

Minutes from the February 18, 2020 County Commission Meeting

February 18, 2020

10:00 a.m.

Esmeralda County Courthouse

Commission Chambers

233 Crook Ave., 2nd Floor

Goldfield, Nevada

1. CALL TO ORDER AND ROLL CALL.

Delon “De” Winsor - Chairman
Timothy Hipp - Vice-Chairman
Ralph Keyes - Commissioner
Robert Glennen - District Attorney
Michelle Garcia - Clerk of the Board

2. PUBLIC COMMENT. (Discussion only. Action may not be taken on any matter brought up under this agenda item. It must be placed on an agenda, at a later meeting for action.)

None.

3. *APPROVAL OF EXPENDITURES.

Commissioner Keyes made the motion to approve the expenditures. Commissioner Hipp seconded the motion. All in favor: Motion carried.

4. *DISCUSSION/DECISION/APPROVAL: REJECTED VENDOR BILLS FROM AUDITOR’S OFFICE.

None.

5. *APPROVAL OF THE MINUTES FROM THE February 04, 2020 meeting of the Esmeralda County Board of County Commissioners.

Commissioner Keyes made the motion to approve the minutes from the February 04, 2020 meeting of the Esmeralda County Board of Commissioners. Commissioner seconded the motion. All in favor: Motion carried.

6. *FINANCIAL REPORTS:

A. Clerk	\$452.52 (02/07/2020)
B. Taxes	\$65,715.22 (01/31/2020)
C. Goldfield Utility	\$14,484.33 (01/31/2020)
D. Silver Peak Utility	\$3,150.32 (01/31/2020)
E. Auditor/Recorder	\$14,921.05 (02/05/2020)
F. Justice Court	\$40,322.00 (02/04/2020)
G. Sheriff’s Department	\$680.25 (01/30/2020)
H. Assessor	\$83,159.59 (01/30/2020)
I. Transfer(s)	-

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LaCinda came up and stated that they are still working on the financials with Tyler and today she is involved with the Department of Taxation and Dan McArthur's office, trying to get some things tied up. Dan McArthur is on our agenda, but he is also tied up with Nye County as well today.

LaCinda said she went to Carson City to get some training with Tyler and it was very beneficial.

7. Update of Current and Future Meetings and Activities of Commissioner's Winsor, Hipp, and Keyes.
(This is only an update. No decisions will be made.)

Commissioner Keyes stated he is in contact with Loneer, Mike Grotbo, regarding Cave Springs road. At some point they will be presenting that to us. He said he attended the Gold Point Town Hall meeting and about 25 people attended. He will be attending NACO this Friday.

Commissioner Hipp said he attended the conference call with the Department of Taxation regarding out audit, which is late, last Thursday. He said there is another meeting this Thursday and hopefully we have made some progress and hopefully the audit is ready for presentation next Tuesday, which would be a special meeting on Tuesday to do the audit. He said on March 6 there is a grant workshop down in Vegas and HUD, Department of Transportation and USDA are all going to be there. He said they are basically taking all of the different agencies and going to have a two-hour grant workshop and go over everything that is available in the state. He plans on attending that.

Commissioner Keyes wanted to add to his report. He said there is a Forest Service meeting in Fish Lake Valley on 2/27 at 5pm at the Community Center regarding some road up in the forest in the White Mountain area. They will have some more information to share with the residents in the county that may have some concerns. Possibly closing some roads that are hazards because of some old mercury mines and doing some other road work up there. Commissioner Keyes said they applied for the same grant we applied for (the OHV grant) and they received the grant and not us.

Commissioner Winsor said he also attended the Town Hall in Gold Point. He said he attended LEO earlier this month and Workforce Connections was there and they are a good entity to work with. They are trying to include the rural counties more now.

8. Update of Current and Future Meetings and Activities of Elected Officials as needed. (This is only an update. No decisions will be made.)

Commissioner Winsor asked that Vera Boyer come up. Vera came up and Commissioner Winsor said he had a question on the pay for the librarians. He said she changed it from twice a month to once a month. Vera said it has always been once a month. She said she did get a clarification from D.A. Glennen to change to bi-weekly. Commissioner Winsor said the commissioners had already said that all the employees were to get paid bi-weekly. Vera said that's why she had to get an opinion from Bob. She didn't realize that included the all the employees, so she got an opinion from Bob. Bob Glennen said he believes that got done last Thursday. Commissioner Winsor thanked Vera and Vera left the chambers.

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9. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Update on Gold Point.

Commissioner Hipp apologized. He said he texted Ruth but she got it too late. Commissioner Keyes said Ruth and he had worked on a topic sheet. He went over it.

Roads: Should they keep the roads as surveyed by Kenneth? The majority said to go back to 40 feet. Commissioner Keyes said that when he and Kevin Haskew talked this morning Kevin said that most modern roads are 50-60 feet and we don't have to decide it right now, but we need to keep it in mind. Commissioner Keyes was of the opinion of why change it on the outside of town?

Both Herb Robbins and Fred Perez were in favor of leaving it at 40feet. Kenneth Haskew said the paved highway in is 40 feet.

Commissioner Hipp made the motion to make the roads in Gold Point and the surrounding roads out to the mining claims also 40 feet. Commissioner Winsor seconded the motion. All in favor: Motion carried.

Commissioner Keyes made the motion to eliminate the alleyways from the town map. Commissioner Hipp seconded the motion. All in favor: Motion carried.

Wiley Road. The consensus was to keep Wiley Road and eliminate the other meandering two track roads in town. Wiley Road goes diagonally through several parcels and will affect how those parcels will be mapped.

Fred Perez brought up a discussion about lot sizes and what will constitute lots and parcels and said that Ruth Lee made the comment that if we start "Goofing Around" with our grandfathered little town we could possibly lose our grandfather. He wanted to make sure this was something people were aware of and that we possibly could lose our grandfather. Herb Robbins came up said that if the road cuts through you would just sign away the right of way for the road. It doesn't affect anything else.

There were too many people talking to get any notes.

Kenneth came up to get clarification. He will set the corners with Wiley Road running through it with the County owning it. Bob Glennen said if it is an easement the owner can use it as square footage for septic, etc.

Fred Perez said Kenneth will set the blocks with lots drawn and the road.

Sandra Johnson came up and said there is no water to dig a well for.

There was a conversation about where the drop box is going to be. Herb Robbins and Deven Thackeray brought Michael Smith up to show him where they are going to put it near his property. They will need a permit for Solid Waste Location.

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17. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION: (Timed Item for 11:00am)** Discussion/Decision for ECSDA closed door meeting. (Sergeant Matthew Kirkland)

Closed Door Meeting.

9. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Determine how the District Attorney will pay the balance of \$1959.98 due to Nevada State Bank credit card ending in 3529. (LaCinda Elgan)

Bob Glennen will swear all charges are, in fact valid County charges and he will pay late fees.

Commissioner Keyes made a motion to instruct Vera to pay the \$1,959.98, of which Robert Glennen agrees to reimburse the County \$546.00. Commissioner Hipp seconded the motion. All in favor: Motion carried.

10. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and Approve posting the Part-Time position in the commissioner's office to aid with Senior Transportation, ADSD compliance, commodities and other general office duties. Job will be posted until filled. Determine what account the funds for the position will be pulled from until 6/30/2020 and confirm beginning the 7/1/2020 position to be paid from the Transportation budget. (Ellen Loving)

Commissioner Keyes made the motion to approve posting the temporary part-time position in the commissioner's office to aid with the Senior Transportation, ADSD compliance, commodities and other general office duties, with the funding coming from the Commissioner's budget. Commissioner Hipp seconded the motion. All in favor: Motion carried.

11. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss, Decide and approve if Jessica Villa will be hired as the new Ambulance Coordinator for the FLV/Dyer ambulance position. (Ellen Loving)

Commissioner Keyes made the motion to approve of Jessica Villa being hired as the new ambulance coordinator for the FLV/Dyer ambulance service, retroactive to 2/1/2020. Commissioner Hipp seconded the motion. All in favor: Motion carried.

12. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Purchase of used Trash Compactor for Solid Waste to have Solid Waste Capital Outlay augmented by the General Fund (or any fund you so choose) for an amount not to exceed \$50,000. This would be priority #1 in my equipment requests, or lease. (Deven Thackeray)

Deven came up and stated lease is too expensive. He said the one that would work for us is \$12,000 per month. He said we can purchase one outright for \$50,000 delivered. Commissioner Hipp said he asked Vera to look into this and she did not get back to him so he sent an email directly to Dan McArthur and he read Dan's response into the record as follows:

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“The best place to pull the funds is from the General Fund. When the audit is complete you will be able to augment the beginning fund balance of the general fund to cover the \$80,000 you need. This is done by increasing the beginning fund balance of the general fund due to under spent money from 2019 with an offsetting budget adjustment to a transfer out to the Solid Waste fund to pay for the equipment.

Another option is the Other-Misc. Overhead section of the general fund budget on page 15. This line item has significant budget in it. The commission set this money aside for IT systems with an unknown cost. Maybe there is money in this line item that will into be used for IT this year that you could redirect with commission action to purchase the needed equipment. This would be done by commission action authorizing a budget transfer from this line item to an operating transfer to the solid waste fund for the purchase of the equipment.

Commissioner Keyes stated that getting money from the IT fund would be difficult.

Commissioner Keyes asked Deven if that piece of equipment is still valid. Deven said it is and it is in Tennessee. He said it has far less hours than the ones in California they looked at and California did not want to work with us at all; they just want to move them and get them out. He thinks about 300 hours per year is the max they are going to put on it. He said if it is the commission’s decision to go with this, he and his mechanic will still be going out there to look at the equipment before it is shipped here. Commissioner Keyes said that we would have to add that to the cost of the equipment. He asked Deven if he had a services and supply budget to cover that. He said he does.

Put this on the 2/25/2020 meeting.

13. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Purchase of used Roll-Off Truck for Solid Waste to have Solid Waste Capital Outlay augmented by the General Fund (or any fund you so choose) for an amount not to exceed \$30,000. This is Priority #2 for my requests for equipment, or lease. (Deven Thackeray)

Moving this item to the 2/25/2020 meeting also.

14. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Signature needed for Resolution designating the Road Supervisor as having authority to sign documents for Esmeralda County with the Bureau of Land Management. This was voted on and unanimously approved at the 01/21/2020 meeting but the resolution was not signed by the commission. (Deven Thackeray)

Resolution was read into minutes:

RESOLUTION OF THE ESMERALDA COUNTY BOARD OF HIGH COMMISSIONERS TO DESIGNATE ROAD SUPERVISOR AS HAVING AUTHORITY TO SIGN DOCUMENTS FOR ESMERALDA COUNTY WITH THE BUREAU OF LAND MANAGEMENT

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WHEREAS Esmeralda County intends to work with the Bureau of Land Management (hereinafter called BLM) to obtain Right of Ways, Mineral Rights and other documents;

Whereas Esmeralda County did not have a resolution in place and a new supervisor started in July, 2019, this resolution is retroactive to July 2, 2019, and all documents signed by the Road Supervisor have been approved.

Let it be resolved this 18th day of February, 2020 that the Road Supervisor be designated as the authorized representative to participate on behalf of Esmeralda County with the BLM.

PASSED, ADOPTED AND APPROVED this 18th day of February, 2020.

ESMERALDA COUNTY BOARD OF HIGHWAY COMMISSIONERS

Commissioner Keyes made the motion to sign the resolution to sign the resolution as read. Commissioner Hipp seconded the motion. All in favor: Motion carried.

16. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Requesting reversal of water bill at 351 N. Sundog Ave. Property is on \$5.00 suspend/hold account. Received a bill for \$241.00 for 90,000 gallons used. I never submitted form to reactivate service, so no water should have been let past meter. \$241.00 that county needs to absorb for allowing or sending water to a property that did not request it. I also have water damage to the house and pipes from this that I'm now going to have to pay to fix. Water company Angela and Mike whom said I had to pay it no matter what. The replaced meter previously and did not notify me. I believe when they replaced it that it was accidentally left on but did not leak until pipes froze later. Backup paperwork is Facebook Messenger correspondence between Angela and myself. (Kimberly Aurich, via phone requested)

Called both Kimberly and Angela with the Water Department.

Commissioner Hipp stated she had her account on hold and she had a leak – everyone agreed, that she should not be responsible. Angela was asked if she had any questions and she did not.

Commissioner Hipp made the motion to the owner of 351 N. Sundog Ave. be liable for the \$5.00 suspend/hold amount and not the billed amount for the 90,000 gallons used. Commissioner Keyes seconded the motion. All in favor: Motion carried.

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SUPPLEMENTAL AGENDA ITEM #1

1. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Review and approve the U.S. Census Bureau depiction of Esmeralda County legal boundary for accuracy and make any adjustments to be submitted by March 1, 2020. (Commissioner Hipp)

Commissioner Hipp asked Michelle to check and see if her map had the latitude and longitude. (Michelle did check and we don't).

Commissioner Keyes made the motion to approve our census mapping to reflect the same as our voting districts, with Goldfield as voting district one, Silver Peak being voting districts 2, 4 and 5 and Fish Lake Valley being voting district 3. Commissioner Hipp seconded the motion. All in favor: Motion carried.

Michelle will send the letter back to the Census Bureau with our precinct map.

15. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss and review the County Audit for Fiscal year 2018-2019 prior to being submitted to the Department of Taxation. (Dan McArthur)

Dan was able to get on the phone after all. 4 areas at issue. Tyler and cash reconciliation. They don't know if it is a payroll or posting problems. They are having issues with the Tyler conversion; when the balances from the old ADS got rolled into Tyler. Tyler was initially set up incorrectly. It caused posting areas in March to June. They are working through those problems now. He said there were a lot more problems with this conversion than they thought there were. Some are not easily solvable.

Commissioner Keyes asked Dan about the additional equipment for the Solid Waste equipment for \$80,000. HE asked if we should wait until the audit is done before voting on it. Dan said we should wait until we know how much money is in the general fund after the audit is finished.

19. ***FOR POSSIBLE ACTION** – Closure of meeting, pursuant to NRS 288.220 for purposes of conducting labor negotiations, conferring regarding labor negotiations, issues and other personnel matters. None.

20. ***FOR POSSIBLE ACTION** – Discussion, deliberation and possible decision on labor negotiations, issues and other personnel matters.
N/A

21. ***FOR POSSIBLE ACTION** – Recess meeting, pursuant to NRS 241.015(2)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.

Commissioner Keyes made the motion to recess the meeting. Commissioner Hipp seconded the motion. All in favor: Motion carried.

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22. ***FOR POSSIBLE ACTION** – Discussion, deliberation and possible decision on conference with legal counsel regarding potential or current litigation presented in closed meeting.

There was a discussion on open meeting once we get the audit report.

23. **PUBLIC COMMENT.** (Discussion only. Action may not be taken on any matter brought up under this agenda item. It must be placed on an agenda, at a later meeting for action.)

Commissioner Hipp stated that they received an email from the committee for local government that they approved the wording for the ballot measure for the diesel tax. He didn't know if the commissioners need to have an agenda item on it. He asked LaCinda about it and she said she was expecting the commissioners to put it on an agenda. She said she would also expect pros and cons on it. Ellen said she would find it and type up the agenda item.

24. ***ADJOURNMENT:**

Commissioner Keyes made the motion to adjourn. Commissioner Hipp seconded the motion. All in favor: Motion carried.