



Board of Mineral County Commissioners

Hawthorne, Nevada

February 21, 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 Sean Rowe	District Attorney

Absent: Honorable Christopher Nepper Clerk-Treasurer

1. Pledge of Allegiance and Safety Message

Pledge of Allegiance was led by Commissioner Hegg

Safety Message was provided by Emergency Manager Patrick Hughes regarding asbestos dangers.

2. Public Comment - None

3. Approval of Agenda/Necessary Changes

The Board removed item 15 and moved item 23 to the end of the day.

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 stated.

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

Ms. Hoferer stated her office was receiving requests from contractors asking to be paid half way through the job.

District Attorney Sean Rowe advised the decision for payment would come from the Board of Commissioners.

Christine Hoferer, Recorder-Auditor advised the cash was \$389,000 and that accounts payables was \$43,000; she wanted it understood that the cash balance on the books was not what was in the banks, cashing in a CD would not alleviate the cash flow problem; she would like to ask CC Communications to participate in their budget hearings.

Item was revisited to approve a voucher for the El Capitan Classic T-Shirts.

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 were presented for review.

6. Reports and Correspondence

There was a letter from Thomas Bergeron Sr. regarding county funds and funds received from illegal drugs, also a Letter of Interest from Jake Culbert for the Chamber of Commerce.

7. Minutes of – February 7, 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 February 7, 2018.

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

Mr. Collum provided the Board an update on Geothermal; Mining; Grazing and the Walker Lake Boat Ramp. A map was provided for the race events coming up.

Commissioner Tipton and Mr. Collum discussed the delay on Isabel Pearl Mine.

Michael Guss stated you should look into the Land Water Conservation Fund Grant.

Mr. Hamrey stated he would like to have a discussion with Voya and Best in the Desert regarding the conditions of the roads after a race.

Commissioner Tipton requested a map to post in the community that showed the routes and the groups racing.

Mr. Guss asked if Mr. Collum would provide information about the impact of cattle ranching in Nevada.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to adjourn the Board of Commissioners and convene the Liquor Board.

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

A. Cassie Dore; Barley's Sports Bar; 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 for the Jackson Wedding.

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 Board of County Commissioners.

10. Honorable Christine Hoferer, Recorder-Auditor – For consideration and possible action relative to the designation of a Critical Need Position in the Mineral County Sheriff's Office.

The Board and Mr. Adams went down the list of requirements for a critical needs employee.

Mr. Adams stated it had been over a year since the department had been fully staffed, they have had two or three deputy positions open for over a year; they haven't had a certified Peace Officer apply; they have had two candidates fail. The Board had approved a sign-on bonus to try to entice applicants. Mr. Adams advised that the positions had been advertised nationwide with two different sites Police1 and ND.com; they had also advertised in the newspaper, and on Face book.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board determining there was a critical labor shortage in the Mineral County Sheriff's Office.

11. Honorable Randy Adams, Sheriff – For consideration and possible action relative to annual leave package for returning employee.

Mr. Adams stated that he brought an employee back and his only request was that he comes back with the same leave package that he had earned previously.

Ms. Hoferer stated that her opinion was that he earned the same as employees under the bargaining unit, this had been a grievance previously, and she did not think the leave policies should be messed with.

Beth Cichowlaz asked if he was going to make this a permanent position.

Commissioner Price advised this process would have to be repeated in two years.

Mr. Guss stated that he understood what Ms. Hoferer was saying but they needed to look at future employment.

Public Comment: None

A MOTION WAS MADE BY Commissioner Hegg and seconded by Commissioner Price to approve the annual leave package for the returning employee based on prior service.

A vote of the Board disclosed the following:

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

Motion carried and so ordered

12. For consideration and possible action relative to accepting the Pool/Pact Grant for padded jail cells.

Mr. Adams advised this was a grant they applied for quite a while back; the cash match was about \$7,000. There portion was \$23,925. He didn't not know where he was going to get the money within his budget.

Ms. Hoferer advised that Pool/Pact had the grant on the web site; the grant signed by the Clerk-Treasurer was put online. She asked the Board if they had seen the grant paperwork before today. She advised the Board she was the Pool/Pact liaison and she has to keep a file on it; it was another instance where the normal steps were being skipped.

Mr. Gus asked how long the performance period was on the grant because they might be able to come up with the money later.

The Board requested Mr. Adams to check on the timeline for having the grant done.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the Pool/Pact Grant for padded jail cells contingent upon determining the source of funding for the \$7,000 match.

13. **Chris Lawrence, Mineral County Fire Chief** – For consideration and possible action relative to approval of a Mutual Aid Agreement between Mineral County Fire and White Mountain Fire Protection District.

Mr. Lawrence advised this was an update of a Mutual Aid Agreement with MONO County, the old Mutual Aid Agreement had a repayment agreement, and this was a no cost Mutual Aid Agreement.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the Mutual Aid Agreement between Mineral County Fire and White Mountain Fire Protection District with the authority for the Fire Chief to Sign.

14. For consideration and possible action relative to approval of Mineral County Fire Department Cadet Program.

Mr. Lawrence advised they would like to bring a Cadet Program back.

Ms. Hoferer asked about the cost. Discussion ensued.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to allow the Fire Chief to go forward with the Mineral County Fire Department Cadet Program.

15. For consideration and possible action relative to storing foam at the Armory Building.

Item was removed.

16. For consideration and possible action relative to Permission to pay school to careers students from the Ambulance Fund.

Mr. Lawrence advised he would like to hire two School to Careers students and to pay them out of his ambulance fund.

Discussion ensued regarding the requirements for hiring the school to careers students.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the hiring of School to Careers students contingent upon determining the source of funding.

17. **Patrick Hughes, Emergency Manager** – For consideration and possible action relative to approval of Local Emergency Planning Committee member application for Craig Nixon.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to accept the application of Craig Nixon for the Local Emergency Planning Committee member.

18. For consideration and possible action relative to submission of Fire Shows West Grant to the State Emergency Response Commission.

This grant was due February 28, 2018, he was putting in for 14 positions.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to allow the Fire Chief to apply for 14 positions and to be signed by the chairman.

19. For consideration and possible action relative to the submission of the SERC OPTE Grant to the State Emergency Response Commission.

Mr. Hughes advised the Board of the equipment they were asking for. The total for the equipment was \$24,897 and \$4,000 to pay for the LEPC secretary and operations.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the State Emergency Response Commission/ Operation Planning Training Equipment Grant.

20. **Eric Hamrey, Public Works Director** – For consideration and possible action relative to the Capital Project Fund for Nurses office ADA Parking Pad and Ramp.

Mr. Hamrey advised that there had been money allocated for this project; would like to discuss this again at budget time. He was understaffed so they might have to sub contract some of the work out.

The Board advised discussing at budget time.

Wanda Nixon advised she was going to take leave in May and it would be a good time to do the work.

21. For consideration and possible action relative to donation of paint to the “H” project committee.

Mr. Hamrey advised that NDOT had donated paint for the “H”.

Mr. Lawrence advised that Duane Bostic had paint for the H.

Public Comment: Mr. Guss suggested painting the word “Hawthorne” with the extra paint.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to donate the paint donated by NDOT to the “H” Project Committee.

22. For consideration and possible action relative to Animal Control Building roof repair and funding.

Mr. Hamrey advised that half of the roof at the Animal Control Building needed to be repaired. He had one estimate from a contractor \$2,687.

Public Comment: Ms. Hoferer advised it should be funded out of Capital Projects and asked if it needed to be repaired at this time. She reminded the board this would come from the General Fund.

A MOTION WAS MADE BY Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to allow the roof to be repaired and to take the \$2,687 out of the Building and Grounds fund.

The Board rescinded the motion and advised Mr. Hamrey to bring back at budget time.

23. **Larry Grant, Hawthorne Utilities Director** – For consideration and possible action relative to renewing application for the Land for Recreation or Public Purposes Lease NVN-005585 for Hawthorne Landfill.

Mr. Grant advised this was the standard annual lease, there was no change.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to accept the Land for Recreation or Public Purposes Lease NVN-005585 and to have the chairman sign.

24. **Courtney Oberhansli, Library** – For consideration and possible action relative to the appointment of one (1) member to an unexpired term on the Library Board of Trustees. The term will expire on December 31, 2020.

Ms. Oberhansli advised the Library Board recommended Elizabeth Chisholm, due to that fact that the other applicant had already served and they were looking for more interest.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to accept the Library Board recommendation of Elizabeth Chisholm.

25. **Mark Nixon** – For consideration and possible action relative to zoning change on APN 001-292-06, Lots 1 and 2, Block 12, 203 C Street Hawthorne, NV from R1 to R2, owner Mark Tucker.

Commissioner Price advised that in December 2017 the land use code was changed with no explanation as to why.

Ms. Tucker stated it had been changed from land use code 320 which allowed 3 dwellings to a land use code of 200 which was for a single residence; it has a home and two apartments. It had been R1 for 40 plus years. They were asking to have the clerical error corrected.

Public Comment: None

Ms. Tucker advised \$150.00 had been paid to the Planning Commission; it was a clerical error and would like to know if some of that money could be refunded.

Mr. Rowe advised the money was paid prior to the change of R1.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the Zoning change as presented.

26. For consideration and possible action relative to approval by the Mineral County Commissioners of a member of the Mineral County Regional Planning Committee to fill the vacancy created by the resignation of Larry Grant.

Commissioners Price and Hegg recommended sending back to the Planning Commission and asking them to re-advertise; they were concerned with the Department Head being on the board and the recommended person was an employee. They believe there are other interested people.

Mr. Guss asked if they were worried about how this was working maybe they should have the applicant come before the Board to be appointed.

Ms. Hoferer advised there was the county website where they could advertise.

27. For consideration and possible action relative to the approval of George Dean to fill vacancy of Larry Grant on the Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Committee.

Commissioners Price and Hegg recommended sending back to the Planning Commission and asking them to re-advertise for the same reason as previous item.

The Board asked that the Advisory Boards be notified.

28. **Jason Cardenas** – For consideration and possible action relative to donation to Mineral County High School Baseball and Softball teams for T-Shirts at the El Capitan Classic.

Mr. Cardenas advised they were bringing back the El Capitan Classic Baseball and Softball tournament; they would like to provide shirts for players and coaches and if they have additional shirts they would like to sell them as a fund raiser for the baseball and softball teams.

Ms. Hoferer advised that she had mining map funds and she would be willing to use them to pay for the T – Shirts.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to allow \$750 to be paid out of the Mining Map fund to pay for T-Shirts for the El Capitan Classic based upon the agreement by the Recorder-Auditor.

29. **Vincent Kellison** – For consideration and possible action relative to the use of Public Works Equipment for

private industry.

Mr. Kellison asked if the Mineral County Public Works equipment could be hired by private industry; he was asking because County equipment was digging trenches for Mt. Grant Electric at the swimming pool.

Commissioner Tipton advised Mr. Kellison of Mineral County's equipment policy.

Eric Hamrey, Public Works Director advised there was a grant match on the swimming pool grant.

30. **Honorable Sean Rowe, District Attorney** – For consideration and possible action relative to adoption of contractor procurement policy.

Sean Rowe, District Attorney passed out information, and asked to discuss later in the meeting.

Item was revisited.

Mr. Rowe stated the policy was to facilitate a more transparent selection for service providers to the county. Mr. Rowe went over the policy, explained the language; and that it was to promote an open and competitive process with fairness and equal access to business opportunities in the county, it included the ethical requirements for the county employees; that the legal authority resides with the County Commissioners but can be granted by the commissioners to a department head; it included the bid process.

Discussion ensued relative to notices, list of qualified services providers, who would administer and the evaluation of the distributed services.

The Board requested this item be placed back on the agenda in two weeks.

31. **Honorable Board of County Commissioners** – For consideration and possible action relative to approval of Timothy Howe and Michael Lovitt for the Walker Lake Advisory Board members.

Commissioner Tipton advised these were the remaining two members for 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 accept Timothy Howe and Michael Lovitt to be members of the Walker Lake Advisory Board.

32. For consideration and possible action relative to reviewing letters of interest, interview and appointment of Temporary Assessor.

Mr. Rowe advised the notice of vacancy was in the newspaper, it asked for letters of interest to relative to a permanent replacement for the person to replace Ms. Fowler until the end of the term. The Board needed to task someone with the responsibility temporarily; the Board of Equalization was meeting and they have to have someone that wears the title of Assessor who could be responsible to defend the assessed valuations.

Barbara Owens asked if this was a two week appointment and what the qualifications for position were.

The Board discussed Kelly Rosemore taking on the temporary appointment.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to temporarily appoint Kelly Rosemore until an Assessor is appointed, effective immediately.

TIME SPECIFIC ITEMS:

- 11:00 AM Wanda Nixon RN CHN II** – For consideration and possible action relative to Initiation of active Mineral County Board of Health.

Wanda Nixon introduced Dr. John Packham and Dr. Joseph P. Iser who were traveling to Rural Counties to give presentation to the commissioners the importance of Active Boards of Health and what a community can learn from them.

Dr. John Packham provided a handout regarding the population health information on Mineral County.

Dr. Joseph P. Iser provided a presentation regarding the organization of Public Health.

Ms. Nixon would be coming to the Board to address the need for an Active Board of Health.

Mr. Guss stated that this was a great first step; the Board needs to start thinking about health care in the county.

11:30 AM Heidi Bunch – For consideration and possible action relative to county departments support for Armed Forces Day activities and financial support to Mineral County Chamber of Commerce for Armed Forces Day 2018.

Ms. Bunch advised she was the county liaison for the Armed Forces Day Committee and they were asking the county for help on Armed Forces Day.

Eric Hamrey, Public Works Director stated that he thought the Board needed to make clarification as to what kind of support they wanted.

Discussion ensued

Mr. Rowe advised the county could provide support if the events were free or the money would profit the Armed Forces Day Committee but not if the event was for a private business in a commercial enterprise.

Immediately Following For consideration and possible action relative to opening of the old Mineral County Courthouse for self-guided tours and use of lawn area immediately following the Armed Forces Day parade on May 19, 2018.

Ms. Bunch advised they were going to have self-guided tours through the 6th street and the old courthouse.

Mr. Hughes asked about the safety of self-guided tours.

Mr. Rowe advised that Search and Rescue would be there for safety.

Discussion ensued

1:00 PM Honorable Board of County Commissioners – For consideration and possible action relative to Nuisance Complaint for Parcel 001-202-07.

Mr. Fontaine advised about three years ago he and the Fire Chief were called out to this address and there was a buildup of debris in the back yard and all around the house and the house was in disrepair.

The Board requested that Mr. Fontaine evaluate the condition of the property and come back to the Board in two weeks.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to have Mr. Fontaine to review the property 112 English street parcel # 001-202-07 and make a determination if a nuisance exists.

2:00 PM Honorable Board of County Commissioners – For consideration and possible action relative to conducting annual Performance Evaluation of Mineral County Building Inspector, Mike Fontaine, including, but not limited to possible promotion, endorsement engagement, retention, termination, suspension, demotion, reduction in pay, reprimand or ‘no action.’ (Closed session may be held to consider character, alleged misconduct, professional competence, and physical or mental health pursuant to NRS 241.030.)

Commissioner Tipton asked for how the board would evaluate Mr. Fontaine on safety.

Commissioner Hegg advised his evaluation would consist of a 1 on everything, he stated Mr. Fontaine was a nice person but when things were given to him they were not done, he recommended termination.

Discussion ensued relative to Mr. Fontaine’s job title and duties.

Mr. Rowe advised the evaluation should be based on what Mr. Fontaine’s job responsibilities and duties were and before you hold him responsible makes sure they are his job duties.

Commissioner Tipton asked Mr. Fontaine for an update on generating new flood maps for the county.

Mr. Fontaine advised he had to wait on FEMA.

Commissioner Hegg had a list of projects that he wanted an inspection update from Mr. Fontaine.

Commissioners Tipton & Price evaluated Mr. Fontaine on safety, quality and quantity of work, teamwork, motivation, time management and gave him an acceptable overall.

Commissioner Tipton recommended Mr. Fontaine check with other code enforcement officers and see what training he might need.

Mr. Fontaine asked Commissioner Hegg why he was adversarial with him; he advised he had tried to work with him.

Ms. Hoferer advised that nobody had been to her office to look at Mr. Fontaine's personnel file or previous evaluations, if any of them had training in giving evaluations they would know that you don't use an evaluation as a disciplinary action, if there was an issue with Mr. Fontaine it could have been put on the Board and discussed.

Commissioner Hegg stated this agenda item covers termination and there also was an unsatisfactory area that could be used for disciplinary action, he admitted that he had never looked at Mr. Fontaine's personnel file; he did have discussions with Mr. Fontaine before.

Mr. Fontaine advised in the comment area where it asks how your supervisors could help to meet your goals he put better communication. He requested the person talk to him as a person and not adversarial and he would do anything he could to accomplish the purpose.

Discussion ensued regarding FEMA and the flood maps.

3:00 PM **Honorable Board of County Commissioners** – For consideration and possible action relative to conducting annual Performance Evaluation of Mineral County Public Guardian, Mike James, including, but not limited to possible promotion, endorsement engagement, retention, termination, suspension, demotion, reduction in pay, reprimand or 'no action.' (Closed session may be held to consider character, alleged misconduct, professional competence, and physical or mental health pursuant to NRS 241.030.)

The Board evaluated Mr. James on safety; quality & quantity of work; teamwork; initiative; versatility; job knowledge and decision making. The Board found the overall evaluation commendable.

Mr. Rowe asked how Mr. James sees the Public Guardian role expanding in the community with the growing elderly population; he would like the community to become more aware of the concerns about caring for the elderly.

Mr. James advised they worked with several community groups now they also work with these groups to improve the community in a way that was not related to guardianship.

Immediately Following **Honorable Board of County Commissioners** – For consideration and possible action relative to review of candidates for Park and Recreation Coordinator; conducting interviews and offering position to successful candidate.

Mr. Rowe advised that Local 39 employees would need to be interviewed first.

The Board interviewed Christina Boyles, Alicia Sweet and Barbara Owens relative to their qualifications and interest in this job.

The Board offered Christina Boyles the position at \$15.39 an hour.

Christina Boyles accepted the offer, then asked to start in two weeks position would be effective March 12, 2018.

The Board advised she would need a back ground check and pre-employment drug screen.

Board of Highway Commissioners- None

Public Comment – Commissioner Tipton advised she was going to ask NACO for a template on what issues the Commissioners were statutorily responsible for.

Commissioner Recognition - None

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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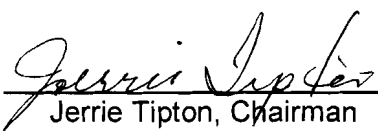
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- 1) mail

There being no further business to come before this Board, the meeting of the Board adjourned until Wednesday March 7, 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: 3.7.18

Attest:


Christopher Nepper, Clerk of the Board