

# Minutes from the June 02, 2020 Commission Meeting

---

June 02, 2020

10:00 a.m.

Esmeralda County Courthouse

Commission Chambers

233 Crook Ave., 2<sup>nd</sup> 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 – in court

LaCinda Elgan - 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.)

Sharon Artlip came up and said she didn't get the agenda until yesterday afternoon. She also said that she has had a number of people talk to her about how, at the last commodities, there were people who were told that they could not get commodities because they were not here during the week, and some other things. There were also some issues where people did not get ham and others got two. She said there are accusations and some people are willing to give statements. She said she knows that we keep track of the food we get in. She said this is a situation that needs to be addressed. Commissioner Winsor said because of the Corona virus everything has been kind of haphazard you might say and it has been in kind of a rush. He said if Sharon would like to help out, he is sure that would be great. She said she did help out once and saw some of the things and was surprised at some of the things. She said she is willing to help, but she said it needs to be fair. Commissioner Hipp said this came up a year ago. He said back then we were getting food through USDA and they were very specific on the amount of people and the amount of food that was brought; i.e. 100 people got 100 boxes of cereal, etc. We changed to Nevada food bank. It is very different now. We may get 14 chickens, 13 ground beef, 72 boxes of cereal. There is no way to evenly distribute. He doesn't think people realize that we no longer get the exact same amount of food. Commissioner Keyes also said the system also shut down with COVID, except for the rural areas because of their needs. They are still trying to help us. Ms. Artlip stated that she has seen with her own eyes and can get statements which say that there are people who are getting 2 and 3 hams and people who get none. She said the volunteers that work are getting the best.

Deven Thackeray came up and stated that he will be putting an agenda item together regarding scrap metal. He also said he also has an update available.

## Minutes from the June 02, 2020 Commission Meeting

---

Gina Greenway came up and said the road crew that was working on the highway have been here for several weeks now and she had wondered why they hadn't been coming in or staying at Clark's or the other RV parks. She said when they were here before some of them had become friends so she contacted a few of them to ask if she had done something wrong that they didn't want to go into her bar, because of May 9 she had been able to open half the capacity because she is considered a restaurant and she received the text back. "We are actually back here in Goldfield finishing up the project for the next couple of weeks. We have been asked to stay away from Goldfield in an effort to keep everyone in town safe." She asked if we, as a town aware that this happened and where did this come from? Was it Gemfield Resources, was it the company themselves? Was it the commissioners? Was it the Sheriff's Department, because they are in charge of safety? Commissioner Winsor said it didn't come from them. Commissioner Hipp said he received an email. He said they were supposed to be back earlier, back in April, and because of COVID kept pushing it back and pushing it back and they finally said OK, we are going to come in May, but they made the decision, because they are afraid of the legal consequences, because if they came to town, and they brought it, that the citizens or the county could sue the people, the company. So, they made the decision, the commissioners never made that decision. He said they wanted to come back and be self-sustaining and still go up to the grocery store in Tonopah.

Commissioner Hipp said they are only here; he believes the whole time is 6 weeks.

Deven Thackeray came up and said that they wanted to come in. He said talking with Lee Jacoby and Susan Dudley, they wanted to patronize the business of Goldfield but Gemfield Resources, because of the contractors; they didn't want to expose the folks in Goldfield to getting sick. It wasn't to hamstring the residents; it was in an abundance of caution.

Gina Greenway came back up and said she realizes that Gemfield did help out a lot, but a lot of us here in town, like Georgia got a letter, that they cancelled 10 spots on her. That's \$5,000 that she lost. She said this was a huge rumor that the commissioners did this and she wanted to come in and make sure so she can let people know that the commissioners did not do this. She requested that the commissioners let the business know when big decisions and events like this happen and keep them informed.

### **3. \*RECESS TO ESMERALDA COUNTY BOARD OF HIGHWAY COMMISSION:**

Commissioner Hipp made the motion to recess to the Board of Highway Commission. Commissioner Keyes seconded the motion. All in favor: Motion carried.

Back to Order

### **4. \*APPROVAL OF EXPENDITURES.**

Batch 1:       \$60,077.97  
Batch 2:       \$949.33

## Minutes from the June 02, 2020 Commission Meeting

---

Payroll: \$79,613.42 (4/26-5/9/2020)  
Special P/R \$1,430.47 (5/12/2020)  
Payroll: \$12,577.77 (COVID-19 PAY 03/17-05/09/2020)  
TOTAL: \$154,648.96  
GRAND TL: \$160,969.53

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

5. **\*DISCUSSION/DECISION/APPROVAL:** Rejected Vendor Bills from Auditor's Office.

June 2, 2020

TO: The Honorable County Commissioners

RE: Rejected Vendor Bill

I have received a past due invoice for OPI dated November 12, 2019 from Robert Glennen III District Attorney for Esmeralda County. This bill total is \$53.33, past due amount. The amount break-down is as follows:

AR259548 in the amount of \$39.99

AR259549 in the amount of \$13.34

I have rejected this invoice according to NRS 244.210, NRS 244.215 and NRS 244.250.

This invoice is past the time frame to be paid along with the County bills.

I have researched the above referenced bill and found that it has not been previously paid.

This invoice can be approved by the County Commissioners if they so order, and only by a unanimous vote of its members and certified by the Clerk of the Board that all voted for its passage.

Please review the invoices and designate if \$53.33 is approved or rejected for payment.

Sincerely,

Vera Boyer  
Auditor/Recorder

Mr. Glennen said this was for copier services. This is a valid bill.

Commissioner Hipp made the motion to approve this bill to OPI dated November 12, 2019 in the amount of \$53.33. Commissioner Hipp seconded the motion. All in favor: Motion carried.

## Minutes from the June 02, 2020 Commission Meeting

---

June 2, 2020

TO: The Honorable County Commissioners

RE: Rejected Vendor Bill

I have received a past due invoice for Thomson Reuters dated August 4, 2019 from Robert Glennen III District Attorney for Esmeralda County. This bill total is \$896.00, past due amount. The amount break-down is as follows:

I have rejected this invoice according to NRS 244.210, NRS 244.215 and NRS 244.250.

This invoice is past the time frame to be paid along with the County bills.

I have researched the above referenced bill and found that it has not been previously paid.

This invoice can be approved by the County Commissioners if they so order, and only by a unanimous vote of its members and certified by the Clerk of the Board that all voted for its passage.

Please review the invoice and designate if \$896.00 is approved or rejected for payment.

Sincerely,

Vera Boyer  
Auditor/Recorder

Mr. Glennen said this is a set of books on search and seizure. It is a valid bill.

Commissioner Hipp made the motion to pay the bill to Thomson Reuters dated August 4, 2019 in the amount of \$896.00. Commissioner Keyes seconded the motion. All in favor: Motion carried.

6. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve and Sign Interlocal contract between Department of Health and Human Services DHCFP division and Esmeralda County. (LaCinda Elgan)

LaCinda stated that this is a contract that we collect Ad-Valorum for and was discussed in the budget workshop. Apparently, they had problems reaching us through email so they reached out to her. This is for indigent residents. She is asking for signatures from the board.

Commissioner Hipp made the motion to approve and sign the Interlocal contract between the Department of Health and Human Services DHCFP division and Esmeralda County. Commissioner Keyes seconded the motion. All in favor: Motion carried.

## Minutes from the June 02, 2020 Commission Meeting

---

8. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve and Sign agreement with US Forest Service. (Sheriff Ken Elgan)

Sheriff Elgan stated that we have been doing both of these agreements for the past several years and just wanted to know if there were any questions. None of the commissioners had any questions.

Commissioner Keyes made the motion to sign the agreements with the US Forest Service. Commissioner Hipp seconded the motion. All in favor: Motion carried.

9. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve and Sign the Interagency Mutual Aid Contract between Mono County, CA and Esmeralda County, NV (4 copies). (Sheriff Ken Elgan)

Sheriff Elgan said this is the mutual aid agreement with Mono County because we share a border with them at the White Mountains.

Commissioner Hipp said he read through this but didn't read through any previous agreements and asked if there were any significant changes. Sheriff Elgan said there were no changes other than the dates.

Commissioner Keyes made the motion to approve and sign the Interagency Mutual Aid Contract between Mono County, CA and Esmeralda County, NV. Commissioner Hipp seconded the motion. All in favor: Motion carried.

11. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision to accept renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from Fiscal Year 2020/2021 funds. (Stephen Romero, Marshall Smith, Mike Rebaleati, Alan Kalt, or Wayne Carlson with POOL)

Brad Pierce (Owner and Chairman of A&H Insurance) came up and handed out a proposal. He was with Karol Ingalls. Marshall Smith was on the phone.

Karol Ingalls with A&H Insurance has 35 years of experience working with various municipalities throughout the state.

Mr. Pierce went through the proposal. The first item is entitled Public Entities Plus and is a flyer that differentiates the various roles between the agency and the member agency as well as the POOL. Behind that is the actual proposal for Esmeralda County for the upcoming year. On the right side of the proposals are two quotations for the renewal of the two air fields in Esmeralda County, the one in Lida Junction, as well as the one in Dyer.

## Minutes from the June 02, 2020 Commission Meeting

---

They went over the document "Public Entities Plus". Esmeralda County joined the POOL in 1995. At this time there are in excess of 150 different public entities that are involved in the POOL itself. He said A&H has been around for over 60 years. He said they do health, life, personal insurance, etc.

He also wanted to mention that their agency does not charge commission or any other fees.

NOTE: The D.A. Robert Glennen has just come into the chambers and joined the meeting.

Karol Ingalls came up and talked about numbers. The difference in cost for coverage: Last year: \$127,354 – This year: \$130,991. Marshall will talk about grants and different resources available.

Brad Pierce came up and stated again that there are two quotes for the two air strips. The renewal comes up at the end of this month. This will be an annual policy.

He said the second question was regarding Ace/Chubb Insurance regarding this. He said they could get higher coverage.

Deven Thackeray came up and stated there is a dilapidated hangar in Fish Lake Valley and people do park their planes in it. If the coverage went away, we could be in trouble. Commissioner Keyes said the gentleman who was using the hangar sold his airplane so no one is using that hangar anymore. There is no one using the airport at this time. He said we might want to think about tearing that old hangar down since it is so dilapidated.

Commissioner Keyes made the motion to move this item to the June 16, 2020 meeting. Commissioner Hipp seconded the motion. All in favor: Motion carried.

12. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision on presentation regarding representing Esmeralda County's insurance needs with L.P. Insurance Agency. (Tina Petersen)

Tina Petersen came up and stated that last year at this time she was the person who came in and explained the same package that A&H just presented. She has since left the company back in January. She had started a process with Vera Boyer to get a PPE piece of equipment for the Fire Department through grant program that POOL/PACT offered and to her knowledge, unfortunately, that grant has not been gone forward with since her departure from A&H.

She said last year, when she came to the Board, she had things that she wanted to help with. The grants were one of them; being able to help the County take advantage of all the POOL/PACT resources was another. She just wanted to make it clear that POOL/PACT is the insurance that either insurance can write for us.

## Minutes from the June 02, 2020 Commission Meeting

---

She said she spoke with Mr. Keyes and LaCinda Elgan. Mr. Keyes suggested that she come before the Board. She stated that the presentation and coverage that was discussed by A&H is the same, the Board just needs to decide which broker they want to work with.

Commissioner Winsor confirmed that the pricing would all be the same as what was presented. She said the coverage doesn't change. She said because of the COVID issues and issues with compliance, she feels she is in a better position than ever to help us stay compliant and help us moving forward.

LaCinda stated that the last time she was here she spent a lot of time with EMS services and grant issues. She confirmed that.

Commissioner Winsor stated they would like to confer with the D.A. for a while on this.

Commissioner Keyes made a motion to recess to confer with legal counsel. Commissioner Hipp seconded the motion. All in favor: Motion carried.

Back to Order.

Commissioner Keyes made the motion to move this item to the June 16 meeting so the District Attorney can look at the contracts. Commissioner Hipp seconded the motion. All in favor: Motion carried.

**10. \*FOR POSSIBLE ACTION: DISCUSSION/DECISION: TIMED ITEM: 11:00AM:**

Discussion/Decision for closed door negotiations with the ECSDA. (Sgt. Matt Kirkland)

Sgt. Kirkland asked the commissioners to call him when the meeting is completely over, then he will come up.

**7. \*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss and approve hazard pay for all county offices with staff working in the offices during courthouse closure and have it be retroactive to closure of courthouse. (Commissioners/Elected Officials/Dept. Supervisors)

Commissioner Hipp stated that we had approved hazard pay for the Sheriff's Dept. When we closed the courthouse on 03/17, some of the elected officials were still requiring their employee to come into the building and possibly expose themselves and possibly take it back to their family and expose their family. So, not all the employees were working in the courthouse all the time. For example, Donna would come into her office by herself, and then the following Shawna would come and work by herself and Donna would not be in the building. Commissioner Hipp said we talked about it at great length and then pushed it back to this meeting.

## Minutes from the June 02, 2020 Commission Meeting

---

Commissioner Hipp said we have sign-in logs during that time, so we can see when someone came in and was physically here, so hazard pay would not be paid for those who were not physically here, but for the time that they were actually told by their supervisor that they had to come in to the building and possibly expose themselves and they would sign in and we can track that.

Commissioner Winsor said the reason they had to come in was state regulations that the offices had to be open to an extent for vital business.

Commissioner Hipp said Cheri was a perfect example, in that she does commodities and was exposed to over 100 people so she is exposing herself so she should receive hazard pay, in his mind. He also said that when they approved the Sheriff's Department, it was only until the Declaration of Emergency was lifted or until the end of June. He said that is something that needs to be addressed. We opened up the courthouse, so, in his mind, the hazard pay should cease so this should be on the next agenda. So, this should be back-dated to March 17 as well.

Sharon Artlip came up and said she understands about people having to come and people like Cheri and Michelle who had to deal directly with the public but she is just curious about the people who were in the office by themselves and had no other contact. It is her understanding that areas were supposed to be sanitized/cleaned or whatever. She does see how people who had no contact should get hazard pay. She wonders if outside people should get it if they had public contact. Although, she said she understands that there were some people out there who were not working. She said it was not everyone. Commissioner Winsor said those outside did not have the risks those in the courthouse had. He said Patty Beth worked from home and then was able to segregate herself when she did go into the office.

Deven Thackeray came up and stated that his department is site-specific and practice safe distancing. He said the only person he feels should be eligible for hazard pay is Steve Baird. He said he had to be in contact with the public.

Commissioner Keyes stated when we first closed down the courthouse, we were aware of the potential exposure. We instructed every department to only deal with people that they really had to, otherwise it would only be done on the internet, phone, email, or mail, so he doesn't know why we should be hazard pay because we mitigated any potential hazard. Commissioner Winsor said we say we mitigated but we also had people who had to come in to perform services in the courthouse. Commissioner Keyes said we don't have a case in Esmeralda County so it isn't an actual threat at this time so he really opposes any hazard pay, period.

Commissioner Hipp asked if that included the Sheriff's Department as well. Commissioner Keyes we paid employees to sit home and said that's not their fault, and is just the situation, but he feels we shouldn't have to pay hazard pay, any more than we already have, and we are going to be short on money anyway. He said any money should come from a merit raise in the near future. He said again he opposes any hazard pay for any office. He said they did their job and they got paid, period.

## Minutes from the June 02, 2020 Commission Meeting

---

Commissioner Winsor said Commissioner Hipp asked Commissioner Keyes if he was opposed to it for the Sheriff's Office. Commissioner Keyes said the Sheriff's Office was our firewall between the public and the people inside the building. They were the ones who dealt with people knocking at the door, whether they were entitled to come in or not, so if anybody was at risk it was the Sheriff's Office and dispatch there. He said they dealt with the public and we really didn't have to. We chose to. Someone in an office could have dealt with them over the internet, over the phone or email, so he doesn't see the reason for hazard pay.

Patty Huber-Beth came up and said some of the employees aren't here to speak about this but she does know that some people who were asked to come into work; who were asked to escort prisoners, who were also in areas that were exposed to situations that put them at higher risk because we asked them to as a county. She thinks those people should be eligible for it. She said she was able to control her environment and would not be putting in a claim for that but she thinks there are employees who should be compensated for that as much as our Sheriff's were.

Commissioner Hipp made the motion to approve hazard pay of 20% for all county offices for the staff that into the courthouse and also Steve Baird who work the solid waste with the effective date of March 17, 2020 and the end date as being at the cancelling of the declaration of emergency and/or the June 30 date, whichever comes first.

Commissioner Keyes voted Nay

Commissioner Winsor seconded the motion.

Ayes: Commissioners Hipp and Winsor

Nays: Commissioner Keyes

Motion carried.

Vera Boyer asked if Ambulance or Fire were going to be discussed. Commissioner Winsor said that would be discussed separately.

Commissioner Keyes made the motion to reopen the Highway meeting.

Back to Order

**17. 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.)

Debra Cuney-Sharp came up and said she is a driver for the Senior Transportation Program and was wondering when that was going to start back up. She has people calling her.

Commissioner Hipp said on May 29 they voted to reopen the program but they also said it may be a week or two to get it going. Commissioner Winsor stated we need to make sure there is distancing and they need to figure that out. Debra said she does long distance driving and she

## Minutes from the June 02, 2020 Commission Meeting

---

has a lot of seniors in town that really need to get to their medical appointments and they are going to her house.

Gina Greenway came up again and wanted to add to the commodities issue. On the gift certificates, she wanted to say that she is hearing that not everyone is getting equal certificates from the Dinky. Commissioner Hipp stated he understands that first of all, they have to sign up. Raley's got overwhelmed with the bags and decided they couldn't do that anymore. So, they went to gift certificates. They were giving one gift certificate to Raley's and one to the Dinky Diner. Some people in town were complaining about getting Dinky Diner certificates. Why someone would complain about getting something for free is unfortunate, but that is when Rachel Holt took over the program. Then, she was giving people a choice. They could either get a Dinky Diner certificate and a Raley's certificate or get 2 Raley's certificates. Gina said what she is saying is some people are only getting one or the other. Commissioner Hipp said Rachel has been keep really good track of what is being handed out. Sharon Artlip said she would give Commissioner Hipp a list of names after the meeting. Gina said Gemfield is wanting to feed these people, not these gift certificates staying under the seats; she doesn't know if the drivers do it, she doesn't know if the people that do the commodities bags does it; but if the people are supposed to get two tickets, whichever way it goes, it needs to be done, not just one; because where are the other ones going?

10. **REOPEN ITEM #10. \*FOR POSSIBLE ACTION: DISCUSSION/DECISION: TIMED ITEM: 11:00AM:** Discussion/Decision for closed door negotiations with the ECSDA. (Sgt. Matt Kirkland)

Commissioner Keyes made the motion to go into closed session. Commissioner Hipp seconded the motion. All in favor: Motion carried.

13. **\*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.

Not needed.

14. **\*FOR POSSIBLE ACTION** – Discussion, deliberation, and possible decision on labor negotiations, issues and other personnel matters.

Not needed.

15. **\*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.

D. A. Glennen stated we can discuss at a non-meeting after this meeting.

## Minutes from the June 02, 2020 Commission Meeting

---

16. **\*FOR POSSIBLE ACTION** – Discussion, deliberation and possible decision on conference with legal counsel regarding potential or current litigation presented in closed meeting.  
Not needed.

17. **\*ADJOURNMENT:**

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