

Minutes from the July 21, 2020 County Commission Meeting

July 21, 2020

10:00 a.m.

Esmeralda County Courthouse

Commission Chambers

233 Crook Ave., 2nd Floor

Goldfield, Nevada

1. CALL TO ORDER AND ROLL CALL.

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

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

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.

FY20:

Batch 1: \$36,752.36

Batch 2: \$7,350.00

FY21:

Batch 1: \$15,639.20

Payroll: 484,018.28

TOTAL: \$143,759.84

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

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

July 7, 2020

TO: The Honorable County Commissioners

RE: Rejected Vendor Bill

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I have received past due invoices from sheriff Ken Elgan. The invoice is for Sysco's. This invoice is date September 03, 2019 in the amount of \$127.50

I have rejected this invoice according to NRS 244.210, NRS 244.220 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 \$127.50 is approved or rejected for payment.

Sincerely,

Vera Boyer
Auditor/Recorder

Sgt. Kirkland came up and said that this was for tuna that was shipped to the Sheriff's department. The invoice was included in the shipment, which was thrown away as that is not how they normally send their invoices.

Commissioner Keyes made the motion to approve paying the invoice in the amount of \$127.50 to Sysco's. Commissioner Hipp seconded the motion. All in favor: Motion carried.

19. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve if the Sheriff's Office will be broken into their own category for drug testing at 50%. Annual fee for this service is \$150. (Ellen Loving)

Sgt. Kirkland stated that he was the person who originally brought drug testing for the county, he wanted his deputies tested. He is finding that very few are currently being tested. He believes they have had one deputy tested in the last year, at the 50% pool.

He said he didn't know about the \$150.00 cost. He stated that the Sheriff is against the cost coming out of his budget.

Commissioner Hipp asked Vera Boyer where the drug testing cost comes out of. Vera told him Misc. Overhead.

Commissioner Hipp made the motion to approve the Sheriff's Department being broken into their own category for drug testing at 50%, with the annual fee of \$150.00 coming out of Misc. Overhead. Commissioner Keyes seconded the motion. All in favor: Motion carried.

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23. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision on getting a computer for the Goldfield Visitor Center so volunteers can assist visitors by researching information and directions within Esmeralda County. (Sgt. Kirkland)

Sgt. Kirkland said his daughter volunteered at the Visitor Center and had to look up directions and places on her phone. Commissioner Hipp said there should be money in the visitor center fund. He said there was a budget of \$12,000 and he believes they only spent about \$9-10,000.

Ruth Lee came up and stated that if the county buys it, it has to have restrictions. She also said this has not been budgeted for and there is no money in the county budget for this extra expense. Commissioner Hipp asked if there was a used computer they could use. Ruth said there is not.

There was no decision. Item is to be tabled for now.

SUPPLEMENTAL AGENDA ITEM #1:

1. ***FOR DISCUSSION ONLY: (TIMED ITEM: 10:30AM):** DISCUSSION ONLY: Recent updates on the Rhyolite Ridge Lithium/Boron deposit. (Matt Weaver, Chad Yeftich, Bernard Rowe)

Chad Yeftich came up and introduced Jeremy Aguara with Applied Analysis who went through his presentation. He spoke to the economic and community impacts of the project. He said the initial mine life is 26 years but should be about 60 and that 60 years could potentially be 1/3 of the actual life. They just are not sure yet.

Mr. Yeftich then spoke and said there is a town hall meeting on Thursday, 07/23 at 7pm in Fish Lake Valley at the park. He said they plan on starting construction within the first quarter of next year.

Commissioner Keyes asked about the roads. He was told the mine will start on the south but production will be on the north so they will need to keep talking about the road. It was said that federal land access funds could help pay for the road to the mine site.

Mr. Yeftich said they are work on getting all the funding and permits lined up and it is going fairly quickly. He asked for a letter of support from the commissioners. They said they can do that. He said he will be back in about 3 months with updates.

20. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION: (TIMED ITEM: 11:00 AM)** Discuss current health insurance versus renewal with Tracy Neely from A&H Insurance. (Tracy Neely)

Tracy Neely came up with Heidi Sterner. Heidi said they are happy to say that we received a complete rate pass on the renewal so there is no increase in the rates for the coming year. The Dental and Vision received a rate pass as well.

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Heidi said the main reason they are here is that they were asked to investigate an increase in the life insurance for the Sheriff's Department. She said they are still waiting for about half of those quotes to come back. They have asked them to bundle them with Dental and Vision to get a better rate.

Tracy said that there are actually 4 different plans, though all the employees are on the high-deductible HSA plans. Michelle asked, with the PPO copay plan, when you pay the copy for a doctor visit or a prescription, does that go toward the max out-of-pocket of \$6200.00 per year and she was told it does. The copays and 20% goes directly toward your max out-of-pocket for the year. We don't know what the cost is for the employee for these PPO plans.

They would like for us to offer all four plans to "take the temperature" and see what everyone likes.

They said Michelle is going to turn everything over to them and the minute we have a new hire or termination, that is going to go straight to them and they will handle the insurances.

When Heidi did the calculations for the county's contributions to the policies, it runs 87-90%, depending on the policies. The commissioners will need to decide on the county's contribution and Heidi will send Michelle a spreadsheet as well.

On the life insurance, we are currently paying about \$240 a month for a \$10,000 policy and there is a reduced amount at 65 and 70 years old. There is also retiree life insurance. They got two other insurance quotes with the Sheriff's Department at \$100,000, but with that, the remaining employees have to be at \$50,000 because they have to be at 50% and keeping the retirees at \$1,000. That will approximately increase the monthly amount by \$1,000.

Michelle said that if she remembered correctly that Unum, for dental and vision, came in under Ameritas. Tracy said they did that here too. Heidi said they probably want to bundle them with this life insurance to save.

The goal is to select a plan at the first meeting in August and have meetings with the employees asap after that.

Tracy said in auditing the life insurance, there are 19 employees not on the life insurance. They will need to do evidence of insurability on these employees that are not currently enrolled. Michelle said this was not known. Ellen said there is a waiver in the insurance packet. Commissioner Hipp asked if before we were telling them that they didn't have to do it if they didn't want to. Ellen said talk to Michelle. Commissioner Hipp asked how those people became not insured. Michelle said they didn't return their paperwork and she was not aware they had to sign a waiver. She was not aware of that. Tracy said from here on everyone will be enrolled in the life insurance. They will create a tracking system. Heidi said she also talked to Michelle and said if they don't fill out a form, just fill it out for them and she can sign it and state they refused to sign. Commissioner Winsor said he thinks when it is explained to them much better, like they are now, they will understand it better. Tracy said now, when every person is hired, they will speak to either Tracy or Heidi.

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Tracy said they will be around each month, whether it is by phone or in person, because next year they want to talk about other things, like getting costs down, and perhaps having a stipend amount to spend on insurance and saving Esmeralda County some money.

Karen Scott came up and said when she was in the Auditor's office, the first day you were employed you were given your paperwork and within 30 days all the paperwork is done and turned in to the insurance, whether it be waivers, or what. It was one of the requirements. She said we did offer all 4 medical insurance plans. She said with the PPO plans, the county would pay the \$796.63 that they paid for the \$3,000 HSA plan and the employee would pay the balance. When the employees looked at that, they didn't want that. She said we did have a few on the \$1,500 plan.

Karen said when the retirees have been cut out of the loop. They are not being notified. She also said the life insurance renews June 1. Tracy confirmed that was still true.

Karen said there is no retiree insurance rates on the paper she was looking at. She said according to NRS the insurance is supposed to be co-mingled with active employees. Michelle asked what the NRS was. Karen said it was NRS 287.023. She said that tells you everything you want to know. She said when employees turn 65, they do lose some benefits.

Tracy said maybe there should be a retiree representative at the meetings. Karen said recently she has had more employees coming to her, questioning her about the retiree insurance.

Sharon Artlip came up and said she is looking at the premiums but said our employees aren't making enough money to pay these premiums. It is not leaving much money to live on every month.

Brad Maxwell came up and asked how much the employee actually pays. He was told the county pays most of the insurance. Commissioner Winsor said it depends on what plan you get. Commissioner Keyes said we pay a lot in benefits but not high wages. Sharon Artlip said but that doesn't cover the deductibles that they have to pay. Ellen told Sharon we come out money ahead because the county gives us \$100 per paycheck on an HSA card. Michelle said she has changed her insurance, but when she had county insurance, her deductible was \$6,000 for her and her husband, with an additional \$2,000 for the prescription deductible. Heidi came up and stated that for a single person, they would pay \$1 per month and the county pays \$796.63 and then the HSA pays \$2400 per year and the deductible is \$3000 so the employee would only pay \$600. Sharon Artlip said we are still spending as much on healthcare as we are on wages.

LaCinda came up and asked if we could go item numbers 21 and 22.

Brad Maxwell came up and wanted to be an advocate for the insurance company. He said it cost \$30,000 to fly him out 2 years ago. Thank goodness he's a veteran. He said they spent 3 months on him in the hospital and he imagines each day in that hospital cost \$25,000 or more. He doesn't

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imagine a hospital can do business for less than that on any day for anybody. He said the deductible the employees pay is pretty cheap when you consider it costs to run a hospital.

Commissioner Keyes made the motion to recess for 5 minutes. Commissioner Hipp seconded the motion. All in favor: Motion carried.

21. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision to allow the retirees to use the retiree insurance subsidy amount set by the county for the insurance of their choice (health, dental, vision) to be effective September 1, 2020. (Karen Scott)

Karen stated that when an employee retires, they are given the option to remain in the county's health, dental and vision plans, according to NRS 287.023. The county approved to subsidize this based on the number of years the employee worked for the county. That subsidy is only applied to the health insurance and the retiree is required to pay for the dental and vision should they choose it.

Karen said we have retirees moving out of the area and the county health plan is not a network plan. It is not acceptable in the area they have moved to. She said this results in the retiree losing their health insurance, along with the subsidy that the county commissioners rewarded for their years of service.

Retirees on Medicare have also lost the subsidy because they have chosen a regular health insurance supplement that works better with Medicare and is not a high-deductible plan. Karen again reminded the commissioners that the retirees are paying 100% of the dental and vision plans.

Karen said the retirees are asking the county commissioners to consider allowing the retirees to use the subsidy amount that they have given to them for their dedicated years of service to be used for any insurance, the health, dental or vision, that they choose to remain on.

Karen said another thing the retirees have brought up to her is that not everyone retires at age 65 so they can stay on the regular county plan until age 65. She said Plan F on Medicare is no longer available. She said all future retirees will be on plan G of Medicare, so they are looking at \$144.60 premium for Medicare out of pocket plus buying a supplement, plus dental and vision.

Commissioner Hipp asked what the subsidy amount is. Karen said it is based on the number of years. 10 Years=\$125 a month, 20 Years=\$150 and 30 Years=\$175. NRS 287.0205 is for retirees that want to get back onto the insurance in even numbered years.

Commissioner Hipp said Karen had mentioned that moving out of the area meant they would be out of network but it would be the same insurance that we have. Heidi said that we have a national network with United Healthcare Choice Plus. She said the provider would send the claim to SHL and they would process the claim. They just need to use the United Healthcare Choice Plus provider anywhere in the nation.

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Karen said we have 2 people at 30 years, 3 at 20 years and 1 at 10 years. Commissioner Keyes asked if Vera knew what the fund balance for this account is at this time. She didn't. LaCinda said the un-audited number is \$187,326.17. If they divide that out, that will last for 31 years. Based on the number of employees who will be retiring in the next 3-4 years, it will still last 24 ½ years without doing a transfer from the general fund.

Commissioner Hipp said he supports this. Commissioner Keyes said he does as well. Heidi said as long as they do it equally it would be fine.

Commissioner Hipp made the motion to allow the retirees to use the retiree insurance subsidy amount set by the county for the insurance of their choice (health, dental, vision) to be effective September 1, 2020. Commissioner Keyes seconded the motion. All in favor: Motion carried.

22. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision regarding changes to the retiree insurance fund that could be incorporated into a resolution. (Karen Scott, or other individuals)

This item is tabled for a later date.

5. ***FINANCIAL REPORTS**

A. Assessor	\$53.97	06/25/2020
B. Clerk	\$689.63	06/30/2020
C. Justice Court	\$30,487.33	07/02/2020
D. Recorder/Auditor	\$4,993.20	07/02/2020
E. Sheriff	\$3,293.00	06/30/2020
F. Taxes	\$22,369.36	06/30/2020
G. Goldfield Utilities	\$15,376.74	06/30/2020
H. Silver Peak Utilities	\$5,899.11	06/30/2020

6. ***TREASURER'S REPORT**

LaCinda presented her report. She said this is the reconciliation for the month of June. On the fund balances there is a note that these balances are un-audited because she is still working with Vera and our outside auditors to reconcile. As the commissioners know, we have issues with Tyler; getting numbers in and she believes Vera will be addressing that, but we are getting closer to getting a unified number. She said there are more adjustments that need to be done to these funds but the bottom number is not going to grossly change.

Because she was told that she had overkill on the last report, the second page of this report has the accounts that we have. She explained to the outside auditor how and why she gets her numbers and what she implements as far as her procedures yesterday afternoon and he gave her the thumbs-up so she feels really good about it.

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LaCinda also explained to him that, until we get the balances reconciled between herself and Vera, that she will not be utilizing the bank reconciliation with Tyler. It is silly to try to reconcile one set of books and have a mess in the Tyler system. Mr. McArthur is happy with this and said this gives the answers and the detail that is needed for them to do their audit.

LaCinda said she included the outstanding claims on the back. She said that is part of the requirement for the commissioners. She said there was PILT money and CTX money receipted in June but she doesn't receipt it in until it is in the bank account so that showed outstanding. Deposits in transit was because we had a meeting on the 30th and missed going to the bank so that will be adjusted off.

LaCinda asked that this report be incorporated into the minutes. It is attached at the end of these minutes.

7. ***AUDITOR'S REPORT**

Vera Boyer came up and said that instead of doing a monthly breakdown, because we are at the end of the fiscal year, Dan thought it might be good for the commissioners to see the monthly activity report for the fiscal year. She said that as Cindy said they are still trying to get their numbers to match, but this is what Tyler is showing currently.

Commissioner Hipp said that on page 15, for District 1, regional development she has minus \$26,000. He asked if this was for the sidewalks. He said that should have been out of capital projects. Vera said that is still within that. Commissioner Hipp said it still should have been charged to capital projects. Vera said she would look into that.

Commissioner Hipp asked if Vera knew what page the line item for the visitor center is on so we can see what money was spent last year. He said he thought it was under maintenance, and Vera said she believed it has its own line item. She will look that up and get back to Commissioner Hipp.

Commissioner Keyes confirmed that any un-spent balance goes back to the general fund unless we re-book it for the following year, so the money that didn't get spent is untouchable at this point because the fiscal year is over. Vera confirmed that is true, unless the commissioners decide to do an augment.

Commissioner Hipp wanted to make sure that the utilities are what we spent last year and commissioner Keyes said we need to make sure it is on course.

Commissioner Keyes asked that Vera's report be incorporated into the minutes. It is attached at the end of these minutes.

LaCinda Elgan came up and asked if we could move to agenda item number 13.

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13. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Due to the COVID-19 and conflict of meetings with District Court and Elections functions, the following are suggestions to eliminate potential problems: (LaCinda Elgan)
1. Move meetings from the first Tuesday to the first Monday of the month, specifically August 3, October 5 and November 2, 2020.
 2. September 1 is on a Tuesday. We could start the meeting at 11:00am.
 3. Have all meetings stay on the first Tuesday, but start at 11:00am or any time thereafter. This is only for the following four months. December would resume to the normal schedule.

LaCinda said at the last meeting it was very hectic. She was in the election office trying to generate reports, we had District Court going on with Judge Wanker, and we ended up going downstairs and back upstairs with the commissioners meeting. She said she called Patrick at the Secretary of State's office and realized that this was not something that was so imperative that had to be done. She said as long as the commissioners can provide a room that give her adequate electrical, a hardline phone, has easy access to her office because we will be doing ballots-on-demand, and maintain the reports that are required, that is what is needed. She realizes she came across really strong and she apologized to the Secretary of State even before some other information had hit her.

LaCinda wanted to clarify something; that she is using the commissioners' chambers as a storage room. She is not. The equipment in that room is working, utilized material. Even as of last Friday, Michelle and she were working on downloading files and generating reports for the Secretary of State's office.

LaCinda then went through the different suggestions. She then talked about the first Tuesday in November being election day. Her staff is out of the office on that day.

There was a discussion and there was a decision to move of the all meetings from now through December to start at 1:00pm.

Commissioner Hipp made the motion to change the commissioner meetings from 10:00am to 1:00pm for both the first and third Tuesday of the month until the end of December, 2020. Commissioner Keyes seconded the motion. All in favor: Motion carried.

8. **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 again there is an loneer town hall meeting Thursday, 07/23 at 7pm in Fish Lake Valley. He said there hasn't been a lot of other activity, other than that. He said the legislature met, and they passed one tax increase in the net proceeds of mines. They are going to be paying in advance, rather than in arrears, like they are now. It really shouldn't affect us that much at this point. They may call another legislative session if they start running short of funds again.

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Commissioner Hipp said he read the item about the pre-payment and asked Commissioner Keyes if he understood it. He said yes. Commissioner Keyes said they would pay an estimated amount and then reversed that about 3 years ago. He said when they changed to paying after the fact, we had a year where we didn't get net proceeds money, but that shouldn't happen this time.

Commissioner Keyes said we need to be leery about the state legislature and their 1.2 billion dollars in the hole and they may get some help federally, but we don't know.

Commissioner Hipp said he would try to make the Tiehm's buckwheat workshop meeting next week.

Commissioner Winsor said that is the problem. We have meetings, but they are virtual or on the phone. He said he needs to upgrade his computer.

9. **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.)

ESMERALDA COUNTY SOLID WASTE DEPARTMENT UPDATE

July 21st, 2020

- a. I have hired a new employee for the Solid Waste department. He is a Goldfield resident and has prior CDL with over-the-road experience and some equipment experience. He went through the Nye County Coalition (NyeCC) so they will be sending him to Class A CDL School around July 20th, at no cost to the county. Also, NyeCC will reimburse us for on the job training. I can tell you with other employees we hired through them that the reimbursement amount is around \$4,000. There is an agenda item in reference to the current Landfill Operator.
- b. I have been rotating operators in and out, as needed, to bring over all the tires and appliances from all the districts to the landfill, as SA Recycling is preparing to come and scrap our metal. Look for them to be onsite in the near future.
- c. We have been contacted by the group doing the study for Solid Waste rates. We are in the process of sending them the information they have requested.

District Attorney Glennen said we have submitted a new Supreme Court case in the union case that we believe helps us and the union believes is "spurious", so we will see what the Judge decides. He also said we had a federal mediation meeting in mid-August.

Ellen Loving said currently have bus number 1 in Vegas getting work done and when we pick that up, we will probably take the Fish Lake Valley bus down there. She said the Equinox is at the shop in Tonopah because the window regulator is being replaced.

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10. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Due to the ongoing COVID-19 pandemic and the need for public access to the county commission meetings to comply with open meeting law we need to Discuss/Decide and appoint someone as the administrator for the GoToMeeting or similar system and to manage the phone system when the public call in to the meetings and decide source of funds. (Commissioner Keyes)

Commissioner Keyes wants the GoToMeetings with peoples' faces on the television screen. He said our employee in the commissioners' office can administer it. He wants people who can't be at the meeting to be able to be virtually at the meeting. Michelle said that we just purchased all new audio and video equipment for both the courtroom and the commissioners' chambers. The commissioners will need to purchase a television screen though.

Commissioner Winsor said people at the community centers can access the meetings also. Commissioner Keyes said the first meeting he went to was the CDBG grant program meeting and that was a ZOOM meeting. Commissioner Hipp said that he thought one of the problems was that we don't have a hard wi-fi line. Michelle said we do have a hard line.

Commissioner Keyes said it wouldn't be that big of a cost. He said if we have someone who is dedicated, maybe a new hire. He heard there were computers already ordered. Michelle told him there are two computers ordered for the Clerk of the Court and the Clerk of the Board for the JCG system that will hold the software for the audio and video equipment, including the minutes for both the court and the commissioners' meetings. Commissioner Keyes asked if that could be used for the meetings. Michelle said we cannot use that for the meetings, because they will need to control the meeting separately and the computer will be used during the meeting for the minutes and recording.

We will put this on the next meeting agenda and Commissioner Keyes suggested we give this meeting control to the new hire.

11. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and appoint commissioner to conduct monthly jail inspections and to report back to the board with their findings (1 of 2). (Commissioners)

Commissioner Winsor:	July-September
Commissioner Hipp:	October-December
Commissioner Keyes:	January-March

Commissioner Hipp made the motion to do the jail inspections per the above schedule and schedule the timing with the Sheriff's Department. Commissioner Keyes seconded the motion. All in favor: Motion carried.

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12. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide when to hold County Jail Inspections (2 of 2). (Commissioners)

Commissioners will arrange these inspections with the Sheriff's department, as long as they do them once per month.

Commissioner Keyes made the motion to have county jail inspections on a monthly basis at this time. Commissioner Hipp seconded the motion. All in favor: Motion carried.

14. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** To go through the coronavirus relief fund eligibility certification for Esmeralda County. Then have one of the Commissioner's sign it in front of a notary. (Vera Boyer)

Vera came up and said she recommends that we look into someone running this. She said it is a lot like a grant. Commissioner Winsor said there are outside companies that can implement these kinds of things for us. Vera said there are a lot of stipulations in it. She said Dan suggested it might be a good thing for the Health Board to monitor and maybe facilitate.

Michelle asked Commissioner Hipp; didn't he say at the last meeting that it wasn't like a grant? Commissioner Hipp said they are very strict on where the money can be spent, but, unlike a grant, where you have to provide all of this backup... Vera said we do have to provide that; Commissioner Hipp said not as much as a CDBG grant. Vera said again that they do. Commissioner Hipp said you just have to show where the money went. Vera said there are monthly reports that have to be reported to the state, like a grant. Commissioner Hipp said all the money has to be spent by the end of December, and we are already almost in August, so we basically have just a few months to figure out where we are going to spend it, spend it and finish it out.

Commissioner Winsor said he talked to Alan Kalt at POOL/PACT and he said he knows of 3 different entities out there that does this for the counties. Vera said she is going to caution the commissioners on that. She said what Mr. Kalt is telling the commissioners others can do, Dan McArthur will do. She said we don't want to cause conflict there of the auditing side of it with Dan. She said Mr. Kalt is also trying to pitch someone else to do the auditing side of it and it will already be part of our single audits. Commissioner Winsor said again that these are other entities that can help us with dealing with this.

Commissioner Hipp made the motion to sign the coronavirus relief fund eligibility certification for Esmeralda County and have Commissioner Winsor sign and have it notarized. Commissioner Keyes seconded the motion. All in favor: Motion carried.

15. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and Approve to accept Susan Dudley's resignation as Project Coordinator effective July 16, 2020. (Ellen Loving)

Commissioner Keyes made the motion to accept Susan Dudley's resignation as Project Coordinator effective July 16, 2020 and also write a very heartfelt thank you letter for all the service, she's done for

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Esmeralda County for all the many, many years and signed by all three commissioners. Commissioner Hipp seconded the motion. All in favor: Motion carried.

Deven Thackeray came up and wanted to commend Susan. He said she is still working at no cost with his department and has been working throughout. He said it is devastating to him personally and he would imagine the rest of the county with the money and the funding that she's brought in and the service, that we are losing her. We can't replace someone like Susan. He just wanted to go on the record for saying that he wishes her well, but he doesn't want to see her go.

Commissioner Keyes said his thoughts are that she is the reason Goldfield still exists. Commissioner Winsor said he seconds that.

Ellen said she will continue her current grants until they are finished unless we get someone else in the meantime.

16. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve which candidate to hire for the Commissioner's Office full-time Admin Assistant. (Ellen Loving)

Ellen stated that her last day is August 14 so when she and Commissioner Winsor did the interviews the job posting was for the Admin Assistant's Assistant, but she and Commissioner Winsor interviewed with the thought for replacing her position. She said as soon as they hire to replace her, they will immediately begin interviewing for the assistant position.

Ellen said that knowing that, she and Commissioner Winsor believe that Maureen Glennen is the most qualified applicant for the position.

Commissioner Keyes asked if the applicants know they will be the actual Administrative Assistant. Ellen said they will be hired as the Assistant's Assistant, and then, when she puts her resignation on the next agenda, she will promote them to her position.

Commissioner Keyes said he reviewed the applicants' resumes and does feel Maureen Glennen is very well suited for the position. Commissioner Winsor said she has done grants for universities as well. Michelle asked Commissioner if he had any comment. He did not.

Commissioner Keyes made the motion to hire Maureen Glennen to fill the vacant position of Administrative Assistant's Assistant. Commissioner Hipp seconded the motion. All in favor: Motion carried.

17. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve commodities delivery form. (Ellen Loving)

Ellen said she received email from Commissioner Hipp suggesting adding verbiage that deliveries are contingent on availability of drivers.

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Commissioner Keyes is concerned because we are paying senior drivers to deliver commodities. The people in Fish Lake Valley do deliveries on a volunteer basis and he is concerned that he will get push-back from them. He asked if this is COVID related. Ellen said ADSD said we can use those funds temporarily for the drivers.

Commissioner Hipp said that there are other parts to this and one of them is that he knows that some people were saying that they can't go pick up their commodities and they would have someone pick them up for them and come to find out that that person actually asked 2 or 3 people to pick up for them so they were getting 3 times the amount of commodities. So, this way we have a piece of paper that says a person gets this delivered, and we don't have one person getting multiple deliveries.

Ellen said we do have one driver who is using his own vehicle as well.

Commissioner Keyes said he just doesn't want us to be a food delivery service forever.

Brad Maxwell came up and said that just before the 4th of July we had a pick up date that was changed and he and Mo Elsea didn't know about it. He asked that it be posted at the Post Office or something like that. Ellen let him know that it was posted at the Post Office and Fish Lake Valley and Silver Peak.

Commissioner Hipp made the motion to approve the commodities delivery form with the adjustments as discussed, referring to the deliveries being dependent on if we have available drivers to deliver them. Commissioner Keyes seconded the motion. All in favor: Motion carried.

18. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve purchase of two AC units and additional freezer for the commodities trailer. (Ellen Loving)

Ellen said that we do have a USDA grant available to us, where they will reimburse 75% of our expenses up to \$3500.00. She has to know today if we would like to go for that grant. We have been getting so much frozen food lately that we have to use the school's freezer. She said TFAP is also going to give us a freezer and we can use it as long as we are using it for commodities.

Commissioner Keyes said grant funding takes a long time; sometimes months or a year, so the timeline might not work for us. Ellen said she will ask. Commissioner Hipp said he thought it was more like 30 days.

Commissioner Hipp is going to go down to the Auditor's office to see where the money will come from. Commissioner Keyes made the motion to recess for 5 minutes. Commissioner Winsor seconded the motion. All in favor: Motion carried.

BTO

Commissioner Hipp said he couldn't get very much from Vera but the A/C units should be maintenance but we haven't budgeted for it and Mike Anderson is not here to discuss it so then he asked about the

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freezer and she said we could take that out of the general overhead fund. Commissioner Hipp said he thinks it would be safe to put it all under that.

Commissioner Keyes made the motion that we spend up to \$5,000 to replace the air conditioning units and the freezer in the commodities trailer, with the funds coming from general overhead and to apply for the grant. Commissioner Hipp seconded the motion. All in favor: Motion carried.

24. ***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.

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

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

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

Commissioner Winsor said they discussed some negotiations they have been doing with the Sheriff's office; getting some clarity on that. They also talked about the insurance people who were here and the people involved in the insurance. The other thing they talked about was whether they should hold negotiations in open meeting or closed meeting, but the deputies' association requested that those meetings be closed meetings.

26. ***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.

Nothing to discuss

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

N/A

SUPPLEMENTAL AGENDA ITEM #2:

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

D.A. Glennen presented a letter he plans to distribute to the owners of property which includes Wiley Road going through it as follows:

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RE: Waiver of Property Rights
Hwy. 774 Roadway
Lot & Block

Dear Sir or Madam:

This office represents Esmeralda County in the process of mapping them parceling the Gold Point town as transferred by the United States Government.

Your Property, lot & block, belong to, is partially located in the right of way for Highway 774. In order to complete mapping of and sale of the parcels as transferred by the United States Government, Esmeralda County must request that you waive all your rights and interest in the above parcel in order for the high and hence the town can be mapped for parcels.

Please sign the attached waiver and return it to my office. If you have any questions or concerns about the above matter, please contact this office with any questions or concerns.

Very Truly Yours,

Robert E. Glennen III
Esmeralda County District Attorney

Bob Glennen said the revisions he would make are to change the road number to the county road number. Deven Thackeray said it is county road number 259, Wiley Road. It is not an RS3477 road. He said he would include a waiver and/or a quit claim deed.

Commissioner Keyes asked if there was something brought about the highway itself. He is suggesting that we get an agreement with NDOT about where the highway actually ends and where our county road begins. We need to know where that is. Deven said he will talk to Keven Haskew and get back with Commissioner Keyes. Commissioner Keyes said his thoughts were when we have this map ready to record, we send it to NDOT and give them a certain amount of time to respond and if they don't respond, then it is basically approved. After it is recorded it will be harder to fix.

Commissioner Keyes said to Bob that the letter is asking owners to waive their rights or interest in their parcel. Mr. Glennen said he is open to suggestions on the letter. Commissioner Hipp said the letter is really vague and if he got it, he would have a lot of questions. Deven Thackeray said he will remind everyone there was a town hall meeting held out there. He knows it wasn't an official meeting but some of the topics that were discussed with the residents who attended, specifically, was Wiley Road; and they wanted the road left intact. He said he doesn't know if it would behoove us to maybe put some of that language in the letter.

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Commissioner Winsor stated that if not everyone signs off on this, if one person along that route does not sign off on this, we can't continue to keep it in place. They all have to agree on it. You can't force them to do it. Deven said that is totally understood and he wasn't suggesting that we are "strong-arming" owners of the properties. What he was suggesting was communication. He said the general consensus was that people would be in favor of this if they knew.

Commissioner Keyes asked what if we have some holdouts who don't want to give up their rights. It is still a road, a prescriptive road that has been there for 60-70 years, so he doesn't see how they can give it up. Commissioner Winsor said they have to give up their rights to the parcel. Commissioner Keyes said this is a legal matter that Mr. Glennen has to get in on. Mr. Glennen said we would probably have to go through the court. The question came up about if they don't respond, is that suggesting that they agree to give up their rights. Mr. Glennen said it did not occur to him that we may have to go through a formal easement process.

Commissioner Hipp said he remembered the meeting where this was discussed and he was not in support of it because he remembers them talking about giving up the taxes on that land. But he can't remember if there was a motion on whether or not we are going to move forward with this. The answer was yes. Commissioner Hipp said, then, the letter can state that "at such-and-such meeting, it was discussed and approved for Wiley Road to stay open and in order to do so, we are requesting the land owners to accept this and waive their rights to the parcel".

There was then a discussion that the property owner would be giving up the right-of-way, not the actual parcel.

Commissioner Keyes wanted to back up. He said we currently own all the property and therefore we currently own the roads, period. D.A. Glennen said the question then becomes, did something pre '80 or '82 create property rights that we have to deal with. Commissioner Winsor if we can get them to sign off, we don't have the conflict of having to go to court. Commissioner Keyes said he is looking down the road.

Commissioner Hipp said again to put it in the letter that it was voted on and approved and this is just moving forward. Commissioner Keyes suggested writing a letter from the commissioners that the district attorney is submitting this document. Commissioner Winsor said a letter like this should come from the district attorney.

No motion needed for this.

Commissioner Keyes said he talked to Kevin Haskew last week and he said he would like to talk to Mr. Glennen about this letter as well. He also said they almost have the roads mapped and are just waiting for this letter.

Commissioner Hipp asked that they go back to item number 23.

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23. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision on getting a computer for the Goldfield Visitor Center so volunteers can assist visitors by researching information and directions within Esmeralda County. (Sgt. Kirkland)

Mr. Glennen said that, by resolution, the commissioners may give money or property to a non-profit if they say in the resolution what non-profit, why we are giving the money, how much, and what it has to be used for. With that said, it has to be put on a future agenda if they decide to donate it.

He also said if we do donate, we would need to worry about others wanting donations from the county.

Commissioner Hipp said there is extra money from Gemfield Resources' grant program. He thought maybe we could ask them to donate a computer and have a sign on it that says it was donated by Gemfield Resources. He said he would talk to them about it.

28. **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.

29. ***ADJOURNMENT:**

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