

Minutes from the April 06, 2021 County Commission Meeting

April 06, 2021

1:00 p.m.

Esmeralda County Courthouse

233 Crook Ave., 2nd Floor

Goldfield, Nevada

~~DRAFT~~
Approved
5/4/21

1. CALL TO ORDER AND ROLL CALL.

Pledge of Allegiance was spoken.

Delon "De" Winsor - Chairman - Present

Timothy Hipp - Vice-Chairman - Present

Ralph Keyes - Commissioner - Present

Robert Glennen - District Attorney - Present

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.)

Sgt. Matthew Kirkland came up and said that there will be a Covid mobile vaccination clinic here in Goldfield next Wednesday, 04/14 from noon until 6 at the Goldfield Visitor Center and then there will be another one in Fish Lake Valley on 04/29 at Dyer Park from noon until 6. There will be 150 in Goldfield and 250 in Fish Lake Valley.

Sgt. Kirkland said this is 100 percent open to anyone from anywhere. It is not just for Esmeralda County residents. He said not to advertise anywhere as it is the one-shot vaccination and it is at no cost.

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.

Back to Order

10. *FOR POSSIBLE ACTION: DISCUSSION/DECISION: (TIMED ITEM: 1:30 P.M.): Discuss/Decide to sign the agreement with Valley Communications. (Commissioner Tim Hipp)

Commissioner Hipp said we did not have an agreement in writing back when they put a tower on the building. He said we also need an agreement for the EOC. Nate Johnson, Vice President of Broadband is the gentleman who came up from Valley.

Vera Boyer came up and asked about the phones in the EOC. There was a discussion about that.

Vera then asked about the tower on the building. She wanted to know if they had contacted SHRPA to make sure it is OK. She said this is an historical building so we have to have permissions, other than the commission, to make sure you can put something on the side of the building. Commissioner Hipp told her this is the tower that is already on the building. Vera asked if we got permission to put it up. Mr. Johnson said it was a county tower and not a Valley tower.

Minutes from the April 06, 2021 County Commission Meeting

Pricing spoken about is for the EOC. They spoke about doing purchases, rather than leases.

LaCinda Elgan asked who was going to pay for this. Commissioner Hipp said he talked to Patty Brownfield about getting part of it paid for through a LEPC grant. Commissioner Keyes said it would be charged to emergency services.

Michelle said she understood from the agenda item that we were also going to talk about the internet in the courthouse. Commissioner Hipp said no, just the tower on the courthouse. Michelle said, then we need to talk about the internet in the courthouse. Commissioner Hipp Mr. Johnson is the gentleman to do that with.

Commissioner Keyes made the motion to sign the agreement for the communications for the EOC and the lease agreement for the communication device on our tower on the Sheriff's Office. Commissioner Hipp said he would put in there minus the leases, that we want to make it purchases. He seconded that motion. All in favor: Motion carried.

Commissioner Keyes made the motion to have Commissioner Hipp sign the agreement. Commissioner Hipp seconded the motion. All in favor: Motion carried.

11. FOR DISCUSSION ONLY: (TIMED ITEM: 2:00 P.M.): Updates on the Rhyolite Ridge Lithium/Boron Project. (Matt Weaver, loneer)

There are no updates at this time. They will attend a future meeting.

12. *FOR POSSIBLE ACTION: DISCUSSION/DECISION: (TIMED ITEM: 2:00 P.M.): Discuss/Decide and approve for a Legacy Racing cross-county road race for May 13-15, 2021. All roads will be repaired following the race. (Donald Jackson)

Opening Item 8 in ROAD meeting as well:

Donald Jackson on the phone. He said they are excited about their new event, call the Baja Nevada. Car, Trucks, bikes and UTV's.

Deven said he's been talking to Donald and he's submitted a map and submitted a detailed itinerary of where they're going to start at, without how many miles they're going to do each day. He let him know that we are not going to be able to do any race repair due to our prior obligations here in Goldfield. He is aware of that and that they are going to have to do all of the race repair.

Commissioner Keyes said he met with Perry Wickham at the BLM in Tonopah to talk about some of the racing going on and they are going to try to get together in the next few months to try to designate maybe some different or alternative routes that don't impact the county roads as much. He wants to give some of the roads a rest and maybe put some of races on roads that aren't quite as used by county residents.

Commissioner Keyes made the motion to approve for a Legacy Racing cross-county road race for May 13-15, 2021, and that Donald Jackson with Legacy has agreed to repair all necessary roads based on Deven Thackeray, our Road Supervisor's judgment. Commissioner Hipp seconded the motion. All in favor: Motion carried.

Minutes from the April 06, 2021 County Commission Meeting

15. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Accept Mike Anderson's resignation as Goldfield Fire Chief and accept Travis Smalley as Fire Chief as voted by the Gold Fire Department 03/24/2021. (Mike Anderson)

Commissioner Hipp made the motion to accept Anderson's resignation as Goldfield Fire Chief and accept Travis Smalley as Fire Chief as voted by the Gold Fire Department 03/24/2021. Commissioner Keyes seconded the motion.

16. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide Goldfield Fire Department voted Travis Smalley in as Fire Chief on 3/24/21. Approve the monthly stipend of \$350.00 for Fire Chief pay. (Vera Boyer, Travis Smalley)

Commissioner Hipp made the motion to approve the monthly stipend of \$350.00 for Fire Chief pay to Travis Smalley. Commissioner Keyes seconded the motion. All in favor: Motion carried.

24. ***APPROVAL OF MINUTES** from the 02/25/2021 Special Meeting and 03/02/2021 meeting of the Esmeralda County Board of Commissioners.

Commissioner Keyes made the motion to approve the minutes from the 02/25/2021 Special Meeting and 03/02/2021 meeting of the Esmeralda County Board of Commissioners. Commissioner Hipp seconded the motion. All in favor: Motion carried.

25. ***APPROVAL OF EXPENDITURES.**

Batch 1:	\$24,262.48
Batch 2:	\$27,262.51
Payroll:	\$171,094.86
Insurance:	40,314.59
Utility/Bank Cards:	20,489.89
NV Dept. of Minerals:	\$20,489.89
General County Total:	\$346,024.33
Including Road:	\$385,330.70

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

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

April 06, 2021

TO: The Honorable County Commissioners

RE: Rejected Vendor Bill

I have received a past due invoice from LaCinda Elgan, Esmeralda County Clerk/Treasurer for Dominion Voting. This bill total is \$2030.00, which is a past due amount.

I have rejected this invoice according to NRS 244.210, NRS 244.215 and NRS 244.250.

This invoice is past the time frame to be paid along with the County bills.

I have researched the above referenced bill and found that it has not been previously paid.

Minutes from the April 06, 2021 County Commission Meeting

This invoice can be approved by the County Commissioners if they so order, and only by a unanimous vote of its members and certified by the Clerk of the Board that all voted for its passage.

Please review the invoice and designate if \$2030.00 is approved or rejected for payment.

Sincerely,

Vera Boyer
Auditor/Recorder

LaCinda said she researched this and it is due. Commissioner Keyes made the motion to approve payment of the bill for \$2030.00 to Dominion Voting. Commissioner Hipp seconded the motion. All in favor: Motion carried.

April 06, 2021

TO: The Honorable County Commissioners

RE: Rejected Vendor Bill

I have received a past due invoice from Maureen Glennen, Esmeralda County Commissioner Secretary, for Nevada Public Agency Insurance Pool. This bill total is \$500.00, which is a past due amount.

I have rejected this invoice according to NRS 244.210, NRS 244.215 and NRS 244.250.

This invoice is past the time frame to be paid along with the County bills.

I have researched the above referenced bill and found that it has not been previously paid.

This invoice can be approved by the County Commissioners if they so order, and only by a unanimous vote of its members and certified by the Clerk of the Board that all voted for its passage.

Please review the invoice and designate if \$500.00 is approved or rejected for payment.

Sincerely,

Vera Boyer
Auditor/Recorder

Commissioner Hipp said that he received and forwarded to Maureen. They said they had submitted it before and it had not been paid. Maureen said she researched it and did not find it. Commissioner Hipp made the motion to approve payment of the bill for \$500.00 to Nevada Public Agency Insurance Pool. Commissioner Keyes seconded the motion. All in favor: Motion carried.

April 06, 2021

TO: The Honorable County Commissioners

RE: Rejected Vendor Bill

I have received a past due invoice from Robert Glennen, Esmeralda County District Attorney, for OPI. This bill total is \$90.91, which is a past due amount. Invoices are as follows:

Minutes from the April 06, 2021 County Commission Meeting

6/8/2020 AR266883 - \$2.17
6/8/2020 AR266882 - \$39.99
9/8/2020 AR269889 - \$8.76
9/8/2020 AR269888 - \$39.99

I have rejected this invoice according to NRS 244.210, NRS 244.215 and NRS 244.250.

This invoice is past the time frame to be paid along with the County bills.

I have researched the above referenced bill and found that it has not been previously paid.

This invoice can be approved by the County Commissioners if they so order, and only by a unanimous vote of its members and certified by the Clerk of the Board that all voted for its passage.

Please review the invoice and designate if \$90.91 is approved or rejected for payment.

Sincerely,

Vera Boyer
Auditor/Recorder

Mr. Glennen said these are legitimate. Commissioner Keyes made the motion to approve payment of the bills for the above amounts. Commissioner Hipp seconded the motion. All in favor: Motion carried.

April 06, 2021

TO: The Honorable County Commissioners

RE: Rejected Vendor Bill

I have received a past due invoice from Jessica Villa for reimbursement for the Fish Lake Valley Ambulance. These bills total is \$1168.86, which is a past due amount.

1/24/2020 – VONS - \$39.72 Meds for ES-49 & ES-59
7/1/2020 – Ambulance Permit Renewal - \$166.00
5/23/2020 – Raley's - \$33.42 Meds for ES-49 & ES-59
6/26/2020 - Southern Tire Mart \$407.32 Tires for ES-49
6/11/2020 – ACE Hardware \$34.45 filters and bags for shop
6/29/2020 - EMT National \$79.95 test prep for AEMT
3/25/2020 – EMT Renewal \$34.00
8/7/2020 – Coaching Systems \$374.00 CVEO Training Kit

I have rejected this invoice according to NRS 244.210, NRS 244.215 and NRS 244.250.

This invoice is past the time frame to be paid along with the County bills.

I have researched the above referenced bill and found that it has not been previously paid.

This invoice can be approved by the County Commissioners if they so order, and only by a unanimous vote of its members and certified by the Clerk of the Board that all voted for its passage.

Please review the invoice and designate if \$1168.86 is approved or rejected for payment.

Minutes from the April 06, 2021 County Commission Meeting

Sincerely,

Vera Boyer
Auditor/Recorder

Michelle asked why she is paying out of her personal account for EMT costs. Commissioner Keyes said because she is new. He said Val Truksa would do this as well. Commissioner Hipp made the motion to approve payment of the bill for \$1168.86 to Jessica Villa. Commissioner Keyes seconded the motion. All in favor: Motion carried.

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

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

Robert Glennen – District Attorney

Mr. Glennen said our Union case is going to go in July and we've been told by the Supreme Court to go ahead with the bargaining unit.

Ken Elgan – Sheriff – not present
LaCinda Elgan – Clerk/Treasurer –

Nothing.

Ruth Lee – Assessor – not present
Vera Boyer – Auditor/Recorder

Nothing

Danielle Johnson – Justice of the Peace

Legislation. We are now required to have a lactation room in the courthouse. Also, with domestic violence jury trials, instead of 6 jurors, we are now required to have 12 jurors, so this is going to have to be talked about. They also approved that we are not allowed to suspend driver licenses when they don't pay and they put a cap on the amount of money that we can collect from them for not paying. It's going to make it a lot more difficult for us to collect on people who don't pay.

She also said they are still trying to make minor traffic citations civil and that would bankrupt Esmeralda County and would cause a lot more paperwork and we don't have the manpower for it.

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

April 6, 2021

Goldfield Utilities:

March 1st, 2021: Lakeland Electric came here to replace the three transfer switches at fire house and community center.

March 1st, 2021: Emory, Michael and Susan had a conference about receiving the Resources Service Agreement with having comments that Emory wanted to discuss with Michael and Susan.

Minutes from the April 06, 2021 County Commission Meeting

March 2nd, 2021: Emory and Mike unloaded five generators with forklift at the pipe yard; set generators at road dept; set generator at community center; set generator at the firehouse.

March 3rd & 4th, 2021: Prepare, dig for propane lines for generators and back fill the lines.

March 5th, 2021: Helped dig pole hole for Silver Peak for the generator project out there.

March 5th, 2021: Had a phone meeting with Michael, Susan and Waterton regarding Gemfield Water Service Agreement revisions. March 5th, 2021: Reviewing and red – line Shaw’s 95% review drawing for Gemfield Klondike Wellfield Expansion with Michael.

March 9th, 2021: Delivered Silver Peak Utilities & Goldfield Utilities samples to Las Vegas.

March 9th, 2021: Emory was reviewing 95% Gemfield Plans and helped a customer with his water/sewer estimate on the lot he was requesting. Steven helped Emory load a generator on a trailer for Silver Peak.

March 9th, 2021: Emory helped Michael with the Silver Peak Community Center application for NV and sent the paperwork over to David.

March 10th, 2021: Willy and Steven delivered the generators for Silver Peak for the Silver Peak Community Center and Silver Peak Firehouse for the project out there.

March 10th, 2021: Willy and Steven went over to Silver Peak to help fix a water repair from a damage pipe that got accidentally hit when replacing pipes for the Silver Peak project.

March 10th, 2021: Emory went over comments on 95% Gemfield Project Plans with Mike and Paul.

March 11th, 2021: Willy and Steven went to Silver Peak to set up pad and generator for the firehouse.

March 12th, 2021: Willy and Steven went to Silver Peak to locate the septic tank at the Silver Peak Library and they did end up finding it.

March 12th, 2021: Willy worked on the possible water leak by the park.

March 16th, 2021: Meeting with Delon “De” Winsor, Susan Dudley, Dwight Smith and Michael Anderson about the three permits that Esmeralda Minerals filed in our basins and to see if Mr. Smith would look into about submitting comments to the Water Division before the due date for protesting these permits.

March 18th, 2021: We had a MSHA class with the Road Department Staff and Michael Anderson’s staff as well. The class went very well.

March 19th, 2021: Emory did researching manholes and valve box risers for Goldfield Paving Project.

March 19th, 2021: Mike and Emory attended the Neolith Energy Meeting and below the minutes from the meeting are below:

March 19th, 2021: Neolith Energy Meeting 3/19/21

M: Mike

S: Susan

Minutes from the April 06, 2021 County Commission Meeting

D: Dwight

R1: Richard:

R2: Ramon

F: Florence

Intro

M: Public Works/Utilities Director for Esmeralda County

R1: Operation manager of Neolith Energy pilot plant

F: *unknown*

R2: Hydrogeologist w/ Schlumberger

D: Hydrogeologist w/ McGinley

S: County consultant

R1: *Spoke about previous meeting in Silver Peak with Mike, Susan, and De. * they requested meeting w/ Dwight and Neolith to discuss freshwater impacts and address concerns. Neolith is a venture of Schlumberger, who has expertise in reservoir and wellfield production. Neolith partnered w/ pure energy who holds lithium claims in Clayton Valley, signed earning agreement that allows Neolith to develop the property and pilot plant, and become new owner of claims if that work is done.

M: Pure energy would use solvent within their brine processing, but this is not the case anymore with Neolith taking over.

R1: Yes, correct. The original plan was to use rapid infiltration basins (RIB)s. The new plan is to use reinjection wells on the production scale and RIBs for the pilot plant.

D: Met w/ Pure Energy 3-4 years ago. The technical details and project have evolved since then, and we need a clear footing on the new proposal, especially regarding the 50 AF (89617) permit/88 gallons per minute (GPM) pilot plant usage, RIBs for brine, and potential impacts to freshwater resources. We need address our concerns and reengage and understand the new process. You filed for new permits with a total combined duty (TCD) of 500 AF. What are your intentions with it? Can you give us a quick recap of your plan and process? I believe the pilot plant study has a timeframe of one and a half years.

R1: Yes, the plant duration is planned for one and a half years. The 500 AF is for additional testing, as the 50 AF will only last a few months. (These are finite-term permits).

D: Ok that clears it up; the purpose of the 500 AF was not clear in the applications. On RIBs, can you tell me more on what level of evaluation was done? NDEP has their criteria. Have you advanced with it that far to determine sizing area and environment the RIBs will return brine to? Our biggest concerns are effects to fresh water resources in that valley. It is a scarce resource in that valley.

R1: Our first step is the RIB investigation. This cannot begin until we get BLM approval. We are estimating this approval to occur around mid-May. Once we receive approval, we can begin the aforementioned investigation and location appropriation. We will have separate permits for the RIBs and the plant. An external company designed the RIBs for us, so we are confident in their design. NDEP

Minutes from the April 06, 2021 County Commission Meeting

unknown reviewing applications. We will be installing a monitor well north of the pilot plant to monitor the reservoir (aquifer). We will have a *unknown*ometer in the pilot plant. Does that answer your questions?

D: Yes, that make sense, you are taking the normal steps. Maybe not on the immediate horizon, but our greater concern down the road is the injection facility and details of that. We want to know how you will manage to inject w/o affecting fresh water resources.

R1: We are thinking of what study we can do to address that. We are thinking of utilizing a geotechnical engineer, and drilling shallow wells near the boundary brine and fresh water aquifer boundary, and further characterizing that resource. We are open to whatever you recommend.

D: We need to maintain a good dialogue w/ the county to be aware of plans to drill, test, and move forward. We have shifted to long-term, have I missed anything w/ pilot plant? I believe plans w/ fresh water demand were to haul water.

R: Fresh water needed is for dust control. Mike and Susan gave me an application for that. There is truck stand to fill from. Process water from brine will be used for everything else.

M: Confirms haul stand and can set up account there.

S: You are waiting for BLM to approve anything before you can do investigations of your reports. Will we have any problem w/ viewing the results?

R1: We can share results w/ you in open dialogue.

S: Everything needs to be shared w/ Dwight. We need to be aware of results and we rely on Dwight for that. *Emphasizes fresh water limitation and injection concerns. *

R1: We understand your concerns. Regarding reinjection, Schlumberger has a high level of knowledge of subsurface wells, and such things related to that. We are confident in well and borehole placement and our ability to not cause damage. The placement of reinjection wells and boreholes will be related to fault lines separating fresh water and brine.

S: De would have serious questions about reinjection. *Mentions his knowledge and experience w/ Albemarle. Brought up previous meeting w/ pure energy and concerns w/reinjection. *

R1: Fully understood, protection of fresh water is paramount. Whatever we have to do where everyone is comfortable w/ protecting fresh water, we will do. We will bring anything to you and Dwight so you can review and provide your comments.

S: If you can give us a heads up on progress, it would be appreciated so we can provide comments.

F: We can make a plan, and it's much better if we consult w/ you during the process.

R1: Happy to supply to you so you can review before submitting to State Engineer.

D: You are still using Taggart and Taggart for legal issues related water rights. The county often files protests. If we can enter into a monitoring and mitigation agreement, we can avoid protesting. In Nevada, agreements need a certain level of technical analysis. If you allow us to give feedback on applications, and as you work on testing and monitoring to the point where you can defend them to

Minutes from the April 06, 2021 County Commission Meeting

the State Engineer, we can concur w/ you on that. Projects have been tripped up in judicial review process due to missing plans. The county perspective is that they are not preferential to any project (referencing Albemarle), and is just defending its fresh water resources. The expectations are that the county would file a protest early on, but that can be avoided if we enter into a monitoring and mitigation agreement that everyone is comfortable w/.

S: This situation is similar to when we met previously. We protested the initial 50 AF (89617) as a friendly protest contingent on our conditions being addressed.

R1: We want to be an ally, and everyone to be comfortable with the fresh water situation. The best way to start is by passing you the letter w/ the application to keep an open dialogue.

D: This sounds good, and it is a good way to move towards a monitoring and mitigation plan.

Expectations will be known, and we can get to a point where technical analysis is sufficient for the county to withdraw its protest.

R1: Are monitoring and mitigation plans submitted w/ application?

D: No, it is done later. It used to be that they were prepared to the State Engineer's satisfaction after the permit was granted, but that is no longer the case due to protestants not being allowed sufficient input. They need to be submitted afterwards.

R2: Can you share a good monitoring and mitigation plan with us, so we gain a better understanding of it?

D: You can get it from Paul (Taggart and Taggart), as he would have quite a few examples. They are not really similar with this situation, mostly mining related. But Paul will have info on agreements submitted to the state.

R1: We will send you the letter. Can we schedule a follow-up meeting in a week or week and a half?

S: Give us available dates as Dwight is busy in the next few weeks.

R1: Ok.

D: As we are moving forward with things that are proprietary in nature and as the county is a public agency, if you need a confidentiality agreement that can be done with McGinley.

S: Excellent idea. Mike and I are public agents.

R1: We haven't shared anything confidential now, and are sharing our plans with NDEP. In the future, an agreement could be done. Thank you for offering.

S: Sounds good, and when we get surprised by things it makes things difficult. You can send times and dates to me and I will pass them around.

March 19th, 2021: Emory calculated load count for Fish Lake Valley community center that we received from Chino.

March 19th, 2021: Emory assisted two people by providing them a rough estimate of cost to provide

Minutes from the April 06, 2021 County Commission Meeting

water and sewer to property they're interested in.

March 22nd, 2021: Emory sent proposed Fish Lake Valley community center with addition load calculation to Valley Electric.

March 22nd, 2021: Emory worked on classifying valve box signs for the road dept.

March 22nd, 2021: Emory delivered 24-hour shut off notices for non-payments and helped repair water main broken on aluminum and oak with Willy, Mike and Bubba.

March 23rd, 2021: Emory helped Mike order the parts for the broken line at aluminum and oak and install new main connection near grand and oak.

March 23rd, 2021: Willy backfilled at the community center in Silver Peak and set up pad for generator and set pad at the road shop at the Silver Peak and set pad and generator.

March 24th, 2021: Emory prep for saddle replacement on Oak & Aluminum; located dug up and exercised two valves on Broadway & Aluminum. Dug up valve on Oak & Aluminum with valve key stuck in it; cleaned out mud from riser's pipe, cleaned valve tops, re-set riser and buried it, replaced broken G05 box.

March 25th, 2021: Replaced saddle @ aluminum & Oak; repaired joint broken on Aluminum & Oak, installed new pipe, re-stalled saddle, repaired 1" pvc that was pulled out of compression coupling when repair joint blowout.

March 26th, 2021: Unloaded pipe at pipe yard, valve exerciser, and generator saw, valve box and meter lid @ utility yard; measured manholes and covers more accurately; monitored backwash.

General Maintenance:

March 1st, 2021: Helped Willy cleans up chairs, blenchers and tables at the Esmeralda County School for the Jury Trial.

March 2nd, 2021: Emory ordered supplies/materials for Chino over in Fish Lake Valley for the fence to be fixed around the airport area.

March 3rd, 2021: Worked on fixing the whacker.

March 4th, 2021: Help unload and load commodities for Fish Lake Valley and Silver Peak.

March 4th, 2021: Work on valve exerciser for oil leak and ordered oil for the valve exerciser.

March 5th, 2021: Removed/Change the old igniter at the library to a new one for the heater to work at the library properly.

March 5th, 2021: Change/Replace the old light bulbs in the Esmeralda County Assessor's Office.

Minutes from the April 06, 2021 County Commission Meeting

March 8th, 2021: Helped Commissioner Tim Hipp plant Joshua Trees by the corner of Crook Ave & Fourth Ave to give decoration that corner lot by the highway.

March 11th, 2021: Emory, Mike, Willy and Steven were out shoveling snow from the courthouse, annex office, rest area and helping clear the snow off on the road so that residents could drive from one place to another.

March 11th, 2021: Emory worked on repairing the snow blower and helped fix air compressor use on plow truck with Mike and Mike Long.

March 15th, 2021: Emory, Steven and Bubba helped with unloading and loading commodities with Natalie and Maureen.

March 19th, 2021: Willy digs for generators at Library and Community Center and also lowered flags as well on this day.

March 22nd, 2021: Emory and Bubba helped Mike unload tires at road department.

March 29th, 2021: Willy, Steven and Bubba helped Sheriff's Office unload wheel balance for them.

Update Information:

None

Deven Thackeray – Solid Waste Supervisor – Nothing.

Maureen Glennen – Commissioners' Administrative Assistant

Maureen said we just had our largest commodity delivery yet. Michelle told Maureen that she has heard from a lot of people from the community about commodities and they wanted to let her know that they appreciate her efforts.

Sylvia Rich – Public Administrator – not present

Robert Glennen – Public Guardian – nothing.

Esmeralda County Land Use Advisory Committee

Commissioner Keyes said they had their first meeting last month. One of the requests from the meeting was to find out how many vacant (billable) parcels there are in Esmeralda County. The next meeting is April 29.

Kenneth Elgan – DEM Coordinator – not present

Fish Lake Valley Park Board

They had a meeting last Wednesday and they are planning the July 4 activities.

Esmeralda County Library Board – nothing.

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.)

Minutes from the April 06, 2021 County Commission Meeting

Commissioner Winsor: Leo meeting coming up on 04/13. He said he has a meeting with the Clayton Valley mining people coming up also.

Commissioner Keyes: Attended the NACO meeting last month and they are dealing with the legislative session. Central Nevada Regional Water Authority – yesterday there was a hearing on AB-354 and 356. What is regarding water banking and one is regarding water conservation, but they are not what they look like on the surface. The banking is more like a stock exchange, where people can buy and sell them on the, literally on the stock market, the water rights in Nevada, so we are opposed to that. He said he had signed up to testify on that yesterday, but there were so many people signed up he was not called upon to speak. CNRWA is opposing it as a board. AB356, when you look into it, is taking 25% of the water rights out of each basin.

Commissioner Hipp – Had the first housing committee meeting on 3/24. Decided to invite Gemfield and Loneer to do updates via town hall meetings with the community to talk about the housing situation. On May 18 at 5pm in Goldfield at the Goldfield Community Center they will have the Gemfield Town Hall meeting, and then on May 19 at 4pm at the Fish Lake Valley Community Center they will have the Loneer Town Hall meeting.

Commissioner Hipp said he had a meeting 3/29 with Forcefield to talk about possible funding for different projects.

ELECTED OFFICIAL / DEPARTMENT SUPERVISOR / GENERAL PUBLIC ACTION ITEMS:

9. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide to seek American Rescue Plan Act of 2021 funds for the possible Justice Center. (Commissioner Tim Hipp)

Commissioner Hipp said he mentioned maybe at the last meeting that there might be funds available with the second round of relief funds and that we might be able to get some funding for the justice center. He said he wanted to get this on the agenda to let the commissioners know he is working on it.

Judge Danielle Johnson came up and told Commissioner Hipp know that she is working with the AOC in getting mental health specialty court in Esmeralda County.

Commissioner Hipp made the motion to approve to seek American Rescue Plan Act of 2021 funds for the possible Justice Center. Commissioner Keyes seconded the motion. All in favor: Motion carried.

13. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve a resolution of the Esmeralda Board of County Commissioners stating its support for the right to bear arms and opposition to any laws which restrict the individual rights of the citizens of the United States as protected by the United States Constitution and Article 1, Section 11 of the Constitution of the State of Nevada. (Commissioner Ralph Keyes)

Minutes from the April 06, 2021 County Commission Meeting

Commissioner Keyes many rural counties in Nevada have already done this and he has the support of the Sheriff's Office and many of his constituents in his district and hopefully in the rest of the county.

Commissioner Keyes read the first part of the resolution as follows:

RESOLUTION OF THE ESERALDA BOARD OF COUNTY COMMISSIONERS STATING ITS SUPPORT FOR THE RIGHT TO BEAR ARMS AND OPPOSITION TO ANY LAWS WHICH RESTRICT THE INDIVIDUAL RIGHTS OF THE CITIZENS OF THE UNITED STATES AS PROTECTED BY THE UNITED STATES CONSTITUTION AND ARTICLE 1, SECTION 11 OF THE CONSTITUTION OF THE STATE OF NEVADA

Commissioner Keyes said the District Attorney reviewed it.

Commissioner Hipp said he is a gun owner, has several guns, is a veteran. He supports gun ownership and protects that, but he doesn't like the wording "any law", where it states "the right to bear arms and opposition to ANY LAWS which restrict the individual rights". He said he doesn't like the complete vagueness of that and thinks it is very dangerous to approve something with the word "any" in it.

Commissioner Keyes asked for clarification on Commissioner Hipp's objection. He said "any laws". Commissioner Keyes asked him what he would change that to. He said he doesn't think we could phrase it any way that would make the other commissioners happy. He said this is a blanket statement and there could be a lot of legitimate situations where someone shouldn't have a weapon.

Commissioner Keyes said it does state legal right.

Commissioner Keyes pointed out that on the second pages, second to last paragraph it does state "be it further resolved, the Esmeralda Board of County Commissioners opposes the enactment of any legislation, state or federal, that would unconstitutionally infringe upon the lawful rights of residents to keep and bear arms, including the right of a private individual to sell or transfer their legally-owned firearms without undue government burden; and". He said, so if they are "legally" owned. It doesn't involve any illegal activity.

Sharon Artlip came up and said the reason she doesn't have a problem with the word "any" is because she knows there are factions out there who are trying to take away our legal right to bear arms and it stated in the resolutions "as protected by the United State Constitution and Article 1 Section 11 of the Constitution of the State of Nevada". She said she is also a veteran, and her father, son and daughter have all served.

Commissioner Keyes asked Commissioner Hipp if the words were changed would he vote aye on the resolution. Commissioner Hipp asked him if he was going to change all the words to "any". He said there might be a good change, but the other commissioners aren't going to budge on that and that is his point, that this is just a blanket and it is not specific and to go ahead and vote.

Commissioner Keyes made the motion to pass the resolution as written. Commissioner Winsor seconded the motion.

Aye: Commissioner Keyes, Commissioner Winsor

Nay: Commissioner Hipp

Motion carried.

Minutes from the April 06, 2021 County Commission Meeting

14. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss and approve parcels for the Esmeralda County 2021 Annual Land Sale. (LaCinda Elgan)

LaCinda said this list is subject to change. This approval gives us the authority to send out a 90-day notice to state that we are going to sell the property. By law, they have up to 3 days before the land sale. This is why we try to make sure a lot of our stuff is done beforehand because nothing is worse than having someone come and redeem property after the 90-day notice. Not just anyone can pay someone's taxes and get that property. You have to show you are related and have a right to do that.

Commissioner Hipp made the motion to approve the parcel list for the Esmeralda County 2021 Annual Land Sale so that 90-day notices can be sent out. Commissioner Keyes seconded the motion. All in favor: Motion carried.

17. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and interview by phone the two candidates who submitted resumes for the Project Administrator/Grant Writer position. Invite one or both candidates to interview in person following this telephonic interview. (Maureen Glennen)

Maureen said that both candidates withdrew their names. She said Paul Miller had talked about contacting the person that Nye County uses for grant writing and see if there was a way they would share the duties but he has not been able to get in touch with them yet.

Commissioner Hipp said we should continue to advertise. Commissioner Winsor said there is an outfit in Vegas who can do it as well.

18. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve the ADSD 21-22 second year grant application. (Maureen Glennen)

Maureen said Susan Dudley helped with this. She said the only change is because of the raises, the funding of the grant paying for the gas is lower than last year.

Commissioner Hipp made the motion to approve the ADSD 21-22 second year grant application. Commissioner Keyes seconded the motion. All in favor: Motion carried.

Commissioner Hipp made the motion to take a 5-minute break. Commissioner Keyes seconded the motion. All in favor: Motion carried.

Back to Order

19. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve McGinley & Associates Hydrologic Services agreement for Clayton Valley Lithium Pilot Plant proposed by Schlumberger Technology Corporation and approve where funding for this agreement should be paid from. (Susan Dudley)

Following are Susan's comments on this item:

There is an agreement with McGinley and Associates Hydrologic Services in your packet. The scope of work under this agreement is to assist the county in reviewing the ground and surface water issues related to the Environmental Assessment for the Clayton Valley Lithium Pilot Plant Project proposed by Schlumberger Technology. Services include remote meetings with Schlumberger and review the water resources issues reports and related components, to assist the county in preparing comments. County

Minutes from the April 06, 2021 County Commission Meeting

Comments are due to the BLM by April 9th and are subject of the next agenda item. The costs for services will not exceed \$2,500.00.

If you approve this agreement it needs to be signed now so it can be returned to Dwight as soon as possible. Maureen and I have a plan for that.

You should also include in your motion where the funding to pay for this agreement should come from.

Commissioner Keyes made the motion to approve McGinley & Associates Hydrologic Services agreement for Clayton Valley Lithium Pilot Plant proposed by Schlumgerger Technology Corporation and have funding coming from Professional Services, not to exceed \$2500.00. Commissioner Keyes seconded the motion. All in favor: Motion carried.

20. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve comments prepared by McGinley & Associates and other comments to be included in a letter to the BLM for the environmental assessment – Clayton Valley Lithium Pilot Plant proposed by Schlumgerger Technology Corporation. (Susan Dudley)

Susan said Dwight provided the comments last night and she sent them to the commissioners. She said prior to that she had provided to the commissioners, comments and the rest of the issues, besides the water issues.

She said the first part of the letter is Dwight's comments. It talks about the water usage, the hydrology, the water from previous drilling activity, the groundwater quality of the existing wells. He has made comments, mostly a lot of questions, as well, and as this goes forward, so the commissioners understand, this is a NEPA (National Environmental Protection Agency) process that is through the BLM and the BLM has invited comments and they will address those comments in the EA, so that if we have an issue with the something that was in the EA now is the time to speak, or forever hold your peace.

This is just for the pilot plant.

Commissioner Keyes said he had reviewed both letters and he agrees with them.

Commissioner Keyes made the motion to approve the comments prepared by McGinley & Associates and other comments to be included in a letter to the BLM for the environmental assessment – Clayton Valley Lithium Pilot Plant proposed by Schlumgerger Technology Corporation.

21. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision and approval of applications to CDBG CV2 and CV3 FY21 and prioritize applications each category of CV2 and CV3 for the following projects

- CV2
 - Pay Incentive \$23,577.60
 - Covid Cleaning/Disinfecting
 - Decontamination and Lockers
- CV3
 - Ambulance Project
 - Teleconferencing System

Minutes from the April 06, 2021 County Commission Meeting

Following are Susan's comments for this item:

This is the final stage of the citizens participation process for the CDBG covid 2 and CDBG Covid 3 grant application process.

At the March 2, 2021 meeting you approved to move forward with following eligibility applications and prioritized them as follows:

CV 2

1. county building covid cleaning disinfecting \$6,000
2. decontamination and lockers for three ambulance barns \$6,000
3. EMT recruitment \$16,496

Applications 1 and 2 have been approved to move forward to a full application. 3 was reopened to pay the trainer only and not EMT's and was approved to move to full application

CV 3

1. teleconference equipment \$120,000
2. goldfield ambulance

Application 1 was approved to move forward to full application but not application 2.

The final applications are due with all required attachments on April 27, 2021.

CV 2 with your motion today you should include the three applications by name and amount approval and prioritize them again.

CV 3 your motion should include approving the application for cv 3 by name and amount of grant.

I emailed to Tim and Maureen the document requirements to be included in each application. Phase 2 applications will need the environmental review completed and submitted with the applications. I can provide that for each application after approval today. I will provide to them the minutes and proof of publications for each of the meetings since Jan. 19th with the exception of this meeting minutes. I can work with them on the other required items.

With phase three the ER will need to be completed later.

Commissioner Keyes made the motion to approve the applications to the CDBG CV2 for \$16,496 for incentive for training and Covid cleaning and disinfecting of \$6,000 and decontamination and lockers of \$6,000 and on CV3 the teleconferencing system at \$120,000. Commissioner Hipp seconded the motion. All in favor: Motion carried.

Commissioner Keyes said if we are going to keep doing these grants we are going to have to work together. If it is going to benefit a department, they should help participate in that grant.

Commissioner Hipp asked Susan if he agreed to do the CV2 section, would a lot of the information be the same. Susan said she would say so; that they would be unique in certain aspects.

Minutes from the April 06, 2021 County Commission Meeting

22. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discussion/Decision and approval of redirecting payment for the agreement with Construction Materials Engineers, Inc. from CDBG and to approve to purchase ring risers and manhole covers to be paid for from CDBG funds instead. (Susan Dudley)

Following are Susan's comments for this item:

This agreement was approved at your 2/16/21 meeting, minutes of that meeting included in your back up. During the discussion at that meeting an alternative source of funding this agreement was discussed in the event CDBG funds were not used.

On March 11th I was informed by Deven the street repair project was delayed by one month. That day emailed CDBG for an extension of time for the grant expiration date 6/30/21. On March 12th she responded they would consider another grant extension but to send extension request on County Letterhead which we did on March 16th. We have not had an official response but the CDBG office has been a little busy. With all of this said we need to take a draw on the grant. Since the project is delayed, we cannot move forward with the CME contract until we are pugging and paving. The motion on 2/16 was to fund this agreement with CDBG funds. Therefore, I would request that we redirect payment for this agreement to the alternate discussed on 2/16, which includes using the of the remainder of \$50,000 of the county match for this project in the amount of roughly \$14,000 and Tim agreed to the remaining amount of approximately \$10,000 could be paid from District one funds.

With that said the first draw could be used to purchase the material for the portion of the project the county will do. Those for ring risers and manhole covers. The public works department has been working on several quotes for that portion and it is estimated to cost approximately \$30,000. This work will be done after the paving has been completed but the materials could be purchased now, ask for reimbursement from CDBG meeting the draw requirements.

If you agree the motion should include the funding sources of the CME agreement from the matching funds in the Road Department budget and district one budget. The motion should also include approving the purchase the of ring risers and manhole covers in the estimated amount of \$30,000 to be paid from CDBG Funds.

Commissioner Hipp made the motion to approve of redirecting payment for the agreement with Construction Materials Engineers, Inc. from CDBG and to approve to purchase ring risers and manhole covers to be paid for from CDBG funds instead. Commissioner Keyes seconded the motion. All in favor: Motion carried.

23. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide and approve the water service agreement by and between Gemfield Resources, LLC and Esmeralda County. (Susan Dudley)

Following are Susan's comments for this item:

As you aware Gemfield resources has requested to be a customer of the goldfield utilities. Their water demand is 600 gallons per minute 24 hours a day seven days a week 364 days a year. With that demand there needed to be a number of system improvements made before the utility could commit to that volume of water. We just finished some of those improvements last year for a total of \$3.3 million paid for by Gemfield resources. The utility also had improvements to be made unrelated to

Minutes from the April 06, 2021 County Commission Meeting

Gemfield. Gemfield and Esmeralda county worked together with the improvements needed and paid for by Gemfield in the amount of \$3.3 million the total project was in the amount of \$6.7 million. Esmeralda county had funding from a number of funders to complete this project.

We are currently in the process of another project to go to bid once we have approval from NDEP, info needed from NVE and the final cost estimate. As we speak today it roughly \$6 million dollars all of which will be paid for by Gemfield. this project needs to be completed before we can provide them water. They will be unable to start construction until this project is completed.

I was contacted by Waterton global investment owner of Gemfield resources to start the service application for water. During our discussions we found there needed to be an agreement to identify the contingencies we had to the service agreement. After numerous drafts the final agreement is in your packet and was sent to bob for his review. I worked with several of Waterton attorneys on this agreement.

One of the biggest contingencies is for the protection of the county includes in the event of a service interruption more than 24 hours they would hold us harmless if we could not provide them water. The reasons are the size of the storage tank on their property of 850,000 gallons would be empty after 24 hours. If the service interruption could not be resolved with 24 hours, they would not have water to mine.

Once we establish a rate per thousand, I wanted in the agreement that would be subject to change depending on re-evaluation every six months.

As we will have added infrastructure beyond what the utility would need if they were not a customer those would incur a monthly cost and Gemfield should be charged a base rate to cover those monthly costs.

The rate per thousand and base rate cannot be determined until NVE has completed their design and we know their rates.

We had a conference call this morning with NVE Energy, Shaw engineering, Jenison engineering and Gemfield to get a status update on their progress of our application submitted to them 6 weeks ago. Gemfield also had a conference call with another part of NVE last Thursday.

The agreement is in your packet and we would like you to sign now if you approve this agreement. this agreement needs all three commissioners to sign. Again, Maureen and I have a plan after this agreement has been signed.

Commissioner Hipp made the motion to approve the water service agreement by and between Gemfield Resources, LLC and Esmeralda County. Commissioner Hipp seconded the motion. All in favor: Motion carried.

24. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve and sign a proclamation in support of the Nevada Wildfire Awareness campaign to urge residents in the county to prepare for the upcoming wildfire season. (Bradley Milam/Brett Waters)

There was no one on the phone about this item.

Minutes from the April 06, 2021 County Commission Meeting

25. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss/Decide, approve and sign yearly interlocal contract between public agencies. (Debrah Martinez)

She is not on the phone; she just asked that the commissioners sign the agreement.

Commissioner Hipp made the motion to the yearly interlocal contract between public agencies and public agencies listed on the contract are Department of Health and Human Services, Division of Healthcare, Financing and Policy. Public Entity number 2 is Department of Health and Human Services, Division of Welfare and Supportive Services. Public Entity number 3 is Esmeralda County. Commissioner Keyes seconded the motion. All in favor: Motion carried.

26. **CORRESPONDENCE:** (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. Commissioner Hipp said he met with Kevin Haskew this morning and he dropped off copies of the maps. He is trying to have a final copy of the map for approval at the next meeting, so he wants him to distribute this to everybody and then you can review it and make comments to Mr. Haskew.

Commissioner Hipp said he also failed to mention that he got a letter of support about his agenda item about seeking funds for the justice center. It is from Nevada State Senator Ira Hansen. It is in the minute packet for the record.

Maureen came up and stated that she also received a letter from Assemblywoman Alexis Hansen and Michelle will put that in the minute record as well.

Commissioner Hipp said that these are husband and wife and they wanted to show their support but said because they are republicans they didn't know if it would be a bad thing if they sent them to the Governor since he's a democrat.

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.)

Cheri Bickham came up and said she wanted to say this is only her opinion, but let Commissioner Hipp know that she feels he didn't represent the town of Goldfield with his vote again the gun resolution issue. She felt that was a personal opinion. That was all.

28. ***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 Hipp asked Mr. Glennen if we could have a closed session without legal counsel here. Mr. Glennen said his mandate from the legislature is that he be at all meetings, open or closed. He said if there is a conflict, then he has to designate somebody else to attend that meeting.

Commissioner Hipp will reach out to POOL/PACT on the matter. He is the POOL/PACT Rep so he would do that.

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

None

Minutes from the April 06, 2021 County Commission Meeting

30. ***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.

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

Not needed.

32. **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.

33. ***ADJOURNMENT:**

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