



# Board of Mineral County Commissioners

Hawthorne, Nevada

January 15, 2020

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 Sean Rowe	District Attorney

**Absent:**      Honorable Christopher Nepper      Clerk-Treasurer

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

Pledge of Allegiance was led by Emergency Manager Patrick Hughes

Safety Message was given by Emergency Manager Patrick Hughes regarding electrical safety.

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

Commissioner Hoferer asked to have agenda item 23 removed.

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

Public Comment: None

**3. 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.

Commissioner Hoferer asked what was being done about the Utilities showing in the minus.

Recorder Auditor Cindy Nixon advised that they were waiting for our auditor to review the accounts.

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

Financial Horizon Credit Union accounts report was presented.

**5. Reports and Correspondence**

A letter of resignation for the Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Committee from Kirk Bausman and the Quit Claim Deed from the Nevada Division of State of Lands for the Walker Lake State Park.

**6. Minutes of December 18, 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 December 18, 2019.

Public Comment: None

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

Mr. Collum provided updates on grazing and mining; they had an application from Luning Solar to expand an additional 400 acres of panels and add a battery storage site, they are reviewing the application now, they will recommend they come before the Board to give an update; the Navy sent their notice of availability out for their Environmental Impact Statement, then they finalize their legislation and it goes to Congress in early summer; the Mineral County map is still in review. They gathered horses in early December.

Commissioner Hegg advised he was trying to have a map modified so that drones could be flown.

**8. Honorable Cindy Nixon, Recorder-Auditor** – For consideration and possible action relative to request for leave donation following exhaustion of employee’s accrued sick and annual leave as provided in Local 39 Collective Bargaining agreement (CBA), Section B. Maternity Leave, and Section 5.4 Family Medical Leave Act (FMLA) provisions in Mineral County Personnel Policies.

Recorder - Auditor Cindy Nixon provided the Board with the County policy and FMLA information.

Commissioner Hoferer advised there was too much information on the submitted agenda item; she advised that it has been that an employee needed to exhaust all of their sick leave and then they can accept leave donation, employees can donate up to 80 hours for a period of 90 days.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to allow Recorder-Auditor Cindy Nixon to move forward with accepting leave donations for an employee after they exhaust their sick leave; no more than 80 hours and not to exceed 90 days.

Public Comment: None

9. For consideration and possible action relative to annual budget instructions to county departments for the upcoming budget process for FY 19-20 and FY 20-21.

Recorder-Auditor Cindy Nixon provided the Board with a budget memo and sample forms for review.

Discussion ensued to include a 10% insurance increase and to turn in figures with a 3% cost of living increase and without the increase; they would like to have a column for what was needed for the next six months; the Board advised sending out the budget instructions without a date because the dates for budget week was still to be determined;

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to approve the annual budget instructions memorandums to be sent out with the changes as discussed.

Public Comment: None

10. **Honorable Kevin Chisum, Assessor** – For consideration and possible action relative to approval of donating a map cabinet to the Planning Commission.

Deputy Assessor, Kelly Owens advised the Board that the Assessor had a map cabinet that he would like to donate to the Planning Commission.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to allow the Assessor's office to donate a map cabinet to the Planning Commission.

Public Comment: None

11. **Honorable Randy Adams, Sheriff** – For consideration and possible action relative to extending Deputy Schlepps PERS critical shortage employment due to un POST certified personnel in the jail.

Sheriff Adams advised they have new recruits but they are not yet certified; he needs the Commissioners approval before he can send it to PERS; he hopes to have the five new recruits certified within the next year and to have Deputy Schlepp work until then.

Commissioner Hoferer advised Sheriff Adams to work with the Records Office.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to allow Sheriff Adams to move forward with sending a letter to PERS, to allow Deputy Schlepp to continue to work under a PERS critical work shortage.

Public Comment: None

12. **Cherrie George, Senior Services Director** – For consideration and possible action relative to approval/acceptance of Notice of Sub-Award (NOSA) for FY20 Congregate Meals grant in the amount of \$79,567 and Home-Delivered Meals grant in the amount of \$82,300.

Commissioner Hoferer stated that Ms. George was short staffed and this was a forgiveness item because it had already been signed; it was a recurring grant.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to grant forgiveness for the signature and approve the grant for the Notice of Sub-Award (NOSA) for FY20 Congregate Meals grant in the amount of \$79,567 and Home-Delivered Meals grant in the amount of \$82,300.

Public Comment: None

13. **Patrick Hughes, Mineral County Emergency Manager, LEPC Chairman** – For consideration and possible action relative to approval of the State Emergency Response Commission (SERC) compliance items.

Mr. Hughes advised the member list was approved in the LEPC meeting but needed to come before the Board for approval also; he read the requirements for the fourteen slots for the SERC committee and advised it was a requirement to fill all fourteen working slots.

Commissioner Hoferer asked if these requirements were by NRS or Federal; there are two sets of spouses on the committee and she thinks it is inappropriate.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hoferer with the concerns she had stated previously and unanimously carried by the Board to accept the 2020 LEPC membership list.

Public Comment: None

Mr. Hughes provided the Board with the LEPC Bylaws; he advised there were minimal changes except that they were going to be creating sub committees as needed.

Commissioner Hoferer advised she was going to abstain from the motion because she had already signed them at the meeting.

**A MOTION WAS MADE BY** Commissioner Price and seconded by Commissioner Hegg to accept and sign the LEPC Bylaws. A vote of the Board disclosed the following:

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

Motion carried and so ordered

Public Comment: None

Mr. Hughes advised the last item had to do with the County Hazardous Response Plan which is updated every year along with the letter of promulgation; this year there were no changes except that he removed the Tier 2 Facility List and referenced that it could be located in his office.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to accept approve and sign the Letter of Promulgation for the Mineral County Hazardous Materials Emergency Response Plan.

Commissioner Hoferer advised she wanted to be assigned the LEPC Board because the objectives were clear; she thinks the county was lax and not prepared they needed to get moving on emergency response.

14. **Courtney Oberhansli, Mineral County Library** – For consideration and possible action relative to one vacancy on the Mineral County Library Board of Trustees.

Elizabeth Chisholm sat in for Courtney Oberhansli as she could not attend; she advised there was going to be two vacancies coming up this year.

Ms. Oberhansli emailed the letters of interest and the Library Board of Trustees recommendation of Phillip Ratliff.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to accept the Library Board of Trustees recommendation to have Phillip Ratliff fill the vacancy for the Mineral County Library Board of Trustees.

Public Comment: None

15. **Christina Boyles, Park and Recreation Coordinator** – For consideration and possible action relative to allowing the usage of the Park and Recreation credit card to be used to pay for the Public Bathing Place (Pool) License online.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to approve Christina Boyles, Park and Recreation Coordinator to use the credit card to pay for the Public Bathing Place (Pool) License in the amount of \$402.

Public Comment: None

16. **Eric Hamrey, Airport Manager** – For consideration and possible action relative to approval of renewal of Joyce Brown's contract as Secretary for Hawthorne Industrial Airport/Mineral County Airport Land Use

Advisory Commission.

Mr. Hamrey advised that he thought this was already approved; it was supposed to be an annual contract.

The Board requested to look at the contracts.

**A MOTION WAS MADE BY** Commissioner Hoferer, seconded by Commissioner Price and unanimously carried by the Board to approve the renewal of Joyce Brown's contract as Secretary for Hawthorne Industrial Airport/Mineral County Airport Land Use Advisory Commission for \$200 monthly through June 30 2020.

Public Comment: None

17. **Mark Nixon, Chairman Mineral County Regional Planning Commission** – For consideration and possible action relative to request of approval of Secretarial contract for Joyce Brown.

**A MOTION WAS MADE BY** Commissioner Hoferer, seconded by Commissioner Price and unanimously carried by the Board to approve the secretary contract for Joyce Brown for secretarial duties for the Regional Planning Commissioner at \$235 per month through June 30, 2020.

Public comment: None

18. **Mike McNeill** – Mineral County Convention Tourism Authority – For consideration and possible action relative to appointment of one "Hotel Representative" and one "Motel Representative" to the Mineral County Convention and Tourism Authority Board to fill two expiring terms on 12/31/19. New term lengths are from January 1, 2020 to December 31, 2021 (two years per NRS).

Mr. McNeill advised Woody Isom and Terry Rideout had been on the Board for two years and would like to remain on the Board.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to accept the letters of interest and renew Woody Isom and Terry Rideout to fill their existing positions on the Mineral County Convention Tourism Authority Board, the terms would expire on December 31, 2121.

Public Comment: None

19. For consideration and possible action relative to approval of a resolution for the renewal of MOU Lease Agreement between the Mineral County Commissioners and the Mineral County Convention and Tourism Authority for the two-year term from January 1, 2020 to December 31, 2021.

Mr. McNeill stated the Mineral County Convention and Tourism Authority Board approved the MOU Lease Agreement until he told them the non-profits that join with the Board of Commissioners to use the Convention Center feel that they don't have to do anything; they don't have to clean or have insurance, leave a deposit or be responsible for anything; so his Board would like someone to sign the agreement to be co-responsible.

Commissioner Price wanted to address how to differentiate who needed to get their own insurance and who would fall under the County's insurance.

District Attorney Sean Rowe said this was the first time he had been asked this; he asked Mr. McNeill if his Board would leave the agreement to the Commissioners who ever they are joining with to have them be the responsible party.

Commissioner Hoferer asked Mr. McNeill to provide the Board with the list of what items needed to be cleaned and taken care of.

Dana Tommila said that it seemed that the Commissioners were just waiving the fee not the responsibility of the care; she asked if the Commissioners was going to have it cleaned if the party does walk out.

Discussion ensued regarding item nine within the MOU; District Attorney Sean Rowe advised that it should say Public Works would give the tenant 24 hours' notice of entry.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to approve the MOU Lease Agreement between the Mineral County Commissioners and the Mineral County Convention and Tourism Authority as amended with the District Attorney's changes.

Public Comment: None

20. **Clarence Lininger** – For consideration and possible action relative to being added to Retiree Insurance under

Mineral County.

Item was moved to 10:00

Mr. Lininger advised the Board that he left the County fifteen years ago, he now needed to be put on the insurance.

Commissioner Hoferer advised that the Board of Commissioners had set precedence by approving a similar situation; Mr. Lininger was eligible for 75% of his insurance premium to be paid; she advised him to go to the Clerk's Office.

21. **Jeff Barrow, Chairman Mina Town Advisory Board** – For consideration and possible action relative to letter of interest and appointment of Jeff Barrow to the Mina Town Advisory Board.

**A MOTION WAS MADE BY** Commissioner Hoferer, seconded by Commissioner Price and unanimously carried by the Board to approve the appointment of Jeff Barrow to the Mina Town Advisory Board.

Public Comment: None

22. **Honorable Chris Nepper, Clerk-Treasurer** – For consideration and possible action relative to approval of payroll time submission for the Board of Commissioners and appointed department directors.

Chief Deputy Tammy Hamrey sat in for Clerk-Treasurer Chris Nepper; discussion ensued regarding the payroll time submission; the payroll time submission for the Commissioners, MCCTA, Emergency Management and the Building Inspector would go through Clerk-Treasurer Chris Nepper.

Commissioner Hoferer requested a department leave report once a month.

Ms. Hamrey advised she would provide a report at the first meeting of the month; she is coming across issues with the Sheriff's Office leave and anniversary dates in the new system.

The Board advised this would have to be discussed during negotiations.

23. **Honorable Christine Hoferer, Commissioner** – For consideration and possible action relative to appointments to the Mineral County Local Emergency Planning Commission.

Item was removed

24. For consideration and possible action relative to the Board's policy requiring prior approval to submit grant applications.

Discussion ensued.

Commissioner Hoferer stated that the grant applications need to come before the Board to be prioritized so that the departments are not all applying for the same grant; she will work on a memorandum/directive to the department heads.

The Board advised putting the Quarterly update from the Department Heads back on the agenda.

25. **Honorable Garth Price, Commissioner** – For consideration and possible action relative to an update from the County Commissioners on the 2020 Census.

Commissioner Price advised that he spoke to Kim Burgess; the Board needs to prepare an article for the newspaper advertising for committee members.

Commissioner Hoferer advised she would give Kim Burgess a call.

Board advised placing back on the agenda for February 5, 2020

26. **Closed Session** – Pursuant to Nevada Revised Statute (NRS) 241.015(2)(b)(2) to receive information from legal counsel relative to potential or threatened litigation against Mineral County.

Nothing at this time

27. **Open Session** – Discussion and possible action relative to existing/pending litigation involving potential or threatened litigation against Mineral County.

Nothing at this time

**TIME SPECIFIC ITEMS:**

**10:30 AM** **Patty Click** – For discussion and possible action relative to approval of proclamation proclaiming January 2020 “National Radon Action Month” in Mineral County.

Patty Click read a letter Regarding Radon Gas from Nadia Noel; she was asking the Board to proclaim January 2020 as National Radon Action Month in Mineral County; she stated that 41% of homes tested in Mineral county had elevated radon levels; she asked Commissioner Price to sign a waiver to allow them to put a notice on the marquee at the Convention Center.

Commissioner Hoferer read the proclamation for proclaiming January 2020 “National Radon Action Month” in Mineral County into the record.

**A MOTION WAS MADE BY** Commissioner Price, seconded by Commissioner Hoferer and unanimously carried by the Board to accept the proclamation proclaiming January 2020 “National Radon Action Month” in Mineral County as read into the record and have the chairman sign.

Public Comment: None

**12:30 PM** **Regional Transportation Commission**

**Board of Highway Commissioners - None**

**Public Comment – Commissioner Price advised that** Jeff Bryant with the Walker Basin Conservancy was going to do a Town Hall meeting with State Parks, Walker Lake Working Group, District Attorney for litigation, and the Walker Lake Conservancy on March 5<sup>th</sup> at the convention center. He is now a member of the SLUPAC committee.

Commissioner Hoferer gave condolences to Kelly Zuniga the Museum Director, and asked to have the Clerk-Treasurer send flowers.

**Commissioner Recognition - None**

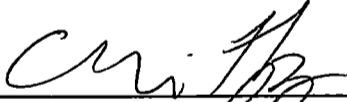
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There being no further business to come before this Board, the meeting of the Board adjourned until Wednesday, February 5, 2020 at 9:00 AM.

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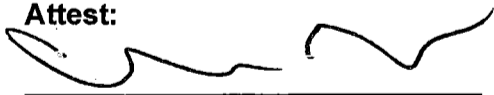
A verbatim recording of this meeting has been prepared and by reference becomes a part thereof.

**Approved:** **Board of County Commissioners**

By:   
Chris Hegg, Chairman

Date: Feb 5, 2020

**Attest:**

  
Christopher Nepper, Clerk of the Board

Mineral County is an equal opportunity provider and employer. If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at [program.intake@usda.gov](mailto:program.intake@usda.gov).