

Minutes from the November 04, 2020 Commission Meeting

November 04, 2020

9:00AM

Esmeralda County Courthouse

Commission Chambers

233 Crook Ave., 2nd Floor

Goldfield, Nevada

1. CALL TO ORDER AND ROLL CALL.

Delon “De” Winsor - Chairman – not present

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.)

Michelle Garcia wanted to congratulate Commissioner Keyes on his win as commissioner for district 3.

Herman Groman came up and stated that he and his wife are in Pigeon Springs and he has a pond 60 feet off the main road with 500 thousand gallons and would like to make it available to the County for fire mitigation. Will put it on the 11/17 agenda.

Patty Huber-Beth came up and said she had a letter from RokitPig Productions. It is a thank-you note. It reads: Dear Commissioners and Goldfield Residents. Thank you for letting RokitPig Productions use the community center in September during their production of the movie, Obscura. Here is a donation, along with our thanks. Sincerely Jerry D’Angelo and the entire RokitPig Production staff. She said there is an envelope with \$300 in it. She will give the check to the Treasurer’s office.

Commissioner Hipp said he does get some calls about filming and such and we don’t have any kind of formal process and he would like something like maybe a filming permit, making it extremely simple, where they fill it out, they pay the money and then all people are aware of it. He said he got some calls because the production had a bunch of motorcycle people. He got some calls from senior citizens and they were worried that there was a bike gang taking over Goldfield because of the election. He said he didn’t know anything about this until they had been here about a week. He said he doesn’t want to hinder the process; he just wants to make sure the commissioners, fire department, EMS, etc. knows what is happening on what dates.

Commissioner Keyes added that the Sheriff’s Office does business licensing and we might want to do some kind of business license for that.

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Judge Johnson wanted the commissioners to know that there is a filming license for Esmeralda County. It just hasn't been used since Wild Blue and that was in the '90's. So that is somewhere to start.

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

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

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4. ***APPROVAL OF EXPENDITURES.**

Batch 1:	\$296,472.73
Batch 2:	\$11,555.09
Payroll:	\$74,622.55
Total:	\$382,650.37
Grnd TTL:	\$388,296.29

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

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

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

Robert Glennen – District Attorney

Mr. Glennen said the District Judge ruled against us in the union case and that gives us two weeks to appeal and we will see what the Supreme Court says. Commissioner Hipp asked Mr. Glennen about the ordinance for the diesel tax. Mr. Glennen will check with the Clerk on it.

Ken Elgan – Sheriff – not present

LaCinda Elgan – Clerk/Treasurer – not present

Ruth Lee – Assessor – not present

Vera Boyer – Auditor/Recorder – Nothing to report

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

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Goldfield Utilities:

- Nevada Rural Water Association is doing classes online for D1 and D2.

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- Michael Anderson is attending classes for D2 for refresher courses while Emory La Rue is attending classes for D1 to obtain his water distribution license.
- William Bailes have been attending Waste Water Training in Tonopah once a month on Wednesdays.
- Emory and Michael have been keeping up on the maintenance at the Goldfield Treatment Plants.
- Emory, Steven and Bubba flushed out hydrants across town to remove yellow water from the distribution system.
- We received our Water Conservation Plans back from the State, we need to do some revisions on them, which Emory is working on them and once the revisions are fixed and added the requested information to be in it, will be submitting Goldfield Water Conservation Plans and Silver Peak Water Conservation Plans back to the State for approval.
- Update on the Silver State Petroleum Services, the company has received the Fil Rite Pumps but are still waiting on a ship date for the Wayne dispensers, once I know further information, I will get it to you, I'm having Angela keep a weekly email to them to get the information we need to provide to you as for an update for the upgrade.
- Michael Anderson and Jeff Boring (LakeLand Electric) was here today to see where the locations of all generators are going in at.

General Maintenance:

- Steven and Bubba have started working on the library roof by repainting the roof for the weather. Also have installed a new frost freeze as the library as well.
- Steven, Bubba, Emory and Mike helped Maureen and Natalie unload commodities this month.
- Michael, Steven, Bubba and Emory did two burials this month.
- Staked out property boundaries on Blake Ave; before you dig notice for rest area marked water & sewer lines for NV Energy before they started on the project for the charging station.

Update Information:

- None

Mike said he wanted to go over the update for the Silver State Petroleum for Dyer and Silver Peak. The pumps have come in but they are still waiting for the dispensers. Angela sends them a thing every week to make sure we get that as soon as possible.

Mike said he met with Ralph and he met with De in Silver Peak and went over the generator project and just got the OK today, verbally, to put out a change order to upgrade some sites and add one to each area.

Commissioner Hipp said he is getting more and more calls about the burros in town. He knows there is a fence issue and that he thinks it happened a long time ago and it has never been fixed.

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He asked Mike what we need to do to fix it. Mike said this has been going on for years and years. He said he's been talking to Sharon Artlip and with the Highway moving project and they got 3 or 4 cattle guards and she is willing to let us put a cattle guard in. He said one of the issues is the town fence wasn't put on the right place. It is not right on two sides. He said a few years ago we had a couple of guys that don't live here anymore that just decided to rip down the town's fence and let all of the wildlife come in. They weren't stopped then, so now we have this issue. We can't just fix a part of the fence, when there is a mile of fence gone in another spot.

Commissioner Hipp said we do need to fix it. We may not be able to get there until budget time, but we have to fix it, but it sounds like we need to go to do a survey first so we don't go and start putting it in and then it's wrong again. Mike said we were actually offered financial help to do that at one time but we didn't go that direction, from NDOT. Commissioner Keyes said there is also BLM Range fencing money we could possibly get.

Mike said one of the issues is that we have patented mining claims that cross over into town and the people that own those claims claim they don't want those mining claims fenced off. It was supposed to go to court and one of the D.A.'s in the past dropped it.

Commissioner Hipp said he would touch base with the BLM and cc Mike and see if there is money for this problem. Mike said we do need to have a survey done and then go from there.

Deven Thackeray – Solid Waste Supervisor

ESMERALDA COUNTY SOLID WASTE DEPARTMENT UPDATE

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1. RCAC Environmental Services has been in touch with us. We still have some back and forth to do, but things are moving now. One of the items discussed was a tire/light metal shredder. Carmen from RCAC believes that there may be a grant for both the technical assistance with the grant and a grant for the shredder. We will update you as we get more information.

Deven was very excited about his conversation with RCAC. He said, as the commissioners know, we have been really conflicted with rates out there and how we are going to pay for things and they talked about a vast array of moving parts out there and it was really refreshing to talk with someone that is in the know of how to do this. He said he was not prepared to talk about it yet, because they are still getting back to him with some numbers, but one of the things they did discuss, was renewables that are going into our facility. If we have items that are going into our facility that can be renewed, then that is one of the things that they key in at through this agency and they look for grants. One of the things they are looking for is a tire shredding machine, which is huge for us. If you get the right one it takes the tires and turns them into rubberized asphalt, which then forms a renewable; you can use it for rubberized

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asphalt; you can use it for playgrounds. It also separates the metal out of the tires. It also crushes lightweight metals, like washers, dryers. Deven said the woman from RCAC he is aggressively looking for a source of funding through a grant to pay for this for Esmeralda County.

Tony Moreno asked Deven if he had a program or if he is in search of a program. He said he is in touch with RCAC and if Tony wants to get in touch with him at his office, he will give him the information.

Maureen Glennen – Commissioners’ Administrative Assistant

Maureen said she has a new senior driver who just finished training. All Senior Trans. Drivers get updated training in January. Commodities – Nye Communities Coalition has provided us with backstock; canned goods and boxed goods. She said they talked to the State Aging and Disabilities Agency and they have a ton of services so they are learning about more programs for the seniors going forward.

Sylvia Rich – Public Administrator – not present

Robert Glennen – Public Guardian - Nothing

Esmeralda County Land Use Advisory Committee – Have not met

Kenneth Elgan – DEM Coordinator – not present

Fish Lake Valley Park Board – Have items on the agenda

Esmeralda County Library Board - Nothing

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

Commissioner Keyes: Attended Nevada Division of Water Resources Hearing at the Community Center and testified. Also attended the Central Nevada Regional Water Authority meeting a couple of days later since he is on that board and that subject was discussed. The consensus was with all of the other directors on that board was more-or-less to allow the designations to happen without the restrictions. He did not attend the NACO meeting, but does have a summary and minutes on that.

Commissioner Hipp: Will hear today if we got the Travel Nevada grant that we applied for last month.

Commissioner Winsor: Not present

ELECTED OFFICIAL / DEPARTMENT SUPERVISOR / GENERAL PUBLIC ACTION ITEMS:

- 21. *FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve renewal of the contract between Esmeralda County and the Goldfield Chamber of Commerce to open and

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operate the Visitors Center in 2021 with a change in the operating days from 8 days per month to 96 days per year. This will allow us to operate around conditions beyond our control (i.e., Covid-19, winter, etc.) and be able to maximize the months with more folks traveling. (Bill Beltz)

Bill Beltz said the contract is coming due in January and he said there were new officers coming into office. He said the visitor center was shut down for 2 and a half months due to COVID-19. It has been open 173 days up to today.

Vera Boyer said she needs a quarterly volunteer statement.

Commissioner Keyes made the motion to approve the contract for 96 days per year and or them to do quarterly volunteer reports. Commissioner Hipp seconded the motion. All in favor: Motion carried.

22. *FOR POSSIBLE ACTION: DISCUSSION/DECISION: TIMED ITEM: 2:00PM. DISCUSSION ONLY: Updates on the Rhyolite Ridge Lithium/Boron Project. (Matt Weaver, Ioneer)

Matt Weaver came up and passed out copies of the presentation, which will be part of the packet in the Clerk's office. He said Sandra Carson will be the resident in Fish Lake Valley starting next week. She is the Chief Environmental Engineer and Site Manager.

He said the last quarter has been interesting in the Lithium space. Mainly because of Elon Musk and his "Battery Day". 23

He said he feels pretty good about theirs being the most advanced. He sees Thacker Pass being the second most advanced. He said he thinks one of the things that sets them apart is completing the feasibility study, as well as the pilot plant work.

Mr. Weaver said they had the community meeting in July and they are looking to try to have another one in January. Ideally, they would like to do these quarterly, but with Covid, they are still trying to figure out how they are going to do January's meeting.

Mr. Weaver said the BLM accepted the plan of operations and they are now doing supplemental environmental reports. Those are about complete and then they issue the notice of intent and that is probably going to be here in the fourth quarter of this year.

The air and water permits are progressing along with the state. They are going through the comment and comment response period right now and those will probably be out for public comment in the near future.

He told the commissioners that a planning committee would be worthwhile. Hopefully to develop and implement strategies to address the potential impacts of not only their project,

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but other projects, as well, to the local government, services, including schools, healthcare, law enforcement, landfills, housing, road, etc. He spoke with Patty Herzog, who is with the Governor's Rural Economic Development group and she would be supportive. Apparently, they did something similar up around Elko and that actually seemed to work pretty well and if we can pattern something similar to that? Commissioner Hipp said they did form a housing committee at the first October meeting and their primary focus because it is coming up first is with Gemfield Resources, but he thinks it would be a good idea. Commissioner Keyes said we have had in the past an Esmeralda County Land Use Advisory Committee, and we could re-energize that group. He said we do also have a master plan and we should probably re-address that through this process. He said all three districts have very different characteristics. Fish Lake needs the most attention because they have the least infrastructure.

Commissioner Keyes made the suggested to advertise for Esmeralda County Land Use Advisory Committee members.

Mr. Weaver said that, on the Tiehm's Buckwheat, he just recently saw that Fish and Game is being sued by CBD for an emergency listing and they responded to that saying they don't have any emergency listing procedures so it is going to follow their regular procedure so that takes a couple of years. The last they heard from NDF was here in a commissioner's meeting in September and they haven't heard anything more from them.

Ruth Lee came up and asked if Loneer was going to buy or lease equipment from CAT. Mr. Weaver said they are going to lease to buy, most likely. Ruth said that is not good news for the county. She said there is new legislation that is going to be introduced, she said if she can get information on what they are going to be doing with this; there is going to be new legislation for all leased equipment to no longer be considered personal property for the county. She asked for some prices on what kind of equipment they will be using. She said she got kind a nasty-gram from Ahern and a few others because they have managed to push this legislation through 5 different other states and they are trying to push it into Nevada. She said it didn't make it at the last legislative session and it is coming in front of us this session. They want basically just a stipend instead of the personal property tax.

Deven Thackeray came up and said when we are putting together the Land Advisory group moving forward, we need to really concentrate with the folks coming in, especially with housing, solid waste. So, moving forward, we don't have a landfill there. We have a transfer site, where they bring trash in and then we truck it over here. Moving forward, that's going to be a big issue. He said then, of course, his ever-present, roads, roads, roads. He thought he saw something in the presentation about autonomous vehicles. He asked if this was by satellite, with no driver in them. Mr. Weaver said it is not satellite, it is, in essence, it is the current cell system, LTD, a dedicated network at-site. They will be running on the haul road. They will be just crossing the county road. Mr. Thackeray said that is something that is a little bit of a concern for him.

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Mike Anderson asked Mr. Weaver where he was planning on getting the 3500-acre feet of water. Mr. Weaver said they have made a few deals in the valley.

Commissioner Keyes asked if they would be opposed to leaving some water on a farm if you bought the water rights off a farm, to maintain the ground so it doesn't turn into a fugitive dust situation, where it's turning into a dust bowl. Mr. Weaver said they very much support not having it become a source of air pollution. Commissioner Keyes said they can talk about it later; he just wanted to know that they could talk about it. Mr. Weaver said where he is not as able to commit is if a farm decides to sell to become houses.

20. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION: TIMED ITEM 2:00PM.** PUBLIC HEARING: Discuss and entertain any comments on potential application for funding under the FY20/21 State Community Development Block Grant CV (18) Program – Action to select 2 (TWO) projects to be submitted to CDBG by November 30, 2020. (Maureen Glennen)

Maureen said that Tony Moreno and Susan Dudley were going to handle this item.

Mr. Moreno said the November 30 deadline kicks off a lot of deadlines we hope to meet in order to get to proposals funded.

Mr. Moreno talked about corona virus funding and said we had submitted our proposal for about \$819,000 and it is going to be a competitive process and other communities from around the state are able to get that. He said there are also 2 future rounds and we just found out today that these two, Esmeralda County will be allocated about \$28,000 which will go directly to the county. There will also be round 3 funding.

Commissioner Hipp asked if the amount was \$28,000 or \$280,000. Susan Dudley said it was \$28,487. She said Tony just talked about phase one, which was \$819,790. She said of that, only \$658,302 is available for the funding, the rest is administrative. So, this process is just like the normal CDBG process, where it is competitive in nature, and there are 27 entities that go for the same pot of monies, so the projects that you select should be those that we think would stand a very good chance to be funded.

Susan said this process is the same as our normal process. The project has to be a category. We have to fulfill the criteria for that category. The grantee has to sign grant statement within 30 days of the award. The project administration has to begin within 60 days and the project has to be completed in 54 months, and 18-24 if it's a construction project.

It also has to go through an environmental review. The Chairman has to sign the grant application, accepting all responsibility of the requirements of the grant.

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Tony, Susan believes, went to the required CDBG workshop. He filled out the notice posted throughout the county 14 days prior to today's meeting. Susan said the total was \$5,179,678.00.

She said today, we need to talk about what projects we might want to go for. One or two. She said we might want to consider the time frame that we're working under. If we do two, does Tony have enough time to do both applications? They have to come back before the commissioners for approval. She is recommending, because of the time frame, that they consider a special meeting on 11/24 for them to bring the projects before them.

Susan said the first project is the Fish Lake Valley Community Center Expansion. She asked why we would go for this one this early. The reason is because we have to social distance for meetings, etc. She thinks it would be a benefit tie-in for the generators. It would also be good for emergency sheltering. She is recommending \$200,000 to erect the building, after which the drywall, electrical, plumbing and fire protection would be completed. If it goes over \$200,000 Ralph has budgeted so he can match up to \$45,000 from Capital Projects. You don't have to have a match for CDBG, you just have to know that if you do, that they know you do.

The second grant would be to replace the HVAC in the Goldfield and Silver Peak community centers that we have, we can use as emergency shelters. We got an estimate of about \$35,000 for each building, in Silver Peak and Goldfield.

She said at the first August meeting there was a discussion about doing telecommunications and she wasn't at that meeting and has heard several versions about what that meeting was about, but it was asked if, through CDBG we could get audio, if not audio and video for the Goldfield Community Center. So, that could be another project. That would be estimated at \$150,000.

Then, it was suggested to Susan that perhaps we could look at getting vehicles, like an SUV or minivan for the transportation program.

These are what she knows of, but that doesn't mean that the commissioners don't have more, or that the public doesn't have some. CDBG is very big on having public input. Susan opened it up for discussion.

Commissioner Hipp said he likes the first two. To finish up the community center in FLV and work in the two HVAC at the two other community centers. He said we've got two other shots and can go with next items at the next go-rounds and move forward. He said he is open to the meeting on the 24th for having a special meeting to give Tony extra time.

Susan said she thinks that is a good idea. And with the Senior Transportation vehicle, the facts that Jean sent her this morning, the \$28,000 could provide funding to purchase vehicles, so that fits nicely in that category. And even though it's only \$28,000 you can at least get one really

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nice vehicle off of state purchasing. She has two vans two years ago for \$50,000 so she is pretty sure that can be put on the top of the list for phase two.

Commissioner Hipp made the motion to instruct Tony to complete applications, with the number one priority being the Fish Lake Valley Community Center Expansion Project with a budget of approximately \$200,000 the number two priority being the Silver Peak and Goldfield HVAC Project with a budget of approximately \$35,000 each for a total of \$70,000.

Commissioner Keyes seconded the motion. All in favor: Motion carried.

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

Back to Order

18. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Determine what department is responsible for the Airstrips, what fund is going to be used to pay for maintenance of the airstrips within Esmeralda County. (Deven Thackeray)

Deven Thackeray came up and said his department goes out and grades the airstrips out and maintains them. He said moving forward he is going to be needing to do some more maintenance on them to be in state compliance. He wanted to know where the funds were going to come from, whether it is going to come from his department, or if there is a fund set aside. Commissioner Keyes said that NDOT controls funding for airports. He said they will provide windsocks. He said he has one that was given to him by NDOT. He said typically we have just done it as the Road department has graded out the airstrips as necessary in the past. No other department has the equipment.

Commissioner Hipp said he would touch base with Kurt (NDOT) and see about money. Commissioner Keyes said we need a new ring to fit the wind sock that he gave us. Deven said there are also maintenance issues out there. Commissioner Keyes said Mike Anderson should be involved in this as the Maintenance Supervisor. He said the FAA is putting up that DME facility in Fish Lake Valley in the Dyer airport.

Commissioner Hipp said he would get in touch with Kurt.

17. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Regarding the Goldfield Community Center, whether or not to start charging a cleaning deposit, and agreement. Decide what office should collect the money and issues refunds when necessary. (Danielle Johnson)

Judge Johnson came up and said she was very disheartened with the way the community center was left and it is concerning to me that the taxpayers are paying for out-of-town people to use our building and the county gets nothing for it. She is not trying to make the county get rich off the community center, but if out-of-town, commercial people want to use the community center they should be the county for it.

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She put a \$25 cleaning for local residents and if it is left clean, they would get that back. She said for corporations, it would be \$100 per day. That would cover cleaning, utilities, etc. It would be managed by Danielle Johnson and money collected by the Treasurer.

Commissioner Keyes said the community center is for use by the community, but not for non-residents.

Cheri Bickham came up and said that driving in to town and where they are out there filming, they have left their trash all over the place. It was horrible.

Commissioner Hipp made the motion to approve the agreement for the Goldfield Community Center and that it will be managed by Danielle Johnson but the money will be collected by the Clerk's office. Commissioner Keyes seconded the motion. All in favor: Motion carried.

11. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision regarding the hearing on proposed orders within the Columbus Salt Marsh Valley, Monte Cristo Valley, Lida Valley and Oriental Wash Hydrographic Basins held on October 23, 2020 and approve any actions to move forward with comments by Esmeralda County. (Commissioner Keyes)

Commissioner Keyes attended the meeting at the community center and also the meeting at the Central Nevada Regional Water Authority shortly after that and everyone seemed to be on board with just recommending the basins be designated, but without any restrictions eliminating the irrigation rights. We want to hire somebody to write a rebuttal for us. Mike Anderson came up and said we do. Susan Dudley started talking but, again, her voice was very muffled and hard to understand. She said following the meeting on October 23 she and Mike Anderson reached out to the General Manager of the Nye County Water District. They also reached out to Dwight Smith and they both came to somewhat of the same conclusion that Esmeralda County in some way, shape or form should oppose the unprecedented designation of the basins, statewide and the manner in which it has been undertaken; but don't necessarily oppose the initial level of designation, but do not think the state engineer should jump straight to preferred uses, especially excluding irrigation. That's why we need Dwight's help to research the basins and help write the letter based on facts to the State Engineer. We think the state engineer's office should look at the basins genuinely at risk, on a time line providing a thoughtful analysis back to us as to what the true status of the permits are. If they don't oppose the level one designation and she thinks they have got their boots on the ground and a lot of others in the county. One of the designations is in Mineral County but it encompasses Esmeralda County

So, we have 5 basins that they are saying are saying are designated but we don't believe that that is a fact. So, we think that hiring Dwight Smith as our Hydrogeologist, that we have used on many occasions, that he can review the current water rights, the pending applications, then

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he can use that data to assist Esmeralda County to write a scientific statement/comment back to the state engineer.

Commissioner Keyes said we have had Dwight do road work for us and he has been very helpful with some other water projects that we've had in the county. He's been a big asset to Nye County and Esmeralda County. He thinks we should hire Dwight to write a proper response for us but we've got a deadline of December 1 to get this in.

Mike Anderson said that normally the hearings that he has been to have had more people from the State Division of Water Resources there. Ralph asked questions and De asked questions that they should have answers to right then. There was a concern about the Columbus Marsh basin; where it was asked about... Commissioner Keyes why they would eliminate irrigation rights right out of the box where there is not a single use yet? Mike said that most of the stock water rights that are in these basins that he sees were springs. Springs don't count on the perennial yield, so those should be taken back. He doesn't want to pick on mining because he is a pro-mining person, but some of these have been on the books and they haven't even proven up a completion of work. They come after Esmeralda County Goldfield Utilities and tried to take 1440-acre feet and we had a certificate on and we still haven't gotten all of that all worked out yet. We are still trying to prove that up, so we get some of it. He said we've had that since 1960-something. They need to be looking at some of these things that just sit there and languish for years and years.

Commissioner Keyes said mining pays taxes in Nevada so it is a priority to Nevada because the proceeds pay Nevada. Mike said that's true but the point he has is that some of these haven't been used for years and to him this isn't a problem of Esmeralda County, it is a problem with the Division of Water Resources; they need to clean house, look at what they are doing and see that some of these haven't even been here since 1950. What that's going to do is limit mines that are legitimate that want to come here and do something because there is a substantial amount of water on some of these. And, by the way, Columbus Salt Marsh, if you add up all those things, it's a 4,000-acre foot perennial yield and there is only 3,000 feet permitted out there. Those are all questionable.

Commissioner Keyes said we haven't figured out the reasoning why the State Water Engineer's office is doing this. Mike said they should be held to same standard that they hold Esmeralda County to.

Mike said that if the commissioners have a concern, we need to get all of the input to Dwight so he can evaluate that and work that into his comments. Commissioner Keyes said all the testimony was recorded and hopefully he can read what was discussed. Oz brought up good points and some other residents. Susan said that Dwight got a recording of the hearing.

Commissioner Hipp made the motion, in response to the hearing, that we hire Dwight L. Smith with McGinley & Associates, to research and write a response for the county at a cost not to

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exceed \$2100 and the funding to come from Professional Services and that we also utilize the comments that were brought in to Oz Whitman and that we seek support through the Central Nevada Regional Water Authority and possibly NACO. Commissioner Keyes seconded the motion with the addition that we have this letter drafted and ready for us to sign by the November 24 special meeting. All in favor: Motion carried.

16. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss and Decide on approval of County Library Board's grant of \$2.00 raises to the Library director and all employees of the library. (Robert E. Glennen, III)

Commissioner Keyes made the motion to approve of County Library Board's grant of \$2.00 raises to the Library director and all employees of the library. Commissioner Hipp seconded the motion. All in favor: Motion carried.

15. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** To read, approve and sign the Letter of Promulgation for Esmeralda County. (Ken Elgan, Sheriff/DEM/LEPC)

Commissioner Keyes made the motion to approve and sign the Letter of Promulgation for Esmeralda County. Commissioner Hipp seconded the motion. All in favor: Motion carried.

14. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Please discuss and decide on who is going to send out agenda backup. (Vera Boyer)

Commissioner Hipp said we kind of discussed this at the public comment of our last meeting. Vera just wanted it on record on who is supposed to be doing what. She said she is getting back on the day of the meeting. For her, if there is anything with budget information, she really has to know that ahead of time or she can't give the commissioners answers. Commissioner Keyes said we have a deadline to get the agenda items in and he thought we had discussed that all the back up needs to be in at that time too. Vera said the backup does not always follow the agenda. Commissioner Keyes said we try to get the back up with the agendas but this has been a persistent problem we have had. Commissioner Hipp said to Michelle that he thought we discussed at the last meeting that because of the election and everything was busy and crazy that she had ask Maureen to send out the back and that in the future she was open to the idea of sending out the agenda with the attachments. He said he personally thinks it is so much easier to have one person send it out with all the backup and then you're good. Commissioner Keyes said if something gets put on the agenda and we don't have the back-up, we can just table it until the next meeting.

Mike Anderson came up and said sometimes, due to timing, you can't have the back-up until the meeting. He said he'd hate to see stuff get rejected, or not put on the agenda. Commissioner Keyes wondered what the statutory requirements are. He said the public needs

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to know what is on the agenda and have the back-up material to be able to review it before the meeting.

D.A. Glennen said an over-simplification of the open meeting law says the agenda has to be out within 3 working days and the backup should be there. It is not mandatory in that noticed period of time.

Item is tabled for now.

13. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Have Chairman Commissioner Winsor sign the updated eligibility certification for the CARES Act funding. (Vera Boyer)

Commissioner Keyes made the motion to have Commissioner Hipp sign the updated eligibility certification for the CARES Act funding. Commissioner Hipp seconded the motion. All in favor: Motion carried.

12. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Review and approve Fish Lake Valley Park Board by-law revisions and facility use agreements. (Commissioner Keyes)

Commissioner Keyes said D.A. Glennen talked this over with the Park Board.

Commissioner Keyes made the motion to approve Fish Lake Valley Park Board by-law revisions and facility use agreements. Commissioner Hipp seconded the motion. All in favor: Motion carried.

13. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Review and approve the mural/signage agreement for possible Travel Nevada grants. (Commissioner Hipp)

Commissioner Hipp said we don't know yet if we got the grant but some of the grants were for murals and signage on private property. The big thing was the welcome signs. The thing with the grant is that the project has to be done by the end of December and if he goes on BLM or NDOT land it will take 6 months. He sent it to Bob and he updated it.

Commissioner Keyes said he knows we have to follow the State Historic Preservation Act. He asked Bob if this complies with those rules. Bob didn't have any answer for that. Susan said those rules generally apply in a 5-block area in Goldfield. It wouldn't apply outside the historic district. The welcome sign would be fine. Commissioner Hipp said there were multiple grants and one of them included signage and he will have to get permission from them on that one.

Commissioner Keyes made the motion to approve the mural/signage agreement for possible Travel Nevada grants. Commissioner Hipp seconded the motion. All in favor: Motion carried.

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9. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/decide if Esmeralda County will provide a representative for the Project Advisory Committee (PAC) and be part of the Nevada Airport & Heliport System Plan (NAHSP) and Airport Economic Impact Study (AEIS). (Commissioner Hipp)

Discussion decided that Commissioner Hipp will be the contact person.

Commissioner Hipp made the motion to have Commissioner Tim Hipp be the representative for the Project Advisory Committee (PAC) and be part of the Nevada Airport & Heliport System Plan (NAHSP) and Airport Economic Impact Study (AEIS). Commissioner Keyes seconded the motion. All in favor: Motion carried.

8. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide to conduct a basic available housing count be conducted in Goldfield. This will provide a baseline and help determine the need to additional housing for incoming mines. (Commissioner Hipp)

Commissioner Hipp said he held a housing committee meeting and the turnout was very low but he did chat with Debbie Lassiter with Gemfield Resources and got some info from her and what they would like to see is to see what out baseline is in Goldfield currently; how much housing is available. Houses, apartments, RV spots, etc.

Commissioner Keyes made the motion to have Commissioner Tim Hipp work with Debbie Lassiter from Gemfield Resources to conduct a basic available housing count be conducted in Goldfield. Commissioner Hipp seconded the motion. All in favor: Motion carried.

19. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve the rate of pay for Senior Drivers to be raised to a rate of \$14.35 for driving long distance AND local driving as well as for wait time. And that new drivers will start at \$13.35 until they have passed their probation period with a satisfactory review, at which time their rate of pay will go to \$14.35 per hour for long distance driving, local driving and for wait time. (Maureen Glennen)

Commissioner Hipp made the motion to raise the rate of pay for senior drivers to \$14.35 for driving long distance AND local driving as well as for wait time. And that new drivers will start at \$13.35 until they have passed their probation period with a satisfactory review, at which time their rate of pay will go to \$14.35 per hour for long distance driving, local driving and for wait time.

Commissioner Keyes seconded the motion. All in favor: Motion carried.

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23. ***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.

Nothing.

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

N/A

25. ***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.

27. **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.)

Matthew Kirkland came up and said he talked to Cindy's office and nothing has been posted on back pay so nothing can be done today on their back pay. That was supposed to be done per the letter of Mr. Glennen so they are probably moving forward and it will be at the next commissioner meeting under legal action under article 25. Commissioner Hipp asked if we could go back to item 26 and ask Vera about it. Bob said they could. They reopened item #26.

25. ***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.

Closed door meeting.

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

Commissioner Hipp said they discussed back pay issues and they were told that the calculations have been completed and the checks will be given to the Clerk's office tomorrow and the Clerk's office will direct-deposit.

27. **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.)

Maureen said she got a call from Claude Kingsly, who was complaining about our address situation and how we can't get anything to his home that is ordered through FedEx. Matt had said we have approved mapping so whatever steps need to go next, can the commissioners tell them and they will see about moving forward with it.

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28. ***ADJOURNMENT:**

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