



# Board of Mineral County Commissioners

Hawthorne, Nevada

July 17, 2019

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

Honorable Christine Hoferer	Vice-Chairman
Honorable Garth Price	Member
Honorable Christopher Nepper	Clerk-Treasurer
Honorable Sean Rowe	District Attorney

**Absent:** Honorable Chris Hegg Chairman

### 1. Pledge of Allegiance and Safety Message

Pledge of Allegiance was led by Commissioner Price

No Safety Message was provided

### 2. Public Comment

Sheri Samson stated she wanted it on record that twice she has had an agenda request denied, the Walker Lake Advisory Board put a work order in for the air conditioning two weeks ago, when they met last night it had not been fixed; fifty people showed up for the meeting but did not stay. She also wanted to bring up Chapter 8, the RV issue that was tabled in February and never brought back to the board.

Rick Niedzwiecki stated he wanted to follow up on the drainage ditch behind Barney's addition.

Commissioner Price advised him that Ernie Woods and Mike Vinson at SOC just told him the ditch area on government land had been cleaned out for months; he could reach out to the SOC staff.

Mr. Niedzwiecki argued that it wasn't, he wanted to know why he was he just now being told it was cleaned out when he had been asking about it and why he should have to check on it; he asked Commissioner Price if he ever drove around the town. He said he was offended by Commissioner Price yelling at him at the end of the last meeting.

Commissioner Price stated Mr. Niedzwiecki was told they were holding a meeting and it was not appreciated that he stood there and kept on talking when they were asked to clear the room.

Public Works Director Eric Hamrey advised that he had driven down that road by the ditch area and it had not been touched.

### 3. Approval of Agenda/Necessary Changes

The Public Hearings were cancelled and items 12, 18, and 20 was tabled for two weeks.

**A MOTION WAS MADE BY** Commissioner Hoferer and seconded by Commissioner Price to approve changes to the agenda as presented. A vote of the Board disclosed the following:

<b>Ayes:</b>	Commissioner Price Commissioner Hoferer
<b>Nays:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	Commissioner Hegg

Motion carried and so ordered

### 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 Deputy Teresa McNally asked for a Capital Outlay form from the District Attorney for a printer; she presented the Board with an EFT for a Sheriff's Office voucher and the Bank of America voucher to be signed.

District Attorney Sean Rowe advised the printer had been approved at budget time, but he would get her the form.

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

Commissioner Hoferer advised the Treasurer's Accounting Fund Summary Balance Report and Financial Horizon Credit Union Accounts Report had been reviewed.

**A MOTION WAS MADE BY** Commissioner Hoferer and seconded by Commissioner Price to accept the reports as presented. A vote of the Board disclosed the following:

**Ayes:** Commissioner Price  
Commissioner Hoferer  
**Nays:** None  
**Abstain:** None  
**Absent:** Commissioner Hegg

Motion carried and so ordered

**6. Reports and Correspondence** – None at this time

**7. Minutes of** – July 3, 2019 for review and possible action. (Public comment following.)

**A MOTION WAS MADE BY** Commissioner Price and seconded by Commissioner Hoferer to approve the minutes if July 3, 2019 as presented. A vote of the Board disclosed the following:

**Ayes:** Commissioner Price  
Commissioner Hoferer  
**Nays:** Commissioner  
**Abstain:** None  
**Absent:** Commissioner Hegg

Motion carried and so ordered

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

Mr. Collum provided updates on grazing, geothermal and the Vora and Modesto Ridge Runners events that were coming up; they were waiting for the Hawthorne Landfill application for patent; July 3 stake holder meeting for the Navy withdrawal was held; the Navy was holding a meeting to discuss the public comments around August 9; BLM was moving their head quarters to Grand Junction Colorado;

Glenn Bunch advised the Modesto Ridge Runners decided to take their event go to forest service land; the map was approved then they was told the Lucky Boy road was on BLM land so they had to remove it from the event.

Mr. Collum advised that if there was a right away through BLM land they would have to go through the permitting process. Mr. Bunch and Public Works Director Eric Hamrey and Mr. Collum going to have a phone conference tomorrow.

David Holmgren asked Mr. Collum about the Ormat Wild Rose Geothermal lease; he stated that Ormat was owned by Japanese Company and that LA was getting the resources; they had drilled 6 wells and it was affecting the heat temperature and water levels in the basin along with his and his neighbor's water allotments. Mr. Collum was doing nothing to protect his water rights.

Mr. Collum provided information regarding the sale of geothermal leases.

**9. William Brewer, Executive Director Nevada Rural Housing** – For consideration and possible action relative to Certificate of Transfer of Volume Cap and resolution requesting the transfer of unused private activity bond cap to Nevada Rural Housing Authority.

Clerk-Treasurer Christopher Nepper read Resolution 19-016 into the record regarding the transfer of the County's 2019 Private Activity Bond Cap to the Nevada Rural Housing Authority.

**A MOTION WAS MADE BY** Commissioner Price and seconded by Commissioner Hoferer to accept Resolution 19-016 as read in to record. A vote of the Board disclosed the following:

**Ayes:** Commissioner Price  
Commissioner Hoferer  
**Nays:** None  
**Abstain:** None  
**Absent:** Commissioner Hegg

Motion carried and so ordered

Public Comment: Mr. Niedzwiecki asked questions regarding the use of the Bond.

Commissioner Hoferer advised the Treasurer’s Accounting Fund Summary Balance Report and Financial Horizon Credit Union Accounts Report had been reviewed.

**A MOTION WAS MADE BY** Commissioner Hoferer and seconded by Commissioner Price to accept the reports as presented. A vote of the Board disclosed the following:

**Ayes:** Commissioner Price  
 Commissioner Hoferer  
**Nays:** None  
**Abstain:** None  
**Absent:** Commissioner Hegg

Motion carried and so ordered

**6. Reports and Correspondence – None at this time**

**7. Minutes of – July 3, 2019 for review and possible action. (Public comment following.)**

**A MOTION WAS MADE BY** Commissioner Price and seconded by Commissioner Hoferer to approve the minutes if July 3, 2019 as presented. A vote of the Board disclosed the following:

**Ayes:** Commissioner Price  
 Commissioner Hoferer  
**Nays:** Commissioner  
**Abstain:** None  
**Absent:** Commissioner Hegg

Motion carried and so ordered

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

Mr. Collum provided updates on grazing, geothermal and the Vora and Modesto Ridge Runners events that were coming up; they were waiting for the Hawthorne Landfill application for patent; July 3 stake holder meeting for the Navy withdrawal was held; the Navy was holding a meeting to discuss the public comments around August 9; BLM was moving their head quarters to Grand Junction Colorado;

Glenn Bunch advised the Modesto Ridge Runners decided to take their event go to forest service land; the map was approved then they was told the Lucky Boy road was on BLM land so they had to remove it from the event.

Mr. Collum advised that if there was a right away through BLM land they would have to go through the permitting process. Mr. Bunch and Public Works Director Eric Hamrey and Mr. Collum going to have a phone conference tomorrow.

David Holmgren asked Mr. Collum about the Ormat Wild Rose Geothermal lease; he stated that Ormat was owned by Japanese Company and that LA was getting the resources; they had drilled 6 wells and it was affecting the heat temperature and water levels in the basin along with his and his neighbor’s water allotments. Mr. Collum was doing nothing to protect his water rights.

Mr. Collum provided information regarding the sale of geothermal leases.

**9. William Brewer, Executive Director Nevada Rural Housing – For consideration and possible action relative to Certificate of Transfer of Volume Cap and resolution requesting the transfer of unused private activity bond cap to Nevada Rural Housing Authority.**

Clerk-Treasurer Christopher Nepper read Resolution 19-016 into the record regarding the transfer of the County’s 2019 Private Activity Bond Cap to the Nevada Rural Housing Authority.

**A MOTION WAS MADE BY** Commissioner Price and seconded by Commissioner Hoferer to accept Resolution 19-016 as read in to record. A vote of the Board disclosed the following:

**Ayes:** Commissioner Price  
 Commissioner Hoferer  
**Nays:** None  
**Abstain:** None  
**Absent:** Commissioner Hegg

Motion carried and so ordered

Public Comment: Mr. Niedzwiecki asked questions regarding the use of the Bond.

Mr. Nepper provided him with the information.

10. **Chris Lawrence, Fire Chief** – For consideration and possible action relative to the Mineral County Fire Department filing an application for funding with the USDA Rural Development Community Facilities program to finance a new ambulance chassis and box remount. The total cost of the project is approximately \$130,000. The requested amount of funding from the USDA is \$50,000 and approximately \$68,000 from Mineral County Ambulance Fund. The Fire Department is requesting the Board of County Commissioners to authorize the Chairman to accept the Letter of Conditions and sign the related obligation documents including but not limited to the RD Form 1942-46 “Letter of Intent to Meet Conditions”, RD Form 1940-1 “Request for Obligation of Funds”, and RD Form 3570-3 “Community Facilities Grant Agreement” outside of a Commission meeting.

Fire Chief Chris Lawrence advised the Board had approved up to \$130,000 on June 5, 2019; it cost should be about \$118,000; 68,000 would come out of ambulance fund and 50,000 from USDA.

Commissioner Hoferer asked if the funds had to be spent and then reimbursed by USDA; she advised him to keep track of the ambulance funds cash balance.

**A MOTION WAS MADE BY** Commissioner Price and seconded by Commissioner Hoferer to allow the Fire Chief to move forward with the financing of a new ambulance chassis and box remount not to exceed \$130,000 and to be signed by the chairman or Vice Chairman when ready to be sent off. A vote of the Board disclosed the following:

**Ayes:** Commissioner Price  
Commissioner Hoferer  
**Nays:** None  
**Abstain:** None  
**Absent:** Commissioner Hegg  
None

Motion carried and so ordered

Public Comment: None

11. **Honorable Sean Rowe, District Attorney** – For consideration and possible action relative to authorization for the Mineral County Sheriff's Office to temporarily act with the Building Official for Code Enforcement/Nuisance Abatement within Mineral County.

District Attorney Sean Rowe stated the Board had approved putting out a job notice for a Temporary/Part-Time Code Enforcement Officer, at this time the Building Inspector was unavailable to help make some of the hiring decisions; he talked to the Sheriff's Office about doing some civil and administrative enforcement actions. They have abated an abandoned trailer that was on trust property. He was asking for the Board to authorize this temporary solution.

Commissioner Hoferer asked if any applications had been received.

Mr. Rowe advised that one application had been received; he did not want to go through the hiring process without the Building Inspectors input.

**A MOTION WAS MADE BY** Commissioner Price and seconded by Commissioner Hoferer to allow authorization for the Mineral County Sheriff's Office to act on a temporary basis with the Building Official for Code Enforcement/Nuisance Abatement within Mineral County. A vote of the Board disclosed the following:

**Ayes:** Commissioner Price  
Commissioner Hoferer  
**Nays:** None  
**Abstain:** None  
**Absent:** Commissioner Hegg  
None

Motion carried and so ordered

Public Comment:

Tom McNeill stated that he was totally against this because the Sheriff's Office has a lot of power, he has been the brunt of the ordinance; he thinks another department should act with the Building Official for Code Enforcement/Nuisance Abatement; things have a way of becoming permanent.

District Attorney Sean Rowe advised the Sheriff's Office has the most personnel no other office has the staff.

Mr. Niedzwiecki asked if they had the qualifications to enforce the codes.

Mr. Rowe advised they would be working with the Building Inspector.

Commissioner Hoferer advised that the Sheriff's Office did not want to do this on a permanent basis.

Sheri Samson stated as the secretary of the West Walker Lake Advisory Board they wanted to thank the Sheriff's Department, this was a seventeen month plight.

Gladys Porter thanked the Sheriff's Office also.

12. For consideration and possible action relative to authorization for Public Works to assist in abating abandoned trailer on property held by Mineral County Tax Trust Parcel 08-014-09, located at 431 Roark Drive, Walker Lake, NV.

This item was tabled for two weeks.

13. **Eric Hamrey, Public Works Director** – For consideration and possible action relative to FAA Grant Agreement (Project No. 3-32-0009-015-2019) for Airport Capital Improvement Plan.

Armstrong Consultant Mike Beckhoff provided information on the FAA Grant for the Fence project; they are going to repackage the project and put it out to bid with the taxiway project; he advised the FAA grant for \$34,666 was to cover the design fees, the local share was \$24,111; the Taxiway project would go out to bid in November/December time frame. Mr. Beckhoff advised the Board needed to accept the offer for \$34,666 from the FAA.

Mr. Hamrey advised they had budgeted two matches to cover the grants.

Commissioner Price asked if it would include in front of the hangers and was advised that it did not.

**A MOTION WAS MADE BY** Commissioner Price and seconded by Commissioner Hoferer to accept the offer of \$34,666 from the FAA for the design portions of the Taxiway and to have the Chairman or Vice Chairman sign the documents. A vote of the Board disclosed the following:

<b>Ayes:</b>	Commissioner Price Commissioner Hoferer
<b>Nays:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	Commissioner Hegg
	None

Motion carried and so ordered

Public Comment: None

14. **Honorable Kevin Chisum, Assessor** – For consideration and possible action relative to approval of the purchase of a large format printer/scanner.

Mr. Chisum advised their scanner died, it was too old to get software. He would like to purchase a printer/scanner for \$9,495.00; three year service contract was \$1,995.

**A MOTION WAS MADE BY** Commissioner Price and seconded by Commissioner Hoferer to allow the Assessor to move forward with the purchase of the printer/scanner not to exceed \$13,000 to be paid out of the Assessor Tech fund. A vote of the Board disclosed the following:

<b>Ayes:</b>	Commissioner Price Commissioner Hoferer
<b>Nays:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	Commissioner Hegg

Motion carried

Mr. Chisum asked if he could let the company take the two old machines.

Commissioner Hoferer advised checking with the District Attorney.

Public Comment: None

15. **Bret Towe, Computer Technician** – For consideration and possible action relating to adding and starting transition to a new domain for email and the website.

Mr. Towe advised the state department does allow other counties on to the nv.gov domain; this would allow the county to move the email domain and the website to nv.gov; it would avoid save the county \$400 a year for upkeep.

Commissioner Hoferer advised that this should be postponed until the new computer system was done. They advised him to bring back before the Board after the First of the year.

16. **Cherrie George, Senior Services Director** – For consideration and possible action relative to approval for submission of Aging and Disability Services Division (ADSD) Congregate and Home-Delivered Meals grant applications for FY20 (October 2019 thru September 2020).

Ms. George advised the grants were due July 30, 2019; she was asking for Board approval for the Chairman to sign when they were prepared; she would come back before the Board with the grant award.

**A MOTION WAS MADE BY** Commissioner Price and seconded by Commissioner Hoferer to allow Chairman Hegg to sign the Aging and Disability Services Division (ADSD) Congregate and Home-Delivered Meals grant applications for FY20. A vote of the Board disclosed the following:

<b>Ayes:</b>	Commissioner Price Commissioner Hoferer
<b>Nays:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	Commissioner Hegg None

Motion carried and so ordered

Sheri Samson asked about receiving Meals on Wheels at Walker Lake.

Ms. George advised they had met with the people at Walker Lake; only two people met the criteria.

17. For consideration and possible action relative to approval/acceptance of revised Notice of Sub-Award (NOSA) for FY19 Transportation grant due to grant budget changes during close-out of grant.

Ms. George advised she had Commissioner Hegg sign the document so she could close out the grant; she had to do a budget modification request to Aging and Disability Services Division (ADSD) in the amount of \$1,934.25.

**A MOTION WAS MADE BY** Commissioner Price and seconded by Commissioner Hoferer to allow Chairman Hegg to sign the Sub-Award (NOSA) for FY19 Transportation grant close-out. A vote of the Board disclosed the following:

<b>Ayes:</b>	Commissioner Price Commissioner Hoferer
<b>Nays:</b>	None
<b>Abstain:</b>	None
<b>Absent:</b>	Commissioner Hegg

Motion carried and so ordered

18. **Tammy Hamrey, Recorder-Auditor Chief Deputy** – For consideration and possible action relative to approval for 3% salary increase for unclassified employees effective July 1, 2019.

Item tabled for two weeks.

19. **David Holmgren** – For consideration and possible action relative to grazing and support for critically endangered species. Texas Longhorn cattle listed as critically endangered in America. My herd is now the priority herd listed.

Commissioner Varlen Higbey Lincoln County explained the difference in a right of way, an easements and AUM's (animal unit per month). He stated all natural resources need to be controlled by the county including grazing. He was asking for a letter of agreement for opposition for the BLM cutting Mr. Holmgren's AUM's and cutting his operation.

Mr. Holmgren brought a letter from the Virginia Conservancy; the Texas Longhorn cattle are listed as critically

Board disclosed the following:

**Ayes:** Commissioner Price  
 Commissioner Hoferer  
**Nays:** None  
**Abstain:** None  
**Absent:** Commissioner Hegg

Motion carried and so ordered

**1:30 PM Public Hearing** – For consideration and possible action relative to adoption of Ordinance 251A Bill 267 an ordinance amending Mineral County Code Chapter 5.20 Solicitors, Peddlers, and Traveling Merchants to Amend General Business Regulations Within Mineral County.

Item tabled until August 7, 2019

**5:30 PM Public Hearing** – For consideration and possible action relative to adoption of Ordinance 251A Bill 267 an ordinance amending Mineral County Code Chapter 5.20 Solicitors, Peddlers, and Traveling Merchants to Amend General Business Regulations Within Mineral County.

Item tabled until August 7, 2019

**Board of Highway Commissioners** – nothing at this time


**Public Comment** - Rob Mathias thinks Mineral County kicked to the curve in the NAS land grab; he is part of the Public land use committee and he would be willing to go to this meetings.

**Commissioner Recognition** - Commissioner Price would like to thank Pat Hughes and Sean Rowe for their help while the Building Inspector; Thank you to Clark County for the NACO meeting they hosted.

There being no further business to come before this Board, the meeting of the Board adjourned until Wednesday, August 7, 2019 at 9:00 AM.

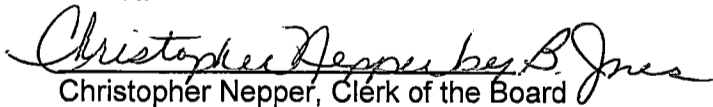
A verbatim recording of this meeting has been prepared and by reference becomes a part thereof.

**Approved:** Board of County Commissioners

By:   
 Chris Hegg, Chairman

Date: Aug 21 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.**

**To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:**

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