



Board of Mineral County Commissioners

Hawthorne, Nevada
December 19, 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 Garth Price	Member
Honorable Christopher Nepper	Clerk-Treasurer
Honorable Sean Rowe	District Attorney

Absent: Honorable Chris Hegg Vice-Chairman

1. Pledge of Allegiance and Safety Message

Pledge of Allegiance was led by Commissioner Price
No Safety Message was provided.

2. Public Comment - None

3. Approval of Agenda/Necessary Changes

Item 10 was cancelled; Item 27 and the 2:30 Time Specific was continued for two weeks; Item 18 was moved to after lunch.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to approve the agenda with the necessary changes. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

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.

A Credit Card approval for \$350 was presented from Fire Chief Chris Lawrence for EMT and Drivers License Certifications.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to approve the Credit Card purchase of \$350 to Nevada State EMS for EMT and Drivers License Certifications. A vote of the Board disclosed the following:

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

Public Comment: None

Teresa McNally, Deputy Recorder-Auditor II presented the monthly bill from Pershing County for signature, she advised that it would not be paid until January.

Recorder - Auditor Christine Hoferer advised the cash balance was very low, so a partial transfer from PILT was made to get the county through the end of December; she was going to talk to the Fire Chief regarding the need to keep receipts because the Fire Department personnel went on a trip and was told they didn’t need to keep some of the receipts.

5. Honorable Christine Hoferer – For consideration and possible action relative to addressing positions currently classified as exempt using Department of Labor’s (DOL) administrative exemption and the DOL’s new salary threshold.

Ms. Hoferer provided a list of positions that would be affected by the Department of Labor’s new requirement

for exempt salary positions annual salary requirement of \$47,476; two positions do not fall within the administrative duties for the exempt positions; these two positions would be put back to hourly and qualify for overtime; this would become the entrance salary for these positions and they would go back on the Local 39 Labor Schedule as a grade 15; there was other positions that would need to be looked at; she was notified by Pool Pact that a new requirement would be out in January.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to change the status of the Administrative Chief Deputy Positions back to hourly grade 15 on the Local 39 wage schedule, they would stay at the same salary range they are currently holding and they are red lined until the wages catch up. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

6. For consideration and possible action relative to annual budget instructions memorandum to County Departments.

Ms. Hoferer presented the draft of the annual memorandum for the upcoming budget process; she suggested the department’s budget a 3% cost of living increase; 5% for health insurance; she advised the PERS rates were increasing 1.25% for regular positions and 2% for Fire positions; no changes for Capital Outlay. They would like to have more information when asking for Capital Outlay; also would like the department heads to include the budget figures for the 3% cost of living increase and without.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to allow the Recorders office to send the annual budget instructions memorandum FY 19-20 to the directors and elected officials. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

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

The reports were presented for review.

8. Reports and Correspondence

Clerk Treasurer read an e-mail from Cathy Chickering regarding the lease with Southern Methodist University.

The Board advised placing on the agenda.

9. Minutes of – December 5, 2018 for review and possible action.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to approve the minutes of December 5, 2018 as presented. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

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

Mr. Collum e-mailed that he was unable to attend.

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

- A. **Jessie LeBleu**; Desert Mountain Carpet Cleaning; Countywide; New Applicant

A MOTION WAS MADE BY Commissioner Tipton and seconded by Commissioner Price to approve the business license application for Desert Mountain Carpet Cleaning as presented. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

- B. **Lawrence Spahr**; Promotional Window Advertising; Countywide; New Applicant

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to approve the business license application for Promotional Window Advertising. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

12. **Honorable Randy Adams, Sheriff** – For consideration and possible action relative to pay increase for deputies to help attract more qualified applicants to help alleviate manpower shortage.

Mr. Adams advised the Sheriff's Office was in a critical man power shortage; they could become an on-call agency if they lose any more deputies; they have had three applications within the last three months and two were unqualified; the State average rate of pay in a community about the same size was \$5.00 to \$7.00 more an hour; businesses will not come to Mineral County without public safety but if other county entities were to be cut back businesses would still come in; if Mineral County wants to survive they need to figure out how to pay the people that make the biggest difference.

Commissioner Tipton asked Mr. Adams where the county was supposed to get the money.

Mr. Adams stated it was not up to him, he was advising the Board and the public that something needs to be changed.

Commissioner Price advised that it needed to be discussed but it needed to be discussed during union negotiations.

Ms. Hoferer advised that in the last negotiations they received insurance benefits and they were reclassified which gave them about a 5½% increase.

Deputy Curtis Schlepp stated that he supported the Sheriff; the amount of hours the deputies are working is a county liability; there are entities in this county that may need to be reduced from working 40 hours a week to part time weeks and part time hours he feels the county has money.

Mark Nixon also supports what the sheriff is saying, he does not agree with waiting until negotiations, the county needs to sit down and work on prioritizing what they are going to before the budget process; they are required to fund public safety.

Ms. Hoferer advised the Sheriff's office told the three unions they bargain with that they did not have any money; there were laws that govern bargaining and negotiations; she does agree that the wages need to be addressed.

Cherrie George, Senior Services Director advised she agrees with what is being said but that they needed to look at the cost going into negotiations and how it would affect the benefit line item.

The Board advised putting this item back on the agenda for January 16, 2018.

13. For consideration and possible action relative to the payout of annual leave for critical staff.

Sheriff Adams advised that his Officers cannot take leave.

Ms Hoferer advised the Sheriff's Office had five employees over the 240 hours; they had until January 31, 2018 to take schedule their leave.

Commissioner Tipton advised the Sheriff that they had to have it in writing why the leave had been denied.

14. **Kirk Bausman, Chairman HIA/MCALUAC** – For consideration and possible action relative to approval of Art Johnson hanger 2 Lot Lease, APN: 008-888-57.

Eric Hamrey advised there were no changes to the lease.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to approve the Art Johnson Hanger 2 lot lease, APN 008-888-57. A vote of the Board disclosed the following:

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

Motion carried and so ordered

The Motion was amended by Commissioner Price to say for five years.

Public Comment: None

15. For consideration and possible action relative to approval by the Mineral County Commissioners of Hanger Lot Lease APN: 008-888-40 for a period of five years.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to approve the five year Lot Lease APN: 008-888-40 for Brent Wilson. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

16. For consideration and possible action relative to approval by the Mineral County Commissioners of David Ellis, George Dean and Kirk Bausman as non-aviation members of the Airport Committee.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to accept David Ellis, George Dean and Kirk Bausman as non-aviation members of the Airport Committee. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

17. **Catrinna Berginnis** – For consideration and possible action relative to Proclamation to declare January 2019 as National Radon Action Month.

Clerk Treasurer Chris Nepper read the Proclamation to declare January 2019 as National Radon Action Month.

Honorable Clerk - Treasurer Chris Nepper read the proclamation to declare January 2019 as National Radon Action Month.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to adopt the Proclamation declaring 2019 as National Radon Action Month. A vote of the Board disclosed the following:

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

Motion carried and so ordered.

Public Comment: None

18. **David Ditmer** – For consideration and possible action relative to hanging Mineral County Serpent Flags down main street.

Item was moved until the afternoon

Mr. Ditmer advised the Block H club at the Mineral County High School would like to hang flags on the flag poles, he was told they needed to have permission from the Commissioners to hang the flags.

Mr. Hamrey advised NV Energy owned the poles and they need to check the height due to the big trucks; they suggested talking

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to allow the Block H Club from the Mineral County School District to hang Serpent Flags on the light poles. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

19. **Chris Lawrence, Fire Chief** – For consideration and possible action relative to offering Stand-by pay of \$1.50 - \$3.00 per hour to Ambulance Drivers and EMT's.

Mr. Lawrence advised that he wanted to compensate the ambulance volunteers and he hoped it would be an incentive for others to volunteer; \$3.00 would be for those that stay at the station and \$1.50 for those that stay at home; he has it in his ambulance budget, he has paid out 19% of his salary

Ms. Hoferer advised the Ambulance Drivers and EMT's under the fair labor standards act is paid a nominal fee for volunteers; stand-by would be wages; she had an issue with taking things out of the local 39 contract and giving it to unclassified people and now volunteers; the Ambulance Replacement Fund was closed and now that it has some revenue she thinks the fund needed to be re-opened and the money used for equipment replacement.

Commissioner Tipton advised coming back before the Board with a change in fees and not to try and take them from a volunteer to a part time position.

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

Absent: Commissioner Hegg

Motion carried and so ordered

Public Comment: None

20. For consideration and possible action relative to an update on the repair or replacement of Mina Fire Apparatus.

Mr. Lawrence advised he picked up a loaner from Fallon until March; he was still working on the problem.

The Board advised to keep looking.

21. **Eric Hamrey, Public Works Director** – For consideration and possible action relative to the invoice from Nevada Division of State Lands for payment of application processing fee for State Beach boat ramp.

Mr. Hamrey advised that he emailed them with the boat ramp cost of \$6,000 and the garbage cost was \$48 monthly; this was more than enough to cover the remaining eight years on the lease and justified there being no charges; he had not heard back from them; he would like it back on the agenda in two weeks.

22. **Honorable Kevin Chisum, Assessor** – For consideration and possible action relative to requesting another appraiser trainee position, funding and benefits.

Mr. Chisum advised they did not have the personnel to do the tax cycle responsibilities much less doing the updates for the new system; the position would be an appraiser trainee and the salary and benefits would be 46,135.

Ms. Hoferer advised grade 11 was for training staff; if they had someone with experience they could come in at a grade 14.

Commissioner Tipton advised the budget instruction asked for justifications.

Commissioner Price advised bringing it to the budget hearings.

Mr. Chisum advised that he met with SOC and gave them the recommendations from the Department of Taxation; next year they would be moved to an income cost evaluation instead of a replacement cost evaluation; they also had just sent out their personal property billings.

23. For consideration and possible action relative to extending the deadline for staff to use annual leave until April 1, 2019.

Commissioner Tipton asked Ms. Hoferer if there would be a problem to allow them to use their annual leave until April 1.

Ms. Hoferer advised that last year this came before the Board and they allowed the leave to be extended and they even paid out leave but it had been stated it was a one - time deal; doing this would mess up their records.

Mr. Chisum felt they should be extended the opportunity because of the change in the office.

The Board advised they were standing firm with the decision that was made last year.

24. **Larry Grant, Hawthorne Utilities Director** – For consideration and possible action relative to the Chairman signing the (ECWAG) Emergency and Imminent Community Water Assistance Grant for emergency repair of Mina New Well.

Mr. Grant provided the (ECWAG) Emergency and Imminent Community Water Assistance Grant paperwork for signature; he advised the grant was for \$150,000.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to allow the chairman to sign the (ECWAG) Emergency and Imminent Community Water Assistance Grant. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

25. **Christina Boyles, Park and Recreation Coordinator** – For consideration and possible action relative to moving forward with re-establishing a Park and Recreation Advisory Board and a Young Citizen’s Activity Center (YCAC) Board.

Ms. Boyles advised she would like to re-establish the Boards that were in place; the YCAC Board would be to re-obtain the 501C3; the Park and Recreation Board would just be an advisory Board; there would be two separate Boards but the people would be on both boards.

Commissioner Tipton asked if Ms. Boyles had discussed with the District Attorney.

Mr. Hamrey would like to be on the Park and Recreation Advisory Board.

The Board advised that he could attend the meetings as support for Ms. Boyles.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to allow Ms. Boyle to move forward to re-establishing the Park and Recreation Board with input from the District Attorney. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

26. For consideration and possible action relative to permitting the Mineral County Park and Recreation Department to move forward in applying for grant funding from the Walmart Foundation Community Grants Program.

Ms. Boyles advised the program had no match and the amount available was from \$250 to \$5,000, they do not recognize Mineral County as a non-profit so she needed a letter signed by the Board that the County was allowing Park and Recreation under Mineral County to apply for this grant.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to allow Christina Boyles to move forward with the Walmart Foundation Community Grants Program and to allow her to draft a letter to send to Walmart recognizing the Mineral County Board of Commissioners giving her approval to apply for the grant. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

27. **Honorable Chris Nepper, Clerk-Treasurer** – For consideration and possible action relative to funding for Trust Property Auction expenses for auction to be held in the spring of 2019.

Continued until January 2, 2019.

28. **Honorable Jerrie Tipton, Commissioner** – For consideration and possible action relative to discussion and possible action on future representation from Mineral County on State Land Use Planning Advisory Council (SLUPAC), Mason Valley Conservation District, etc.

Commissioner Tipton advised Slupac was a Governors Appointment, but the representative had to appointed by the Board of Commissioners; all of Mineral County belongs to the Mason Valley Conservation District; it is important to maintain active participation in Slupac so it needs to be addressed with the organization of the Board.

Commissioner Price thinks it is imperative to have a seat at the water board.

Public Comment: None

29. For consideration and possible action relative to the Fallon Range Training Complex Modernization Plan.

Read a letter from the Planning Commission Chairman Mark Nixon with their recommendations; the primary recommendation was to dedicate railway land to the south for a rail head, the second recommendation was for a complex with an assisted living facility; Care and Share and recreation area with an enclosed pool and gold course.

It would be support from the Navy for a Lands bill.

Commissioner Tipton advised the county needed to ask for compensation for the things that would be taken; she would like Mr. Nixon to follow through with the comments; NACO was acting as a cooperating agency for the Counties that are going to be impacted and they were preparing general comments for the counties.

The Board advised placing back on the agenda in two weeks.

30. **Closed Session** – Pursuant to NRS 288.220 to discuss/review all labor/bargaining unit contracts, grievances and negotiations. Not Needed
31. **Open Session** – Discussion and possible action relative to all labor/bargaining unit contracts, grievances and negotiations. Not Needed

TIME SPECIFIC ITEMS:

- 1:00 PM Honorable Board of County Commissioners** – For consideration and possible action relative to update on the nuisance complaint for parcel # 001-243-02.

Mr. Fontaine advised that he wrote to the owner and had not received an answer from them.

The Board advised sending a second notice because of the holidays.

- 1:30 PM Board of Highway Commissioners** – For consideration and possible action relative to adoption of resolution #18-022 regarding county 2477 roads.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to suspend the Board of Commissioners and go into the Board of Highway Commissioners. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

Commissioner Tipton advised this was for discussion on the Mineral County Masters Plan Minor County Roads. (Title of Map). SLUPAC was recommending that all counties do the mapping of these roads and an executive order; this would put the burden of proof on the agencies that want to close a road.

Mr. Hamrey advised resource concepts generated the map they changed the name to Mineral County Master Plan/Mineral County Roads; this was based on RS2477; it is colored coded to show public maintained roads or minor county roads maintained by use; roads can be added or removed; every road will have its own file showing any historic documentation on that road.

Commissioner Tipton read Resolution 18-022 into the record. Discussion ensued.

- Immediately Following Public Hearing** – For consideration and possible action relative to adoption of resolution #18-022 regarding county 2477 roads.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to adopt Resolution 18-022 Establishing Minor County Public Roads Pursuant to Nevada Revised Statutes 403.170 and 405.1914 relative to Mineral County Masters Plan/ Minor County Roads. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public comment: None

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton to suspend the Board of Highway Commissioners and reconvene the Board of County Commissioners. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

Immediately Following **Honorable Board of County Commissioners** – For consideration and possible action relative to adoption of resolution #18-022 regarding County 2477 roads.

A MOTION WAS MADE BY Commissioner Price and seconded by Commissioner Tipton and unanimously carried by the Board to adopt resolution 18-022 Establishing Minor County Public Roads Pursuant to NRS 403.170 and 405.191 relative to Mineral County Masters Plan/ Minor County Roads. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

2:30 PM For consideration and possible action relative to review of candidates; conducting interviews, selecting and offering position to successful candidate for the position of Public Guardian.

Item continued for two weeks.

Public Comment –

Mark Nixon advised the Lions Club had asked him for a design for landscaping by McDonalds, Mineral County Convention and Tourism Authority came up with a Gateway sign for that area; he sent a scope of work to Rudy Malfabon at Nevada Department of Transportation and they have authorized \$250,000 for the Gateway Sign; they want a commitment on who was going to do the landscaping; it has to be formally accepted by the Commissioners to do this, he needs to get with Lions Club regarding the landscaping.

Commissioner Price advised that the Sportsman Club was talking about statues for the area.

Ms. Hoferer advised that in odd years the statute says the Commissioners meeting had to be the first Monday of the year which is January 7, 2019.

Commissioner Price consulted with District Attorney Sean Rowe; it was determined the Commissioners could not meet until the January 7, 2019.

Mr. Nepper advised that there might be a problem with the Public Guardian position.

Commissioner Tipton advised that the Board could appoint a temporary position.

The Board advised the interviews for the Public Guardian position was moved to the agenda for January 16, 2018,

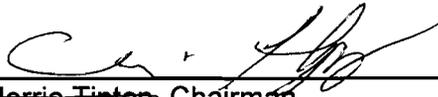
time specific 1:00 PM.

Commissioner Recognition – Commissioner Price thanked Commissioner Tipton for the twelve years of service she has given the county.

There being no further business to come before this Board, the meeting of the Board adjourned until Monday, January 7, 2019 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: Jan 7 2019

Attest:



Christopher Nepper, Clerk of the Board

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.

Mineral County is an equal opportunity provider and employer. In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

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- 1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;
- (2) fax: (202) 690-7442; or
- (3) email: program.intake@usda.gov.