



# Board of Mineral County Commissioners

Hawthorne, Nevada

July 11, 2018

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

Honorable Jerrie Tipton	Chairman
Honorable Chris Hegg	Vice-Chairman
Honorable Garth Price	Member
Honorable Christopher Nepper	Clerk-Treasurer
Honorable Sean Rowe	District Attorney

**Absent:**

**1. Pledge of Allegiance and Safety Message**

Pledge of Allegiance was led by Commissioner Hegg

Safety Message was provided by Patrick Hughes relative to a person's cognitive bias.

**2. Public Comment - None**

**3. Approval of Agenda/Necessary Changes**

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve 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 Deputy II, Theresa McNally presented a Capital Outlay request from Utilities to Dell Marketing for \$1033.63

Recorder-Auditor Christine Hoferer advised the end of year cash balance on June 30<sup>th</sup> was \$78,000, in order to close the year they did a temporary transfer from PILT and then paid it back, the Luning Solar tax payment really helped.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the Capital Outlay request from Hawthorne Utilities for Dell Marketing for \$1033.63.

Commissioner Tipton advised the meeting for the Nuisance Ordinance had been moved to next week.

**5. Reports and Correspondence**

Letter from the Nevada Division of Environmental Protection relative to Rawhide Mining LLC Water Pollution Control Permit.

Letter from Timothy Howe regarding resignation from Walker Lake Advisory Board

**6. Minutes of – June 19, June 21 and June 27, 2018 for review and possible action.**

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the minutes of June 19, June 21, and June 27, 2018 as presented.

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

A. **Martin Rodriguez, Sr.;** Compliance Safety Professionals(CSP); PO Box 801; Hawthorne, NV 89415; New Applicant

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the Business License Application for Compliance Safety Professionals (CSP).

**B. Mollie Moody;** Old Nevada Pizza; PO Box 427, Hawthorne NV 89415; New Applicant

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the Business License Application for Old Nevada Pizza.

Public Comment: None

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

- 8. Liquor License Applications** – The following applications will be presented for discussion and possible action.  
**A. Mollie Moody;** Old Nevada Pizza; PO Box 427, Hawthorne NV 89415; New Applicant

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the Liquor License for Old Nevada Pizza.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to suspend the Liquor Board and to reconvene the Board of County Commissioners.

- 9. Honorable Randy Adams, Sheriff** – For consideration and possible action relative to replacing the outdated 911 system with a new E-911 Hosted System.

Undersheriff Ferguson advised the maintenance contract expired a year ago, parts of the system have become obsolete; they plan on going to a cloud based system with no maintenance and no equipment, cost was 50,000 and should be offset by the increase in the 911 fees; there should be no additional equipment to purchase because AT&T provided everything.

The Board advised having the 911 Board convene and to continue this item after their meeting.

District Attorney Sean Rowe advised there was an ordinance regarding the 911 Board; advertisement needs to be done to reconstitute the Board. Mr. Rowe advised he would work with the Clerk-Treasurer on this.

Public Comment: Connie Ellis asked about the system picking up the GPS of the call. Leila Muto asked how much it was going to cost the consumers. Ms. Hoferer asked if the new surcharge was being collected. Yvonne Suarez asked if there was GPS on the current system.

- 10. Eric Hamrey, Public Works Director** – For consideration and possible action relative to review, approval & signature for FAA Hawthorne AIP 014 Closeout.

Mr. Hamrey advised this was the grant Closeout for the Papi Lights at the Airport.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the Closeout of the AIP 014 Grant and have Commissioner Price sign.

- 11. Yvonne Suarez** – For consideration and possible action relative to submitting a business proposal regarding Mineral County Museum.

Ms. Suarez stated it was important to have someone at the Museum.

The Board advised the advertisement would be published next week and they would like to review and interview on August 1, 2018.

- 13. Julie Fisk** – For consideration and possible action relative to the swimming pool hours.

Ms. Fisk wanted to know if they could have a three hour block for general swimming instead of 1 ½ hour.

Discussion ensued;

Park & Recreation Coordinator, Christina Boyles advised the pool was only open for another month because of school and she could not afford to heat the pool.

Kathy Trujillo advised the management of the pool was better this year; she thinks a Park and Recreation Commission would save the Commissioners from having to micro-manage the program.

Karen Boyles commented that the previous Commission had more control of the offered programs.

Leila Muto asked about using the healthy senior citizens that have lifeguard experience; she suggested buying solar panels to heat the pool and to talk to the businesses for help.

Elizabeth Chisolm stated every family was different but the schedule worked for her family.

Courtney Oberhansli stated the Pool was like the Library where they have the full gambit of ages that you have to service.

Ms. Hoferer asked about a pool cover that was bought.

Mr. Hamrey advised there were solar mats and a pool cover.

The Board advised leaving the schedule as it is.

Commissioner Price stated people had commented on the cleanliness of the bathrooms and showers.

14. **Honorable Christopher Nepper, Clerk-Treasurer** – For consideration and possible action relative to Mineral County's participation in the class action Lawsuit, re: Payments in Lieu of Taxes acct.

Mr. Nepper advised this was put on the agenda so the Board could discuss it.

Commissioner Tipton advised this lawsuit was brought forward because recipients were not receiving full funding.

District Attorney Sean Rowe advised the Board had until September to make a decision on whether they want to participate in the lawsuit; he will get with the Clerk-Treasurer and look into it and then report back to the Board.

15. For consideration and possible action relative to approval of Nevada Rural Counties (RSVP) request for funding.

Mr. Nepper advised an invoice was received for \$9,334.00.

Public Comment: Public Guardian, Mike James advised RSVP was leasing a space at the Tri-County building but they were not using the space.

**A MOTION WAS MADE BY** Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to approve paying the invoice for \$9,334 to Nevada Rural Counties (RSVP).

16. For consideration and possible action relative to Mineral County's support or participation regarding Marsy's Law which is also Question 1 on the General Ballot.

Mr. Rowe advised that Marsy's Law would increase the rights for victims of crime.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to support Marsy's Law Question 1.

17. For consideration and possible action relative to approval of Membership dues for FY 2019 to Western Nevada Development District in the amount of \$5,000.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to approve the Membership dues for FY2019 Western Nevada Development District of \$5,000.

18. For consideration and possible action relative to adoption of Resolution for Intent to Sale property parcel #005-250-06.

Mr. Nepper read Resolution 18-014 into the record.

District Attorney Sean Rowe advised having the sale of the property on September 19, 2018, at 1:30 PM. Published 3 times

Public Comment: Leila Muto asked if this was tribal land.

**A MOTION WAS MADE BY** Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to adopt Resolution 18-014.

19. **Honorable Board of County Commissioners** – For consideration and possible action relative to a resolution for transferring the County’s 2016 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority. Commissioner Tipton read Resolution 18-015 into the record.

Diane Arvizo provided the Board with an update on the program.

Commissioner Tipton read Resolution 18-015 into the record.

Public Comment: None

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to adopt resolution 18-015 and approve the transfer of the County’s 2016 Private Activity Bond Volume Cap to the Nevada Rural Housing Authority.

Commissioner Price amended his motion to read 2018 Private Activity Bond Volume Cap.

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

**TIME SPECIFIC ITEMS:**

- 11:00AM Larry Grant, Hawthorne Utilities Director** – For consideration and possible action relative to Hawthorne Landfill no longer accepting refrigeration units of any kind due to restriction of NDEP or certifying an employee for evacuation and recovery of refrigerant chemicals.

Mr. Grant advised they had their annual inspection and the inspector made a comment that the cleanup of windblown litter needed to be ongoing; they were advertising for a handyman that would be paid by how much litter they pick up; he also has given the order not to accept refrigerators right now, either they pay for the equipment and have an employee get their refrigeration certification or pay to dispose of the non discharged unit. It had been discussed hiring a grade 14 equipment operator who would have the background in running a landfill.

Public Comment: Connie Ellis-Martin asked what the cost difference was for the county taking care of the refrigerator or a contractor taking care of the refrigerator. Asked if this was going to into the paper for a time line.

Leila Muto asked if the inmates could be used to clean up the desert and why the refrigeration units couldn’t be refurbished.

Harold Dimmick stated they would end up in the desert if something was not decided.

- 12:30 PM** Regional Transportation Commission

- Immediately Following** **Honorable Board of County Commissioners** – For consideration and possible action relative to Nuisance complaint for parcel #001-024-01.

This parcel had been declared a nuisance and a letter sent; the Board advised sending a new letter giving sixty days to abate or proof that it would be abated.

Public Comment: Paul Powell stated he’s seen the property deteriorate; he wants to have the building boarded up.

**A MOTION WAS MADE BY** Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to declare this was a continuing nuisance and to have the Building Official notify the owner and to give sixty days to abate or begin abatement and to bring back before the Board.

- Immediately Following** **Honorable Board of County Commissioners** – For consideration and possible action relative to Nuisance complaint for parcel #001-253-14.

Building Inspector Mike Fontaine provided the Board with a letter of his findings on this property.

Public Comment: None

A MOTION WAS MADE BY Commissioner Price, seconded by Commissioner Hegg and unanimously carried by the Board to declare parcel #001-253-14 a nuisance and have Mr. Fontaine contact the owner giving them 45 days to abate and to give notice that if they do not desist from burning garbage the Fire Chief would be notified.

**Immediately Following** **Honorable Board of County Commissioners** – For consideration and possible action relative to Nuisance complaint for parcel #002-027-01.

Building Inspector Mike Fontaine provided the Board with a letter of his finding on this property.

Leila Muto provided information on the location and condition of this property.

The Board advised this parcel was a nuisance and to have the Public Works Director clean the property and add the amount to the tax bill.

Public Comment: Harold Dimmick stated that he did not see how bugs and snakes in the desert could be a nuisance; but he thinks that if the County is going to require people to clean up their land then they have to do the same.

A MOTION WAS MADE BY Commissioner Hegg, seconded by Commissioner Price and unanimously carried by the Board to declare parcel #002-027-01 a nuisance and to have the Public Works Director clean the property and to add the cost to the tax bill.

**Board of Highway Commissioners - None**

**Public Comment None**

**Commissioner Recognition – Commissioner Hegg wanted to thank the Fire Department for their help on the Fourth of July and for going to Las Vegas to pick up the new trucks**

There being no further business to come before this Board, the meeting of the Board adjourned until Wednesday, July 18, 2018 at 9:00 AM.

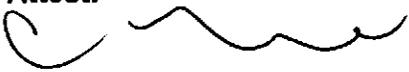
A verbatim recording of this meeting has been prepared and by reference becomes a part thereof.

**Approved: Board of County Commissioners**

By:   
 Jerrie Tipton, Chairman

Date: 7.18.18

**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).