

Minutes from the August 04, 2020 Commission Meeting

August 04, 2020

1:00PM

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

LaCinda Elgan - Clerk of the Board

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

Alan Kalt with POOL/PACT was on the phone and wanted to remind everyone about the training sessions on 08/06. He stated he will be doing two workshops with Dan McArthur.

Rich Fisher came up and said he is here to talk about the contaminants in our water; the arsenic level. He wants to know how long the contaminant level was at 42 on the second quarter of 2020. Commissioner Keyes asked when Mr. Fisher received a letter. He was told it was July 21. Commissioner Keyes stated he was unaware of the issue because he had not been notified.

Commissioner Winsor asked if Mike Anderson was on the phone. Commissioner Winsor said he has to keep records.

Mr. Fisher asked if the water was tested on a quarterly basis. He asked, why not daily or weekly since we have so many problems with it. Why wait months for us to find out that we have been drinking bad water. Commissioner said he believes the water has to be tested every month. Mr. Fisher said if this is such a problem maybe we should start testing it more often. Commissioner Keyes said we follow state guidelines. Mr. Fisher said according to the letter our water is not drinkable 60% of the time. Commissioner Winsor said that most of the water in the state of Nevada is not drinkable. Commissioner Keyes asked what the contaminant is and Mr. Fisher said it is arsenic. He said they had that problem in Gardnerville and they shut them down.

LaCinda suggested that we put this on the agenda at the next meeting so Mr. Anderson can answer these questions on the record.

Commissioner Hipp wanted to let people know that he did talk to Mike Anderson yesterday and Mike has asked the water person from the state to come down here and help him. He is also

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reaching out the people that we bought the machinery from to see if he can get any guidance from them to make sure that we are doing everything that we are supposed to be doing.

Mr. Fisher said if we are not supposed to drink it, or give it to our pets, or even shower with it, he would like to know why we are paying for it. He said 60 percent of the time we are paying for something that is illegally given to us, so he needs an answer on this. He said it is time to fix something. He is glad that Tim is talking about these people coming down, but it is over and over again.

LaCinda suggested that the Commissioners' admin assistant put this on the next agenda. Commissioner Keyes we would get an answer hopefully by the next commissioner meeting, if not sooner.

George Perdomo came up and said he is concerned about the water as well. He said there are more concerns with the operations of the facility. He wanted to know what are the regular operations of the facility, what is the regular maintenance on the facility, and can we be trained to operate it correctly, because obviously there is a good investment with the community to have it here and we all want it here, but we want to make sure it is operational. We need to get to 20 percent, because 60 percent is not alright.

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

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

4. ***APPROVAL OF EXPENDITURES.**

FY20:

Batch 1: \$19,688.12

FY21:

Batch 1: \$34,120.73

Payroll: \$79,109.35

Total: \$135,229.45

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

20. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION: (TIMED ITEM 1:30PM):** Presentation of Life, Dental and Vision premiums. Discuss/Decide and approve contributions for the 2 additional PPO health insurance plans. (Tracy Neeley, Heidi Sterner, A&H Insurance)

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Heidi came up and Tracy was on the phone. Heidi went over the hand-out. She said the life insurance is \$10,000 for active employees and retirees and those active employees over 70 are dropped to \$1,000. She said they were asked to seek quotes for the Sheriff's department to raise them to \$100,000 and that would automatically make other active employees go up.

Heidi said that Unum is taking out the \$75.00 per person deductible. They also had quotes done on a 4-tier basis. She said Ameritas waived any rate increase for this year.

Heidi also talked about Kansas City Life. Tracy said Unum seems to be the best deal for the money.

Heidi also talked about the life insurance with the different prices for the \$100,000 and \$50,000 coverage change.

Commissioner Winsor asked them to get quotes for everyone for \$50,000. Heidi said they can do that.

Commissioner Hipp asked if we can bundle. Heidi said these prices include bundle pricing.

LaCinda asked how a change would affect our current providers. Heidi said there is significant crossover and she did do a comparative chart. If there are not contracted and refuse to be, they do pay at 90th percentile, just like Ameritas does.

Tracy said we are talking about giving 30-days' notice, so we are talking about 10/1 as the start date for this.

Commissioner Hipp made the motion to go with Unum at the 4-tier dental and vision plans with the current value life insurance.

Vera Boyer came up and had a concern that this was not discussed with the employees. She was told that the agenda went out and that the employees will be notified within 30 days of any change in benefits.

Heidi said they will be here tomorrow to talk to the employees about the medical plans. There is no open enrollment for the dental and vision plans with Ameritas.

Tracy suggested that since we are still in negotiations with the sheriff's association, maybe we need to table this until next year if people are not comfortable because we still need to have a decision on what the contributions are for the PPO plans.

Ruth Lee came up and said if you are looking at tier 4 on this there is a difference. That does not have a lifetime \$75, that has a \$75 deductible every year. Heidi said not with Unum. That

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has a zero-dollar deductible on all the plans with Unum. Ruth said that is not what the paperwork says. Heidi showed Ruth where it said that.

Item is tabled until later in the meeting so Heidi can get new numbers.

21. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION: (TIMED ITEM 2:00PM):** Discussion closed door ECSDA negotiations. (Sgt. Kirkland)

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

Commissioner Keyes made the motion to go back into open session and take a 10-minute recess. Commissioner Hipp seconded the motion. All in favor: Motion carried.

22. ***FOR DISCUSSION ONLY: (TIMED ITEM 2:30PM): PUBLIC HEARING – COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) TO DISCUSS NO ACTION TO BE TAKEN.**

- Overview of the CDBG program.
- Review of Esmeralda County past performance/status of existing grant.
- Presentation on how to apply and eligibility requirements.
- Discussion of assistance to those interested but not familiar with CDBG supplying a contact name and contact information.
- Discussion on administrative considerations if application awarded.
- Review of Esmeralda County FY200 housing and community development needs statement and discussion on updating said statement requesting public input.
- Discussion on the development/project selection process – timetable.
- Public input for additional project ideas for upcoming program year and public comment on past of potential projects
- Discussion of next public meeting at which potential projects will be discussed after listing in newspaper of those discussed at this meeting.

Ellen spoke on the phone and said there is nothing to present. It is the same as last year. This is just public notice; in case the public has any questions.

Commissioner Hipp said he knows that the last two years Goldfield has gotten the bulk of the grant money go he is going to kind of step back this year. He has no projects to submit.

Commissioner Keyes said he knows we did get some CDBG money for the roads in Goldfield and for back-up generators for buildings in the communities and there is a chance to get additional generators for some of the peripheral buildings that we didn't get the grant money for last year so he'd like to present that idea.

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Mike Anderson came up and asked if we were going to go through the list. Commissioner Winsor said last year we were able to have community meetings and that has been more difficult this year. He asked Mike Anderson if he had ideas.

Mike Anderson said he would like to apply for radio-read meters for Silver Peak and Goldfield. These are radio-read water meter system to the nearest gallon. He said Tonopah put one in and they have raised \$30,000 more since they did. It takes much less time to read their meters. This would save a lot of time and labor. The radio read takes a whole area and they wouldn't have to go to each meter.

Deven Thackeray spoke up and said moving forward we need to think about putting a top coat or chip seal or seal coat on the Silver Peak Road. He said it has been 6 since it has had new asphalt and we are due.

Ruth Lee came up and asked Mike Anderson if we had it in the works to do a generator for the whole courthouse. Mike said not that he had heard of. Commissioner Keyes said he was told that the courthouse didn't qualify. Ruth said that somebody needs to get a generator because we don't function when the electric goes out and that includes the computers, the whole housing, everything; so, if you lose all your data, you don't have a community. She said your community doesn't have any money if we don't function. Commissioner Winsor said we had it on last year but we didn't qualify.

LaCinda suggested that at one time they had discussed the addresses and the cost of having someone come in and help with that. Commissioner Keyes said to put this on the wish list as well.

LaCinda also suggested maybe upgrading infrastructure for telemedicine, or something similar.

Sheriff Elgan suggested teleconferencing equipment for the county. Michelle said JCG is shipping the audio/video equipment today. Sheriff said he was talking about putting equipment in the community centers for meetings.

Deven Thackeray asked about meals-on-wheels and if this could be used for that. He was told no, that was a completely different thing.

Commissioner Keyes said we have to have three meetings. Today was just a discussion about what our thoughts are on what we might want grants for. Then, we have to publish in the newspaper what we decide to go for; then in September we will have another meeting and discuss proposed projects and also present further projects. At the third and final meeting on October 6, we will allow the public final input and then the commissioners will make a final decision on what we want to go forward with.

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LaCinda asked Mike Anderson if there were projects already started that we want to finish, like the water transmission line, or anything like that. Mike said no.

Mike Anderson said we have to go through every number on the agenda. Commissioner Keyes read each item.

Brad Maxwell came up and asked if this money is was for the community to have things or just private residential low-income people; to fix his property, for example. Commissioner Keyes said it is more for a community-needs thing. He said that Goldfield is here today because of CDBG grants. He said that is why we are still alive today.

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

None.

6. ***APPROVAL OF MINUTES** from the June 02, July 07 and July 21 meetings of the Esmeralda County Board of County Commissioners.

Commissioner Keyes made the motion to approve the minutes from the June 02, July 07 and July 21 meetings of the Esmeralda County Board of County Commissioners. Commissioner Hipp stated he has a problem with the June 2 meeting as he hasn't had a chance to listen to them. LaCinda said that both Michelle and she have listened to the minutes and it is not there so they believe it was discussed in a closed, non-meeting that was not recorded. She let Commissioner Hipp know again that he is more than welcome to come listen to those minutes, but there was nothing said that was recorded. They went back to order and things moved on. Commissioner Hipp said he does want to listen to it. Commissioner Winsor seconded Commissioner Keyes' motion. Commissioner Hipp said nay. Motion carried.

7. **UPDATE OF CURRENT AND FUTURE MEETINGS AND ACTIVITIES OF:**

Robert Glennen – District Attorney – no report

Ken Elgan – Sheriff

Sheriff Elgan said he was notified this morning by the Road Department the Fish Lake Valley fuel pump was not working. We talked about this a couple of weeks ago but he doesn't know if anyone found out anything or if Commissioner Keyes reached out to Esmeralda Market on who they have work on their equipment. Commissioner Keyes has a contact person he can give to Mike Anderson who works on the pumps at the market.

Commissioner Hipp said that he talked to Mike about this and he and Angela reached out to Silver State and they provided an estimate on the equipment and we were waiting on an estimate on what it was going to cost for labor and travel. Mike said they did talk to Thomas Petroleum and he will put on the next agenda. He said the only problem is that he doesn't

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think we will get another quote. Commissioner Keyes said he will get another name. Dan McArthur said we can document that we only have one source and show that we have attempted to reach other sources we should be fine.

LaCinda Elgan – Clerk/Treasurer

LaCinda just wanted to let the commissioners know that there is a gentleman with the last name of Cordova who will be here on 08/10 to do an assessment on the election equipment and the security of everything. This is coming from homeland security.

LaCinda let everyone know that there are people outside protesting Governor Sisolak declaring our election under the state emergency and declared that for this election she is to mail a ballot to every voter. However, she is taking the option that is allowed by the new mandate to have a polling location. She will have a polling location in Goldfield and one in Fish Lake Valley. She is also going to have a “vote center”, which means if you are working in Goldfield, but live in Fish Lake Valley, you can come in to the community center and vote. We are also going to make it so Silver Peak can come in to Goldfield and turn in their ballot and vote here.

Ruth Lee – Assessor – not present

Vera Boyer – Auditor/Recorder – no report

Mike Anderson – Goldfield Utilities/Es. Co. Public Works Supervisor

Mike’s report is at the end of this report.

Ellen Loving/Maureen Glennen - Administrative Assistant

Ellen said that our county is at a 13 percent participation rate. We need to get people to fill out the census as this effects fund from the state. She said also that on senior transportation, the Goldfield bus is back and the Fish Lake Valley but is down in Vegas for repairs. She said they have been getting maintenance done on other vehicles.

Sylvia Rich – Public Administrator – not present

Robert Glennen – Public Guardian – Nothing.

Esmeralda County Land Use Advisory Committee – Have not met.

Kenneth Elgan – DEM Coordinator

Sheriff Elgan said last Friday they had the health board meeting and they are trying to get some COVID testing done here. He said there might be a 25 percent match for fees.

Fish Lake Valley Park Board

Commissioner Keyes said they met out in the parking lot and there is not much going on. They will have a meeting next Wednesday.

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Esmeralda County Library Board – They have tried to meet but haven't had a quorum.

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 Hipp said Loneer had their town hall meeting in the park last month. They are moving forward.

Commissioner Winsor said he hasn't had much going on because of COVID. He said he is planning on coming in for the training on August 6.

Commissioner Hipp said he is planning on the training on the 6th as well.

Commissioner Keyes said he attended the NACO meeting. He said it was at the same time as the County Health Board meeting. He said he will bring the minutes to the next meeting.

BACK TO ITEM 20:

20. *FOR POSSIBLE ACTION: DISCUSSION/DECISION: (TIMED ITEM 1:30PM): Presentation of Life, Dental and Vision premiums. Discuss/Decide and approve contributions for the 2 additional PPO health insurance plans. (Tracy Neeley, Heidi Sterner, A&H Insurance)

Heidi came in and asked if the commissioners had made a decision on the life insurance. Commissioner Winsor told her they had decided on \$50,000 across the board. Heidi said she ran those numbers and the estimated total would be \$1084.94 based on the census about a month ago.

Tracy said she has been going back and forth with Sierra Health and Life and they have agreed to extend our renewal and we can renew on 10/1, instead of 9/1, so the employees can know all that is going on. She said the commissioners need to make a decision on the contributions for the PPO plans. She said the other decision they can make is if they choose to, we can non-renew those two PPO plans, if that is the route they want to go.

Commissioner Keyes said it is hard to make a change because we don't know the ramifications down the line. LaCinda said that the HSA plans are for the High-Deductible plans. She believes that because the PPO plans do not have the HSA, that is why no one is opting for them. Heidi agreed there is no incentive for employees to opt for those plans.

Commissioner Winsor asked if Commissioner Hipp had any questions or comments. He said no. Commissioner Keyes stated he wanted to go back to 80/20 on the contribution. This will cost the employees more, but if that is what it used to be, we need to go back to that. Heidi said if the commissioners want to stay with the current contributions, that would give them another 12

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months to think about what it is that they want to do in 2021. Commissioner Hipp said he thinks that is a good idea. Tracy said if we non-renew on the two PPOs and then re-address it in 6 months, that will give the commissioners a little more time. Heidi said that will also give them time to get the independent auditors involved.

Commissioner Hipp made the motion to renew the two Sierra Health and Life HSA medical plans at their current contribution level and to not renew the two PPO plans. Commissioner Keyes seconded the motion. All in favor: Motion carried.

Tracy was looking for the motion to change to Unum for the dental, vision and life insurance. Vera said we can't change because the employees haven't been notified. Commissioner Hipp said he doesn't want to change the vision. He asked Heidi if the Optometrist in Bishop is covered under Unum. Someone said no, but didn't identify themselves. Heidi said that would throw a little bit of a kink in the rates from Unum, because the rates we got from them were the bundled rates.

Heidi said if the employees want to compile a list of their providers, she is more than happy to look those up and see if they would be in network. Tracy said we need that information as soon as possible.

Commissioner Hipp said he wanted to add that getting that information is going to be so difficult and this is going to just keep getting rolled back. He said we have an obligation to the tax payers to spend their money efficiently. We have similar plans that we are currently paying now; we have similar plans that the county would have to pay less money, the employee would have to less premium. He is amazed. He said if they are saying that one single employee who can't go to their current doctor that the county is going to spend more money than they have to because of that one person. He said he doesn't think that is a reasonable thing. He said if we can get a similar product for less money, we owe it to the taxpayer to select that product. It is not going to be exactly what they want, their exact doctor, but this is for the whole county, it is not an individual thing.

Vera asked if there is a way that we can get whichever plans A&H is looking at, get pamphlets about them, mail them out to the employees. Then it is documented that we sent them out. Have the employees look it over, and then go from there with it. Then, the employees can look everything over, and we can say we did our due diligence.

Heidi said she has benefit summaries today and wanted to know if they want the websites for all of the options. Her concern is what timeframe are the commissioners to give the employees, because if the decision isn't made within the next couple of weeks, we are not going to get a 10/1 date either.

The commissioners decided Heidi would get the summaries to Maureen and she would solicit information on their dentists and/or vision providers. Vera Boyer said we will need to push the

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decision to the first meeting in September they will still have time to have everything ready to go by 10/1. Commissioner Hipp said if the employees can't figure this out in two weeks, why do you think they are going to figure it out in 30 days? We should be able to make these decisions and not just continue to postpone. Vera said because we are only giving them a week to find their doctors. Heidi said they don't have to find them; they have to report them back; she will find them. Tracy said we just need to an email out to the department heads and said the responsibility of the employee is to call their providers and ask if they are a contracted provider with Unum or with IMed. She doesn't think the disruption will be that big, but she wants to make sure. She wants to make sure everyone has their cards, etc. before 10/1.

Commissioner Keyes said if they ignore it, it's their fault. If they don't respond, it's their fault. We'll hear it later; that's all.

Heidi said she will be here tomorrow for any questions.

23. *FOR POSSIBLE ACTION: DISCUSSION/DECISION: Discussion of permission of #1Wolfpack Towing and Recovery to tow all county and vehicles, and minor service of the vehicles, as well. (Keyna and Derek Cornell)

Keyna Cornell (KC) came up and said they would like to take on the responsibility of doing all of the tows for the county. She said they are working with NHP for accidents. She said they are going to be opening a garage for impounds and minor mechanic work. They have been in the towing business for 20 plus years. She said if we do decide to let them do this, the county and city will be their highest priority. They are also promising to charge 30 percent less than what we are paying.

Commissioner Winsor asked if they had talked to the Sheriff about this yet. KC said her husband has. Sgt. Kirkland said he knows there are a lot of regulations that about impound lots. He said they haven't seen any plans or any information.

Commissioner Hipp asked Sgt. Kirkland if we have an agreement with Cal Nevada or if we just use them without an agreement. Sgt. Kirkland said we do not have an agreement with Cal Nevada for our tows. He said they are the only tow company in Tonopah. There used to be two companies on Tonopah and they had to switch off between them. He thinks there may be legal issues that the D.A. needs to look at so Cal Nevada doesn't sue us.

Mr. Glennen said he knows there are some regulations that need to be looked at.

Commissioner Winsor asked them to submit their plans to the Sheriff's office. She said they are just waiting for the NCA office to open up. They not open in Vegas yet.

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Danielle Johnson asked if this included the ambulance. She said if it does, there needs to be more contact. KC said it was for light-duty tows only, for now. They only have one flat-bed tow truck.

Commissioner Keyes asked if they are asking for a franchise district exclusive to the county. She said it is basically permission to do the county vehicles. Commissioner Keyes said we like to have options and if they were one of the options, that would be a good thing. Commissioner Keyes then asked if they had a certified mechanic and she said they are going to bring a certified mechanic up.

Commissioner Keyes said we can't sign a contract because there isn't one before them. Commissioner Hipp said he thinks this is a great thing. He wanted to put a word of encouragement that he is glad they are here with this business and he thinks a lot of citizens are going to really appreciate this and he thinks we need with Bob and figure out a way to help and if we have a business in our county that we should be helping that business as opposed to going up to Nye County and spending our money there. He wants to encourage them to continue and wants to work with them and try to use them if we can. We just have to work out the details before we can make an agreement.

Sgt. Kirkland said he is very happy that they are coming up here; he thinks it is a great opportunity for the community and the Sheriff's Office. He just doesn't know the laws and those just need to be worked out.

Commissioner Keyes said we can offer our support but there is nothing here for us to approve. KC said they just wanted to let us know about the business and the more they do the more they can do and the bigger their lot can be.

19. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Update concerning audit progress/status for the year ending June 30, 2020. (Dan McArthur)

Dan came up and said he is following up on some prior meetings. He wanted to meet with the commissioners and give them an update on where they are with the June 30, 2020 audit. He wanted to follow up on the corrective actions taken by the county.

Financial Close – Getting books closed at the end of the month and getting reports to the commissioners and getting that done timely.

There are 4 people in the Treasurer's office and 4 people in the Auditor's office signed up for the book keeping certification training.

Capital Asset Management: If there are capital expenditures that information needs to be recorded as a capital expenditure and then given to the Capital Asset Manager here in the county

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so she can put in on the capital listing. For the record, that is the Assessor's office who has that responsibility. There is still work being done.

He was here a month ago at a meeting where the County Treasurer and the County Auditor did provide to the commissioners, bank reconciliation information and financial information. That indicates that the closes are starting to take place more timely in order to be able to provide that information to you.

Expenditure Transaction Processing: There were some issues in the prior year and the June 30 year with some timely payment on some expenditures and making sure they were getting out and making sure that the coding is being properly taking place so it is coded to the proper expenditure accounts. There were some decisions by the County Commission so the utility billing would be paid when they are received and then brought to the commission after the fact to be approved. There were also some issues with the timely payment of PERS payments, wire transfers. He said now those are being timely done. He said there was a problem with the Tyler where reports going to PERS were not getting to PERS on time. This was mainly driven by spreadsheet problems or printouts coming out of the Tyler system. They did send letters to the Pension Retirement System to see if they received all of the reports and they did forward us all of the PERS reports for 3 years, through the end of April. We noticed the processing date was not the date they were received; they were processed later. They have had some turnover on the person who processes things for Esmeralda County. He is not sure, even to this date, if there has been anyone assigned to Esmeralda County to be the liaison. Vera said there is someone that now that has been there for two days. He said the PERS report and payment has been made as of July.

Revenue Transaction Processing. The Treasurer's office has instituted a new worksheet that is being used to tie back to an actual treasurer's receipt. The issue came about because when there is a tax deposit, the Tyler system does not talk to the tax accounting system.

Financial Reporting. For the last two months these reports have come before the commissioners. Tyler now produces a budget report so you can see the line items and the sub-totals for each of the departments so you can see if a department is going over budget.

Statutory issues. Monthly Statement of Cash, which has to come out each month. That is now being done and the Treasurer submitted that to the commissioners the last two months.

Dan said there is a requirement that the County Auditor produces a quarterly financial statement to the commissioners, but the Auditor is going to produce it monthly, rather than quarterly. There is a requirement that that financial statement closely mirror the format of the budget documents and the format that the Department of Taxation puts out, so the report that the Auditor has been able to set up and print basically puts all of that information in the format of the budget. There are a couple of line items that it does not print that the budget and until there is some more help and training that comes from Tyler, he doesn't believe there is a way to fix this

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at this point. Those missing items are that it shows the department totals for all the departments, but it won't tell you how much is spent in total for, say, public safety, which would be the Sheriff's Department and ambulance runs, or Judicial, which would be the D.A.'s office and court and J.P.'s office. Right now, the system doesn't have the capability of doing that. There is a planned training for Tyler to come out in September. He believes at that time, there will be some effort to have those last items print.

There is a requirement for the county to file an economic survey on a quarterly basis and those have all been filed. The quarterly ending June was due a couple of days ago but he thinks it was filed by the county July 16. So there has been a lot of effort to do corrective action.

The training with the accounting program will still be important. Alan Kalt will be here Thursday for some training. He was a member of a local government committee that the county will be before next week for he believes about 17 or 18 years. That will be a benefit to get some training for the officers in the county and employees in the county, just to continue to improve and upgrade financial activity that is going on and get reports out to everyone.

Dan said he did receive a letter from the Department of Taxation asking him to be at the meeting next week to discuss the status of where things are.

He said they started the audit about a month ago for the current year and they have begun their test of expenditures, payroll, officer activity, revenues in the various offices, and doing some general ledger work. They haven't seen anything that is going to get in the way of getting financial statements out. They don't see a lot of the hiccups from last year from the Tyler change being as significant this coming year as they were last year. They do have some concerns with the new DevNet program, though. They have heard a lot of concern. This program used by both the Assessor and Treasurer.

Dan said the Tyler system has a bank reconciliation program built into it. He said a lot of times with governmental packages, the ability to do bank reconciliations that flow with ease is difficult. Many of their clients that have programs like this have some difficulty with this and some of them end up just not doing their bank reconciliations with the Tyler system. What LaCinda has chosen to do it what he calls a proof of cash bank reconciliation. That is a reconciliation that provides more auditing information in it to make sure of its accuracy. It remains to be seen with the training in September whether or not LaCinda will be able to use Tyler for the bank reconciliation or not. What she is doing is fine, it just won't look like a computer form. LaCinda said she told Mr. McArthur that until she and Vera get to where they are spot-on with their fund balances, then she doesn't want to do something that is fragmented. Until she and Vera are on the same page, she can't try to reconcile with Tyler. She has also heard horror stories from Churchill County where they do the kind of reconciliation that she does, and when they get the reconciliation that comes out of Tyler, it just doesn't make any sense.

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Dan said one of the other areas that are being worked on is that is part of the month-end close, to make sure that all of the postings for all the cash, money going out the door, and all the revenues coming in the door, are posted timely so that those reports can get to the commissioners more timely by the following month also so they have more information to manage the county with.

Commissioner Keyes wanted to thank Mr. McArthur for all of his help and knows it has been arduous, to say the least. Mr. McArthur said he appreciates the opportunity.

ELECTED OFFICIAL / DEPARTMENT SUPERVISOR / GENERAL PUBLIC ACTION ITEMS:

9. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve and sign the letter of support for Loneer. (Commissioner Keyes)

Commissioner Keyes said the Nevada Division of Forestry has been tasked with gathering economic hardship on the county if the Loneer project does not go forward. The Tiehm's Buckwheat, they have to take all of this input, pros and cons of why they need to protect this plant. This is a letter of support that supports Loneer's Rhyolite Ridge Lithium project. This needs to go to the Nevada Division of Forestry.

Commissioner Keyes made the motion to approve signing the letter of support for Loneer. Commissioner Hipp seconded the motion. All in favor: Motion carried.

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

Commissioner Keyes said this was discussed on last agenda and we have a new administrative assistant, but haven't had a chance to discuss this with her. He said as you can see, we need to be a little more proficient at it. LaCinda said she doesn't mind, but it is tying up the phone system. Commissioner Keyes said we need to get IT involved. LaCinda said if our infrastructure is not working well, no matter how great our program is, if our infrastructure is not there it is not going to work.

Alan Kalt said that if we accept the CARES Act funding, this project could be funded with those funds.

This will again be put on the next agenda.

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11. ***FOR DISCUSSION ONLY (No Decisions Will Be Made):** Discuss how/where CARES Act funds could be utilized. (Commissioner Hipp)

Commissioner Hipp said he emailed Mr. Kalt and he gave him a recommendation for a person to administer the funds. They would charge 5 percent of the funds and if the funds used exceed \$200,000, that would drop to 4 percent. They said the cost of administering the fund is an eligible expense that can be taken out of the fund.

He said he will put this on the next agenda to approve them to administer the funds. He believes that White Pine County is currently using them.

He said he asked Vera how much the Sheriff's Department has spent on hazard pay and she told him it was \$23,421.05. That would probably be one of the first things that we could claim.

Sgt. Kirkland told Commissioner Hipp that with the testing that we will be doing we might be having to pay 25 percent of the testing process so we might be able to use some of that money for that too. Commissioner Hipp asked if Sgt. Kirkland knew how much the testing was going to be. He said he was hoping by the end of the week he would get an answer by the National Guard on whether or not they can do it and the price.

Commissioner Winsor said we need to put the teleconferencing equipment on this also so we need to get this going.

Alan Kalt said he wanted to thank the commissioners for participating in the CARES Act program. He said Commissioner Hipp has talked to him about 3-4 weeks ago about this and said if someone turns their money back in, that Esmeralda County would be happy to get additional funding if it becomes available, so he forwarded that information to the Executive Director of NACO. He said he can assure us that we will probably have more than \$159,000 of qualifying expenditures.

12. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve and Sign First Amendment to Voting Agreement for Dominion Voting Systems. (LaCinda Elgan)

LaCinda said the amendment is for the cost of ballot printer and the annual license fee.

Commissioner Keyes made the motion to approve and sign the first amendment to voter agreement for Dominion Voting Systems. Commissioner Hipp seconded the motion. All in favor: Motion carried.

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13. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss state of acquiring an updated list of Safety Sensitive positions that require random drug testing. (Robert Glennen and Ellen Loving)

Ellen on the phone said she put this on so we can re-group with Bob and we just all need to get on the same page again. Bob said the D.A.'s opinion in 2014 and there are essentially three things we can do: we can have every member of the ambulance and Sheriff's office be randomly tested, that would be safety sensitive. Secondly, operating heavy equipment is safety sensitive and third would be that driving is a regular part of duties. Not just occasional driving, not just down the street to pick up mail once a month. There is a fourth factor, and that is that the Library Board and the Park Board has its own advisory board that should probably decide this and send it up to the commissioners to decide if they agree with it.

Commissioner Keyes said if anybody is driving a county vehicle, they should not be under the influence of anything. Mr. Glennen said he wants the commissioners to remember that we do have reasonable suspicion testing. Commissioner Keyes said you should not be chasing a fireman around if they are not on a call.

LaCinda asked Ellen what her biggest concern is. She said that the commissioners know, but she is not saying more than that. She said we just need to define who we are testing and who we are not testing. She said there are so many grey lines and the report that we get from Vera has people that have been terminated. It is just a mess. We need a policy on it. Are we testing volunteers? When the D.A. writes an opinion that a person shouldn't be drug tested, then she has nothing to stand on. They will just refuse drug tests.

LaCinda said there is a very fine line that we have to walk on and one of the suggestions that we did is that if someone is offered a job; if someone is going to drive a county vehicle, they would be subject to random drug testing. Then, we moved on to where they would have a document that says they understand that they would be randomly drug tested because there would be occasions where they would drive a county vehicle because of the job that they have.

Sgt. Kirkland asked how the definition of safety sensitive only meant people who drive vehicles? He asked why it didn't mean people who do banking, time cards, criminal histories, anything with information of other people in this county. He said we also have to look at our contractors, who are driving county vehicles and taking them home, and are not part of the drug testing program. We had one who completely destroyed a truck that is still sitting down there that failed to do a drug test.

Commissioner Winsor said we need to go back to POOL/PACT. LaCinda said we can do the pre-employment drug test, but once they are employed, there is reasonable suspicion. She also said we need to figure out where the list comes from. Commissioner Keyes said that is more of an H.R. thing.

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Mr. Glennen said if you are drawing blood from people, that is safety sensitive. If you are dealing with the bank, you are not dealing with the safety of a person or governmental property. The library lady that was told she didn't have to test dealt with the public and dealt with children (Commissioner Hipp interrupted and said he didn't think we should say any more). LaCinda said that was a legal opinion. Mr. Glennen that was from Oregon. Mr. Glennen said he would be more than happy to talk the commissioners on what he thinks safety sensitive would be. He said the lady was going to the post office once in a while and they said that wasn't enough, so he doesn't think just everybody that might use the car for government business would do it. He is not doing this arbitrarily; he is saying what this other case law did and we should probably be consistent. Sending an ambulance to a house – those people have to do it, but going to the bank; stealing money? He doesn't think that is going to be called safety sensitive.

LaCinda will have Michelle get ahold of our POOL/PACT representative for HR and they will help to get any information we might need.

This will be put on the next agenda.

14. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve to accept Ellen Loving's resignation as the Direct of Senior Transportation and BOCC Administrative Assistant effective 8/14/20. (Ellen Loving)

Ellen asked that this go to closed session. This will be discussed at item number 25.

This will be put on the next agenda.

15. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve appointing Maureen Glennen as the Director or Senior Transportation and the Administrative Assistant to the Esmeralda County Board of Commissioners effective 8/14/20. (Ellen Loving)

Ellen said this is tied into item number 14. Table until 8/18 meeting.

Commissioner Keyes made the motion to approve appointing Maureen Glennen as the Director or Senior Transportation and the Administrative Assistant to the Esmeralda County Board of Commissioners effective 8/14/20. Commissioner Hipp seconded the motion. All in favor: Motion carried.

16. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide, approve and sign Thank You letter to Gemfield Resources. (Ellen Loving)

Commissioner Keyes made the motion to approve and sign the thank you letter to Gemfield Resources and incorporate into the minutes. Commissioner Hipp seconded the motion. All in favor: Motion carried.

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17. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide, approve and sign letter of thanks for Susan Dudley. (Ellen Loving)

Commissioner Keyes made the motion to approve and sign the letter of thanks to Susan Dudley and incorporate into the minutes. Commissioner Hipp seconded the motion. All in favor: Motion carried.

18. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** To approve the Priority Dispatch System Implementation Agreement, and to allow the Sheriff's Office to start the process of setting up the Emergency Medical Dispatch Protocol and training. (Jeanette Siri)

Sgt. Kirkland wants to table this item until later.

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 go to closed meeting. Commissioner Hipp seconded the motion. All in favor: Motion carried.

Commissioner Keyes made the motion to open the meeting. Commissioner Hipp 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 stated they discussed health issue matter with employees.

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.

Not Needed.

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

Not Needed.

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.)

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Brad Maxwell came up and said the first thing he wanted to say was don't ignore the public. He had his hand up earlier and they just kind-of went around him.

He said he doesn't get paid for being here but he thinks when the commissioners have something private to talk about and they put the public out in the hallway and make them wait as long as they did he is asking the commissioners that they consider doing that at another time, so that those people are out there waiting, who don't get paid as handsomely as the commissioners and others in the meeting. Commissioner Winsor said they are trying to organize it better.

Next, he said he wanted to talk about drug testing. He said he was in an accident with one of our drivers in Pahrump and it was at no fault of his own; they were rear-ended. When they got back here the driver was subjected to harassment. He was drug tested, he was suspended, and some other stuff he forgot. He said it was ridiculous. Ellen said when that incident happened, we followed the Senior Transportation Policy Manual. She said she knows she has given Brad a copy before. She said she agrees, but that was part of the policy. She said she appreciates him sticking up for the driver, but it is what we have to do in order to keep our grant and continue to provide the service. Mr. Maxwell said he hears her but he thinks it is overboard. He said another objection he has is, why don't the employees have the right, when they are off on their own time, to put things in their body that they enjoy doing, that they are subjected to your scrutiny when they are back at work. Like smoking marijuana, if they do it on their own time. Commissioner Winsor said as long as they don't come in under the influence or it doesn't affect the performance. Ellen said this is why the medical marijuana card would affect the drug testing.

Mr. Maxwell also asked LaCinda to make sure he is on the agenda mail list.

29. ***ADJOURNMENT:**

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