



Board of Mineral County Commissioners

Hawthorne, Nevada
June 19, 2019

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

Honorable Chris Hegg	Chairman
Honorable Christine Hoferer	Vice-Chairman
Honorable Garth Price	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 Price

No Safety Message

2. Public Comment

Hawthorne Utilities Director Larry Grant advised they had an inspection and received a landfill deficiency this was after he had talked to Commissioner Hoferer in the Department Head meeting; he would get the Board the list of deficiencies; the Mina new well was underway and seemed to be working.

Jean Peterson advised the Hawthorne Sign was going in and the Sportsmans Club had ordered Sheep; Buck Hall had said the Lions Club could have the rocks by the Coffee Shop; they were doing the landscaping and she was hoping the county could help move the rocks.

Glenn Bunch advised the Department of Wildlife was having their state meeting and would like a tour of the signs at State Beach; he provided pictures of signs that show the level of the lake and when local reservoirs were established; the Walker Lake Working Group would be talking to the District Attorney regarding an unauthorized person working the property they own in Fallon; the elevation of Walker Lake was 3,919.66.

Sheri Samson stated the newly seated five member Walker Lake Advisory Board held their first meeting; there were twenty people at the meeting; they were filing their financial disclosures; they had been to Carson City for the original Bylaws and talked to the Clerk-Treasurer about maintaining their files.

3. Approval of Agenda/Necessary Changes

Item 16 was removed

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to approve the agenda with the changes as presented.

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.

Credit Card approval of \$235 was presented for Division of Public and Behavior Health (DPBH) for the Fire Department annual ambulance license renewal

A MOTION WAS MADE BY Commissioner Hoferer, seconded by Commissioner Price and unanimously carried by the Board to approve the payment of \$235 to DPBH for the Fire Department annual ambulance license renewal.

Public Comment: None

A Capital Outlay voucher was presented from Hawthorne Utilities for \$4,910.74 to Ken Morgan for radios; for \$5,595.61 to Northern Arizona Wind for Solar Panels and to Consolidated Fabrication for \$10,840 for dumpsters as approved March 19, 2018.

Bank of America voucher was presented for signature; Ms. McNally stated that part of her job was to audit, she advised the Board that an elected official was rude to her when she asked for the credit card receipt that showed what was purchased.

Commissioner Hoferer advised Ms. McNally to remind the employees of the agreement they sign when they receive a credit card and that the Records Office did not have to put up with rude behavior.

Ms. McNally advised that the cash balances were looking good.

5. **Treasurer's Accounting Fund Summary Balance Report and Financial Horizon Credit Union Accounts Report** – presented for review, discussion and possible action.
6. **Reports and Correspondence** - None
7. **Minutes of** – June 5, 2019 for review and possible action.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to approve the minutes of June 5, 2019 as presented.

Public Comment: Mr. Bergeron advised that what was printed in the newspaper was incorrect and that the public needed to be made aware that the Board violated the Open Meeting Law at the meeting on September 5, 2018 so the vote for the Marijuana License was void.

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

Kenneth Collum was present to give an update on their ongoing programs for fire, grazing, renewable energy, minerals, and recreation; Sierra Trail Dogs race was July 13-14, Modesto Ridge Runners race was August 9-10; they were still working with the Navy and permittees for the Military Expansion, the Navy was looking for a payout based on appraisal.

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

- A. **Timothy Rutherford**; Audio & Visual Solutions; Audio & Visual Rentals; Hawthorne, NV; New Applicant

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to approve the business license application for Audio & Visual Solutions.

Public Comment: None

- B. **Hector Carmona**; Carmona, LLC; Handyman Services; Hawthorne, NV; New Applicant

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to approve the business license application for Carmona LLC.

Public Comment: None

- C. **Chuck Ehmman**, Clark Pest Control; Pest Control; Sparks, NV; New Applicant

Hawthorne Utilities Director Larry Grant advised that the water connection needed to be hooked to a back flow preventer.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to approve the business license application for Clark Pest Control with the condition that the water is connected to a back flow preventer.

Public Comment: None

10. **Chris Lawrence, Fire Chief** – For consideration and possible action relative to approval of agreement with Bureau of Land Management regarding staffing and pay for wild land fire assignments.

Mr. Lawrence provided a copy of the BLM Pay Schedule for the fire department if they were to respond.

Discussion ensued regarding how the county would handle the wages and benefits.

Commissioner Hoferer stated that in the past because of the money issue the fire fighters were allowed to do this work on their days off or they could take leave.

The Board advised Tammy Hamrey, Recorder-Auditor Office to check with PERS and other counties on how they handled the extra pay; and to bring the information back to the Board.

11. **Larry Grant, Hawthorne Utilities Director** – For consideration and possible action relative to changing Sewer Restricted Capital Outlay purchase from the approved sand pump mounted barge budget amount of \$20,000 to sewer inspection camera to replace existing broke and outdated camera approximately \$11,000.

Hawthorne Utilities Director Larry Grant advised they had planned to purchase a sand pump; instead they would like to purchase a sewer inspection camera to replace the broken outdated camera they have.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to approve the change in the capital outlay purchase from \$20,000 to \$11,000 to purchase a new sewer inspection camera.

Public Comment: None

12. **Ana Fitzgerald, Hawthorne Utilities Office Manager** – For consideration and possible action relative to 2018-19 Write-Off of uncollectible accounts for Hawthorne, Mina/Luning Water Systems.

Hawthorne Utilities Director Larry Grant advised the total list of uncollectible accounts for Hawthorne was \$4,140.37 and Mina was \$524.93.

A MOTION WAS MADE BY Commissioner Hoferer, seconded by Commissioner Price and unanimously carried by the Board to approve the 2018-19 Write-Off of uncollectible accounts listing provided of \$4,140.37 for Hawthorne and \$524.93 for Mina.

Public Comment: None

13. **Mark Nixon, Chairman Mineral County Regional Planning Commission** – For consideration and possible action relative to approval of Amendment to Chapter 17.46 to ban Billboards at the Town of Walker Lake as requested by Mineral County Regional Planning Commission.

Mr. Nixon stated he had discussed this with the District Attorney and they were in agreement that the solution was to amend Chapter 17.46; the District Attorney was going to write it up and bring it to the Board.

The Board would like to have put back on the agenda in two weeks.

Public Comment: A resident of Walker Lake asked what would keep someone from putting a Billboard at Walker Lake.

Mr. Nixon advised that the ordinance would say no Special Use Permits for Billboards to be issued at Walker Lake.

14. For consideration and possible action relative to approval of proposed Resolution for Walker Lake Ban on Billboards requested by Mineral County Regional Planning Commission.

Item was not needed.

15. For consideration and possible action relative to approval of Parcel Map Waiver Application of Nevada Copper for Parcel APN 005-110-05 requested by Mineral County Regional Planning Commission.

Mr. Nixon advised that this was specifically for the Sub Station and that he had talked with the Assessor and the District Attorney.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to accept the Planning Commission recommendation of Parcel Map Waiver application of Nevada Copper for Parcel APPN 005-110-05.

Public Comment: Mr. Nixon stated that he advised Nevada Copper they needed to have someone at the meeting to have the map recorded and then the map needed to be returned to the Assessor's Office.

16. **Kirk Bausman, Chairman Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Committee** – For consideration and possible action relative to request by HIA/MCALUAC to approve the lease agreement with Desert Ready Mix, Jim Chico.

Item was removed

17. For consideration and possible action relative to the HIA/MCALUAC recommends approval by the Mineral County Commissioners of Annual Use Permit for the WPA Do-it-event.

Hawthorne Utilities Foreman Dan McPeake advised that Public Works was not on the publication list.

Glenn Bunch stated that at the meeting with the Planning Commission it was put into the contract that Public Works, Fire Chief, FAA and Base Commander be notified in writing that they would be returning. Mr. Bunch stated that when WPA started coming to Hawthorne they were advised they would not have to secure a new special use permit if there was no change in their management or Company; because of the change of

management in the area they thought they needed a new agreement; the Annual Use Permit was put together by the District Attorney and the Airport Board, then it was sent to Mr. Dicks. They would be coming the third week of September.

Commissioner Hoferer asked for their insurance information be sent to the Clerk's Office

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to accept the 2019 Annual Use Permit with Western Pyrotechnic Association (WPA).

Public Comment: None

18. **Jim Nugent, CC Communications** – For consideration and possible action relative to the expired contract for phone service.

Mr. Nugent advised the original contract was for 6 months with extension of one year increments up to five years; they have never been notified of any extensions; they did an audit of what features were being used on the phones and the majority of the county was not using the advanced features this could be a saving \$475.95 a month. The contract says that his contact was Mr. Nepper; he just found out that Mr. Towe was placed over the phone system; he needed notification from the county if they plan to intent was as far as the contract with CC Communications.

The Board requested to place back on the agenda for the contract and item for the price reduction.

19. **Michael McNeill** – For consideration and possible action relative to additional soon expected findings by a PERS auditor, the revisiting of who will pay \$3,042.07 to PERS for one employee's work during FY 2012 and who will fill out the additional paperwork to PERS to fully resolve this issue.

Commissioner Hoferer stated the payroll indicated that Mr. McNeill was working for Park and Recreation when he exceeded the hours; the Recorders Office paid PERS and that PERS was not auditing their payroll records.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to take \$3042.77 a onetime payout for PERS from Park and Recreation.

Public Comment: None

20. For consideration and possible action relative to the number of strong public comments, Mineral County Convention and Tourism Authority is suggesting the Commissioners revise the removing of two trees next to the convention center, The suggestion is to just remove the trees lower branches (any branches 15' and below from the ground) not to trim the top of the trees.

Mr. McNeill advised there were comments regarding the cutting down of the trees by the Convention Center; it was suggested removing the lower branches from the tree on Cow County property.

The Board advised Mr. McNeill to follow up with the Clerk-Treasurers Office.

Mr. McNeill advised that he had talked with NV Energy about cutting the trees out of the lines but had not heard from them.

Public Comment: Glenn Bunch advised the trees were put in by the county not the state.

21. **Glenn Bunch for Donald Jackson** – For consideration and possible action relative to seeking permission to cross county roads for "Vegas to Reno" event, Friday, August 14, 2019.

Mr. Bunch advised that the best in the Desert was running the course they used two years ago. Mr. Bunch advised they would blade the road which is required by BLM.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to allow Best in the Desert "Vegas to Reno" event to cross county roads on August 14, 2019.

Public Comment: Mr. McNeill advised that MCCTA had been running ads regarding these types of events.

22. **Hope Allen** – For consideration and possible action relative to approval of Healthy Communities Coalition Grant Application for University of Nevada Cooperative Extension.

Ms. Allen advised they had already applied for the grant because of time constraints; they were approved for 9,836; this money was used for drug and alcohol programs at the school, earth day, harvest day and trunk or treat. Because of the loss of funds they will have to cut out some of the incentives.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to approve a forgiveness ticket for the Healthy Communities Coalition Great Application and the acceptance of \$9,836.

Public Comment: None

- 23. Michael Stephens** – For consideration and possible action relative to possible donation for the July 4th fireworks.

Mr. Stephens was present to request a donation for the July 4th fireworks.

A MOTION WAS MADE BY Commissioner Hoferer, seconded by Commissioner Price and unanimously carried by the Board to donate \$500 and to be paid out of General Miscellaneous, Miscellaneous.

Public Comment: None

- 24. Honorable Board of County Commissioners** – For consideration and possible action relative to relative to the appointment of one member to the Mineral County Park and Recreation Advisory Board.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to appoint Jean Peterson to the Park and Recreation Advisory Board.

Public Comment: None

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

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to reconvene the Board of Commissioners and go back into open session.

Public Comment: None

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

Nothing to report at this time.

TIME SPECIFIC ITEMS:

- 9:00 AM Wayne Carlson, MBA, CPCU, ARM** – For consideration and possible action relative to acceptance of renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from fiscal year 2019-2020 funds.

Woody Isom, Marshall Swift and Allen Ault from Nevada Public Agency Insurance Pool (POOL) was present, Mr. Carlson was unable to attend.

Woody Isom reviewed the renewal proposal with the Board; the program cost was up due to inflation in building costs and losses; there was a \$2,000,000 claim and a claim with NV Energy was still outstanding; the proposal was for \$239,467.25 this was a \$32,962 increase.

Allen Kalt provided a power point presentation regarding the programs that Nevada Public Agency Insurance Pool (POOL) offers.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to accept the 2019-2020 Nevada Public Agency Insurance Pool (POOL) renewal.

Public Comment: Rick Niedzwiecki asked if Pool Pact was two different programs.

Mr. Kalt provided an explanation of the two programs.

- 10:00AM Larry Grant, Hawthorne Utilities Director** – For consideration and possible action relative to the BLM request that Mineral County move forward in obtaining the patent for this landfill by April 8, 2021.

Mr. Grant advised the BLM notified them that by April 8, 2021 a patent needed to be filed for the Landfill; there needs to be conversation regarding additional land that was needed and how to pay for the process.

BLM representative was present to explain the patent process to the Board.

Immediately Following **Alicia Sweet** – For consideration and possible action relative to appeals of the Mineral County Solid Waste Review Board decisions and the review and approval of recommendations from the Mineral County Solid Waste Review Board’s decision of applications for adjustments of the Solid Waste Landfill Assessment for the 2019-2020 tax year.

Ms. Sweet advised they did not receive any appeals; she read a letter regarding the Landfill Assessment reductions; there were 40 low income applicants; the total assessments were reduced from \$6,072 to \$2,995; there was another 89 applicants; these total assessments were reduced from \$29,327 to \$14,842; the current landfill billed was \$434,826.

Hawthorne Utilities Office Manager offered the backup documentation

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to accept the decision of the Solid Waste Review Board for the 2019-2020 Solid Waste Landfill Assessment.

Public Comment: None

Immediately Following **Dan McPeake, Public Works Foreman** – For consideration and possible action relative to review, approval and signature for Award Recommendation from Armstrong Consultants for wild life fence project at Hawthorne Industrial Airport AIP No. 3-32-0009-015-2019.

Mr. McPeake advised they had received one bid for the project; that FAA had refused the bid; they would re-bid in November when Armstrong puts out the bid for the taxiway.

Commissioner Price asked Mr. McPeake to find out if the project for the taxiway included where the hangers were.

Item revisited for a signature for the Armstrong wildlife fencing project.

Immediately Following For consideration and possible action relative to the cost and review of Mineral County accepting private or non-county roads, streets to include Lakeshore, Gull and Ahab.

Mr. McPeake provided the Board with a copy of the letter from Lumos for the Lake Shore Heights Roads Evaluation; the engineering and survey services cost would be \$13,950.

The Board requested item be placed on the RTC Board’s agenda.

Sheri Samson asked for a copy of the report for the Walker Lake Advisory Board.

2:00 PM **Honorable Board of County Commissioners** – For consideration and possible action relative to the conducting annual Performance Evaluation of Patrick Hughes, Emergency Manager, including, but not limited to possible promotion, endorsement engagement, retention, termination, suspension, demotion, and reduction in pay, reprimand or “no action.”

The Board evaluated Patrick Hughes on Safety; Quality and Quantity of Work; Teamwork; Initiative; Time Management; Job Technical Knowledge and Decision Making/ Leadership Skills.

Commissioner Hoferer asked about the County Safety Manual.

Mr. Hughes advised that he was working with Marshall Smith at Pool Pact and is hoping to have the safety committee and safety manual by the end of the year.

Discussion ensued regarding different safety training; the Board suggested a school to careers student if he needed help.

Immediately Following **Patrick Hughes, Emergency Manager** – For consideration and possible action relative to contracting with Compliance Safety Professionals as county safety consultants.

Mr. Hughes advised he was approached by Compliance Safety Professionals; he would like to use their services for the programs that Pool Pact was unable to provide. he had talked with Marshall Smith at Pool Pact they will help him get safety certifications. CSP was willing to give the county a reduced price rate because they are looking at making Hawthorne their base of operations. They gave a presentation at the LEPC meeting.

Commissioner Hoferer advised talking with Pool Pact first about what they could offer, and then they could go from there.

Mr. Niedzwiecki stated he did a site evaluation of Public Works he was offering his services for those programs that was not offered.

Commissioner Hoferer advised that Mr. Hughes needed to talk to Pool Pact first regarding what they could offer, make a list of what was needed and to prioritize.

Wanda Nixon asked if Pool Pact did Site Assessments.

Mr. Hughes advised that he thought they did and asked who the environmental officer was for the county.

The Board advised talking to Hawthorne Utilities Director Larry Grant.

Immediately Following

For consideration and possible action relative to FY20 United We Stand Grant update.

Mr. Hughes advised the United We Stand grant had to be submitted by May 10, 2019; then he was informed that the amount of funding was being raised and the submittal time extended; he submitted a request for \$27,800 for Spellman Rapid Notification Module, 20 Motorola Monitor Pagers and routers and Wi-Fi units; this grant was all about terrorism. Mr. Hughes advised that the grant was approved by the Funding Committee and then it goes to the Full Cert Commission on August 13, 2019; he was trying to find out why they had not received reimbursements on the last grant.

Commissioner Hoferer advised to continue to check on this and to talk to them about it being the end of the fiscal year.

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to suspend the Commissioner meeting and go into Closed Session pursuant to NRS 288.220.

Public Comment: None

Board of Highway Commissioners - Nothing at this time

Public Comment - None

Commissioner Recognition - Commissioner Hegg wanted to commend the Public Works employees for their work on the potholes in town.

There being no further business to come before this Board, the meeting of the Board adjourned until Tuesday June 25, 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: July 3, 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.

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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.