Christine Hferer  
Wanda Nixon  
JP Gundzik

5:30

D. Buozzi  
Michael Buss  
Nyles J. Muddelman