

Minutes from the November 17, 2020 County Commission Meeting

November 17, 2020

1:00 p.m.

Esmeralda County Courthouse

Commission Chambers

233 Crook Ave., 2nd Floor

Goldfield, Nevada

1. CALL TO ORDER AND ROLL CALL.

Delon "De" Winsor -	Chairman - Computer
Timothy Hipp -	Vice-Chairman - Phone
Ralph Keyes -	Commissioner - Phone
Robert Glennen -	District Attorney – In Chambers
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.)

None.

3. *APPROVAL OF EXPENDITURES.

Batch 1:	\$92,964.49
Batch 2:	\$22,287.76
Insurance:	\$49,187.89
Payroll:	\$85,532.48
Total:	\$249,972.62

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

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

None.

5. *TREASURER'S REPORT

LaCinda said she will catch the commissioners up at the next meeting.

6. *AUDITOR'S REPORT

Vera said her report should be in the commissioners' email. She said she noticed on the last report she didn't have some of the original budget in there, so that has been fixed and the commissioners should notice that as they look at it.

Minutes from the November 17, 2020 County Commission Meeting

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 Winsor: Has a NSS meeting tomorrow. No other meetings at this time.

Commissioner Hipp: He will attend the NACO meeting.

Commissioner Keyes: There is a community health nurse meeting that NACO is going to have a call-in on this week to update us on what is going on with the health nurses. He will call in on that and update everyone at the next meeting. He will also attend the next NACO meeting via internet on 11/20.

9. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide to purchase a freezer and a refrigerator for the FLV Commodity Storage to be located in the Community Center at a cost not to exceed \$6,000 for both and to be funded from the Capital Projects amount for the FLV Community Center Building, approved at the Budget process. (Commissioner Keyes)

Commissioner Hipp made the motion to purchase a freezer and a refrigerator for the FLV Commodity Storage to be located in the Community Center at a cost not to exceed \$6,000 for both and to be funded from the Capital Projects amount for the FLV Community Center Building, approved at the Budget process.

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

8. **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.)

Sheriff Ken Elgan did an update on the Covid-19 situation in Esmeralda County. He said we had 8 confirmed cases that we have been notified about. All of the cases came from Goldfield. There have been no cases in Silver Peak or Fish Lake Valley at this time. We someone from the State Vaccine Program going to be calling the office this afternoon. We are going to have to rely on the State for everything. He said he didn't know anything about the phone call that Ralph was referring to regarding the health nurses. He said he has been in contact with Janet Pierce, who is the health nurse in Ely. He said so far, we have had positive cases in the Road shop, Water department, Clerk's office. We had a private citizen also test positive; that was the first one we got last week. We have locked down, sanitized, masks, etc. Commissioner Keyes said he would forward the email regarding the health nurse program.

Commissioner Winsor asked if we were going to do further testing in the community. Sheriff Elgan said he hasn't done anything for that. He said how this came about was that people started feeling bad and went and got tested. In the Clerk's office, they had someone that was exposed and they went and got tested. He said he doesn't think it is necessary to try to get more testing done out here; he thinks people who don't feel well or find out they're exposed will go and get tested. We can't force people to get tested.

Minutes from the November 17, 2020 County Commission Meeting

Commissioner Keyes asked the Sheriff what people need to do if they get sick. Sheriff said they can get testing at the Tonopah clinic or at Tonopah Primary Care. Danielle Johnson said the clinic wanted her to let everyone know that they need to make an appointment to get tested.

Deven Thackeray asked when the next LEPC meeting was. Sheriff said he would have to check with Patty Brownfield. Deven said he had employees who want to get tested he wanted to know if they would get paid if they do it during work hours. LaCinda said when she found out that her office was exposed, they all went and got tested. Commissioner Keyes said it should depend on the level of exposure also. If you were around the sick person it would require that you get tested.

Vera asked the Sheriff what we are doing about the building and sanitizing the building. The Sheriff said we are back to the original protocol. Mandatory masks, wiping everything down, etc.

Maureen said that Christy has been working diligently, wiping down every surface that generally is touched on a daily basis, when she is in the building. She said we need to check with Mike on what her schedule is during the closure of the building.

Commissioner Keyes asked for a Health Board meeting.

10. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve the reactivation of the Esmeralda County Land Use Advisory Committee. (Commissioner Keyes)

Commissioner Keyes made the motion to have Maureen contact the previous members and put together an application and make a posting to post at the normal posted areas of our meetings. Commissioner Hipp seconded the motion. All in favor: Motion carried.

11. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve and sign the Memorandum of Understanding (MOU) between Esmeralda County and the State of Nevada Office of the Labor Commissioner. (D.A. Robert Glennen)

Mr. Glennen asked if there were any questions on the document. There were no questions. He said this is just a procedure for us to go through for labor. He said it kind of follows federal law but it's still applied by the state.

Commissioner Keyes made the motion to approve and sign the Memorandum of Understanding (MOU) between Esmeralda County and the State of Nevada Office of the Labor Commissioner. Commissioner Hipp seconded the motion. All in favor: Motion carried.

12. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide on the Survey for the town fencing and funding for repairs through the BLM and NDOT. (Mike Anderson)

Commissioner Hipp said he talked to Mike. Commissioner Hipp said he talked to NDOT and unless there is a fence that is along the highway, they can't really justify funding those repairs. He reached

Minutes from the November 17, 2020 County Commission Meeting

out to BLM and they are open to helping us. He talked to Perry this morning and they have a meeting set up for December 15 at 10am and they are going to meet at the courthouse at 10am. Vera was kind enough to print off some maps that show where the fence line should be and Kevin Haskew is going to be at our December 15 meeting and will talk about this as well. He asked Maureen to put this on the December 15 meeting.

13. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** To allow Public Utilities/Maintenance Department employees to be allowed to cash out annual leave over 240 hours similar to what was approved in the ECSDA Agreement on September 15, 2020 outlined in Article 9, Section 5. (Mike Anderson)

They are just asking for the same thing that the commissioners had given the deputies association. He said he had brought this up at another meeting and the commissioners told him to bring it back so that is what he is doing. Commissioner Keyes said that Vera wanted to be part of this discussion and asked if Vera was available. Vera was on the phone. Commissioner Keyes said that Vera had requested that we wait on this until the budgeting process was done. Vera said yes, she wanted to wait until they put it in the budget because she feels that if this is going to be allowed, we need to update policy and procedures so that everybody can get it. She also thinks that we need to discuss how we are going to handle Thackeray and Anderson through this because they are both salary employees. Mike said he was a salary employee but he was still getting annual leave and sick time. She said yes, but we need to discuss it at length because, technically, as a salary employee, you don't take leave, so he can technically bank that leave up and pay it out. Where is the fairness for everybody else? She just thinks we need to discuss this at length and update everything.

Commissioner Hipp asked if the sick leave and vacation leave days are calendar year or fiscal year. He was told they are calendar year. The max for annual is 240 and the max for sick is 720 hours. Anything over that is lost to the employee, currently. Commissioner Hipp said we really need to make this decision before the end of December, then. He said he supports it if we give it to the other departments. Commissioner Keyes said he agrees. We just need to make sure we can fund this properly. If it's not within the department's budget, what are we going to do? Vera said last year, when Anderson went to the commissioners to get his leave pay-out, the commissioners said they were going to re-look at that and not pay it out again, because of his situation and how we have it. She is suggesting that we wait. Mike said when he became an exempt employee, he didn't get paid out what he had saved up. Michelle said that salaried employees should not be accruing annual or sick time. Commissioner Hipp said that Mike was grandfathered in. As long as Mike is around, he will continue to get this and when he leaves, his replacement will not get this.

Commissioner Keyes suggested we put this on the next meeting and have Dan McArthur involved. He asked Maureen to put it on the December 1 meeting.

Commissioner Keyes asked if we had the funding to approve this item. Vera said there is \$40,000 in our annual leave fund. It would cover it depending on how the commissioners go. That is why she wants to do a workshop on it. There aren't a lot of employees that it will affect this year, but it will in

Minutes from the November 17, 2020 County Commission Meeting

the future. Commissioner Hipp said we need to make a decision before the end of December. Commissioner Winsor said we need to make sure the motion says current employees. All commissioners agreed.

Commissioner Keyes made the motion to allow the Public Utilities/Maintenance Department employees to be allowed to cash out annual leave over 240 hours similar to what was approved in the ECSDA Agreement and be paid out by the second pay day in January. Commissioner Hipp seconded the motion. All in favor: Motion carried.

14. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve for the use of a new form for overtime requested by the Auditor/Recorder's office. (Maureen Glennen)

Maureen said that Vera provided her and Natalie with this new form and it is requiring a notary public on their signature which has nothing to do with their time in and out and then on top of that, the Chairman of the commission signs on their time, so she doesn't understand why they would need a notary on top of that. They also wanted to know if everyone who gets overtime fills out the same form.

Vera said this is just the standard overtime form that the Sheriff's office uses to save time and effort on the worker's part so they don't have to do individual overtime/call-back sheets every time they work overtime. Sgt. Kirkland affirmed that the deputies and dispatchers use this form.

15. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Add my pond at Pigeon Springs to Esmeralda County fire control. (Herman Groman)

Not at the meeting. Will put on future agenda.

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

Commissioner Keyes said he talked with Kevin Haskew doesn't have anything for the commissioners yet. He asked Mr. Glennen if he received any of the letters back on the Wiley Road issue. He said he has not received a single one.

17. ***FOR POSSIBLE ACTION** – Closure of meeting, pursuant to NRS 288.220 for purposes of conducting labor negotiations, conferring regarding labor negotiations, issues and other personnel matters. None.

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

N/A

Minutes from the November 17, 2020 County Commission Meeting

19. ***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.

None.

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

We have answered the EMRB with an appeal.

21. **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 we are suspending the Senior Bus to Tonopah because of Covid. We are going shopping for them, though. Gina Greenway and Phil Stezaker at the Mozart have offered to deliver hot meals to senior who are home-bound or those with children. Some items will be free for 2-3 meals per week for lunch and senior trans will assist with making deliveries. They also have a dinner menu available and will have delivery 3 days per week so people can get hot meals.

Commissioner Hipp wanted to let everyone know that he still hasn't seen the diesel tax notice in the newspaper. LaCinda said they were scheduled so she would check on it.

22. ***ADJOURNMENT:**

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