



Board of Mineral County Commissioners

Hawthorne, Nevada

February 7, 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 Hegg	Vice-Chairman
Honorable Garth Price	Member
Honorable Christopher Nepper	Clerk-Treasurer
Honorable Sean Rowe	District Attorney

1. Pledge of Allegiance and Safety Message

Pledge of Allegiance was led by Commissioner

Safety message was provided by Fire Chief Chris Lawrence regarding getting a permit for weed burning which also included safety information.

2. Public Comment

Wilkin Jones stated the hardest working employees of Mineral County were the trash collectors and their pay was low; he recommends a \$5.00 an hour pay increase. Since this is a small community he suggested reducing the personnel in the Sheriff's Office and to use this money to pay the trash collectors.

Michael Guss stated he had been watching the closing of businesses and the steady decline in Hawthorne; he thinks the Economic Development Association should take a broader more regional approach; There was a regional Economic Development Association in Carson City he thinks the Board should listen to what they have to say.

3. Approval of Agenda/Necessary Changes

Item 18 should have read parcel #007-180-01 and item #19 parcel number should have read 007-190-37 and parcel # 003-122-03 and # 003-122-04 was listed twice.

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 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.

Accounts Payable Vouchers were presented for approval

Recorder Auditor Christine Hoferer advised the Board there was an ongoing unemployment claim of \$6,057 for the prior Park and Recreation Director, the Park and Recreation Department did not have the money in their budget so it was charged to the General Fund; the General Fund was at \$423,000; the voucher total was \$212,000 they were waiting to make the last transfer from PILT of \$75,000 and they are holding the payment to Pershing County. She sent a memo out to all departments to keep the spending to what was necessary.

Heather Drake, Assessor's office advised they were working on getting the tax bills out; by law the unsecured had to be billed by April 30 so they were still within the legal time frame.

Ms. Hoferer asked if they had addressed the \$106,000 sitting in the Assessor's Office. She also advised deposits could be submitted as they come in; they did not need to be done once a month; the Commissioner meeting was being switched from the 3rd to the 4th Wednesday of March, 2018.

Item was revisited

Ms. Hoferer advised the Board the Public Administrator fund was not set up to cover salary and benefits; she asked the Board to approve a transfer from the General Fund to cover the salary and benefits for the remainder of this year.

Public comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to transfer \$12,500 from the General Fund to the Public Administrator fund to cover the

salary and benefits for the remainder of this year.

5. Reports and Correspondence

A letter from Vets for Action regarding the Opioid Epidemic. Commissioner Tipton provided a short background on the item.

6. Minutes of – January 17, 2018 and January 22, 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 17, 2018 and January 22, 2018 as presented.

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

- A. **Clint Jensen**; Clint Jensen Construction, LLC; 1390 Rice Road, 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 application for Clint Jensen Construction.

- B. **Greg Mohr**; Fun Fair Kiddie Land Shows; PO Box 1573, Hawthorne; New Applicant

Greg Mohr was present he advised he had two rides he would like to bring back for the children.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the business application for Fun Fair Kiddie Land Shows as long as requirements of the Building Inspector and the Fire Chief were met.

- C. **Willcrest PS Intermediate Holdings, LLC**; Pearce Services, LLC; 3720 LaCruz Way, Paso Robles, CA 93446; 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 application for Pearce Services, LLC.

- D. **Debra Sweet-Oberhansli**; Debbie's Sweet Treats; PO Box 1465; Hawthorne; New Applicant

Public Comment: None

Heather Drake asked about the tracking of business licenses for the purpose of personal property billing.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the business license application for Debbie's Sweet Treats.

- E. **Carling Barlow**; Hedgehog Electric; 146 N. Old Hwy 91, Suite 2, Hurricane, UT 94737; 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 application for Hedgehog Electric.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to recess the February 7, 2018 Board of County Commissioners and to convene the Liquor Board.

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

A. Cassie Dore; Barley's Sports Bar; 822 Sierra Way, Hawthorne, NV; Special Liquor License

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the liquor license application for Barley's Sports Bar.

Public comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to adjourn the Liquor Board and reconvene the February 7, 2018 Board of County Commissioners.

- 9. Joan Sciarani-Blake, CPA** – For consideration and possible action relative to an engagement letter for the auditing firm of Arrighi & Blake, LLC for Mineral County in accordance with NRS 354.624 for fiscal year ending 6/30/18.

Ms. Sciarani-Blake stated the contract was for two years; the price would stay the same.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to accept the engagement letter for the auditing firm of Arrighi & Blake, LLC. for a two year contract in the amount of \$62,000 for auditing purposes.

- 10. Honorable Christine Hoferer, Recorder-Auditor** – For consideration and possible action relative to the approval of letter to Department of Taxation advising of Mineral County's corrective action for budget violation in FY2017 Financial Audit.

Commissioner Tipton read into the record the Letter to the Department of Taxation.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the letter to the Department of Taxation regarding Mineral County's corrective action for budget violation in FY2017 Financial Audit.

- 11. Honorable Randy Adams, Sheriff** – For consideration and possible action relative to the need of signatures on Memorandum of Understanding to allow Attorney General's office to pay 100% of installation of incinerator.

Mr. Adams advised the AG had given them an incinerator and has agreed with the installation quote.

Public Comment:

Public Works Director, Eric Hamrey asked what the amperage was.

Mr. Adams advised an electrical contractor was coming to install the incinerator.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the Memorandum of Understanding to allow Attorney General's office to pay 100% of installation of incinerator.

- 12.** For consideration and possible action relative to the need of signatures on amended Memorandum of Understanding to provide Regional Public Safety between Lyon County, Mineral County and Storey County.

Mr. Adams advised that Churchill County had backed out of the MOU they already had so it needed to be amended.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the change in signatures on the Memorandum of Understanding to provide Regional Public Safety between Lyon County, Mineral County and Storey County.

- 13. Larry Grant, Hawthorne Utilities Director** – For consideration and possible action relative to receiving authorization for Hawthorne Utilities to go to bid for Contractor for the Sewer Wetlands Project, setting dates to receive and open bids. Financing of the \$1,647,740 closed January 24, 2018.

Mr. Grant advised they had to go to bid for the Sewer Wetlands Project, and he would like to open bids at the March 7th meeting at 10:00 AM.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to authorize Hawthorne Utilities Director, Larry Grant, to go out for a bid on the Sewer Wetlands Project contingent upon approval from the district attorney.

14. Safe Grad Committee – For consideration and possible action relative to donations for Safe Grad Night.

Bailey Pena advised they were asking for money for Safe Grad to provide fun and safe night for all the high school kids.

Public Comment: None

Beth Cichowlaz asked for the location and if it was going to be conducted the same as in the past.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to \$500 out the Commissioner Recognition Fund for the of 2018.

15. Jeff Barrow – For consideration and possible action relative to appointment of new member for the Mina Town Advisory Board.

Commissioner Tipton read the letter from Mr. Barrow regarding the appointment of a new member; she advised the new member should finish out the unexpired term.

Public Comment: Thomas Bergeron stated that he felt Ms. Bohn would do well on the advisory board.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to accept the Mina Town Advisory Board recommendation to appoint Patty Bohn as member of the Mina Town Advisory Board to finish out the unexpired term.

16. Barbara Edington – For consideration and possible action relative to approval of Walker Lake Advisory Board members.

Commissioner Tipton advised approving Michael Pugh, Barb Edington and George Markle to be members of the Walker Lake Advisory Board.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve Michael Pugh, Barb Edington and George Markle to be members of the Walker Lake Advisory Board with the exception that Commissioner Price be placed on the email list as he was the liaison for this board.

The Board requested this agenda item to be placed on the next agenda.

17. Sheri Samson – For consideration and possible action relative to the lack of proper road maintenance and enforcement of county codes.

Commissioner Tipton advised the Regional Transportation Commission would be discussing road cuts.

Sheri Samson read a letter that stated this was not a witch hunt but questioning the enforcement of the Ordinance 229A, Bill 45 regarding keeping the community in a safe and aesthetically pleasing condition, she also touched on road cuts, travel trailers becoming permanent residences; trash and health hazards and special use permits not being permitted or properly enforced. She asked what Walker Lake residents could expect from the county.

Commissioner Tipton advised that they would be addressing road problems at the Regional Transportation Commission meeting.

Barbara Edington stated she was going to the State regarding the composting of feces.

Commissioners Tipton and Price advised that a nuisance complaint be filed regarding the RV issue.

Micheal Henry asked about trash on county trust property and property being misused as storage for

miscellaneous items.

David Billing stated there was a sewer line from a trailer to a ditch at the bottom of his property and it had gone to Mark Nixon, building department and the police department.

Commissioner Tipton advised that if they had a complaint on their taxes there was going to be a Board of Equalization meeting.

Larry Grant advised he investigated the sewer line and there was nothing being dumped from this line.

Mr. Hamrey stated he had a problem with the statement that there was a lack of proper road maintenance; they blade the roads at certain times of the year.

Ms. Samson stated there were trailers moving in and this was giving the appearance that it was okay not to put in sewer.

Ms. Samson asked if a task force could be put together.

Commissioner Tipton advised there would need to be an agenda item.

- 18. Johnny Bateman** – For consideration and possible action relative to petition for sale of parcel #007-180-01.

Clerk-Treasurer advised the Board where the parcel was located.

Public Comment: None

Ms. George asked if a survey was going to be requested.

The Board advised it was in the mountains, it was as is.

Mr. Bergeron stated he had a copy of map that shows the survey lines. He wants to know where the official map is.

A MOTION WAS MADE BY Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to approve the auction of Parcel #007-180-01 with the provision the Clerk-Treasurer was to set the time frame for this agenda item.

- 19. Jay Woods** – For consideration and possible action relative to requesting an auction for parcel 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 present.

Commissioner Tipton advised that if they allowed an auction it would be right in the middle of the Primary Election.

Christopher Nepper, Clerk Treasurer advised it was a 90 day process but it was a doable situation.

Mr. Rowe advised allowing the auction but giving the Clerk permission to set the auction date and the time frame that would fit within the statutory confines and also with the workload in his office due to the Primary and General Election this year.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the auction of parcels 007-190-37, 002-022-02, 003-122-03, 003-122-04, 003-122-05, 003-122-07, 002-054-06 with the provision the Clerk-Treasurer was to set the time frame for this agenda item.

- 20. Jefferson H. Adams** – For consideration and possible action relative to petition for sale of parcel number 002-015-01 in the town of Luning, Nevada.

Commissioner advised Mr. Adams own the parcel next door to the petitioned parcel

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to approve the petition for sale of parcel #002-015-01 with the provision the Clerk-

Treasurer was to set the time frame for this agenda item.

- 21. Honorable Jerrie Tipton, Commissioner** – For consideration and possible action relative to setting a public hearing to adopt Title 17, Mineral County Zoning.

The Board advised a Public Hearing on March 7, 2018 at 10:30 and 5:30.

- 22. Honorable Board of County Commissioners** – For consideration and possible action relative to reviewing the applications for a Park and Recreation Coordinator.

Christine Hoferer provided the Board with the Park and Recreation Coordinator applications.

The Board requested a time specific immediately following the 3:00 PM time specific on February 21, 2018.

Cherrie George, Senior Service Director asked who the applicants were.

Commissioner Tipton advised they were Barbara Owens, Alicia Sweet and Christina Boyles.

- 23.** For consideration and possible action regarding a payroll deduction for the Boys and Girls Club of Mason Valley Hawthorne Site.

Commissioner Tipton advised there had been conversation at the previous meeting regarding a payroll deduction.

Ms. George asked how often the check would be issued to the entity.

Ms. Hoferer advised it would be once a month, and there would be information sent out to the employees

Public Comment:

Ms. George asked if they could be advised of the amount sent to them.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to allow a payroll deduction for the Boys and Girls Club of Mason Valley Hawthorne Site.

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

Mr. Rowe requested a litigation agenda item for next meeting.

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

TIME SPECIFIC ITEMS:

- 10:00AM Patricia Click** – For consideration and possible action relative to approving a Proclamation declaring January 2018, as “National Radon Action Month in Mineral County, Nevada.

Ms. Click provided information regarding Radon poisoning.

Commissioner Tipton read the proclamation into the record.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the Proclamation declaring January 2018, as “National Radon Action Month in Mineral, Nevada

- 10:30AM Chris Lawrence Fire Chief** – For consideration and possible action relative to the purchase of Fire/EMS reporting software.

Mr. Lawrence advised they were looking into a Fire/EMS reporting system; set up cost was \$3,000 and \$2,500 annually. He was talking to SOC and the Hospital to see if they would be interested in the system and paying a portion.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the purchase of emsCharts software to be paid from the Ambulance fund.

Immediately following

For consideration and possible action relative to the opportunity to purchase two ambulances, and two engines from the Las Vegas Fire Department for a small percentage of the actual Value.

Mr. Lawrence advised he did not have a set price but the most that would be paid was \$6,000 each. He planned on putting the old equipment up for auction.

Ms. Hoferer advised there was \$15,000 for turnouts budgeted last year that had not been used; Mr. Lawrence advised her they could wait on the turnouts.

Public Comment:

Ms. George asked what sort of revamping would be needed on this equipment.

Mr. Lawrence advised the most that would be needed was signage because they would utilize gear from the equipment they were taking out of service.

Ms. Cichowlaz asked if they had seen this equipment in person.

Ms. Hoferer advised this was coming from a larger county and they were doing what this county should be doing by rotating the equipment out.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the purchase two ambulances, and two engines not to exceed \$15,000 to be paid from Capital Projects and to update the Board regarding the purchase.

11:00 AM

Mike McNeill – For consideration and possible action relative to the appointment of “Representative at Large “Board Member to Mineral County Convention and Tourism Authority.

Commissioner Price advised that Mr. McNeill would not be able to attend; there was three advertisements published in the newspaper. Mr. Anderson’s letter of interest was late but the board did not have a problem in accepting his letter because of the way the ads were published.

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Tipton to accept the recommendation to appoint Gary Anderson to fill the remaining term as Representative at Large to the Mineral County Convention and Tourism Authority.

A vote of the Board disclosed the following:

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

Commissioner Price abstained due to being a voting member of the Mineral County Convention and Tourism Authority.

Public Comment:

Connie Ellis-Martin stated she was one of the applicants. She provided a letter and information regarding Mr. Anderson’s letter of interest being for the Hotel Representative position, the ad was for a representative at large with a deadline date of January 2, 2018 and the date of his letter was January 12, 2018. It was her opinion that the rules should be followed; she did not understand why he was voted in when his letter of interest was past the dead line date. She would like the Commissioners to have the position readvertised.

Discussion ensued.

Commissioner Tipton feels the MCCTA Board needs to review this item again.

Commissioner Price advised they had already gone through the process, so where do they go from there.

Commissioner Hegg withdrew his motion.

11:30 PM

Cherrie George Senior Services Director – For consideration and possible action relative to acceptance

of Aging and Disability Services Division (ADSD) FY 2018 Nutrition Services Incentive Program (NSIP) supplemental award of \$2462.

Ms. George advised the Board this was a supplemental award of \$2462, they had previously been awarded \$3647.00 the total grant award was \$6109.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to accept the Aging and Disability Services Division (ADSD) FY 2018 Nutrition Services Incentive Program (NSIP) supplemental award of \$2462 and have the chairman sign.

12:00 PM Regional Transportation Commission -

1:00 PM Public Hearing on Ordinance 247A Bill 263 rescinding an ordinance which amended Mineral County Code Title 17 Chapter 8 Section 070 which regulated the operation of medical marijuana establishments.

Commissioner Tipton provided the public with background information.

Wanda Nixon wanted to know where the grow sites were going to be.

District Attorney advised the ordinance was strictly for rescinding the previous ordinance which had zoned it out.

Vincent Kellison stated Fallon had a dispensary so why not amend the ordinance so this county could profit also.

Mr. Tom Bergeron stated he had met a lot of stupid people in the world. He read a statement on his opinion regarding marijuana and the Federal Governments stand on this issue. He hoped the Board had the ethics not to approve.

Jeff Gundzik with Queen Valley Resources stated they were strong believers in medical marijuana and for people being able to self medicate; they were interested in participating in the county, they would be employing workers, which would open the county up for tax revenue. The zoning idea was to create a place that was legal and to prevent the illegal grow sites.

Gladys Porter stated if it can help people they should have it. She asked if Mineral County Cops would have jurisdiction over the Queens Valley area because she doesn't think they know where Walker Lake is much less this area.

Mr. Bergeron stated this Board could not overrule the Supreme Court of the United States. He disagreed that it would bring revenue into the county. The five things that follow illegal drug use was domestic violence, domestic abuse, DUI's, child abuse, child neglect and the county would have to pay for these.

Wanda Nixon asked for a legal opinion on whether the board could act on this item.

District Attorney, Sean Rowe advised the Board adopted this ordinance and so they could rescind the ordinance.

Ms. George advised rescinding an ordinance did not give permission for something else to happen, it just made the previous ordinance a moot point; she suggested putting it back on the ballot.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Hegg to rescind Ordinance 247A Bill 263. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Board of Highway Commissioners – RTC was working an agreement for how road cuts were handled.

Public Comment – Vincent Kellison wanted to know why his agenda item was not on this agenda, he was willing to meet with the Board, and he was not going to leave this alone.

Mr. Rowe advised this was not on the agenda and would not be discussed today.

Ms. Hoferer asked if there was a procedure if an item was taken off the agenda.

Mr. Rowe advised usually a letter was sent out but it was not a requirement. It was the Board’s agenda and the Chairman had the power to take an agenda item off.

Commissioner Recognition

Commissioner Price would like to thank Eric Hamrey and Wade Barton for taking care of the street corner signs as this would help the Fire and Police Departments.


Commissioner Hegg would like to thank Chief Lawrence for whipping the Fire Department into shape.

Vincent Kellison asked about Mineral County equipment being used for private businesses.

There being no further business to come before this Board, the meeting of the Board adjourned until Wednesday, February 21, 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: 2-21-18

Attest:


 Christopher Nepper, Clerk of the Board

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NOTE: Persons attending the meeting who are disabled and require special accommodations or assistance are requested to notify the County Clerk’s Office, PO Box 1450, Hawthorne, NV 89415 or by calling 945-2446 no later than three (3) days prior to the meeting.

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- 1) mail: U.S. Department of Agriculture