

# Minutes from the June 16, 2020 County Commission Meeting

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June 16, 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  
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.)

Sergeant Kirkland came up and stated he would like to wait until the end of the meeting to do the ECSDA negotiations.

## 3. **\*APPROVAL OF EXPENDITURES.**

Batch 1 and Payroll: \$186,511.24

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

Commissioner Hipp wanted to add a request that all of the expenditures be paid at the same time. He said he is hearing that some of the expenditures are being pulled out and they sit there for a week before they are being paid so he thinks all the bills should be paid at the same time.

Michelle said that the commissioners had made a decision that insurance bills would be paid any time that we got the bills. She turned in bills on 6/4 and she got them back with a mistake on 6/12 and they still haven't been paid. (as of the writing of these minutes, 6/18, the insurances are paid)

## 4. **\*DISCUSSION/DECISION/APPROVAL:** Rejected Vendor Bills from Auditor's Office. None.

## 5. **\*APPROVAL OF MINUTES** from the May 19 and June 02, 2020 meetings of the Board of County Commissioners.

Commissioner Hipp stated that he approved of the May 19 meeting but there was a conversation at the June 02 meeting at the second public comment that was not included that he wanted included. It was

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regarding the Department of Taxation meeting. He made the motion to approve the May 19 meeting minutes only. Commissioner Keyes seconded the motion. All in favor: Motion carried.

**NOTE:** Michelle went back to the June 02, 2020 meeting and listened to both Public Comments and there was no conversation about the Department of Taxation meeting. The only thing she can suggest is that it was discussed under the non-meeting legal portion of the meeting at the end of the meeting that was not recorded.

### **10. 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 it has been challenging attending meetings. He attended NACo by phone last week and the CNRWA by phone the previous week. He attended the Board of Health meeting last Friday during the NACo meeting. He thinks the video meetings are working out. He had a meeting with the Inyo National Forest regarding the Off-Highway-Vehicle grant funds they received. They want to enter into an agreement with us on doing some maintenance on the roads.

Commissioner Keyes said he has also been distributing food vouchers from the Gemfield Resources projects on a weekly or bi-weekly basis to the people of Fish Lake Valley and that will be winding down tomorrow.

Commissioner Keyes said he also talked with Kevin Haskew about the Gold Point project and he is still waiting and they are still waiting on getting a letter to the property owners that have Wiley Road potentially running through their lots.

LaCinda Elgan came in and let everyone know that the people on the phone are having a hard time hearing.

Commissioner Hipp said he called into the Department of Taxation meeting and listened in on that conversation. He said he thinks we should have had that on the agenda on the June 02 meeting because it had a call-in number and the public has not seen that third letter yet and they deserve to see what's going on and make comment. He said the letter also had the phone number and access code for the meeting. He said it was a great dis-service to the citizens. De Winsor said the Taxation Board has so many meetings a year and said Dan McArthur is going to talk about it when he is here later. He said these meetings are with several counties; before us there was another county and there was another county after us on the agenda.

Commissioner Winsor stated he was on that Department of Taxation meeting call as well and they will be discussing those items on the agenda here in a couple of different places.

Commissioner Hipp said he had another item. He said he received some cooling handkerchiefs from POOL/PACT and handed them out.

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Commissioner Winsor stated he tried to get on the Nevada Test Site meeting but could not get connected. He said he also attended the LEO meeting. He said these are all virtual meetings. He doesn't like them much because he has a hard time hearing, but at the same time he likes that he doesn't have to travel.

Michelle made the comment that we are getting ready to have all new audio and video equipment installed in the courtroom and the commissioners' chambers.

### **11. Update of current and Future meetings and activities of Elected Officials and Department Supervisors as needed.**

(this is only an update. No decisions will be made.)

LaCinda Elgan came up and stated that we had some ballots that were mis-routed to Clark County we will have to do the canvass of vote on Friday.

She said she will also be working with the Department of Indigent Services and that includes the Public Defender contract and going through our records and finding out what we've paid for witness fees or stand-by counsel, etc. for indigent services for the state.

Deven Thackeray – Solid Waste – Really really pleased with the progress they are making out at Solid Waste. They have all the signage in place that needs to be in place, such as the dead animal pit, an asbestos area; they have created a retaining pond for the runoff of the leach coming off that they need to address. He said the compactor is working phenomenal. He said they are saving massive amounts of space at the landfill. He said the roll-off truck is running great.

He said he still hasn't heard back from NDEP as far as all the correction they've made but not hearing from them is a good thing. He thinks they are going to get back with us and he's hopeful that they've all been addressed.

### **15. \*FOR POSSIBLE ACTION: DISCUSSION/DECISION: Decision on insurance representation for Fiscal Year 20/21. (Commissioners)**

D.A. Robert Glennen stated that if there issues between the two parties that are bidding for the insurance he is giving an opinion to the Board of Commissioners that we would not get drawn into those issues, so that whatever decision the Board makes the Board can make with reasonable confidence that there is nothing that would result legally.

Commissioner Hipp wanted to add that when they were in negotiations with the Sheriff's Association, he was tasked to get a quote if we were to change in our insurance plan for certain employees. That was on June 2. On June 4 he sent an email to POOL/PACT and they forwarded it on June 5 to our A&H representative to provide a quote. A full week went by and he didn't hear anything from anybody. He got an email from Marshall yesterday from POOL/PACT asking if he got the information and he said he

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hasn't heard anything from A&H. Commissioner Hipp said his vote is with Tina after getting no response from A&H.

Michelle said she got a call this morning from A&H stating it was urgent that they speak to me before the meeting. She said she didn't return that call because she was coming into this meeting.

Commissioner Hipp asked Tina if she could reply to an email. She said she will.

Michelle said she has been asking for quotes for this upcoming coverage year and still has not received anything.

Commissioner Hipp made the motion to make LP Insurance Services our Insurance Broker. Commissioner Keyes seconded the motion. All in favor: Motion carried.

16. **\*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. (Commissioners)

Tina Petersen came up and stated that we should include the airport insurance with the renewal. It is a little more, but it will still fit over that coverage.

Commissioner Hipp said he had similar issues with POOL/PACT. In January, he had asked for wage/salary from them and heard nothing from them. He requested it again in February and heard nothing from them. He sent another reminder in May as we were working on the budget, stating, hey, where is the wage/salary that you guys said you could provide, and they have never mentioned it again. He said also that last year they had talked about catastrophic leave had on the agenda and someone from POOL/PACT was supposed to come to a meeting and no one ever showed up and they've never mentioned it again. So, he would like Tina to follow up because he is not getting much out of POOL/PACT. Tina said we should always contact her and she will go to POOL/PACT and get the information. We can contact her any time.

Commissioner Keyes made the motion to accept the renewal proposal from Nevada Public Agency Insurance Pool (POOL), including airport coverage as suggested by Tina and approval for payment from Fiscal Year 2020/2021 funds. Commissioner Hipp seconded the motion. All in favor: Motion carried.

D.A. Robert Glennen suggested that Tina might have some information on the life insurance question that they had for Dan McArthur.

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**12. POSSIBLE ACTION: DISCUSSION/DECISION:** Reverse previous decision to place Commissioner Office Administrative Assistant under Treasury Office. This position should be independent from any other county office. (Commissioner Hipp)

Commissioner Winsor stated this was not necessarily put under the Treasurer Department as far as the operation but for the oversight as far as payroll so Ellen is still in charge of this position. Commissioner Hipp said he thinks there has been a lot of micro-management that should not be going on right now. She should be independent and not under anyone else's influence or management or supervision. That needs to stop immediately.

Commissioner Hipp stated; to the other department heads and other employees in the building; there is a lot of drama and gossip and stuff going on in the building and he would like that office just to be left alone and left out of it. So, unless you have some business then you should be staying out of that office, that is his opinion.

LaCinda Elgan came up and said she doesn't care but the commissioners had asked her to make sure that when Ellen is out of the office, or on vacation, or at commodities, she knows. In the past people would ask where the admin assistant is or the commissioners ask, she doesn't know.

Commissioner Hipp then told Ellen that he wants her to know that if anyone comes in from the other departments she can disregard. She works for the commissioners and no one else. He said she can tell them to go "F" themselves, based on what he thinks. LaCinda asked Ellen if she had given her that impression and said if she had, she apologizes.

Commissioner Keyes said he has seen a lot of friction in the courthouse over the last two years and we serve the public so that's what we need to do. Commissioner Hipp said he agrees. Commissioner Winsor said Ellen lets them know what she's doing all the time. He read the original agenda item from the 09/03/2019 meeting as follows:

**FOR POSSIBLE ACTION: DISCUSSION/DECISION:** *Discuss and approve that the Administrative Assistant to the BOCC and Director of Senior Transportation positions for Administrative oversight only fall to the Esmeralda County Treasurer (Elected Official), i.e. Approval of all leave functions: vacation, time off, as well as sick time (calling out), approval and signing of time sheets and any other admin functions.*

Commissioner Winsor said this wasn't about LaCinda being in charge of Ellen. Ellen has always been in charge of herself and if we put another person in that office, she would be in charge of that person also; not the Treasurer. Commissioner Hipp said as long as everyone understands that. He has been hearing other things.

Commissioner Keyes said, he thinks, for common courtesy, if Ellen is not going to be in the office should let the Clerk's office know. Ellen said that she and Cindy talked about it and she does let her know.

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No further action will be taken on this item.

13. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide to post/advertise for the additional Commissioner Office full-time position. (Commissioner Hipp)

Commissioner Hipp said this was discussed at a previous budget meeting and there is money there, so he would like to get this posted internally, externally and do the interviews at the July 7 Board of County Commissioners meeting (the first meeting in July).

Commissioner Winsor said this was the part-time person, but more help is needed. Commissioner Keyes said the senior transportation program takes quite a bit of compliance documentation and is almost a full-time job in itself. People don't always understand that. Commissioner Winsor said this person would also be able to help with commodities.

Commissioner Keyes made the motion to post/advertise for the additional Commissioner Office full-time position as soon as possible and possibly set up interviews for the next commission meeting. Commissioner Hipp seconded the motion. All in favor: Motion carried.

14. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide to end hazard pay. (Commissioner Hipp)

Commissioner Hipp said that during the May 29 Health Board meeting they decided to open the courthouse and all services on June 01. We never discussed how to handle hazard pay at that time. In his opinion, now that all the offices are back open, he thinks we can stop paying the hazard pay. He said he doesn't know, with Vera and paychecks, what a good day to stop would be.

Commissioner Hipp made the motion to end hazard pay on June 20, 2020 at midnight. Commissioner Keyes said he wanted everyone to know that he did not vote in favor of the hazard pay but he will vote in favor of this item. Commissioner Hipp said all hazard pay will end on Saturday at midnight. Commissioner Keyes seconded the motion. Vera Boyer came on from the phone and stated that it would be easier on her payroll department if the commissioners made it on a Monday instead of the Saturday.

Commissioner Hipp amended his motion to end all hazard pay effective Monday, June 22, 2020. Vera verified that that would include the Sheriff's office, Solid Waste and the Courthouse employees. She was told yes. Commissioner Keyes seconded the motion. All in favor: Motion carried.

17. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve and accept the canvass of vote for the 2020 Primary Election. (LaCinda Elgan)

This item is cancelled and will be addressed at a special meeting on 05/19/2020.

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18. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision to either move closed door meetings to a different day than commissioner meeting days, or move them to the end of the meetings. (LaCinda Elgan)

LaCinda came up and said because we are doing GoToMeetings and people have to hang up when we do closed-door meetings. We would still do the regular opening, public comment, close the meeting, public comment, and adjourn, but it would just be for the closed-door meeting.

Commissioner Winsor was suggesting that we do them at the end of the meetings. LaCinda was saying that the only problem with that would be that people would have to re-arrange their schedules to come in whenever the meetings end and we have no way of knowing when the meetings end. If they are on a different day, people can truly schedule the meeting. Commissioner Winsor agreed with that.

Sergeant Kirkland came in and stated that he would love for it to be on a different day. Having multiple people sit here until the end of commissioners' meetings is not good. Commissioner Keyes said it might be a little more productive too.

Commissioner Hipp said he doesn't like the idea of having a separate day. He said the Sheriff's Association is completely separate, but having it at every meeting like we do it now, he thinks it is the right way to go.

Commissioner Keyes said every meeting we have these items for labor negotiation if we need it, it's an option. But when they are with an agency such as the Sheriff's Association, sometimes they can take several hours. We can schedule those on a separate day, but still, if we can cover something briefly, we can do that in a regular meeting.

D.A. Glennen stated as a legal matter the commissioners can choose to put anything they want on a calendar as long as they give the public notice that they wish to give. If they make a commitment for an all-encompassing policy in the future, he would recommend that they do that by ordinance in the future.

No action taken on this item.

22. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION: TIMED ITEM: 11:00AM:** Discussion/Decision to have closed door negotiations for the ECSDA contract. (Sgt. Kirkland)

Moving to end of meeting.

25. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION: (PRESENTER REQUESTS TIMED ITEM 11:00am) I** would like to discuss and request all emails between Gemfield Resources and Esmeralda County Commissioners about the 95 road employees not being allowed to come into Goldfield due to trying to keep us safe but were allowed to stay, shop, eat and get gas in Tonopah where all Goldfield citizens do the same. Which means we still could have been exposed to any infection or

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virus. Why were the businesses of Goldfield not informed about this decision so we could have been prepared and we could have reached out and explained our Covid 19 Business plan? (Gina Greenway)

Item being moved to later in the meeting.

19. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision to change the first BOCC & Highway meeting of the month from the first Tuesday to the first Wednesday of the month for the remainder of 2020. (LaCinda Elgan)

LaCinda came up and stated that due to COVID-19 the commissioners' chambers are far too small for commissioners' meetings so we are using the courtroom. The first Tuesday of the month we have district court at 10:00 and the District Attorney also has to be in court at that time. She said we will give proper notice in the newspaper that we are changing the meeting as well.

Commissioner Winsor stated we are in waiting to see if court is going to get over. Commissioner Keyes asked what statutes we have to comply with to change the meetings. Michelle said she checked the NRS's and we can change them, we have to post in the newspaper for 2 weeks that the commissioners voted to change it before we can change it. Commissioner Hipp said we would have to do the reverse to change it back as well.

Deven Thackeray came up and said the first thing he wanted to do is refer it to D.A. Glennen as he thinks its an ordinance. He wants to get his legal opinion on that. The second thing is that we should move the court dates. This is a big inconvenience for his department. He said it is also an inconvenience to the public. He said why should we re-arrange our schedule because of the conflict? LaCinda stated that the judges set their schedules almost 2 years in advance. Michelle said she is unable to do that. LaCinda said she is not just the judge for Esmeralda County; she is also the judge for Pahrump and northern Nye. She is scheduling out for 2 years, so for her to reschedule her days is not realistic. Commissioner Keyes said he believed that LaCinda has asked in the past and it is a huge hurdle for her to do that. Michelle said the judge literally has thousands of cases.

D.A. Glennen stated that because of Covid, we have had to change the place of meeting, but if we are going to change the date, we will need to do an ordinance, and publish.

Commissioner Hipp said he is not in agreement with this. He thinks we should keep it the same. If we need to, we can use the chambers and, if needed we can put a speaker in the hallway so if people want to come and listen, they can. They can pop in and make public comment if they want to. They can call in and make public comment over the phone. Michelle said if they are going to use the commissioner chambers the commissioners are not going to be able to fit at the podium so there will only be room for about a total of 6 people in the chambers with social distancing, about 3-4 people in the hallway, about 3 people downstairs and then they will need to have speakers and chairs upstairs, downstairs and outside for those public people who want to attend the meeting. She said there were 15 people in the gallery in attendance today and there is no way we could accommodate those people in the

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courthouse if they do a meeting in the chambers. Commissioner Hipp said he understands that and we can make minor adjustments, we don't have to change the big picture.

Commissioner Keyes stated he wanted to give an example of why change is not good. Last week we had a park board meeting. When he got there, it was over. They had it at 5:00 and had posted it but he doesn't read every little thing that is posted because it has always been the same date and time. It really upset him. He doesn't think we can get the word out good enough.

Megan Kelley came up and said she is flexible and this is a good venue and, speaking for herself only, she is fine with this being the venue.

LaCinda stated that the election equipment is delicate and already set up in the commissioner chambers.

No Action Taken

20. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision on whether or not to continue GoToMeetings in light of courthouse reopening. (LaCinda Elgan)

Commissioner Keyes said until this COVID virus is eliminated or there is a vaccine or whatever, we need to have the courthouse accessible by GoToMeeting. That will alleviate peoples' fears about coming to the meetings. Some people still don't want to come to meetings.

Commissioner Hipp asked if GoToMeeting was free. Michelle told him it is not free to the Clerk Department. We did a year's subscription so it is free to the public.

Commissioner Winsor said we should continue it because it makes people be able to attend the meetings who don't want to leave the house, or are not able to leave the house. This would give them access. This also gives people who live far away access to these meetings, like people in Fish Lake Valley.

Commissioner Hipp made the motion to continue providing GoToMeetings until further notice. Commissioner Keyes seconded the motion. All in favor: Motion carried.

Commissioner Keyes made the motion to recess for 10 minutes. Commissioner Hipp seconded the motion. All in favor: Motion carried.

Back to Order.

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23. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Review and get approval for site plan for marijuana grow and cultivation facility; security plan, and any other items to start building. (Heather Wilson/Roy Mankins)

Ms. Wilson and Mr. Mankins came up and explained that they are building a small marijuana grow and production facility. There will be no retail facility there. Ms. Wilson moved her site to the other side of town and Mr. Mankins explained that the building is a pre-fab metal building that will be high-security and will be painted to blend in with the Goldfield theme. They will also erect various things around it to make it look like a mining facility. They are going to start construction right away and would like to be done by about July 20 and it can happen that quick because it is a module facility and there is power and water on-site already.

Mr. Mankins said there will be 3 full-time positions daily so they will probably hire 5 people and the wages are going to be higher than normally paid in Goldfield. They are also going to have security on-site 24-hours a day as well. There will also be landscaping lights and motion sensing lights that will be discriminatory and know whether it is human being or not and it will light up and immediately send pictures to the Sheriff's Office and them. He doubts it will be an issue, though, as it is kind of up on a hill. It is at the corner of Reed and Crystal. As far at the edge of Goldfield as they could possibly get.

Mr. Mankins said they have 10 lots and they are going to build miner shacks on those to accommodate the miners coming into Goldfield when the mine comes in. He said they want to be good citizens.

Commissioner Hipp asked about the fence line. He wanted to know if it was just going around the building or the whole lot. Mr. Mankins said they will probably fence the building to start with because they didn't realize that the edge of the property was almost a vertical drop. He said they want to make it look like a mine head.

Commissioner Keyes asked if the picture they presented was the actual building. It is. It is all metal and is very heavy-duty. It probably weighs 250,000 lbs. The outside is 18 gauge. You can't burn it. He said he was going to go talk to Mike with Utilities right after this meeting. He said there are also certain state regulations that they have to comply with. Commissioner Keyes also asked if they were satisfied with the condition of the road since it is dirt and they said they were happy with that and it won't have much traffic since it is not retail.

Commissioner Winsor asked if the water will be recycled. Mr. Mankins said the toilets will flow through the sewer but most of the plant water will be recycled and there is a lot of nutrients that we don't want to lose.

The building is built according to Clark County and State specs. Mike Anderson they will need to submit their fire flow plan to the state fire marshal.

Deven Thackeray came up and asked how many plants exactly and are they going to be selling edibles and those kinds of things to the public. Mr. Mankins said again that there will be no distribution here

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in town. Everything goes to retail distributors. Clark County or Reno. Ms. Wilson showed Deven a picture that showed a total of 36 plants in the building. Deven then asked if they are going to expand. They said if they do, they would buy a bigger piece of property, but they are just doing this right now.

Commissioner Hipp said he knew before there was concern about smell and light and he thinks if they keep those under control, he thinks they will be fine. He thinks this is a much better location and he supports this and supports their business and hopes it goes well.

Commissioner Hipp made the motion to approve the site plan for marijuana grow and cultivation facility; security plan, and any other items to start building. Commissioner Keyes seconded the motion. All in favor: Motion carried.

### 6. \*FINANCIAL REPORTS

A. Assessor	\$31.02	05/29/2020
B. Clerk	\$195.50	06/05/2020
C. Justice Court	\$12,077.00	06/05/2020
D. Recorder/Auditor	\$3,326.15	06/08/2020
E. Sheriff	\$614.00	05/29/2020
F. Taxes	\$12,541.52	05/29/2020
G. Goldfield Utilities	\$10,546.61	05/29/2020
H. Silver Peak Utilities	\$1,959.60	05/29/2020

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

### 7. \*TREASURER'S REPORT

LaCinda came up and gave each of the commissioners and Dan McArthur the reconciliation for the month of May, 2020. She presented the beginning fund balances, the adjustments, and the ending fund balances. She said the beginning fund balance was \$11,271,934.63. Deposits were \$875,725.74. Expenditures were \$668,822.04. The ending balance was therefore \$11,478,838.33.

LaCinda said the following pages on her reports explained some of the adjustments she made on the bank reconciliation. She said the third page shows her personal worksheet that she uses to prove that her balancing is correct. She explained that she and Vera talked about the numbers and there are adjustments that Vera is going to make for the month of June. She said they are things that got paid, but, for whatever reason, in the Tyler system, did not get posted in the GL.

LaCinda said the following page shows our outstanding checks she shows for the month of May and our vendor adjustment, and payroll. Then, the last page shows how we received deposits we received in our bank account via state or other entities that we call direct deposits and what was at the beginning of the month and what was at the end of the month.

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LaCinda said the second hand-out she gave was the ending fund balances. These are the balances that she shows. She said when Vera and she were in the Department of Taxation meeting this is one of things they told them that was our goal.

Commissioner Hipp asked LaCinda if we have caught up with every reconciliation for all the previous months. LaCinda said this is as of May. This is according to Mr. McArthur's direction. She has gone into each and every month. There are some questions that she has on some outstanding checks that she has talked to Vera about and that is part of their reconciliation process and she has emailed Hillary at Mr. McArthur's office and she has emailed her the bank reconciliation for every month and she is also emailing Hillary our bank statements so she can see exactly what we are doing.

Commissioner Hipp made the motion to accept the Treasurer's report. Commissioner Keyes seconded the motion. All in favor: Motion carried.

### 8. \*AUDITOR'S REPORT

Vera came up and handed out the income statement. She said they are working hard with Tyler to try to get this up to where they sit with their budgets. She said if there are questions on it just let her know. She said they've been working with Dan McArthur to get them back where they should be.

Commissioner Keyes said where it says budget remaining there are a lot of minuses. He asked what that means. Vera said that is what is left in that budget. She said if you go to page 2, you can see where it is more positives. That is where it shows what is left in each budget. She said the telephone budget is way over, but we are still ok in the general fund so it is still ok.

Vera said she also gave everyone the handout on the Cares Act funding. She said there are a lot of strings attached to it and a lot of counties are not touching these funds. She asked that the commissioners read it and if it needs to go on a future meeting to do that.

Deven Thackeray asked if these financial reports should be made available to the public. LaCinda stated that it is all public record. Anyone can request them.

Commissioner Keyes wanted to talk about the Cares Act some more. Out of 148 million dollars, Esmeralda County gets \$159,000. We have to get everything in their box. Vera said she is going to give it to Bob too. Michelle said this should probably go under a different agenda item because this is the Auditor's report. Commissioner Keyes said the money is there and if we can use it that would be great. He thinks we have had more expenses than we realize. Vera said not really. It really needs to fit in tight parameters so we really need to look over it.

Commissioner Keyes made the motion to accept the Auditor's report. Commissioner Hipp seconded the motion. All in favor: Motion carried.

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### 9. **\*APPROVAL OF TRANSFERS** (Vera Boyer).

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$80,000 to be transferred from the General County Fund to the Solid Waste Special Revenue Fund.

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$14,000 to be transferred from the General County Fund to the Annual Leave Special Revenue Fund.

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$393,921 to be transferred from the General County Fund to the Road Special Revenue Fund.

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$82,000 to be transferred from the General County Fund to the Library Special Revenue Fund.

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$8,000 to be transferred from the General County Fund to the Forensic Services Special Revenue Fund.

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$9,000 to be transferred from the General County Fund to the Retiree Insurance Special Revenue Fund.

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$34,000 to be transferred from the General County Fund to the County IT Special Revenue Fund.

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$26,000 to be transferred from the General County Fund to the Sheriff IT Capital Projects Fund.

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$166,000 to be transferred from the General County Fund to the County Capital Projects Fund.

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$100,000 to be transferred from the General County Fund to the Road Capital Projects Fund.

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$16,066 to be transferred from the Juvenile Court Special Revenue Fund to the County General Fund.

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$14,398 to be transferred from the Property Sales Interest Expendable Trust Fund to the County General Fund.

The Esmeralda County Commissioners, at their regular meeting held June 16, 2020, has ordered the sum of \$75,000 to be transferred from the District 2 Regional Development Special Revenue Fund to the Gold Point Capital Projects Fund.

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

21. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision: In response to the 6/3/2020 Department of Taxation meeting: How to implement training for Esmeralda County and set goals that would satisfy the Department of Taxation. (Commissioner Winsor and Dan McArthur)

Dan wanted to talk about the reports that were received from the Auditor and Treasurer. One of the things was the negative number that shows up on the Tyler report. This can be misleading. He said there are line items that are overspent but, as the County Auditor indicated, that doesn't mean it is an NRS violation. So, there needs to be some work with Tyler to get those reports to print so you know when an NRS violation occurs. He said there are several departments under one government function office. That's not to say we want an office to overspend and we would need to look at that office, but that one office is not going to cause an NRS violation.

Dan said the Treasurer indicated that the Treasurer's report is put together with the best information available and that the Treasurer and Auditor are still working on reconciling adjustments. He wanted to show the commissioners examples.

Dan said they have already begun the audit for the current year and wanted to let the commissioners know that there will be some adjustments done to some of the funds coming up. He said there is an issue that exists in Tyler in making sure that cash is processing properly, which the Treasurer eluded to. She has used the best information she has to produce her report.

Dan said that NRS requires that these reports come to the commissioners each month. He said these reports are currently giving more detail than is required to meet the statute.

Following up on the meeting on the Committee on Local Government. This is the committee that has individuals that work in different aspects of the state. Some work in government and some don't. The state mechanism is oversight by the Department of Taxation over local governments. When there are violations of the law (when there are audit findings) they make them come into these committee meetings and they want to know what the corrective action plan is. They asked that the Auditor be prepared in August, when they meet again, to say where Esmeralda County is on their corrective plan of action to clean up the issues they have. Dan brought the findings that were in the report. The first finding is financial reporting. That is the ability to give the commissioners what the County Auditor provided the commissioners today. The revenues and expenditures for the year. Is there a profit or loss and are we over budget? Another one is cash and investment reconciliation. That is what the Treasurer brought in today. Those are things that, by statute, are supposed to come in to the commissioners every month. There are comments about processing of revenue. There are comments concerning expenditure processing to make sure expenditures are being processed properly. Another comment was about financial reporting. There were also comments about budget violations. Those

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are indicated by function. Dan said that to him, there is an issue that exists that there needs to be an effort to try to make sure its covered. He would suggest that there be a meeting on June 29 or 30 and allow the County Auditor some time to go through and see if there are any function violations right now because by commission action you can go through and remove those violations before the end of the year. That is done by doing budget transfers where you can, by commission action, move funds from one line item, to a line item that is over budget, so you don't have any budget violations. You have to do this before June 30. The only place you can do this after June 30 is in the utility funds.

He suggests we start the audit now and not wait until August or September. The reason for that is he feels we can start it now and do some "on the audit" training at the same time. This would keep training costs down as well.

Compliance Binders: Dan brought updated binders for each office and wants to do 2-hour trainings for each office. Some offices will only need one hour.

For the Auditor and Treasurer's offices: There is Tyler training and accounting. Dan said there is an on-line bookkeeping/accounting course that anyone in the building can use. If you take the course and take the test and pass it, you become a certified bookkeeper. Some things that this address is: How to make journal entries and the impact on the general ledger, Closing entries at the end of each month, The accounting process for Accounts Payable, Cash Payments and Purchases. There is another section that talks about cash and how to deal with cash. Another section is about payroll, payroll calculation, payroll tax deposits, and meeting the benefit requirements. Dan said there is another payroll-specific class available by the American Payroll Association, but he thinks this other one is more beneficial.

Dan said Tyler is scheduled to come out in September, but September is too late. He would like to see if they can come out about every quarter for a while. He would recommend that we get Tyler to come out for at least 3 days as soon as possible.

Dan said he would like his office to come up every other week, with one extra person, for 2-3 days. They would like to start this next week. He said we people are doing their courses, his staff would also be available to help them with their courses.

Internal control for government entities requires cross training. It is mandatory. In larger entities it is easier.

Dan said the Department of Taxation does not want to come in and take us over. However, if they don't see corrective action, they potentially can put us on fiscal watch, which means, most likely, weekly meetings, weekly to-do lists, and constant follow-up every week.

Dan said the more work each office can put in between now and August 1 is really important. Whatever issues that need to be worked out, need to be worked out. If there needs to be overtime, we need to do the overtime.

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Commissioner Hipp made the motion to support and implement training and all the items that Mr. McArthur recommended for Esmeralda County with the goals that would satisfy the Department of Taxation. Commissioner Keyes seconded the motion. All in favor: Motion carried.

Commissioner Hipp made the motion to take a 10-minute recess. Commissioner Keyes seconded the motion. All in favor: Motion carried.

Back to Order.

24. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** I would like to discuss and request all documentation and instructions from Gemfield Resources, Commissioners, and other persons or departments that were aware of rules, qualifications and guidelines for the distribution of the gift cards and certificates. I also request a list of all businesses in Esmeralda county that were asked to participate and profited from this program and how the businesses were picked and why payment was not paid when certificates were turned in. \$1000 up front money could have been given to the businesses to buy supplies so there would have been no hardship on them. (Gina Greenway)

Gina came up and stated that she wanted to get the information about how this all took place. How much money was given to be distributed between the businesses, how the gift certificates were supposed to be distributed. She said Mr. Hipp said at the last meeting that people had to sign up for the coupons which she said didn't happen the whole time because they were given out without the authority of the commissioners.

Commissioner Hipp said she can request that paperwork but whether we give it to her or not would have to go to the District Attorney. D.A. Bob Glennen said the commissioners can only speak for the government, as opposed to any private or third party. Commissioner Hipp said these are private funds from a private corporation. He said it is not her tax money that she can demand this information for.

Commissioner Hipp said he was copied on 30-40 emails when they were setting this all up and he is pretty sure the other commissioners were as well, so the statement she just made that this was done without commissioner authority is false. She said she was told that the gift certificates were held in the commissioners' office, except when they were being distributed.

Gina asked again how much money was given. Commissioner Hipp said a small-business loan was set up for \$100,000. He asked her if she got any of that money. She said she is not talking about the grant.

Commissioner Hipp said before we go any further, Gemfield Resources is pissed. They are pissed over this nonsense and Gina is embarrassing not only Goldfield but this entire county. He said there is no one from Silver Peak or Fish Lake Valley doing this. Commissioner Winsor tried to interrupt and state there is a letter. Commissioner Hipp said he will read it but this is just embarrassing. Commissioner Winsor asked Michelle to read a letter into the record. She did, as follows:

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### Item 24

Esmeralda County was contacted by Gemfield on April 20<sup>th</sup> stating they could provide \$50,000 for food assistance for those in need due to the Covid 19. They asked how we would recommend that coordination. April 21<sup>st</sup> Gemfield stated they wanted to get the funds out to those in need as quickly as possible. A flyer describing what we knew at that time was sent to Gemfield for concurrence as that flyer would be handed out during Commodities on April 22 and they agreed with the program.

First recommendation to Gemfield which they agreed to was to hand out on April 29<sup>th</sup> (first week opposite of commodities) one bag of food from Raley's and one gift certificate for Dinky Diner for those in Goldfield, Silver Peak and Gold Point and one gift certificate from Esmeralda Market for those in FLV. Distribution of all was made to those who receive commodities and seniors, both pre-qualified. Dinky Diner and Esmeralda Market were selected to purchase certificates from as they were the only businesses open at the time who could provide the certificates and for those certificates to be honored on a pick up status only.

The bags of Food from Raley's changed to a gift certificate instead after the first distribution.

The gift certificates from all three vendors were purchased in advance to be fair and equal as Esmeralda County is an equal opportunity employer and provider. Invoices submitted to the County can only be paid twice a month at commissioners' meetings with those invoices submitted a week before the meeting.

In order to purchase the Raley's certificates payment must be made 10 business days in advance of the day that are needed. The invoice marked paid comes with the gift certificates. Those invoices were paid by a local citizen on a credit card and they will get reimbursement in the amount of \$18,530 for all purchases made from Raley's. Raley's **will not** account for gift certificates used.

Esmeralda Market needed to be paid for their invoices in advance to purchase the needed items in their store and at the deli in order to honor the certificates when presented. Esmeralda Market and Ralph will do a final accounting at the end of the program.

To be fair to the Dinky Diner they were offered the same payment arrangement as Raley's and Esmeralda Market, paid for certificates up front. At the end of the program there will be a final account as well.

In Goldfield, after the first distribution, a list of all application received was made and each household was personally visited and informed that on the week of commodities they get one thing. On the week opposite of commodities they get two things. They could have two Raley's or two Dinky Diner or one of each. The preferences were recorded and distribution to them of what they selected was made until June 10<sup>th</sup> the final distribution.

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Summary of Goldfield, Gold Point and Silver Peak distribution beginning with April 29 and ending June 10<sup>th</sup> total distributed.

Raley's            831 gift certificates  
Dinky Diner      377 gift certificates

Commissioner Hipp said the very first time these were done, there was a notice that spelled out that in order to receive you must either call Cheri or send in a completed form. Those who did not, would not receive additional bags. We let them know in advance that if they didn't fill out an application, they would not be receiving anything. He said their concern was to get this out to the citizens as quickly as possible.

Commissioner Hipp then read a letter received directly from Gemfield Resources. It is as follows:

Esmeralda County Commissioners,

Gemfield Resources is submitting this message in response to agenda items 24 and 25 submitted by Gina Greenway. As we will not be attending the meeting, we ask that this be read in response.

### **Item 24**

Gemfield Resources is pleased to have donated to programs focused on Esmeralda County during this unprecedented time of hardship to individuals and businesses. Our newsletter, which was distributed to the community in May 2020, contains details of these programs and is attached here. As detailed in the newsletter, Gemfield was a financial contributor only and the Southwest Central Regional Economic Development Authority (SWCREDA) Grant Program and the Esmeralda County Food Assistance Program administered the programs. Gemfield is satisfied with how each program was structured based upon the information received from those entities and thus made the donations, but individual decisions relating to grants and food were made by these authorities and not Gemfield Resources.

Gina asked if he read from Susan Dudley that one week would be one bag from commodities and one week would be two gift certificates. Susan Dudley spoke from the phone and said she did not say that. She said that was a decision made by the commissioners at the 04/29 Health Board meeting. Gina said this didn't happen. Commissioner Hipp said she was asking several people who were giving her the same answer and she kept asking. She said they did not. She said there were other businesses that were open and could have had essential items in their businesses. She said part of them got grants.

Susan said that after the very first distribution, which was Raley's bags and Dinky Diner or Esmeralda Market gift certificates, people went door-to-door and asked what they wanted. People selected what they wanted. She said someone was at the commodities trailer and people were directed there to talk to them for sign-ups, there were applications at the post office, posted on the wall and individual ones on the counter, senior driver Ernie went out and solicited applications as well. Gemfield's flyer was put in every post office box as well.

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Gina was upset that there were people from the courthouse that she knows for a fact were not on the distribution list that went into the Dinky Diner and used gift certificates. She said don't say they have to be on the list and then don't distribute it that way. She said it's just the way it was done. Gina said they think we may go through another trend of this virus in the fall of in the winter and maybe she has messed it up with Gemfield and they'll never contribute here again... Commissioner Hipp interrupted her and said he wants everyone in the room to take that away. That when this program started there was a possibility that we could get an extension. There is a possible that we could ask for other stuff. After Gina's nonsense, that is gone. Sharon Reid said she objects. Commissioner Hipp said Gina is literally taking food out of people's mouths in this county. Not just Goldfield, but the other two districts. He said Gina is the only one complaining. He asked her why she would complain and not say thank you to them. She said she is not complaining about them; she even told them how much she appreciated it, but how much it was misused. He interrupted her again and said she was making an accusation that it was misused. He said he wants to talk about this when they get into closed doors, about lawsuits, and making accusations about the people that were involved in this program. He had someone call him who was involved in this program, almost in tears, ready to quit, because of Gina and because of her accusations. Commissioner Winsor tried to get Commissioner Hipp to stop This person has brought millions of dollars in grant money to this county. He said he has personally witnessed her accuse people of stealing at the Chamber of Commerce. He said this is the third time he has seen her accuse people of stealing. Commissioner Winsor continued to try to tell Commissioner Hipp this is not the place for this.

Gina stated we got \$50,000 for these gift certificates and she knows \$8,000 went to Dinky Diner and wanted to know how much went to the grocery store and how much went to the market in Fish Lake. Susan Dudley said \$18,530 went to Raley's. She knows because it was on her credit card. She said she would be happy to give Gina a breakdown. \$8,000 went to Dinky Diner, \$22,000 went to Esmeralda Market. She said she can't give her names, but can give her an accounting of every distribution, what people selected and what was handed out. She said it totals up to the penny. Dan McArthur will be auditing it at the end of the year and if he finds a problem with it there will be an issue, but she can promise that everyone got a certificate that put an application in. She said there was a first distribution. We were notified on April 20 by Gemfield and on numerous occasions they told her they wanted to get it out as quickly as possible. So, they ordered the Raley's bags, 200 gift certificates from the Dinky Diner and 200 gift certificates from the Esmeralda Market. They used the seniors, who have a confidentiality agreement so they hand those names out, and the commodities list.

Gina stated it still comes down to the people on those lists. She said the program could have gone a week or two longer if it just went to the people on the list. Commissioner Hipp asked her how she had that information. Susan asked if she is saying that people who were not on the applications were getting certificates. Gina is saying that people who are not on the list are using Dinky Diner certificates. She is saying if it happens again, there could be a better way to do it.

Commissioner Keyes stated he wanted to state his observation because he was part of this. This happened in a state of emergency. Gemfield was very generous. Susan was super getting the food from Raley's. He helped distribution his portion in Fish Lake Valley. We really did our best.

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Gina said Susan Dudley does a great job. If everyone follows her guidelines, this would not have happened. Commissioner Hipp said that is what we did. She said Commissioner Keyes handed out his people's certificates so he knows who got them. He said he signed them and signed their names. She said that is all she would have asked that have happened here.

Commissioner Winsor said that Gemfield came up with money for the bars as well and they didn't have to do that. Gina said she realizes that but Susan's letter said every other week and that was not happening. Commissioner Hipp said it was two certificates every other week and one on commodities week. Commissioner Keyes said that's how it started out but we adapted and made it work.

Susan added that we have to understand the timing of it. We were working under a pandemic, where none of us were allowed to come into contact with anybody else, we were asked to do it quickly, so when we did the first go-round, we bought 219 Raley's bags and a Dinky Diner certificate. We did all of that in 4 days. Then, we have to buy gift certificates on two more days. We didn't get Dinky Diner certificates the second go-round. We only got the Esmeralda Market certificates and we put names on those, because we learned. We did the best we could under the circumstances. We had so many people who benefited from this program, who were able to get food, because the transportation program was suspended, as it should have been. There were so people who were suffering, who benefited from our efforts, whether they were perfect or not.

Brad Maxwell came up and said his understanding is that this mine just gave us a bunch of money and we just made up whatever rules we wanted? Commissioner Hipp said that Susan worked with the three commissioners and was emailing and cc'ing Debbie Lassiter and confirming over and over. We got multiple confirmations from Gemfield during the entire process. Commissioner Hipp said so if Brad is hearing rumors that she was given this money and never talked to us and she never confirmed with the mining company then that is mis-information. Mr. Maxwell said he never heard any of that. Commissioner Hipp said he is hearing those rumors from other people. Mr. Maxwell said he heard there were certificates lost and he wanted to address that as well. Commissioner Hipp said that was incorrect and all certificates have been accounted for. Commissioner Hipp said again that Dan McArthur, our outside auditor, will be auditing all of our spreadsheets, the applications, the names, everything. He is obligated, that if he finds anything wrong, he has to report it to the state.

Holly Isenhour came up as a private citizen. She said that yesterday she had the opportunity to ready the NACo commissioner's handbook. She said that at the very beginning of it says that their position is one of public trust. She said Commissioner Hipp's behavior right now does not show any public trust. She said attacking a member of the public, whether he agrees with them or not, is totally inappropriate and she said he owes her an apology.

Carl Brownfield came up and said he thinks because of this virus and everything everyone is stressed to the max. He wanted to thank everyone on the County Commission for all the hard work that they did to get this food and stuff distributed. He benefited from it and he wanted to thank Albemarle and Gemfield Resources to the bottom of his heart. He and his wife intend to write a letter to them. He

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thinks the County carried it out the best they could under the circumstances of the times and he applauds that and he thanks them very much.

Susan Dudley said they had a conversation with Gemfield last Thursday and they told us that they were very satisfied with all the documentation and if they had gotten as much documentation from everything else that they had endeavored to fund, they would just be tickled pink, because everything was documented to the penny. She said if somebody feels like her integrity was not what it should be, she hereby offers her resignation, right this minute, to Esmeralda County. All of the commissioners said no, they don't accept that. Susan said she doesn't want to be challenged when she has worked so hard for this program, and then have someone criticize what she did. Commissioners Winsor and Keyes thanked her very much for everything that she did.

Megan Kelly came up and said thanked Susan for her hard work, but said she as a holder of a business license for about 14 years was unfortunately overlooked with having any information about the grant program. She only heard of it after the time. She said maybe it is her problem for being a "mushroom"; she doesn't know. She said she and her mother-in-law benefited from Gemfield Resources' generosity and she definitely appreciates it. She does, however, believe that they all, especially Gina, has the right to question what transpired one way or another. She agrees with Carl in that this Covid has got people on edge and thinks we all need to make allowances for people's irritation, but using words like "nonsense", she would object to, she told commissioner Hipp. She said she didn't think that was fair.

Susan said that Patty Brownfield gave her a list of everyone with a business license and she gave that list to Paul Miller and he was supposed to mailed the grant information to all of those businesses. Susan had nothing to do with that. Paul Miller was the person who administered that. Commissioner Hipp said that he believed the small business program is still open. Patricia Brownfield came up and said the list she gave Susan was the list that were Chamber of Commerce members. She said it was also advertised on the radio every week and she also personally took flyers to the post office. Commissioner Hipp thanked Patricia for getting the information on the radio.

25. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION: (PRESENTER REQUESTS TIMED ITEM 11:00am) |** would like to discuss and request all emails between Gemfield Resources and Esmeralda County Commissioners about the 95 road employees not being allowed to come into Goldfield due to trying to keep us safe but were allowed to stay, shop, eat and get gas in Tonopah where all Goldfield citizens do the same. Which means we still could have been exposed to any infection or virus. Why were the businesses of Goldfield not informed about this decision so we could have been prepared and we could have reached out and explained our Covid 19 Business plan? (Gina Greenway)

Gina came up and said the commissioners had answered this earlier and had nothing further. Commissioner Hipp stated he wanted to read the letter from Gemfield. It is as follows:

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Letter from Gemfield:  
Item 25:

Gemfield can confirm that we did not state in a letter, or verbally, that the restrictions were due to direction provided by, or discussions with, the Commissioners. Gemfield's contractors were directed to develop Covid-19 plans that minimized potential exposure to the town of Goldfield and the surrounding communities. Access to accommodation and services in Tonopah meant that necessary services could be obtained in one place, thus limiting potential exposure overall. Gemfield Resources took these measures to ensure the safety of the community, our employees, and out of an abundance of caution. As always, Gemfield Resources' #1 priority is protecting the people in the community, the general public and our employees.

D.A. Glennen said that in his opinion as the district attorney, the prior agenda item did not rise to the level of a 'freedom of information act' request for documents. It is his opinion that this request is specific enough and requests information contained in public record that he will send a memo out and he will request an extension of time and send out what he thinks the specifics are on any documents that we might have.

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

Back to Order.

### **SUPPLEMENTAL AGENDA:**

1. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve and accept 2020 Goldfield Town – Water Conservation Plan.

Mike Anderson came up and said that every five years we have to update our water conservation plan with the state and that is what this is an attempt at. This has nothing to do with the mine. He said we will enter into a separate agreement with them. Commissioner Keyes said there is a county-wide plan also and asked Mike if we update that plan as well. Mike said he didn't know but he knows that with these two utilities, we have to update every five years.

Commissioner Keyes made the motion to approve and accept the 2020 Goldfield Town Water Conservation Plan. Commissioner Hipp seconded the motion. All in favor: Motion carried.

2. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve and accept 2020 Silver Peak Town – Water Conservation Plan.

Commissioner Keyes asked if there were any changes to this plan. Mike said there were several updates that were required by the states and they are in there. Mike said one of the things is that if we start running out of water, the people of the town will have the most claim on the water. When we do start giving water to the mine, they

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know that they will be the first to be kicked off. Even though they have put a lot of money into the infrastructure, it doesn't get them any further on this plan. We are going to do a separate plan for them.

Commissioner Hipp made the motion to approve and accept the 2020 Silver Peak Town Water Conservation Plan. Commissioner Keyes seconded the motion. All in favor: Motion carried.

26. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Request discussion/Decision to replace my gravel for lot damage caused by semi-trucks during rest area closure. (Georgia Swigert)

Michelle said that Ms. Swigert asked that this item be removed as she received a grant.

Deven Thackeray came up and the gravel. He wanted to get the policy on the pits very clear to the public at large and the commissioners, to cover us. He read directly from the Highway Commission minutes from January 17, 2017, as follows:

Ed Rannells stated that when he has the materials, he has noticed in the past that he has been asked for it and then noticed some is gone so if it is going to disappear anyway, we might as well get a little bit of money to cover our costs. The prices are in the back-up. There is no profit built in. The numbers are what the feds credited us per yard for what we made.

This is really an honor system. We have material out there right now. There are four in Goldfield, two and soon to be three in Silver Peak and two in Fish Lake Valley. Funds would go back to the Road Department.

Commissioner Bates made the motion to approve fees to be charged for use of stockpiled gravel, sand, or by-product for county projects and/or residents and equipment as presented by Ed Rannells and the monies received from this effort to the Road Department funds. Commissioner Winsor seconded the motion. All in favor: Motion carried.

Deven said it was important that this item be talked about publicly because he knows that there are residents who have gravel who are paying for it with checks paid to the clerk's office and he wants to make sure the public knows that. He gave the pricing as follows:

Type 2 Gravel: \$15.00/yd.

Sand: \$17.00/yd.

4" minus oversize: \$12.00/yd.

Michelle asked what 4" plus oversize is. She was told that is rocks that don't fit through the screen when sifting.

Commissioner Keyes stated there are also BLM pits out there that can be accessible. Deven said those are BLM use only and are free-use permit. You would have to go to BLM for that permit.

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31. **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.)

No public comment.

27. **\*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.

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

Not needed.

29. **\*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 meeting. Commissioner Hipp seconded the motion. All in favor: Motion carried.

Back to order.

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

Commissioner Winsor said they talked about how the employee would handle if someone were to come in and be belligerent towards them or being aggressive towards them. He said one of the things we need to do is have some training so they know what they can do and what they have to accept.

Commissioner Keyes said if there is a threat, we should know the name of the person making the threat. Commissioner Hipp said he doesn't think we are there yet. Commissioner Winsor said if it is person on person we can't really do too much. Commissioner Keyes asked again if we should know that person's name. Commissioner Winsor said if we turn them in to the police department, then we would know that person's name, because they would not be allowed to come into the courthouse.

D.A. Glennen said you can refer criminal charges; you have certain rights under the policy and procedure manual to get that person out of your office. He said in between that, there is a procedure under the statute for a civil suit, under harassment or stalking.

Commissioner Hipp made the motion to recess for 10 minutes. Commissioner Keyes seconded the motion. All in favor: Motion carried.

Back to order.

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23. **\*FOR POSSIBLE ACTION: DISCUSSION/DECISION: TIMED ITEM: 11:00AM:** Discussion/Decision to have closed door negotiations for the ECSDA contract. (Sgt. Kirkland)

Closed meeting for negotiations.

32. **\*ADJOURNMENT:**

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