



Board of Mineral County Commissioners

Hawthorne, Nevada

October 19, 2016

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

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|------------------------------|-----------------|
| Honorable Jerrie Tipton | Chairman |
| Honorable Paul MacBeth | Vice-Chairman |
| Honorable Nancy Black | Member |
| Honorable Christopher Nepper | Clerk-Treasurer |

Absent: Honorable Sean Rowe District Attorney

1. Pledge of Allegiance and Safety Message

Pledge of Allegiance was led by Commissioner MacBeth

Safety Message was provided by Beth Cichowlaz regarding the need for all children to wear a helmet when riding a bike; Eric Hamrey wanted to remind everybody that the weather is getting colder and that pipes could freeze if not taken care of.

2. Public Comment - None

3. Approval of Agenda/Necessary Changes

Public Comment: None

A MOTION WAS MADE BY Commissioner Mac Beth, seconded by Commissioner Black and unanimously carried by the Board to approve 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.

Recorder Auditor Christine Hoferer presented the accounts payable vouchers for review.

Ms. Hoferer advised Hawthorne Town needed budgeted transfer and a budgeted transfer to Park & Recreation had been done; the Bank of America voucher was presented for signature, but would be paid with automatics because they were still waiting for invoices from the departments.

Ms. Hoferer presented vouchers for a personnel matter to Starfish Management Consulting for \$3,076.83 and Erickson, Thorpe & Swainston, Ltd. for \$1,171.50; the Board advised paying them out of general miscellaneous and moving them to the appropriate fund when all invoices had been paid.

Public Comment: None

A MOTION WAS MADE BY Commissioner Black, seconded by Commissioner MacBeth and unanimously carried by the Board to approve the voucher to Star Fish Management Consulting for \$3,076.83 and to charge to general miscellaneous.

Public Comment: None

A MOTION WAS MADE BY Commissioner Black, seconded by Commissioner MacBeth and unanimously carried by the Board to approve the voucher to Erickson, Thorpe & Swainston, Ltd for \$1, 171.50 to be paid out of general miscellaneous.

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

Letter from Commissioner MacBeth was read regarding his withdrawal from his candidacy for Commissioner Seat – B.

7. Minutes of October 5, 2016 and amended Minutes of September 21, 2016 – for review and possible action.

Public Comment: None

A MOTION WAS MADE BY Commissioner MacBeth, seconded by Commissioner Black and unanimously carried by the Board to approve the Amended Minutes for September 21, 2016.

A MOTION WAS MADE BY Commissioner Black, seconded by Commissioner MacBeth and unanimously carried by the Board to approve the Minutes for October 5, 2016.

8. **Carla James** – For consideration and possible action relative to the BLM program updates.

Ms. James provided updates on Luning Solar and the Isabelle Pearl Mine; she advised that BLM was setting traps in Mina for burrows to be adopted.

9. **Sheriff Randy Adams** – For consideration and possible action relative to approval for payment of invoice for Brazos Interface – Spillman software to be reimbursed by grant money.

Under Sheriff, William Ferguson advised the invoice for the Brazos Interface - Spillman software was \$9,100 and would be reimbursed by grant to the County. Ms. Hoferer advised that a fund had been set up for grant reimbursements.

Public Comment: None

A MOTION WAS MADE BY Commissioner Black, seconded by Commissioner MacBeth and unanimously carried by the Board to approve the payment of \$9,100 for the invoice to be paid out of the Grant Reimbursement fund.

10. **John Cobourn, UNR Cooperative Extension** – Assessment of Drought Resilience of the Hawthorne Public Water Supply System: Results of a groundwater modeling study by the Desert Research Institute.

Mr. Cobourn provided a slide show on the Drought Resilience study; discussion ensued regarding the areas that were critical.

11. **Mark Nixon, Chairman Mineral County Regional Planning Commission** – For consideration and possible action relative to approval of zoning change request by Charles Higbee on Parcel 001-174-04 (545 J Street, Hawthorne, NV) from C-1 to R-2.

Mr. Nixon provided a letter from the Mineral County Regional Planning Commission recommending approval for the zoning change requested by Charles Higbee on Parcel 001-174-04.

Public Comment: None

A MOTION WAS MADE BY Commissioner MacBeth, seconded by Commissioner Black and unanimously carried by the Board to approve the zoning change request by Charles Higbee on Parcel 001-174-04 as recommended by the Mineral County Regional Planning Commission.

12. **Larry Grant, Chairman Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Committee** – For consideration and possible action relative to approval of Kirk Bausman, “non-aviation” member Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Committee.

A letter was provided from the Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Committee recommending Kirk Bausman to fill vacancy on the Airport Committee.

Public Comment: None

A MOTION WAS MADE BY Commissioner MacBeth, seconded by Commissioner Black and unanimously carried by the Board to approve Kirk Bausman to fill the member vacancy on the Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Committee.

13. **Cherrie George, Senior Services Program Director** – For consideration and possible action relative to the 6th Street School; may include action relative to the following topics: environment, property acquisition, structural, renovations, funding issues and sources, collaboration with School District and other agencies.

Ms. George provided information to the Board on the Phase 1 site assessment of the sixth street school; she advised the school had not discussed whether they wanted to follow through with phase two of the site assessment; also the Nevada State preservation covenant may not be valid.

She advised she was not going to apply for CDBG funding, everything was at a standstill; Mr. Hamrey advised he was still working with Belfor and Pool Pact on the floor issue.

Mr. Nixon advised he had the same problem with Belfor and Pool Pact but he pushed the issue and was allowed to

use local contractors.

Mineral County School Superintendent Walt Hackford advised the School Board would discuss the matter at the next meeting and he would know more after that.

14. For consideration and possible action relative to acceptance of Aging and Disability Services Division (ADSD) nutrition grants for Congregate and Homebound Delivery meals.

Ms. George advised this was a forgiveness item. The Congregate Meals Grants awarded \$44,610.00 with a match of \$5,304; Homebound Delivery Meals Grant was awarded \$50,660.00 with a match of \$6,157 match signed on October 5, 2016.

15. **Eric Hamrey, Public Works Foreman** – For consideration and possible action relative to acceptance of School District Buildings. (6th Street School, District Administrative Building on C Street and Mina School).

This item was discussed during item 13.

16. **Honorable Christopher Nepper, Clerk-Treasurer** – For consideration and possible action relative to letters of interest received for Park and Recreation Advisory Board.

No letters of interest were received. Ms. George & Mr. Hamrey advised they would submit letters of interest.

Item was revisited; letters of interest from Eric Hamrey and Cherrie George was received.

A MOTION WAS MADE BY Commissioner MacBeth, seconded by Commissioner Black and unanimously carried by the Board to approve the appointment of Cherrie George and Eric Hamrey to fill the vacancies on the Park and Recreation Advisory Board.

17. For consideration and possible action relative to waiving the TV assessment for Parcels 001-083-16 at 806 H Street, 001-163-02 at 593 D Street and 001-163-16 at 565 D Street in Hawthorne, Nevada.

Clerk-Treasurer, Christopher Nepper advised Mr. Dow attended the TV Board meeting, the Board felt there was adequate proof of no existing power ran to the parcels listed.

Public Comment: None

A MOTION WAS MADE BY Commissioner Black, seconded by Commissioner MacBeth and unanimously carried by the Board to waive the TV Assessment for parcels 001-083-16, 001-163-02, 001-163-16.

18. **Honorable Board of County Commissioners** – For consideration and possible action relative to approval of early retirement “buy-out” for Public Works Director.

Commissioner Tipton advised there had been discussion regarding department head restructuring in the county, the cost to the county for the buy-out was \$39,000.

Ms. Hoferer advised this buy-out would be paid from the Road Department, it could end up being a violation and they would have to address during budget time. The voucher to PERS was for \$68,865.65 and this was to buy three years, one month and twelve days for Mike Trujillo. Part of purchase price was paid out of the employees annual and sick leave, the county portion was \$39,000.

Donna Oberhansli advised the Board \$350,000 of Road Department funds was Secure Rural Schools Revenue.

Public Comment: Ms. George asked if the buyout was coming out of the General Fund.

A MOTION WAS MADE BY Commissioner Black, seconded by Commissioner MacBeth and unanimously carried by the Board to accept the early retirement “buy-out” for Public Works Director to be paid out of the Road Department.

Public Comment: None

19. For consideration and possible action relative to appointment of temporary director for Public Works upon retirement of current director.

Discussion ensued regarding whether this position would need to be advertised. Commissioner Tipton asked if a temporary director should be appointed and then advertised for the position.

Ms. Hoferer advised the Board of what the current director’s salary range was, and advised they may need to update the salary range.

Public Comment: None

A MOTION WAS MADE BY Commissioner Black, seconded by Commissioner MacBeth and unanimously carried by the Board to set the Public Works Director salary range at \$53,000 – 62,000.

A MOTION WAS MADE BY Commissioner MacBeth, seconded by Commissioner Black and unanimously carried by the Board to look for an interim director, and set the salary at \$53,000.

A MOTION WAS MADE BY Commissioner Black, seconded by Commissioner MacBeth and unanimously carried by the Board to appoint Eric Hamrey as the interim Director until the position was filled.

Commissioner Tipton asked to amend the motion to read effective immediately.

A MOTION WAS MADE BY Commissioner Black, seconded by Commissioner MacBeth and unanimously carried by the Board to appoint Eric Hamrey as the Public Works Interim Director until the Director position was filled, effective immediately.

The Board advised opening the director position to county employees starting October 19, 2016 and closing the November 1, 2016. The Board would like to place back on the agenda for interviews for November 2, 2016.

Ms. Hoferer advised if the interim salary was set at \$53,000 there was an employee whose annual salary would not meet the 7.5% the county pays for working out of classification.

A MOTION WAS MADE BY Commissioner Black, seconded by Commissioner MacBeth and unanimously carried by the Board to rescind the motion setting the Public Works Interim Director salary range.

A MOTION WAS MADE BY Commissioner Black, seconded by Commissioner MacBeth and unanimously carried by the Board to set the Public Works Interim Director salary at \$54,000 effective immediately.

Ms. Hoferer advised paying 90% out of the Road fund and 10% out of Regional Transportation fund.

- 20. Honorable Jerrie Tipton, Commissioner** – For consideration and possible action relative to a proposed change to Nevada Association of Counties (NACO) bylaws, to be voted on at the NACO annual conference in November.

Commission Tipton advised that NACO was paying a lot of money on public land issues so they were proposing a change in the bylaws; it would be a additional assessment beyond the NACO dues and would tie to what the county receives for Payment In-Lieu of Tax; NACO was proposing the assessment to be between ½% to 3%; she needed to know what the Commissioners thought; Commissioner MacBeth advised 0% and Commissioner Black and Tipton advised 1%. Discussion ensued.

- 21. Closed Session** – Pursuant to NRS 288.220 to discuss/review all labor/bargaining unit contracts, grievances and negotiations.

No session necessary.

- 22. Open Session** – Discussion and possible action relative to all labor/bargaining unit contracts, grievances and negotiations.

No session necessary.

TIME SPECIFIC ITEMS:

- 1:00 Nuisance Complaint** – For consideration and possible action relative to nuisance complaint at 804 F St, Parcel 001-081-07, Hawthorne, NV, 89415.

Building Inspector, Mr. Fontaine advised that the weeds needed to be cleaned up. Commissioner Tipton advised the Clerk's Office to write a letter to the owner advising them of the nuisance complaint and giving them 45 days to contact the Building Inspector.

Public Comment: None

A MOTION WAS MADE BY Commissioner MacBeth, seconded by Commissioner Black and unanimously carried by the Board to have the Clerk's Office write a letter to the owner advising them of the nuisance complaint and giving them 45 days to contact the Building Inspector.

- Immediately Following** For consideration and possible action relative to nuisance complaint at 735 F St, Parcel 001-105-05, Hawthorne, NV 89415.

Building Inspector, Mike Fontaine advised it was a nuisance complaint and needed to be cleaned up; the

Board advised this was trust property and directed the interim Public Works Director, Eric Hamrey to have the property cleaned up and secured.

- 1:30 Joint Meeting for Board of County Commissioners and Mineral County Museum Board** – For consideration and possible action on interviewing for a part-time assistant position for the museum.

Gary Funk called the Museum Advisory Board to order and it was seconded by Maxine Wilding.

The Museum Board and the Board of County Commissioners interviewed Arthur Andregg and Judith Joseph; they asked the applicants questions regarding their job experience; their knowledge of the area and the museum. Discussion ensued between the Board of Commissioners and the Museum Board; it was decided to re-advertise for the position for two weeks and to have the Museum Conservator do the hiring for the assistant position.

The Museum Advisory Board was adjourned by Gary Funk and motion was approved by Maxine Wilding.

- 3:30 Honorable Board of County Commissioners** – For consideration and possible action relative to conducting annual Performance Evaluation of Building Official, 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.)

The Board advised Mr. Fontaine was noticed by personal service - The Board evaluated Mr. Fontaine on safety, quality and quantity of work, teamwork, initiative, versatility, and leadership. The Board evaluated Mr. Fontaine commendable overall.

Commissioner MacBeth would like Mr. Fontaine to work with Patrick Hughes on a county wide safety program.

Mr. Fontaine advised he was meeting with the State Flood Plain Directors, he was advised to put in for a grant for the drainage system before doing the mapping project.

- 4:30** For consideration and possible action relative to conducting annual Performance Evaluation of 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 advised Mr. James had been noticed by personal service. The Board evaluated Mr. James on safety, quality and quantity of work, teamwork, initiative, versatility, and leadership. The Board evaluated Mr. James commendable overall.

The Board advised Mr. James comments were well appreciated.

Commissioner MacBeth advised he would like to see evaluations on his employees.

Mr. James advised that he and his employee were going for their national certification.

Board of Highway Commissioners - Commissioner Tipton advised she would like to get with road dept and have a map made of the roads so she could sent it to the State Land Use so she could put it on the list for RS2477 Roads.

Public Comment - Commissioner MacBeth advised he was resistant to the 4-day work week

Commissioner Recognition

There being no further business to come before this Board, the meeting of the Board adjourned until Wednesday, November 2, 2016 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: 11.2.16

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.