STATE OF NEVADA )
COUNTY OF ELKO ) ss. July 6, 2016

The Board of Elko County Commissioners met in regular session on
Wednesday, July 6, 2016, at 1:30 p.m., in Suite 102 of the Nannini Administrative
Building at 540 Court Street, Elko, Nevada.

There were present: County Commissioners Glen Guttry
Delmo Andreozzi
Demar Dahl
Cliff Eklund
Rex Steninger

County Manager Robert Stokes
County Mgr. Executive Asst. Michele Petty
CFO/Asst. County Mgr. Cash Minor
NRMAC/Asst. Mgr. Randy Brown
Deputy District Attorney Kristin McQueary
Deputy Clerk Marilyn Tipton
Sheriff James Pitts
Undersheriff Ron Supp
Fire Protection Dist. Adm. Linda Bingaman
County Clerk Carol Fosmo
Chief Deputy Clerk Kris Jakeman
Treasurer Rebecca Erickson
Human Resources Adm. Amanda Osborne
Recorder Mike Smales
Library Director Jeanette Hammons
IT Director Harry Jackson

1:31:18 PM:
A. CALL TO ORDER:
Chairman Guttry called the meeting to order at 1:31 p.m.
1:31:36 PM:

B. PLEDGE OF ALLEGIANCE:

Commissioner Andreozzi led the meeting participants in the Pledge of Allegiance.

1:32:02 PM:

C. COMMENTS BY THE GENERAL PUBLIC:

John Carpenter reviewed his recent experience at the hospital. He noted Doctor Durkin had retired but had come back to help at the hospital and helped him on his road to recovery. He voiced his concern with the lack of professionalism with the first doctor he saw. John Carpenter believed the hospital was not paying their doctors sufficiently to retain their services and the doctors were not staying. He commented upon the high charges at the hospital and the money being taken from the community. He stated there were two med-flights out of Elko now because most people could not be seen here. John Carpenter commended the nursing staff at the Hospital. He encouraged them to look at the sales agreement when they sold the hospital because there may be some recourse within that agreement. He stressed there were problems with our medical care here. He noted Battle Mountain had an excess of doctors but those doctors were paid more. He stated Winnemucca does not have a problem with retaining doctors either. John Carpenter stated they should do something about the medical care.

Commissioner Steninger noted Rick Palagi, the hospital CEO, was present yesterday. He stated Rick told them he wanted to hear all complaints.

John Carpenter commented he had spoken to Rick Palagi several times and had also spoken to Commissioner Andreozzi.

Commissioner Steninger encouraged him to take his complaints to Rick Palagi.

Sheriff James Pitts introduced Ron Supp as the new Undersheriff. He noted Ron started his law enforcement career in 1979, came to the Police Department in 1982, then came over to the Sheriff’s Department and had been the West Wendover Chief of Police for eight years. James Pitts reminded them of the Cops and Burgers event tomorrow. He noted they had raised more funding in Elko County than any other law enforcement agency in the rest of the State for Special Olympics.

Linda Bingaman, Elko County Fire District Administrator, gave an update on the Hot Pot Fire in the Midas area. She noted the fire was 40% contained this morning and they were releasing some of the 517 firefighters. She submitted a map showing the perimeter of the fire. Linda Bingaman stated there was 200 miles of fire line with 130 of those miles to be rehabbed. Linda Bingaman stated they were going to transition to a Type III team but they determined it was burning too quickly when it burned 60,000 acres in one day and 56,000 acres in
five hours the first night. Linda Bingaman stated they went from Type III team to
Type II team. She stated they would keep three dozers to rehab the fire line. Linda Bingaman stated her forms submitted were accurate through the 4th of July
and gave the acreage burned in Lander, Humboldt and Elko Counties. She
noted the fire got into the sage grouse and mule deer habitat. Linda Bingaman reported today that there were seven structures burned and there were people
on the ground attempting to identify those properties. She was told there was
one commercial building, one secondary residence, one mine, one water well,
several fences and corals. Linda Bingaman stated they predicted to be 80% contained at the end of the shift today.

Commissioner Dahl inquired how she felt the fire was fought and if changes
could have been made on this fire.

Linda Bingaman stated they fought the fire aggressively from the beginning
and she would have not made any changes. She noted they had 12 to 15
aircraft within the first day and it still burnt the 56,000 acres and by the second
day they had up to 20 aircraft but the fire still progressed by 60,000 acres. Linda Bingaman stated the fire was wind driven in the thick grass. She noted it took
time to get the teams together but there were lots of resources there. Linda Bingaman stated it burn through retardant and there was a model of the fire
which showed the fuel moisture.

Commissioner Eklund inquired if the BLM fought 93,459 acres of fire.
Linda Bingaman replied no, that was what portion of the ground burnt
which belonged to the BLM.
Commissioner Eklund inquired about the 28,900 upon private land.
Linda Bingaman stated that could be ranches.
Commissioner Eklund inquired if that was Elko County jurisdiction because
of it being upon private lands.
Linda Bingaman replied the fire burned BLM, private and some state lands.
She noted everybody fights the fire there were no boundaries when fighting fires.
She commented the County’s resources fight on everything. She noted they
break it out in acres because when the bills came out that showed the cost
shares for who were responsible.

1:52:23 PM:

D. RECOGNITIONS

D.1. Cathy McAdoo, PACE Coalition Executive Director
Discussion and consideration of a Plaque of Appreciation to Cathy McAdoo
of PACE Coalition upon her retirement for her many years of service to Elko
County citizens.

MOTION: Commissioner Eklund moved to approve a Plaque of
Appreciation to Cathy McAdoo of PACE Coalition upon her
retirement. Commissioner Dahl seconded the motion. The motion passed unanimously.

Commissioner Guttry read the plaque into the record.

Cathy McAdoo thanked them and stated this was not about her but about the Elko County residents who have partnered with them to enhance the communities in Elko, Eureka and White Pine Counties. She believed it was a privilege to serve as the Director of PACE. She was not leaving her passion for Elko County but just moving it to a different location. Cathy McAdoo stated she would continue to serve rural Nevada and in this particular case as a Regent of the system for higher learning she would get to serve the entire State of Nevada. She was excited about that opportunity. Cathy McAdoo asked the PACE staff to stand for the Board to be recognized.

D.2. Tuscarora Pottery School 50th Anniversary - Dennis and Julie Parks

Discussion and consideration of approval of Proclamation 2016-H, entitled, A PROCLAMATION BY THE ELKO COUNTY BOARD OF COMMISSIONERS HONORING DENNIS AND JULIE PARKS ON THE 50TH ANNIVERSARY OF THE TUSCARORA POTTERY SCHOOL.

MOTION: Commissioner Andreozzi moved to approve Proclamation 2016-H, entitled: A PROCLAMATION BY THE ELKO COUNTY BOARD OF COMMISSIONERS HONORING DENNIS AND JULIE PARKS ON THE 50TH ANNIVERSARY OF THE TUSCARORA POTTERY SCHOOL. Commissioner Eklund seconded the motion. The motion passed unanimously.

Commissioner Andreozzi read the proclamation into the record.

2:00:24 PM:

E. UNINCORPORATED TOWN OF JARIDGE

E.1. Town of Jarbridge Cemetery Improvement Project

Discussion and consideration to grant permission to the Town of Jarbridge Cemetery Committee to proceed with planned and approved Jarbridge Cemetery improvement plan. Attached was the e-mail from Butch Smith to Randy Brown with the new final revised Jarbridge Cemetery Plot Plan.

Butch Smith, Jarbridge Cemetery Committee, gave a historical review of expansion of the Jarbridge Cemetery in 1998. He noted that at that time the Jarbridge Community Association was guiding the Cemetery Committee. He stated the Community Association paid to put up a fence and Randy Brown had surveyed the roads and laid out the plots. Butch Smith stated the roads still were not in so they contacted some contractors to get estimates. Butch Smith stated the Community Association agreed to pay half toward the road project. He stated they had requested the remainder of the funding through the County budget process but was turned down. Butch Smith stated the Community Association has approved the entire project and would fund the road project. He asked for
authorization for the Community Association to sign the documents to complete the road project upon County property.

Kristin McQueary inquired what the total costs were and how many contractors were contacted.

Butch Smith replied they contacted three contractors and two responded. He stated the total cost was between $33,000 and $34,000.

Randy Brown stated they had gone through the process of attempting to get three quotes. He volunteered to administer this project. He noted the County was acting on behalf of the Town of Jarbidge and the Jarbidge Community Association was acting on behalf of the Jarbidge Cemetery Committee so he did not see an administration issue. He stated this outline had been there since 2002 and everything was shovel-ready on the project. Randy Brown volunteered himself and his department to help with the project.

**MOTION:** Commissioner Dahl moved to grant permission to the Town of Jarbidge Cemetery Committee to proceed with the Jarbidge Cemetery improvement plan in conjunction with Randy Brown and the County would help to complete the project.

Commissioner Steninger seconded the motion.

Commissioner Andreozzi disclosed his father-in-law was a resident of Jarbidge which would not impact his decision on this matter.

The motion passed unanimously.

**2:05:54 PM:**

**F. COMMUNITY FOUNDATION OF ELKO COUNTY:**

F.1. Presentation regarding the Community Foundation of Elko County by Ben Reed. The Community Foundation of Elko County accepts charitable gifts to be utilized in our area by non-profit organizations and other community support.

Chairman Guttry noted that Ben Reed was not present at this time to give his presentation. He stated they would move forward with the meeting and they can come back to this agenda item when Mr. Reed was present.

**2:07:07 PM:**

**G. APPOINTMENTS:**

G.1. Town of Jackpot Advisory Board

Discussion and consideration of the recommendation from the Town of Jackpot Advisory Board to appoint Mr. Bruce Ririe to the position vacated by the resignation of Robin Barton on the Town of Jackpot Advisory Board. Mr. Bruce Ririe submitted a letter of interest.

Randy Brown stated Mr. Ririe’s appointment was recommended by the Jackpot Advisory Board. He was aware there would be another resignation at their next meeting because another member was moving from town so that would be on the agenda next month.
MOTION: Commissioner Dahl moved to appoint Mr. Bruce Ririe to the Town of Jackpot Advisory Board. Commissioners Andreozzi and Eklund seconded the motion. The motion passed unanimously.

2:07:40 PM:

H. ELKO COUNTY FIRE PROTECTION DISTRICT:

H.1. Three Creek Rangeland Fire Protection Association (RFPA), Nevada Operations

Discussion and consideration of approval to allow Three Creek Rangeland Fire Protection Association (RFPA), an association located in Idaho, to assist with initial attack for wildland fire operations on private lands, within a specific area of Elko County. The response zone area is located in the Jarbidge area. The 2014 IDL Master Agreement with TCRFPA was submitted to the Board.

Linda Bingaman noted the Nevada Division of Forestry brought this forward to the Fire Protection District. She informed them of the recent State legislation that rangeland protection associations can be developed, appointed and approved through the individual County Commissions throughout the State of Nevada. Linda Bingaman commented the Fire Protection District had taken the stance that they wanted to support our volunteer associations rather than to promote these rangeland protection associations but this one was an active organization that works out of Idaho. She stated this association has asked for permission to come into the Jarbidge area. Linda Bingaman noted there was a strip of land above Jarbidge that was covered by the BLM currently and these folks have land in that area so they would like to protect their own properties. She stated this group was very organized and had provided all the appropriate documentation. She noted they would service that one strip of land and the Jarbidge Volunteer Fire Department were happy to have their help due to the remoteness of that area. Linda Bingaman stated she received weekly updates of who they had available, their water ability and what resources they have. She noted they also inform them what fires they had responded to that week. Linda Bingaman recommended they allow them to come into Nevada for that particular area. She noted Mike Guerry the Chairman of the Three Creek Rangeland Fire Protection Association was present along with Tom Turk who was representing the Nevada Division of Forestry if the Board had any questions.

Commissioner Eklund was concerned with the liability issues for Elko County and the State when he first reviewed this but noted they had signed releases to exempt the County and State from financial liability. He believed they should encourage help from this outside agency.

Commissioner Dahl supported the people closest to the area on the ground to fight the fire. He noted in the past everyone who saw a fire would stop what they were doing and fight fire.
Commissioner Andreozzi disclosed his father-in-law lived in Jarbidge.
Commissioner Steninger noted the association was not authorized to take any action upon structure fires under the agreement which he felt was silly verbiage. He did not know of any structures in that area.
Linda Bingaman stated that was BLM verbiage.

MOTION: Commissioner Steninger moved to allow Three Creek Rangeland Fire Protection Association (RFPA) to assist with initial attack for wildland fire operations on private lands, within a specific area of Elko County. Commissioner Eklund seconded the motion. The motion passed unanimously.

2:12:44 PM:

I. ELKO COUNTY CLERK’S OFFICE:
   I.1. Presentation of the Pro and Con Committee argument statements "for and against" the State Mandated AB 191 Fuel Tax Indexing Ballot Question. Elko County thanks the committee members for their willingness to assist the County in this matter.
   AB 191 is a state mandated election ballot question that revises provisions governing fuel taxes that would provide for annual increases on fuels for motor vehicles if approved by the voters. It requires Counties to place the question to the voters on the 2016 General Election Ballot regarding indexing (annual tax increases based upon economic indicators) of motor fuel taxes. The process requires the development of a ballot question including committees to provide “For” and “Against” statements regarding the measure.
   Carol Fosmo, Elko County Clerk, thanked the people that volunteered to sit upon these committees: Pro Committee – Sean Fericks, Janet Petersen, and Michael Smith; and on the Con Committee – Tami Keener, Annette Kerr and Matthew McCarty. She commented these committees spent a lot of time on this question and their comments were ready to go on the ballot.
   Commissioner Guttry inquired how these people were selected for the pro and con committees.
   Carol Fosmo stated she had called multiple people and held a meeting with the volunteers. The volunteers were given a presentation from Cash Minor giving them an overview of the bill and then she asked them which committee they would sit upon.
   Commissioner Guttry noted the committees had been very thorough in their pro and con statements and encouraged everyone in the County to read those statements. He commended the committee members and the County Clerk.
   Commissioner Steninger inquired how this would be presented to the voters.
Carol Fosmo stated it would be upon the sample ballot and it would be published in the paper and upon the website so the people can make an educated choice.

2:17:31 PM:

J. ELKO COUNTY NATURAL RESOURCES:

J.1. Update and discussion of the June 7, 2016 Central Nevada Regional Water Authority meeting held in Ely, Nevada.

Randy Brown had attended the meeting in Ely and the staff report was discussed regarding the CNRWA lawsuit. He stated there was a lawsuit upon the state level and also the federal level. Randy Brown stated both determinations were to go back to the State Engineers Office for redetermination. He stated there were presentations at the meeting from USGS. He stated USGS has determined there would be huge impacts from Spring Valley and Snake Valley on the watersheds for the national monument at Lehman Caves and Great Basin National Park. Randy Brown stated USGS has come up with new conclusions in their new modeling system which shows how those water flows from Spring Valley and the Snake Valley would impact the national park. He stated now the federal interest was on the State Park. Randy Brown stated there was potential that those water rights that were held in those two valleys would be reconsidered to a different level. He stated Spring Valley actually did come into Elko County on the north end around the Currie and Lage areas. He stated there was a presentation by the parks department and they talked about the impacts that water has served upon the Great Basin National Park just in Lehman Caves. Randy Brown submitted copies of the staff report to the Commission.

Commissioner Guttry inquired if Spring Valley was on the west side of the Great Basin National Park range and received an affirmative response.

Randy Brown stated the modeling showed a lot of interconnectivity to both basins because of the underlying connection between Snake Valley and Spring Valley which was not seen previously. He stated they showed the map and the potential for drawdowns through pumpage and you could see the areas that would be impacted. Randy Brown stated the State Engineer would make some determinations after reevaluation. He noted USGS had done some reevaluation and prepared a data base on the area. He stated they were evaluating the annual and perennial yields on the basins and what the impacts would be. He believed the decision was back in the State Engineer’s Office.

Commissioner Steninger found the State Engineer’s determination in Spring Valley and Snake Valley interesting when they have all been to these meetings and the State Engineer was convinced that the agricultural wells were impacting the surface water and he had begun a five year study to prove that point. He noted down there the State Engineer wanted to ship all the water to
Las Vegas yet if pumping affected the surface water up here it would also affect the surface water down there.

Commissioner Dahl stated one of the things that changed the dynamics of the Southern Nevada Water Authority grab for water was last year when John Entsminger replaced Pat Mulroy as the Director. He stated SNWA offered to transfer part of their water allocation to California last year when they were still in drought season with the caveat that when they needed it they would take it back. He noted at that time the SNWA made the statement they have enough water for the foreseeable future which took a lot away from their argument for more water.

Commissioner Guttry questioned why the SNWA was opposed to desalination.

Commissioner Dahl stated it was $15 billion dollars.

Commissioner Steninger noted now there was discussion about environmental concerns.

Commissioner Dahl believed the opposition to the desalination was because of the amount of money in that pipeline. He stated Coyote Springs would die without that pipeline so you have to follow the money. Commissioner Dahl stated desalination made a lot of sense.

Commissioner Guttry noted Commissioner Dahl commented they could take the money to put in the pipeline and use it to build a desalination plant on the coast.

Commissioner Dahl stated it would not take that much money for desalination but there was money to be made by those who were making the pipeline happen.

Commissioner Guttry stated if they did desalination then they could trade the water.

Commissioner Steninger noted they were still seeking the right of ways for the pipeline even though they were ordered to do the studies.

Commissioner Dahl commented during that meeting he was in Carson City representing NACO on the wild horse issue.

Commissioner Guttry noted it was interesting testimony that J.J. Goicoechea gave at the hearing.

K. **ELKO COUNTY EMPLOYEE APPRECIATION**

K.1. Discussion and consideration of the upcoming 2016 Employee Appreciation Day on September 23, 2016, including approval of Service Awards to be given to employees with 10, 15, 20, 25, 30 and 35 years of service with the County.

Michele Petty stated the committee was meeting again and they would plan a weeklong of events for the employees. She noted 36 employees would be receiving awards and there would be a BBQ lunch at noon on Friday. She stated
they were looking at a circus/carnival theme. Michele Petty stated the Commissioners, elected officials and the department heads had been very generous in providing the funds to make this happen.

**MOTION:** Commissioner Andreozzi moved to approve the 2016 Employee Appreciation Day to be held on September 23, 2016 including approval of the Service Awards to be given to employees with 10, 15, 20, 25, 30 and 35 years of service and thank the, for their service to Elko County. Commissioner Eklund seconded the motion. The motion passed unanimously.

**2:29:26 PM:**

L. **ELKO COUNTY TREASURER’S OFFICE**

L.1. Consideration of approval of Resolution 14-2016, entitled, A RESOLUTION TO LEVY TAX RATES FOR THE COUNTY OF ELKO, STATE OF NEVADA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, PURSUANT TO NRS 361.460.

Chairman Guttry stated this was a housekeeping item they do every year to set the ad valorem rate.

Rebecca Erickson, Elko County Treasurer, was present to take questions.

**MOTION:** Commissioner Dahl moved to adopt Resolution 14-2016, entitled: A RESOLUTION TO LEVY TAX RATES FOR THE COUNTY OF ELKO, STATE OF NEVADA, FOR THE FISCAL YEAR BEGINNING JULY 1, 2016, and PURSUANT TO NRS 361.460. Commissioner Steninger seconded the motion. The motion passed unanimously.

**2:30:36 PM:**

M. **ELKO COUNTY FISCAL AFFAIRS:**

M.1. Discussion and consideration of approval of the Hiring Delay and Attrition Policy.

One of the largest expenditures of the Elko County budget is the cost of personnel. Personnel service costs make up approximately 84% of the budget in fiscal year 2016-2017. As a result of recent financial challenges and increasing personnel costs it is important to implement mitigating measures in order to avoid layoffs. The Hiring Delay and Attrition Policy provides a review and approval process for positions that become vacant before automatically refilling the vacant position. The position may be approved for immediate hire, delayed hire or not hired.

Amanda Osborne stated they had provided an updated recruitment policy. She noted they have a rehire policy presently but this would refine the approval process. She stated they were asking for a formal review of positions that become vacant so they can look at the costs associated with the costs
associated with that position. She noted when someone leaves Elko County they automatically pay out all of their vacation and pay out sick leave based upon the labor agreement. Amanda Osborne stated they could also look at reorganizing within the departments and look at the responsibilities of that position. She stated they have added to the policy an appeal process so in the event the Budget Committee reviews and makes a decision and the department head or elected official does not agree with that decision they have the ability to bring it to Commission for another review and final decision.

Cash Minor stated this policy ties in directly with the temporary hiring freeze to bring it before the Board for attrition purposes. He noted an 8.3% ending fund balance was a month’s cash flow to pay bills with and they were currently sitting at 6%. He stated the two positions that would be de-augmented was the Public Works Technician and the Bailiff position in the Justice Court which would take them to the 6.18% ending fund balance leaving them short $800,000 to have an 8.3% ending fund balance. Cash Minor stated this was updated and brought forward to them to make a decision whether they want to move forward. He noted it was easier to do attrition than to consider layoffs.

Commissioner Guttry noted they want a six month delay to January 1st to see what happens between now and then. He noted the board had options to do three months and then take a look at it again. He stated they always look at consolidated tax every month and if it was up and continues to go up then that would be a factor they would take a look at. Commissioner Guttry agreed it was easier to do this through attrition rather than to do layoffs.

Cash Minor stated they were trying to build back some money so if something unusual happens they would not be in a bad position.

Commissioner Eklund had spoken to other County Commissioners from Humboldt and White Pine Counties and they had instituted this policy previously. He stated they were in a precarious position with regards to their budget. Commissioner Eklund stated they understand there were positions that were important to the wellbeing of the County but if they want to bring up the ending fund balance they could do attrition, layoffs or do an across the board decrease in the departments budgets. He did not support layoffs.

Cash Minor cautioned them about the cuts to the departments because in the Recorder’s Office they only had 3 employees so 92% of their budget was salary and benefits and the only way they could meet any reduction was to layoff an employee. Cash Minor stated they have to be selective in that process.

Commissioner Guttry stated there has to be prioritization. He stated for clarification for everyone in the public watching or listening these positions that were empty right now were in the budgets in those departments currently so that would not change the 6% ending fund balance if those positions were filled. He
noted the only way they would gain on that 6% was not to fill those positions. Commissioner Guttry stated, in his opinion, anything to do with public safety was important. He noted the County was not like the City because they do not have a lot of fluff. He stated everything they do in the County was nuts and bolts they don’t have parks, baseball fields, swimming pools, etc. Commissioner Guttry stated when you look at the organizational chart there was not a lot of fluff to make cuts. He believed they could bring it back before the Budget Committee in the next couple of weeks before their next meeting and have Cash and the Budget Committee scrub the budget to look at any capital improvement funds that were not NRS dictated which could be moved. He stated there was a chance they could find some money there. Commissioner Guttry noted the other option was to leave the 6.1% ending fund balance “as is” and hope that it doesn’t get any worse. He stated last year they had a 6.8% ending fund balance which was lower than the recommended 8.3% also. He stated that was not good and it may continue to get worse. Commissioner Guttry stated the District Attorney’s Office has sent a plea to not be included in the hiring freeze or be exempt from that because he has been asking for an additional District Attorney for two or three budget cycles and they have not been able to fund that additional deputy. He stated the DA lost one caseworker and will possibly lose another in August. He was concerned because the crime rate in Elko County was not good and everything to do with the judicial system, the courts, the Public Defender’s Office, the District Attorney’s Office were all tied together and we cannot afford to slow that system down by not providing people. Commissioner Guttry stated when you put stress upon other employees by being shorthanded and those other employees have to step up and work longer hours they have the potential of losing another employee to the mines, etc. He hoped they could have a good open discussion.

Commissioner Andreozzi felt it was a well written policy. He stated sometimes when they look at these types of policies it was saying they should take their time and prepare for the future. He noted the policy was here because they were in this financial situation. He believed it was prudent to look at this type of methodology. Commissioner Andreozzi requested clarification on R1.4 paragraph 4 where at the bottom sentence it says they would make a determination whether to approve that position immediately, delay the hiring or deny it all together. He noted it was clear what the delay means, it was ninety days. He assumed that if they determine it was a critical position an immediate means it gets filled immediately. Commissioner Andreozzi felt there was a process by the policy that if there were critical positions there was a way that they could hire someone immediately. He assumed they did not budget buyouts.
Cash Minor stated if those were ongoing positions they would remain in the budget unless there was a reorganization that would delete them.

Commissioner Andreozzi asked if they have a position and the employee in that position retires they would get a percentage of their vacation and sick leave. He stated that meant there was fiscal impact that was not budgeted yet they immediately backfill that position so he believed that was why the policy was there for them to absorb that. Commissioner Andreozzi stated at the City during tight times when there was a person who wanted to retire and there was a buyout they did not fill that position until the buyout was paid off. He noted the policy gave them time to look at every position until they get through their lull in this financial situation.

Commissioner Eklund requested clarification that when they have someone retire after 25 years then they hire someone at a significant lower wage rate so there would be a reduced benefit packet.

Amanda Osborne replied yes when they rehire they usually hire someone at a lower rate considering that person did not have the same experience and time with the County. She stated they recognize there would be a salary savings but if they have a long term employees they may have payouts of $10,000 to $14,000 for payouts coming to them it would take time to absorb that. Amanda Osborne stated this process allows them to evaluate all those factors and take into account how long it would take to absorb the payoff knowing they would bring in an employee in at a step one or three. She noted it encourages them to look at job descriptions.

Commissioner Eklund stated they have a position open at the Library which was the Library Director position and he asked if this hiring freeze would effect that hiring.

Cash Minor replied no, the Library Board had the statutory authority to hire and fire the Library Director position.

Commissioner Guttry stated on all these cases put on hold to fill these positions the department head can come in, present a compelling argument to convince the Commission that this position was critical and that without it there would be a reduction of service to the taxpayers. He noted Robert Stokes informed him 14 years ago a number of positions were appealed and they were granted to rehire so there was no reduction of service to the taxpayer.

Commissioner Eklund suggested they send it back to the Budget Committee.

Commissioner Guttry stated it was important to them that they have a consensus that 8.3% was where they should be and not at 6%. He stated if they get any lower the State would look at us and if they get to a certain point the State could come in and take over their finances.
Commissioner Steninger inquired if they could impose the hiring freeze but the District Attorney could go to the Budget Committee and he could hire the caseworkers.

Commissioner Guttry stated if the Budget Committee said no then it would be appealed to the Commission.

Commissioner Steninger stated they do not have to get to the 8% immediately and should use some common sense and make sure people were prosecuted when they commit crimes for public safety.

Commissioner Guttry agreed, anything to do with the Court system was a priority. He believed the Department Heads would argue pretty strongly. He stated they do not want to get any lower than 6% and they could increase it gradually. They would do rehire on a case by case basis. Commissioner Guttry inquired how many they recommended to put under a freeze or delay right now or how many department heads would come in and want to talk.

Amanda Osborne believed all department heads would come in and talk to the Committee.

Commissioner Guttry noted the Fire District was short one person and the Sheriff was short two positions, Court Security one person and IT requested another technician.

Cash Minor stated the IT technician was put on hold for one year to clean up the job descriptions since August.

Commissioner Guttry noted it has not been filled for almost a year and they were still functioning.

Commissioner Andreozzi felt the hiring freeze gave them an opportunity to look at the positions. He stated buyouts were not budgeted and if they did buyouts they would be less than the 6% ending fund balance. He knew they were asking employees to do more with less. Commissioner Andreozzi stated if Cash Minor came to them and said they had to cut 10% then that would be tough to do. He stated even if they fill every one of the positions it would still make them evaluate each position on a case by case basis.

Amanda Osborne stated even in the normal recruiting process they have to post the position, receive applications, review those, do interviews, make offers and then give notice they were looking at a 4 to 6 weeks process so there was a window of time they would not have an employee in that role.

Commissioner Guttry inquired if their recommendation was still six months to January 1, 2017.

Cash Minor suggested the 90 days; which was in the policy.

Commissioner Guttry inquired where the six months came from.
Cash Minor explained that was for half a year of savings and to reevaluate on a six month basis rather than month to month. He stated even 90 days would help.

Commissioner Guttry commented they have had the Hiring Delay and Attrition Policy in place for a long time so they were just approving an updated version of the hiring freeze.

Kristin McQueary recommended they ask for public comment on the policy.

Commissioner Andreozzi requested clarification they want to adopt the policy but asked about the implementation of the policy.

Amanda Osborne suggested approval of the policy and then implementation of the policy with the decision of whether if they want to apply it to the positions that were currently vacant. She inquired if they want to review the positions on a case by case basis or if they want to go forward.

**MOTION: Commissioner Eklund moved to approve the Hiring Delay and Attrition Policy. Commissioner Steninger seconded the motion.**

Mark Torvinen, Elko County District Attorney, had submitted a letter to the Commission yesterday. He stated with regards to the M2 agenda item; he would waive his elected official statutory raise this year as a statement of good faith. He was more interested in the mission of his office. He stated the function of the public prosecutor’s office was at the heart of the social contract between the government and its citizenry. When a citizen was victimized by another citizen and suffered a criminal act they can assist and expect that with the assistance of law enforcement that wrong would be investigated and public prosecutors would look at that to determine if they were able to prosecute that person on the victim’s behalf. Mark Torvinen stated in return for that they expect the victim not to take law into their hands and seek their own justice. Mark Torvinen had submitted statistical data from the Administrative Office of the Courts He noted they were third in the State and second only to Washoe and Clark Counties in number of felony and gross misdemeanors filings. They were fourth in misdemeanors filings. Mark Torvinen stated his lawyers’ lives and their support staff was a life of deadlines governed by the rules of criminal procedure which starts with the minute someone was arrested. Mark Torvinen stated they can’t just say make do with what you have if you look at those number of open cases last year. He stated their misdemeanor workers deal with 2,000 cases. He stated each case had to be processed, the caseworker gets them together for review, counsel has to look at it to determine action ability, and sometimes additional information is needed to make a determination. Mark Torvinen stated when cases were filed a new set of deadlines arises. He stated then they have to litigate and get the witnesses gathered up so it was a minor miracle with the mobility of our citizenry. He stated the lawyers do not gather up the witnesses they were responsible for.
prosecuting the cause of action, the caseworkers were doing that. Mark Torvinen stated he was not asking for an increase in his budget but was asking for the support staff he has. He noted if they did not have the support staff they would have more problems because it had already caused morale problems within his office. He stated they had lost people because of the stress of these jobs and their jobs were unique because they were viewed with public justice. Mark Torvinen stated they have an obligation to the citizenry that when they were wronged they can expect somebody to try and do something about it. He asked them to exempt these two caseworkers from this process and let him get them hired because the stress of those jobs was high. He stated the citizenry come to them as a point of contact to find out what was going on because it was personal to them. Mark Torvinen stated every misdemeanor, unless it was a citation, a case gets opened; one of his lawyers looks at it after the caseworker has put the file together. He commended his staff, lawyer for lawyer, but their efforts were dependent upon administrative support and that happens before they start being prosecutors. He asked that they find some way for him to hire these people.

Commissioner Steninger understood they were not at that point yet to say no to everybody. He stated they were instituting the hiring policy and when you present a compelling case like he had they could make exceptions to the process. He inquired how quick they could start that process.

Commissioner Guttry stated as soon as they could get the Budget Committee together.

Robert Stokes stated that was not on the agenda.

Commissioner Steninger believed that a department headed by an elected official carries a lot more weight because the elected official was responsible for how that office functions and if the Commission hamstring that official it was not fair.

Commissioner Guttry believed the District Attorney’s Office was understaffed for years.

Commissioner Steninger noted Mark Torvinen had a compelling argument. Mark Torvinen stated when they start talking about something dealing with public interest as the public prosecutor’s office, at least give him the staff to continue as he has. He had been asking for another lawyer but knew that was not possible. He was asking that they preserve the staff that he had.

Commissioner Steninger noted from his letter he stated they were at the same caseload as Carson City and Nye Counties and asked how their staffing levels compared.

Mark Torvinen believed Douglas County had one more lawyer but he did not know the staffing levels. He stated in murder cases the intensity of support for that case increased over the average felony case.
Commissioner Guttry noted the costs also went up.  
Mark Torvinen stated there was more stress upon the caseworker because of the attention to detail. He stated one of his caseworkers said in felony cases they live a life of deadlines. He noted those deadlines were imposed by the State of Nevada and they work against the government. 
Commissioner Guttry noted the agenda item was to approve the policy and inquired if he was against the policy.  
Mark Torvinen stated he understood the policy and the situation they were in so he was asking them, if they accept the policy, to accelerate the consideration of his request. 
Commissioner Guttry stated they could get a Budget Committee together in a short period of time and make a decision.  
Commissioner Andreozzi stated if they approve the policy it says within 10 days there would be an answer. He noted the policy stated “the Budget Committee” but recommended they change the verbiage to “the majority of the Budget Committee” so the entire committee does not have to be present. He noted Mr. Torvinen had a compelling argument but when he looks at a policy what was good for one was good for all. He noted Mark Torvinen mentioned a caseworker worked on 2,000 cases. 
Mark Torvinen clarified his office opened 2,044 misdemeanor cases in 2015 which means the support staff puts together the file with reports to submit to counsel to make a determination whether or not it was going to be filed. He stated if it was filed then that misdemeanor caseworker becomes responsible to do all the things necessary to get it to court; including making sure the reports were there, making sure the motions were filed; the notice went out to witnesses; making sure there were responses to motions and if it went to a felony case everything intensifies. 
Commissioner Andreozzi noted that was a staggering number of misdemeanor cases. 
Mark Torvinen stated Elko County was fourth in the State. 
Commissioner Dahl commented Mark Torvinen has made a compelling case. He stated the Commission had a responsibility to our citizens to remain solvent and as a County he hoped the State would never take them over. He believed they can figure a way out to take care of the safety issues and remain solvent. 
Carolyn Smith requested clarification on the policy under R1.3 where it talks about when an employee vacates a position. She noted they had a vacated position since April 25, 2016 and in August they would have another vacated position. She inquired if that was when they would be made aware of the employees leaving County employment in the future or do they have to wait until
that county employee left that position to start the process. She noted one of her staff gave her thirty day notice but one staff had been out since April 25th so she wanted to know if it was when the Department Head was made aware that position would be vacated they could start the process of completing the form and getting into the 10 day meeting with the Budget Committee.

Robert Stokes stated part of the thinking behind his policy was how do they pay for vacation leave and other leaves that were accrued. He stated that was part of the thought when this policy was created to find ways to cover those costs. He believed the additional concern today was to assist with that ending fund balance in the budget. Robert Stokes believed her question was if an employee gave them a 30 day notice does that mean they only have to wait 60 days instead of the 90 days.

Carolyn Smith understood the policy to mean that once she was notified of a person vacating a position she would start that day to get everything put together to get to Human Resources to get at a meeting within 10 days with the Budget Committee. She also requested clarification and under R1.4 – 2. whether the ten days were working days or calendar days for them to make a decision.

Commissioner Guttry noted they want to get that position refilled as soon as possible and received an affirmative response from Carolyn Smith. He noted if she had thirty days they want to be recruiting.

Carolyn Smith stated when that person leaves she wanted someone there to take her position. She stated it does take four to six weeks to replace someone through normal procedure.

Robert Stokes stated the idea was to see some projected savings. He stated the question was if an employee gives a six week notice does that go into that ninety day period. He stated it may take ninety days to pay for those accrued leaves so there was no savings.

Carolyn Smith stated she did not read the policy that way; it talks about when you have a vacant position.

Robert Stokes stated that was the general intent and they may need to change the policy.

Carolyn Smith stated when they start the process then they have the meeting and they get the answer if it was immediate, if it was delayed, or if they were not going to fill that position then she has the appeal process.

Robert Stokes stated the process of coming before the Budget Committee or the attrition committee could be started immediately. He stated whether that goes towards the ninety days was a question for the committee.

Amanda Osborne stated her recommendation would be that when you receive notice of a position becoming vacant they let Human Resources know through the personnel requisition that she would provide. They then request a
meeting with the Budget Committee and the Committee makes that decision whether they would allow an immediate rehire, delayed hire or not hire at all. She stated then they would know when that clock would start ticking.

Robert Stokes stated the ten days would be ten working days and if they could get the members gathered up quicker than that they would.

Carolyn Smith noted most of the members of the Budget Committee were here. She was aware they did not put on an agenda item to fill these two positions. She asked that they be able to fill these two positions immediately. She noted they would be delayed for a few more weeks maybe ten days. Carolyn Smith stated a caseworker position was vacated on April 25th and they have another position that would be vacated on August 8th and she would like to do some type of internal promotion for one caseworker position and train that person with a hire date of the 8th of August. She stated the Budget Committee had already reviewed our budget from the District Attorney’s Office and the Comptroller’s Office has sent it to the State for approval. She stated in that final budget they approved a second Justice of the Peace, thirty positions for the District Attorney’s Office and she was asking them to stand by those decisions already made to allow them to organize their office like Mark Torvinen said with the staffing positions that currently exist. Carolyn Smith stated the current caseworkers that they currently have in their office were absolutely necessary for them to conduct business on a day to day basis and to meet their deadlines outlined in Mark Torvinen’s letter. She stated six years ago they hired that third felony caseworker that they have been without since April 25th and three years ago they hired that second misdemeanor caseworker. Carolyn Smith reported that five caseworkers were working 3,076 active cases. She stated when they lose people there was a lot of pressure in their office. She noted within those cases they have countless victims calling their office, hundreds of witnesses to get organized to get ready for court and to make their travel arrangements; multiple law enforcement agencies they were dealing with, dealing with multiple expert witnesses, etc. Carolyn Smith stated last year they began job sharing of a receptionist with a child support position and the criminal division. She stated their department saves the County money every day because they share a job position. She stated on April 8th their office converted into the new case management system, JustWare, which was a two year long process. She noted the staff was still learning the new computer system so it was time consuming to clean up the cases that were converted based upon the conversion rules drafted several years ago. Carolyn Smith stated this cleanup would take several years. She noted her assistant office manager was working a caseload and also trying to do her job duties. She had a felony caseworker with longevity that works overtime yet loses her annual vacation on a yearly basis because she has too
many hours accumulated on the books. She stated several staff including herself work more than 40 hours in a week. Carolyn Smith stated they do not have any staff to job share. She commented they were continually streamlining their processes to be efficient and effective. She stated to have another county department loan her an employee was not an option for these positions and she didn’t know if there were any departments that could loan her an employee. Carolyn Smith stated for these two positions they need to be full time and her staff was tired, stressed and cannot continue to work at this pace. She noted hardships were being created in their office and she needed these positions filled immediately. Carolyn Smith stated if they delay this they would significantly impact the performance of their office on their daily operations. She stated they would certainly impact the service quantity and quality of their work. She noted having staff shortages will and already has resulted in staff burnout. Carolyn Smith stated they would prevent this office from filling their public service rules effectively and she did not think the Elko County taxpayers expect that from their local government. She understood the budget was tight but they had a job to do so she was asking them as soon as possible to meet with their department to fill those two caseworker positions. She noted they have been without one position for several months and wished to train additional staff.

Commissioner Steninger noted the second Justice of the Peace was not their decision.

Carolyn Smith understood that but that decision had a trickle effect and they don’t know what it would be.

Commissioner Steninger stated that decision had ramifications; they had to close the Justice Court in Jackpot and they had to tighten belts everywhere.

Carolyn Smith assumed the Justice Court would hear cases more quickly with two Justices of the Peace sitting on the bench so the hearings may be set quicker which means they have to get their victims and witnesses to court quicker.

Linda Bingaman requested that they consider their firefighter position as they look into going into fire season with short staff. She noted overtime would cost more than hiring the position. Linda Bingaman stated there would be no payout costs this position was caused by internal movement which started in April so they have already had considerable time without people in place. She stated even if they have that approval it would still take 4 to 5 weeks to fill that position. She stated they were short staffed and need additional help.

Commissioner Guttry inquired how long that firefighter position was vacant.

Linda Bingaman stated they only have one firefighter in Elko since May 16th and they had started recruiting but stopped the process because of this policy coming up.
Sheriff James Pitts clarified his hiring process takes longer than a regular department because of the background checks, physical tests and written tests. He wanted to make sure that when he gets a vacancy then he could go to Budget Committee. He noted he had been short two people for some time.

Robert Stokes stated they could do that.

Commissioner Steninger stated if it was a critical position they want to make that decision before the vacancy occurs.

Sheriff James Pitts noted to put an officer on the street or in the jail they were still talking about six to eight months after hire with POST, etc.

Commissioner Guttry inquired if the two positions vacant in his department were in the budget and received an affirmative response.

Harry Jackson, Information Technology Director, stated he had not filled the network technician position for a year. He stated when he first started with the County they had three people in the IT Department and they had 2 servers and approximately 200 computers and were using Frontier’s webmail system for their e-mail. Harry Jackson stated in the past ten years they have assumed their own phone system, have video conferencing, have a 100 more printers, upward to 300 to 400 computers, and were operating with a department of four people. Harry Jackson stated the Sheriff’s Department has expanded their substations, taken on the Fire District, the Ambulance substations, and case management systems. He stated they were supporting all these departments so they were stretched thin. Harry Jackson stated they went from 50 work tickets to 200 work tickets in open status now.

Commissioner Guttry understood they were busy and inquired if the position that he had open was in the IT base budget.

Harry Jackson stated it was and they already had applications which they had to put on hold until this process was complete.

Commissioner Dahl inquired how many people were in his IT department presently.

Harry Jackson replied four.

Commissioner Dahl inquired how long it was since they had three people.

Harry Jackson replied seven years ago they increased their numbers to four technicians and they had taken on more responsibility since then.

Harry Botsford stated having been in government for a lot of years; he never saw a policy that ever corrected the ability of managers to manage and trim the budget.

Commissioner Andreozzi understood approval of this policy would speed this process up because it was in limbo now. He noted this gave the people the process to make their arguments to the Budget Committee. He believed it gave them the opportunity to look at them on a case by case basis.
The motion passed unanimously.

Commissioner Guttry inquired if Amanda Osborne wanted another motion to approve the implementation of the policy.

Amanda Osborne inquired if they want to apply the policy to the positions that they currently have vacant so each one of the department heads would come to the budget committee and provide their arguments.

**MOTION:** Commissioner Eklund so moved. Commissioner Steninger seconded the motion.

Kristin McQueary asked that they clarify the motion.

Amanda Osborn recommended having the open positions go through the process.

**MOTION:** Commissioner Eklund amended his motion that the open positions apply to the policy that they just passed. Commissioner Steninger seconded the amendment to the motion.

Commissioner Andreozzi inquired if the open positions were the seven positions submitted to them on a list.

Amanda Osborne believed there would be a few more to be added to that list.

Cash Minor explained positions 6 & 7 would be de-augmented out of the budget which was the Bailiff out of the Justice Court and a Public Works Technician in Community Development which would not be rehired.

Amanda Osborne stated there was another vacancy in the Public Defender’s Office for a caseworker and there was an advanced EMT that she received notice for today.

Commissioner Guttry stated it did not matter how many positions were open they need to go through the procedure as quickly as possible.

Commissioner Andreozzi questioned if the motion applied to all open positions.

**MOTION:** Commissioner Eklund amended his motion to include all open positions. Commissioner Steninger seconded the amendment.

The motion passed unanimously.

Commissioner Guttry asked that Robert Stokes put together a Budget Committee meeting together as soon as possible especially for the District Attorney’s Office.

Robert Stokes requested that the Department Heads work through Amanda Osborne. He stated they knew these positions were coming.

M.2. Review and possible action regarding elected official salary increase for the FY 2016/2017 fiscal year. Pursuant to NRS 245.043(4) and (5) the Board
of County Commissioners may freeze those increases if it is determined that sufficient financial resources are not available. Currently the anticipated ending fund balance for the General Fund is at 6% and should be at 8.3% to maintain cash flow. The estimated fiscal impact is $42,229.00.

Commissioner Eklund stated as long as they were considering hiring freezes then he could not accept a 3% raise. He did not believe anyone on this Commission took this job for the money; they took the position to have a positive effect upon the County.

**MOTION:** Commissioner Eklund moved that we freeze all raises on elected employees, and the raises pursuant to NRS 245.043(4) and (5) be froze at the levels they are today. Commissioner Steninger seconded the motion

Kristin McQueary stated under the statute they must make a finding that there was insufficient resources.

Commissioner Eklund amended his motion that this was being done because there were no additional financial resources. Commissioner Steninger seconded the amendment.

Cash Minor stated their management employees would have no increases because there was nothing budgeted for that. He noted there was an e-comment from one of the associations and they were asking that they also not have increases. He stated if this motion passes it would mean the County as a whole would not see increases which would include the Justices of the Peace, and all elected officials except District Court. He stated they have no control over District Court; they were paid by the State.

Mike Smales, Elko County Recorder, stated NRS 245 just addresses the Commissioners and 6 elected officials. He stated in his research since 2000 it has been addressed twice by the State Legislature and each time it was a four year contract at 3%. Mike Smales said if it turns around and the associations do get a percent or a percent and one-half but if this was not approved today the elected officials would not get another raise until the 1st of July, 2017. He stated as a department head for the last seven years his budget was below the yearly total. He had never gone over budget and that savings would more than cover the cost of his salary increase in his department. Mike Smales stated in talking with the other elected department heads their concern was some of the other appointed department heads received raises yearly. He noted the elected department heads were controlled by NRS and the State Legislature. He understood the budget was tight but he wanted them to know since 2000 to July 1, 2016 the elected officials only received five raises. He noted the others, non-elected and appointed department heads, received a raise every year except for 2011.
Cash Minor stated one of the things they were proposing was when there were no contracts in place there was a trigger mechanism as to where the ending fund balance was as of the audit of November 2017. He stated if they reach certain targets then they would retroactively provide step increases. Cash Minor stated if they met that target then the same would be true for the elected group so they would receive a retroactive adjustment based upon where the ending fund balance was.

Commissioner Guttry inquired if the elected officials were locked out once that decision was made.

Cash Minor did not believe so if they hit that target. He thought it would only be fair to do it that way.

Mike Smales noted NRS 245 states if it was not approved on July 1st then it was the next July 1st and it was not retroactive.

Cash Minor suggested they still propose and do it.

Rebecca Erickson, Elko County Treasurer, stated salary adjustments for elected officials were always difficult and that was why there was such a delay getting them completed in the State Legislature. She stated unlike bargaining unit contracts many years go by without any adjustment at all. Rebecca Erickson hoped they would take into consideration that the Legislators did decide they were due a salary increase and this was the only opportunity for that to happen. Rebecca Erickson stated if they look back through history it was always 4 years where they have set out raises and then it was 8 to 12 years with nothing, which does not coincide with the bargaining units. She stated there was discussion this last time about how staff’s salaries have exceeded the elected officials’ salary and that situation was here in the Assessor’s Office. Rebecca Erickson stated in trying to address that discrepancy if they don’t take what was available now it would increase that problem. She stated there was concern that finding people to take the elected positions would become more difficult because the people within the office would have to take a decrease in pay for that position and those were the people most qualified to do that job. Rebecca Erickson requested that they take into account what went into the decision making at the legislative level being passed down to the County. She understood the Commission was in a difficult position and that the County has budget problems but like Mike Smales stated when that budget problem was remedied there was no way to go back and get retroactive pay. Rebecca Erickson stated the statute was very specific that if they did not receive the raise now it would not happen.

Commissioner Guttry noted it was a certain percentage through 2019. He acknowledged legislature goes a long time and then they enact a four year raise program.
Rebecca Erickson stated that was why it was decided at the State Legislature level so that this decision does not fall upon the Commission because they were the same as the elected department heads. She noted every elected official had the option to waive their increase if they so see fit. She stated if they vote no, and freeze it then that was no longer an option. Rebecca Erickson commented the elected officials do not get payoff for sick leave and vacation time when they retire. She noted several elected officials were looking at retiring at the end of this term. She noted their retirement was calculated on their last three years of salary so if this year goes without a salary increase that would affect them this year and would affect their retirement amount. She understood these increases were already in the budget so they would not be decreasing the ending fund balance.

Commissioner Guttry stated increases for all the bargaining units were in the budget.

Cash Minor stated by law they have to budget them.

Commissioner Guttry stated this was more about perception because they were asking seven bargaining units to forego any increases in their salary.

Rebecca Erickson understood they were still in negotiations and understand that was still unsettled and if they deny the pay raises for the elected officials then you could go to the bargaining table and say the elected officials did not get their raise so we can’t pay you either. Rebecca Erickson believed they were hurting the bargaining power of the bargaining units when you do this now.

Commissioner Guttry noted they were not targeting anyone they just know what the budget was. He noted elected officials were still employees of the County because we control their budget. He personally did not want an increase and could forego that raise. He believed the Commission would probably do that also. Commissioner Guttry believed the perception from the bargaining units and the people not in the units that were forgoing raises say what was good for them was good for elected officials. He understood what she was saying that if they negotiate something they could retroactively change and pay those people but not pay the elected officials because of the verbiage in the NRS.

Rebecca Erickson noted for these four years they were getting a raise but there would probably be a long time before they get another raise.

Commissioner Guttry stated they would only freeze it for one year.

Commissioner Steninger noted she said if the elected officials miss a raise this year they would not get it back. He inquired about the raises for the next three years and retroactive pay for the past year.

Cash Minor clarified the statutes say that if you freeze it for that year then that raise was lost so they would lose one year’s increase and get only a 9% increase.
Commissioner Andreozzi did not realize that the elected officials were not enjoying the annual increases as everyone else was. He stated he would voluntarily forego any raises coming his way just on principle.

Commissioner Eklund stated if they were going to ask the workforce to forego their raises then they should do it for all.

Commissioner Guttry noted if negotiations were not in favor of the County and they do not get a concession from all the bargaining units to forego an increase then the elected officials were already shut out of the process and that was not retroactive like the bargaining units.

Commissioner Eklund stated if the County was successful then the workforce does not get their raise; the elected officials do. He stated there was always the perception in the workforce that they take the hit and people above get the benefits.

Rebecca Erickson stated she agreed with that and agreed with fair. She noted for eight years the elected officials did not have a raise and never once did she hear anyone from the bargaining units say the elected officials didn’t get a raise so that was not fair.

Commissioner Guttry noted that when a person got elected they never received raises for four years.

Rebecca Erickson stated she had been working for Elko County for 27 years so it was her career. She stated this was not something that she did as a part-time thing. She stated these raises for the elected officials were very few and far between so please consider that when they make their decision.

Commissioner Steninger stated he was unaware that the elected officials did not get raises for eight years.

Commissioner Guttry noted when you were elected you don’t get a raise for four and one-half years. He suggested making it voluntarily for each department.

Mike Smales asked for a clarification from Kristin McQueary. He read the statute that if they bypass this year then next July 1st they approve it, they would go back to this year’s salary; it wouldn’t be 6% and it wouldn’t be skipped.

Kristin McQueary replied the way she read the statute as follows: “…those increased salaries must be in the amounts paid for in Sections 2 and 3 starting with the first fiscal year in which the increased salaries were not paid because sufficient financial resources were not available.” Kristin McQueary read the statute that they re-number the years.

Mike Smales stated it would not be a 6% jump it would be a 3% because you would be receiving the 3% this year for retirement and received an affirmative response from Kristin McQueary.

Commissioner Guttry was not opposed to making the raise voluntary. He stated there were six elected officials including one Justice Court.
Commissioner Steninger noted they were talking about an insignificant amount of money.

Mike Smale commented the elected officials were the District Attorney, the Sheriff, the County Clerk, County Assessor, County Recorder and the County Treasurer. He stated this did not have anything to do with the Justice Court.

Cash Minor noted the Justice Court was included because the Commission agreed to follow this schematic.

Commissioner Eklund noted they would not be getting the 3% raise either but the County made the agreement.

Commissioner Guttry inquired if the State Legislature addressed the Justice Court raises.

Cash Minor replied no, that was up to the County Commission. He stated in the early 2000’s the Commission agreed to take back all the fees and the Justice would get raises and longevity like the statute states.

Commissioner Andreozzi inquired if the current Justice of the Peace had gone without a raise for eight years.

Cash Minor replied yes.

Commissioner Eklund stated if it was voluntary then it would be up to the Justice of the Peace whether he would take the raise.

Commissioner Steninger withdrew his second to the motion. The motion died due to lack of second.

Commissioner Guttry inquired if they could freeze the County Commission salaries and make other elected officials voluntary.

Robert Stokes stated the proposal was pursuant to the statute and suggested that they make it voluntary on the basis of the elected officials.

MOTION: Commissioner Andreozzi so moved and went on record that he would voluntarily not take his raise. Commissioner Steninger seconded the motion.

Kristin McQueary requested that they clarify their motion.

MOTION: Commissioner Andreozzi moved that in respect to elected officials salary increases for the Fiscal Year 2016-2017 that those increases be voluntary pursuant to the NRS statute and voluntary for each elected official as to whether or not they want to accept or reject that increase for that year.

Commissioner Steninger inquired if they could add to that motion that the County Commission would not accept that increase.

Commissioner Andreozzi amended his motion that they add that the County Commission will voluntarily as a whole not accept that increase. Commissioner Dahl seconded that motion.
Kristin McQueary stated the only problem with the amendment was the word “voluntary”. She inquired if he wanted the County Commissioners to be stopped from accepting the increase or do they want them to follow their hearts.

Commissioner Dahl noted if they vote on it then they would voluntarily bind themselves when they vote to approve the motion.

Kristin McQueary stated it was easier to clarify it better than that.

**Commissioner Andreozzi amended his motion that the County Commission will bypass the raise. Commissioner Dahl seconded the amendment to the motion.**

Mark Torvinen volunteered to waive his increase for the next fiscal year and inquired if the waiver was for one year at a time.

Commissioner Guttry agreed it would only be for a year.

Mark Torvinen suggested they develop a mechanism to express their waiver to the payroll technician.

Robert Stokes believed there would have to be a statement put in their file. He would check with their civil counsel.

**Commissioners Andreozzi, Dahl, Steninger and Guttry voted aye. Commissioner Eklund voted nay. The motion passed by a majority vote.**

4:05:49 PM:
**RECESS**
Chairman Guttry called a recess at 4:05 p.m.

4:13:39 PM:
**RECONVENE:**
Chairman Guttry reconvened the meeting at 4:13 p.m.

4:14:10 PM:
M.3. Discussion and consideration of a Memorandum of Understanding between the Board of Regents of the Nevada System of Higher Education on behalf of the University of Nevada School of Medicine (“UNSOM”) and Elko County, Nevada, for the support of a (PGY-2) and (PGY-3) resident salary and benefits costs, workers compensation insurance, institutional, travel and housing support in the amount of one hundred two thousand, eight hundred twenty seven dollars ($102,827) for the term of July 1, 2016 – June 30, 2017.

Cash Minor stated there was $105,000 in the budget.

Commissioner Andreozzi stated this was a great program and they had been seeing Medicare and Medicaid patients. He noted Dr. Hogle proctored in this area and they hope that they will attract someone to come here.

**MOTION:** Commissioner Andreozzi moved to approve a Memorandum of Understanding between the Board of Regents of the Nevada System of Higher Education on behalf of the University of Nevada, School of Medicine (“UNSOM”) and Elko County,
Nevada, for the support of this program. Commissioner Steninger seconded the motion. The motion passed unanimously.

4:16:48 PM:

N. COMMISSION MEETING CALENDAR:

N.1. Wednesday, July 20, 2016 - County Commission Meeting – Elko – 1:30 pm
N.2. Wednesday, August 3 & 4, 2016 - County Commission Meeting – Elko – 1:30 pm
N.3. Wednesday, August 17, 2016 - County Commission Meeting – Jarbidge / Jackpot
N.4. Wednesday, September 7 & 8, 2016 - County Commission Meeting – Elko - 1:30 pm
N.5. Wednesday, September 21, 2016 - County Commission Meeting – Midas / Tuscarora

MOTION: Commissioner Steninger moved to approve the meeting calendar. Commissioner Andreozzi seconded the motion. The motion passed unanimously.

4:17:17 PM:

O. CONSENT AGENDA

O.1. Presentation and review of claims for approval which are available for public review at the Elko County Manager’s Office.
O.2. Approval of Minutes
   May 18, 2016
   June 1, 2016

MOTION: Commissioner Andreozzi moved to approve the Consent Agenda. Commissioner Dahl seconded the motion. The motion passed unanimously.

4:17:40 PM:

P. COMMISSION AND COMMITTEE REPORTS

Informational reports from Commission members regarding various committee, liaison or agency issues as may be appropriate.

P1. DEMAR DAHL, DISTRICT I COMMISSIONER

Wells, West Wendover, Jackpot, Montello, Owyhee, Mt. City, Jarbidge Liaison, Nevada Association of Counties (NACO) Board, NACo WIR Board, Central Nevada Regional Water Authority (CNRWA), Humboldt River Basin Water Authority, USFS / BLM Liaison, American Lands Council / Western Counties Alliance.

Commissioner Dahl noted Jarbidge was discussed previously. He stated between the Western Interstate Region Board and Nevada Association of
P2. DELMO ANDREOZZI, DISTRICT 2 COMMISSIONER

Highway Board Clerk, Nevada Department of Transportation (NDOT) Liaison, Auditorium Authority Board (ECVA), Hospital Board, Elko City Liaison, Museum Board, Regional Transportation Commission (RTC), Railport Committee

Commissioner Andreozzi was distressed by the public comment made by John Carpenter and would follow up with the Hospital CEO. He stated having the opportunity to know Dr. Durkin and work with her; she would be a huge loss to the community when she ultimately retires. Commissioner Andreozzi acknowledged that the Health Board meeting was lengthy and he expected to keep the future meetings to an hour. He felt they had a great conversation and thanked them for input.

P3. GLEN GUTTRY, DISTRICT 3 COMMISSIONER

Commission Chair, Highway Board Chair, Recreation Board, Railport Committee, Humboldt River Basin Water Authority, Elko Senior Activity Programs Board Liaison, Budget Committee, Veteran’s Affairs, Northeastern Nevada Regional Development Authority (NNRDA), Sheriff Department Liaison / LEPC Liaison, Fire District Committee.

Commissioner Guttry stated he enjoyed Marena Work's presentation. He believed the Health Board had a big responsibility. He reported that NNRDA now encompasses Lander and Eureka Counties and White Pine would also join so it would be a regional developmental authority. Commissioner Guttry stated there was a listing of the public officials a couple of times in the newspaper and they listed Cliff Eklund under Spring Creek as an alternate.

Robert Stokes stated he spoke to Michele and asked her to have the newspaper correct that as well as giving the County e-mail addresses rather than their personal e-mail addresses to the public.

P4. CLIFF EKLUND, DISTRICT 4 COMMISSIONER

Commission Vice-Chair, Regional Transportation Commission (RTC), Carlin, Midas, & Tuscarora Liaison, Budget Committee, California Trails Center Board Liaison, Northeastern Nevada Stewardship Group, Juvenile Department Liaison / China Spring Advisory Committee, Library Board of Trustees Liaison, School District Liaison / CIS – Communities in Schools, Nevadaworks, Debt Management Commission.

Commissioner Eklund thanked Commissioner Andreozzi for organizing the Health Board. He had received two calls from Midas one was a lady upset with the County Commission not showing up and showing concern during the fire. He had informed her that the Commission does care but they do not want to compromise the firefighting efforts. He noted the other lady was wondering when...
they were going to Midas and was excited they would be able to see them. Commissioner Eklund reported the California Trail Center was organizing for the Frontier Days which would be the first weekend in August and the events would include the cities of Wells, Elko and Carlin participation.

P5. REX STENINGER, DISTRICT 5 COMMISSIONER

Spring Creek Association Liaison, Te-Moak Tribe of Western Shoshone Indians Liaison, Shoshone-Paiute Tribes of Duck Valley Liaison, Northeastern Nevada Regional Development Authority, Alt. (NNRDA), Natural Resource Management Advisory Commission Liaison, Fire District Committee, American Lands Council Alt Liaison, Sage Grouse Pilot Project, Elko County Conservation Districts Liaison, Wildlife Chair / Wildlife Advisory Board / Nevada Division of Wildlife Liaison

Commissioner Steninger stated the Spring Creek Association has started on the clubhouse building and were pursuing a municipality or township status. He inquired about payment to Todd Black

Commissioner Guttry noted at their last meeting with Todd Black, he suggested there be no contract because they did not need him.

4:25:19 PM:

Q. COUNTY COMMISSIONER AND COUNTY STAFF COMMENTS:

Commissioner Dahl inquired how short were they of having the 8.3% ending fund balance and received a response of $800,000.

Commissioner Guttry inquired what if they had concession from the employees.

Cash Minor stated it would be a 7.1% ending fund balance.

Commissioner Dahl noted if the directions they got from the Legislature had been left to this Commission for a decision they would have been close to the 8.3% but they did not have an opportunity for a vote. He stressed it was really important that the County stay solvent and financially strong.

Commissioner Steninger noted the legislature also hit them with the net proceeds tax refund.

Cash Minor stated they would then be out of the refund situation.

Commissioner Guttry inquired if they would see Net Proceeds in FY 2017-2018.

Cash Minor replied in 2018 but with regards to Long Canyon they would not see anything until 2019. He stated if they buy new equipment there would be an impact to the consolidated taxes.

Commissioner Guttry inquired if there would be an increase in the ad valorem.

Cash Minor replied there would but that formula needed to be corrected because it was having a depressing effect upon taxes in general across the
State. He stated there was a group looking to change the property tax formula in 2017. Cash Minor stated he had not attended their meetings.

Commissioner Steninger inquired about the hospital agreement.

Cash Minor stated he could provide him that 1998 hospital agreement but other than the repurchase agreement he did not know if the Commission had any authority through that agreement to impact that hospital.

Commissioner Andreozzi stated he had looked at that agreement and did not see any authority. He stated it does give that board the ability to have some influence upon the CEO.

CashMinor noted there was the repurchase trigger and the welfare/indigent costs, if the County ran out of money, they did not have to pay them and that was why they had a Medicaid rate for this local hospital.

Commissioner Andreozzi asked that Cash provide the portion of the Agreement that pertains to the advisory board to the Commission members.

4:25:19 PM:

R. COMMENTS BY THE GENERAL PUBLIC:

No public comment was submitted.

4:31:05 PM:

S. ADJOURNMENT:

There being no further business to come before the Board, the meeting was adjourned at 4:31 p.m.

APPROVED,

GLEN GUTTRY, Chair

ATTEST:

MARILYN TIPTON, Deputy Clerk