

Minutes from the March 5th, 2024 Board of County Commissioners and Board of Highway Commission Meeting

March 5th, 2024

10:00 a.m.

Esmeralda County Courthouse

403 E. Crook Ave., 2nd Floor

Goldfield, Nevada

APPROVED

Pledge of Allegiance was spoken.

1. CALL TO ORDER AND ROLL CALL.

Commissioner Keyes	Present
Commissioner Holt	Present
Commissioner Winsor	Present
Heather Katick	Present
Robert Glennen	Present

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.)

Commissioner Keyes: Per our legal counsel I have been advised not to take a few agenda items due to possible open meeting laws.

Commissioner Holt: Until the telecommuting is set up online, people will need to call in because we will not be able to see their hand, to make a public comment.

Sharon Artlip: Looking at past utilities updates and having seen the work Emory is doing, (silver peak, fish lake valley, mines, vendors etc) Reviewing the one I have here, there are other jobs that are needed. We have budget hearings coming up soon and I would like to request that Emory by the Wastewater Treatment person and help do the paperwork, but possibly hire a second experienced utility person.

Gabriel Di Chiara (Chief Deputy Secretary of State) I am at this meeting today, on behalf of the Secretary of State Francisco V. Aguilar and Mark A Wlaschin (Deputy Secretary for Elections) I would like to express the complete support from the Secretary of States office for Clerk/Treasurer Elgan. Administrating elections is never easy even under the best of circumstances. There are 100 of state statutes and regulations, in addition to federal laws and requirements, that election administrators are expected to follow to the letter. This takes a truly significant amount of work, above and beyond all of the other duties that are required of the Clerk Treasurer. We believe she does this job admirably. Cindy as well as the other staff in her office, work hard to follow these laws and keep elections in Esmeralda County fair accessible, and Secure. If something that state propose won't work for Esmeralda County, first. This dedication to public service is worthy of respect. There should be no doubts about Cindy's ability to administer any election the law requires her to, including her own recall election should it come to that. Secretary Aguilar hops that it will not. Again, on behalf of the Secretary of State, I tell you that elections in Esmeralda County are in safe hands with Clerk/ Treasurer Elgan

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Thank you, Gabriel Di Chiara, Chief Deputy Secretary of State.

Cindi Chase: After reading this agenda items for the past couple weeks, seems like there is some kind of witch-hunt going on regarding some employees within the courthouse. Which I feel is very unfair some people think that the employee needs to expand their training and qualifications if that is the case maybe the county ought to hire someone to train employees. I was there on election night with Cindy to help count the ballots, I was very impressed, LaCinda does an awesome job.

Debra Cooper: I live in Silver Peak Nevada; I am nervous so if my voice cracks this is why. Recently I was approach by some citizens to sign some petitions I don't know if this is where I need to bring it up. There is one petition regarding LaCinda and after doing my own research some of the information I was given was mis information and not true. I would like to take my name off of that petition. The other 2 petitions I signed regarding people not doing their jobs, they need to put their selves in check.

Mary Jane Zakas: We have a constitution in place and the purpose of that is to be sure that we are all hanging as a good team and if were not the outlet, revenue is to bring it to someone's attention and that's what these petitions are about, it will give us the right to vote and reconsider and bright the side it give the employees a chance to say I need to move up from a bachelors degree to a master degree. I need to move up from my job and do more than I am expected to do, and in the end when this is all over, we will be a mighty team working for this county.

3. *APPROVAL OF EXPENDITURES.

(Commissioner Holt reads in list of Expenditures)

FY 23 Current Expenditures	Previously Approved/ Replaced Check	Total Expenditures
General Batch 1	\$70,419.90	\$70,419.90
General Batch2	\$81,557.81	\$81,557.81
Road Batch 1	\$4,705.74	\$4,705.74
Road Batch 2	\$1,199.04	\$1,109.04
Payroll/Taxes	\$163,368.11	\$163,368.11
State/Quarterly Payment	\$41,741.53	\$41,741.53
Re-Issued Check	\$32.50	\$ 32.50
Utilities Check General	\$1,237.35	
Utilities Check Road		
Total		\$367,638.84

Commissioner Winsor: Makes a motion to approve list of county expenditures

Commissioner Keyes: Seconds that motion all in favor that motion passes.

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

NONE

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5. *APPROVAL OF THE MINUTES FROM: February 5th, 2024 Esmeralda County Board of County Commissioner Meeting & February 15th, 2024 Esmeralda County Board of County Commissioners Special Meeting and February 20th, 2024 Esmeralda County Board of County Commissioners Meeting.

Commissioner Keyes: Started going thru these and wasn't sure if it was due to inaudible or typos but wants to keep looking thru the minutes, they will need some tuning up.

Commissioner Holt: Agree with Commissioner Keyes.

LaCinda Elgan: We welcome your input on that. If each of you could put a check mark. I know Heather does a lot of the minutes so this would be a learning curve for her.

Commissioner Keyes: You were doing a couple different programs?

LaCinda Elgan: Sending our audio off to a country that did transcribing. After I reviewed it a little bit, I'm not saying they did a bad job, they just did them verbatim so we still have to go back in and do minutes. In Nye County, they have a person that does the verbatim then someone who does the minutes So they are two sides of the coin. That's a lot of money around \$500 each time we send out transcripts. We are entertaining the idea; Douglas County currently has a program that generates ahead they call it dragon, and they really like it.

Commissioner Keyes: I know when we use funny names or accoyrms they don't always come out right. Is there any reason that needs to be approved today.

LaCinda Elgan: Maybe because we expedite these minutes, quaintly may have gone down a little bit. We get so use to using accoyrms that we forget that people may not know what they stand for and won't understand what they stand for 10 years down the road when reading meeting. I know Heather will welcome the input.

Tabled this until the next meeting.

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

Robert Glennen – District Attorney- Research on part-time worker.

Nick Dondero – Sheriff – None

LaCinda Elgan – Clerk/Treasurer- 3 Petitions that were filled and received in the office, by law they were to give at the halfway mark. We also made a point to call Dominion voting to find out how much this special election would cost. Because of the last recall was during Covid, and during that time there were special rules, since we are no longer under those rules. We would have to go back to General election practices. Which means we put out sample ballots, I feel if we print us on ballots and use safety paper which is safer than security paper, Its better the all-around paper. I think that's better for our county election and we will need polling locations,

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dates, early voting. So, all those costs are involved, plus signature verifications they all signed a document for the signature verifications would be too costly, they could not afford that is the short version of it. So, when it gets to that point. If they do have the signatures to be verified then the county is going to have to pay for, were looking at possibly Saturday, I agreed for the ballots to be hand counted after we scanned them. I believe that we would have to have 2 teams of 5 people, and they would also need to be compensated. That number that comes up per election is around \$7000 to do that. I don't want to low ball it. So, depending on the scenario it could be \$7000 x 1 etc.

Mary Jane Zakas: That was our intention because we did all the petitions at once, to keep the amount small, I am grateful that it is.

LaCinda Elgan- We also did an AOC Audit. (Administrative Office of the Courts.) we got a clean audit.

Kathy Keyes – Assessor – Not much of an update in my office, just working on gold point. Carina and I have been approved just waiting on stamps etc.

Vera Boyer – Auditor/Recorder – None

Danielle Johnson – Justice of the Peace – None

Emory LaRue – Goldfield Utilities/Es. Co. Public Works Supervisor – In the Packet

Carl Shrider – Road Dept. Supervisor – In the Packet
Carl Shrider – Solid Waste Supervisor – In the Packet

Maureen Glennen – Commissioners' Administrative Assistant Maureen Glennen: We just found out that the new car we just got in 2022 there is something draining the battery, But Matt will be working on it this weekend hopefully figuring out what the cause is. Oil changes have been completed for Senior Trans. We would like to thank our volunteers, over the year and a bit longer. Darcy Caldwell, Paul and Denise McDonald, Bob Wright, Randy Zerr, Ernie Ganem, Emory, Dallas, and Steven.

Sylvia Rich – Public Administrator – None

Robert Glennen – Public Guardian – None

Esmeralda County Land Use Advisory Committee - They met last Thursday they discussed solar plant projects in the area, and proposing an ordinance a permitting process for projects on federal lands that need to go thru the NEPA process.

DEM Coordinator - None

Fish Lake Valley Park Board - Meet every second Wednesday at the month working on budget

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for this year.

Esmeralda County Library Board: Meeting today will have update next meeting.

Goldfield Visitor Center - Natalie Colunga: In Feb there were 87 visitors \$100 in donation.

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

Commissioner Holt: MOUD tomorrow the state revolving fund meeting on the 11th and the SWCREDA(Southwest Central Regional Economic Development Association).

Commissioner Keyes: Went to the park board meeting and they are discussing budgets for the upcoming year ordinance for permits for use in federal lands. Conservation District meeting on Monday at the Wallace Ranch in Fish Lake Valley. NACO Board members meetings, Working with Land Use Advisory committee to draft up possible permits for future use of federal lands.

Commissioner Winsor – None

ELECTED OFFICIAL / DEPARTMENT SUPERVISOR / GENERAL PUBLIC ACTION ITEMS:

(Due to the nature of this items #8,9,11 per a legal consult with Robert Glennen due to potential violation on open meeting law NRS 241.033 These items are not be discussed.)

8. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** For the last 4 years our audits have indicated deficiencies such that we are in a state of material weakness. It is here for suggested that a complete audit going back 4 years is in order. This would have an added benefit of providing educational classes for areas needing restructure or reorganization. (Mary Jane Zakas)

Mary Jane Zakas: If I could just not reinvent the wheel, refresh my mind on the audit, and what the audit doesn't suggest names, but may I want to peek to ensure safety. The part I wanted to address is the recommendations indicating the auditors, making some steps in the positive's direction. The recommendations for the county would be posting of case transactions and receipts should be completed weekly by those dept responsible for transaction creation, approval and auditing and posting. #2 Two people from the Treasurers dept should be trained on bank recognition procedures #3 The Auditor should be provided the bank statement and all that pertains too, in a timely manner at the end of the month, for review. #4 Reconciliation Preparation and review should be signed and dated by the preparer and reviewer for documentation. #5 Items identified as part of reconciliation that required adjustment to the general ledger should be post timely at lease monthly. Bank Report and related cash fund balance reports should be reported to the commission in a timely manner after the end of the month. Follow of action should be taken by the commission for untimely reports. If I could I have a question, do you have page 217? In case you don't think this is relevant was this done

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today. We just have our report and I don't know if you got this but it is in the Audit. Mr. Glennen, may I present myself.

Robert Glennen: Future policy and recommendations are something we can talk about.

Mary Jane Zakas: I just wanted to ask if you got the items I was referencing in my statement.

Commissioner Keyes: Theres a budget summary but that comes from a different office.

Maureen Glennen: I believe that those reports are given at the second meeting of every month, so they are not given at the first meeting of the month.

Robert Glennen: The commission can talk about changes and recommendations, but not whose fault it is.

Commissioner Keyes: So, to answer the question yes, we have been receiving monthly treasurers' reports.

Commissioner Winsor: No actions required, we have discussing these for many years and some items have been corrected. If she would have gone to the people directly, she would have probably gotten more information than presenting it to the board.

Commissioner Holt: I personally listened to the last Dept of Taxation meeting and they were very happy with Esmeralda County, and so they weren't inviting us back.

Commissioner Keyes: So, we won't take any action.

9. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Audits for the last 4 years reveal that reports are not done in a timely manner, and other issues which suggest that our auditor and our Clerk/Treasurer need to work on improving and expanding their qualifications to better meet the needs of our county reporting. How can we provide them the resources to do so. (Mary Jane Zakas)

Commissioner Keyes: We will have to invoke the NRS 241.033 and without talking about person, what we can do to provide resources, A lot of the employees do go to training and get some form of certification of completion, there is some training that the depts go thru and the county provides that thru budgets.

Mary Jane Zakas: I am just very pleased we might be able to offer them some classes, to all employees in areas that want to improve themselves.

Commissioner Keyes: I don't think we will make a motion on this due to the discussion on what we already do.

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No Action Taken.

10. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** When our commissioners convene to plan our upcoming budget, we would like to contribute by having one outside knowledgeable person or two if you need an odd number to make suggestions, review documents & present summaries or whatever is needed. (Mary Jane Zakas)

Commissioner Keyes: All our budget hearings are open meetings, anyone can participate.

Mary Jane Zakas Does that mean they get to vote?

Commissioner Keyes: You can make suggestions; the departments present their budgets and we all work together to draft that with the Auditors office, clerks' office etc.

LaCinda Elgan: I know Mary Jane mentioned voting, there is no decision making in budget workshops that a violation of open meeting law. If there is anything that the Commissions needs to decide on, they can place it on the agenda.

Commissioner Keyes: There workshops so we don't make decisions it's all recommendations for future meetings to make that decision, sometimes many workshops.

Mary Jane Zakas: I wasn't after everyone to participate what I was after was giving you like an Auditor like Dan McArthur if you wanted to expand the 3 or you 4.

Commissioner Winsor: We have to follow laws of the state and they don't allow that. You just need to get more involved in the processes instead of coming at it like this. Dan McArthur does come up here most of the time and give us recommendations, that's all he can do is recommend.

No action taken.

11. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** There is much concern about Cindy & Vera not completing their reports in a timely manner. Cindy did not turn in final records for two months until January through the Auditor cuts the checks, the treasurer sends them out. How does our County become delinquent by 90 days on fuel, oxygen, and the fire departments electricity, when the treasurer is the final step and guardian of our money. Were the bills submitted, were they approved by the commissioners and did our accounts show the money was spent? Is NRS 283.4 malfeasance/non feasible something must be addressed here? (Mary Jane Zakas)

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Commissioner Keyes: I am not going to address this item. This goes back to the NRS 241.033 we are going to intact that. This item will probably have to be done at a different date due to open meeting law.

Robert Glennen: I don't see any area on where we can discuss this item.

Nancy Knighten: So, they can't have my papers.

Commissioner Keyes: We can't debate about it. But we can look at the papers.

Robert Glennen: Anyone can give papers now if you want meaning someone wanting to put something on calendar. But details include 5 days' notice, personally handed to the person it involves and discussed. But we can't talk about it in public.

Commissioner Keyes: That kind of puts the guard rails up. But would still like to see what you have. We just can't have any discussion about it the document is public knowledge, but we can't debate it at this time.

12. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Let's look at this glitch with the voting: it was not small. It was statewide. It closed the SOS website. They were miraculously able to undo the glitch of having all registered voters as submitted by ERIC to vote. Then they claimed the clerks failed to take the proper two additional steps and it was their fault so the machines provided they can vote for us and they can undo it – which Cindy had to do by hand so the commissioners could approve the vote of 103 instead of 500+. We need paper ballots and not expensive machines that have "glitches." (Mary Jane Zakas/Sam Wise)

Mary Jane Zakas: I am in no way saying that Cindy is the problem, for 2 years ago a bunch of us have not been happy about the voting machines. We like the old-fashioned way of signing in and showing your id and the voting, and then it gets put in and then hand counted, I believe you are starting to hear so many counties around the United States are tossing anything related to voting machines. In the old days before the voting machines, we were still able to help the handicapped, deaf, blind, whatever, and its maybe just time to go back to basics to get everything cleaned up we only have about 400 something register voters, So it shouldn't be hard to hand count the ballots within our little county, Think about all the money we would save, I just rest my case and once again pleading even though you don't like it but that we need to get rid of the voting machines.

Thersea Moller: I totally agree with what Mary Jane Zakas just stated, if you can take a vote and then remove it its pretty damn scary, that's where I say we don't need a third party we just do our vote, a few people to count the vote, eliminate all the training and wasted time for the machines. The \$5,500 per machine for 9 machines for 455 votes does the math that is

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ridiculous So that where I say get rid of the machines, The mail in ballots we take the mail in ballots and count them by hand and then were done.

Gaberiel Di Chiara Deputy Seceretary of State: So, there are few different items related to this topic, one there is the glitch, two there is the ERIC system, and then there is a discussion on hand counting ballots. There is system in which you administrator your election. When you use the software that Esmeralda County uses it is called VOCTECH. The election management system is responsible for all item such as, the ballots being printed with the correct races. Everyone's correct address etc. The voter registration system most counties including Esmeralda County, they also use the VOTECH registration system. At no point does one who voted for what cause that's impossible to find due to federal law, but two at no point do that ballots at all enter the system. For state and federal law, it is important to know who voted and when, if you don't vote in 2 successive general and federal elections your voter registration could be inactivated and then cancelled. So, it is very important for the counties and state to keep track of who voted and when and what elections. Thats is a complicated process because we are talking about understanding that there are not that many voters in Esmeralda County both the county and state much have a copy of who voted in what election. Furthermore, in state law how they voted. It's kind of complex it's the thing even when people were still voting on punch cards Voter registration systems were moved to computers because it's a lot of complicated information. Each of the counties also has a duty to provide that to the state. Presently Nevada has a bottom-up registration system, which means all 17 of the counties due there own thing, and send that to the state, were talking about 17 counties doing there own meaning that they use their own software, practices, what type of codes they use. Each county has their own way of doing things. At the end of each night, they send the file to the Seceretary of State and some heroic Seceretary of State employees once we had to set this system up which we are required to do by statue, figured out to convert these 17 files into one 1 statewide data file. If any one county changes anything the state has to change as well on how it is accepted and now converted to make sure everything is consistent. The tenth day after an election, the board of county commissioners certify the votes. As I stated earlier in my public comment elections are complicated. Its up to 3 days out of the year that you are required to follow all kinds of different laws and regulations and not just that you have to make sure that everything such as your systems, staff etc. are running smoothly there was in VOTECH system that Esmeralda County uses, there is a box that you check that takes away the code that who did not vote by mail, This is no criticism on Cindy in previous elections , The state had reached out to counties to remind them that this was happening and the state failed to do so this time around, in which the Seceretary of State apologized, So what happened because the counties did not click that box to take away that code that did not in fact return their ballot our system showed it as they had voted by mail, the glitch only affect people who had not voted so it was obviously very concerning. On the day we knew something was wrong our staff was on it. This was just about whether or not someone returning the ballot or not, it had nothing to do with the tabulation of votes or who voted for who. I understand that there were some additional potential technical issues with Esmeralda County a lot of that is due to the lack of designate

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addresses here. What I will say in my personal opinion is that I am not the biggest fan of the VOTECH system and I don't think they provide the best customer service to the counties. During Presidents Day weekend we had our people working all day and all night, Votech wasn't picking up, no criticism of them they are a business and free to do what they want, but there were a number of counties with the VOTECH systems couldn't get help until Tuesday, which was unfortunate that's the glitch.

Commissioner Keyes: I did not vote in the PPE but it says I that voted and that's what you just addressed. All this digital data is just garbage in garbage out of a computer is just the way it is. Theres a problem and I think paper ballots in this small county is the fix I think that's my personal opinion. It just doesn't give much confidence in the system. That's all I am going to say.

Gaberiel Di Chiara Deputy Secertary of State: Presently we have a bottom up system, It is not the best practice I believe there is only 6-9 states that have a bottom up system because of issues like this, Our legislature in 2021 mandated that we move to a top down system which we are currently working on, and will go live April 1st and will be utilized for the June 11 primary election, we talked about the election management system and the voter registration system being separate and each county having their own version of each of those things, Now the state will have one unified system, that process of the counties uploading their files every night and the state having to stitch them together does not give me a lot of confidence either. That process now goes away. That no longer happens, because it is not the best practice. When we become a top-down system, everything happens instantly, as soon as a voter moves to Eureka County and they update their voter registration in that county instantly it changes their registration and removes them from Esmeralda County right now we have a manual process, I just wanted to address your comments Mr. Commissioner to say that a solution has been identified and is almost in place.

Commissioner Keyes: One question top down can you give us a little more detail on that?

Gaberiel Di Chiara Deputy Secertary of State: Each of the counties works out of the databases instead of 17 different databases and its voters history, they feed into one single date base So for an example when I move from Clark County to Carson City I neglected to cancel my voter registration in Clark County the current process we have where all 17 of those files stitched together it does it caught but those uploads happen on a daily basis and it requires a bunch of different date points to match. With the new top-down system if you go to register in a different county, it would immediately change your registration, you don't exist in Clark County and Carson City you just exist once. ERIC (Electronic Registration Voter Information Center) that is a coalition of I'm not sure how many states, part of is where everyone provides data to each other in a secure fashion, so let's say if someone was to move from Nevada to another ERIC state on a regular basis ERIC states match their data together after a very secure file upload process, they never get information that is not publicly assessable, they never have access to people personal information it is strictly a match from one states data to another. That's how

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you identify if someone leaves the state without cancelling their voter registration or moves to your state without cancelling their voter registration there. It is an incredibly useful tool to identifying voters, it cuts down on voters voting twice in the same election however a lot of states are leaving ERIC for reasons that are their own. In my personal opinion it is always better to have more information about Voters so that you're not sending two ballots to one person. California is not on ERIC. A number of Californians move to Nevada it is very hard for us to manually identify to work with the state of California, to manually identify when someone might be on both our voter rolls, if they were on ERIC, it would be easy to clean up our voter rolls. That's the eric part of it, it doesn't exactly refer to anything that happened with the glitch or the PPE election but that's the run down on what eric is. The final thing hand counting of paper ballots, I want to say that I understand that people have concerns when it comes to machines, to her credit Clerk/ Treasurer Elgan has instituted ballot marking devices here in Esmeralda County, if you did not vote in the PPE then you probably did not see them. They are new the ballot marking device, you vote on the screen like you normally would once you are satisfied with your vote it prints out your ballot. You can see who you voted for in all the races with a physical ballot then you as the voter will put it in the tabulator. And the tabulator will tally your vote. A number of counties in Nevada are moving to these devices, they increase voter confidence and they are dominion certified, there secure in all the ways they need to be they are not connected to the internet. We are thrilled that the counties are responding to the wants and needs of their citizens, I don't know off the top of my head how many races will be on the primary and general elections for Esmeralda County 2024, but I can say is that every election makes hand counted difficult because you have to go one race at a time, to ensure that each tally is correct. You have to do that for every race in that election. There are laws in the state of Nevada that you have to follow when it comes to hand counted ballots. As Cindy was saying hopefully, she can find volunteers to run the election, but the process for monitoring ballots and paper ballots 5-person tally teams plus election boards those costs can also add up. Then there is the fact that and while I understand that some people may disagree with this, Humans are not as good at counting as machines. People make mistakes machines don't. The mistake or glitch that happened that was people making mistakes the computers did what they were suppose to. That's why the everyone at the Secretary of State and very supportive in using machines to cast your vote and tallying your final vote during the election, there is a law that says that if your election must be audited or recounted which there is a limited time to do so. It must be conducted in the manner it was first counted. So, let's say you go thru the hand count process my guess it could be a lengthy process. If there was any need to conduct a recount that recount would need to be conducted by hand as well. On the other hand, Esmeralda County could do the same as Nye County is using the machine to tabulate the votes for the official vote and then conduction their own hand count audit. That is perfectly acceptable within the state law.

Commissioner Keyes: If we were to set it up that way and use the machine to count the ballots then have a separate group of people that want to hand count the ballots to confirm that. That shouldn't take a lot of effort. Theres not that many voters in this county. But if it was set up to

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do it this way, I believe it would take let time, I just think that's what the voters in this county want.

Gaberiel Di Chiara Deputy Secretary of State: Which is acceptable under Nevada law, I will say moving from the ballot marking device the way the Cindy did, Will make that process so much easier because there will be a ballot if someone votes on a machine, but if you wanted to conduct an Audit you would be able to see it. The second then understanding completely the most important thing in any election is the voter confidence in the results. The only concern there is that if a ballot was to get destroyed during this process and an audit was needed. There is not a process in Nevada law for what to do about a damaged ballot after the count of votes has been certified, but with a small number of voters in this county I don't see it being an issue but did want to bring that to your attention.

Commissioner Keyes: So, a ballot got damaged by chance and it was one ballot out of how many and that ballot didn't sway the vote it really wouldn't matter.

Gaberiel Di Chiara Deputy Secretary of State: That person would not have their vote counted, there is not a procedure at this time for damaged ballots.

LaCinda Elgan: The procedure is with a mail in ballot, well they like to express their right of free speech so sometimes we will get a ballot that has a "love letter" on it, with that said a ballot then has to be duplicated and we have procedures in place so the board duplicates that ballot after all agreeing to it. So, you know that's how the intended to vote. If that person intended to vote for everyone then obviously that ballot doesn't count. To kind of go back with the Election Management System and the problem we have had in rural counties with the bottom-up system is that bottom-up system doesn't communicate well. Again, it could be because due to lack of designating addresses and that's a problem in these rural counties. Obviously, a problem like this gets bigger and bigger because of the software. Its hard to get lists out of, reports, unless its what they thought we needed. It might have worked great back east however on the other side of the Mississippi, people think differently.

Nancy Knighten: In the 2022 Election, prescient 3 is very exciting about their voting. While visiting the polling location there were give or take around 15 people, The poll watcher had to run us out. When the thing came out with 3 green lines on it, it said only 3 people had voted. What causes that glitch.

Gaberiel Di Chiara Deputy Secretary of State: That would be a question for Cindy, The counties administrator their own elections. The state doesn't administrator the elections we support the counties. So, if anything were to happen at that level that would be for your Clerk to deal with. If there was some sort of larger problem the state would be notified.

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Thersea Moller: How does a voter in Chicago that left Chicago vote in the 2022 election, how does that work. How does that go on the system that he voted in 2022.

Gaberiel Di Chiara Deputy Secretary of State: So, there are a number of things that could happen. That's why the ERIC system is so important. In the ERIC states, I just want to be clear ERIC helps us catch people who try and vote twice.

Thersea Moller: In 2021 we were told that we were not part of the ERIC system. We were told that right in our faces.

LaCinda Elgan: I apologize if I misspoke because we have been involved with it and you know our county is part of Nevada and during that time I apologize.

Nancy Knighten: I don't think people in Esmeralda County are cheating I think its higher than that.

Gaberiel Di Chiara Deputy Secretary of State: I can you what we get from Esmeralda County is your vote history, who voted and how and the total amount of votes. We can't change anything. We simply take the information and publish it.

Mary Jane Zakas: I'm a little concerned with the visibility with the top-down system, when someone moves from California to Utah and they disappear into the California database and suddenly appear in someone else's database do their footprint of prior history, or is that gone as well.

Gaberiel Di Chiara Deputy Secretary of State: Voting history is always preserved if a voter becomes inactive or is cancelled, we keep that information, some counties only keep the last 20 elections you voted in. Under federal law there is a requirement to keep voting history for so many years. This is where I want to be very clear voters have a civil responsibility there's a lot of federal laws that says when and how Cindy can clean up the voter rolls if you move from one place to another and don't update you are harming the integrity of those voter rolls and there is nothing that the clerk can do. We try and engage in voter education as much as possible because people need to be responsible for what they are doing and how they are affecting the states voting rolls. Does that answer your question.

Mary Jane Zakas: Almost Cindy gave me the voter list on who voted, Kirkland ran for office he's not on the list of voters and he did move to Pahrump and he should be on the list for the next 20 years but he isn't there.

Gaberiel Di Chiara Deputy Secretary of State: That may be a question for the VOTECH folks.

LaCinda Elgan: He cancelled his voter registration.

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Mary Jane Zakas: But he has to stay on the history?

Gaberiel Di Chiara Deputy Secretary of State: If you ask for a list of active voters and what election they voted in he isn't going to be on there.

LaCinda Elgan: When he cancelled his voter registration he got canceled as being there, Gaberiel Di Chiara Deputy Secretary of State: Maybe the list you have is not the list you think you have, I trust Cindy and her experience, so if Cindy says she printed you a list of active voters who voted in that previous election I believe she is telling the truth. I also believe that if we into votech and we looked up his voting history we would see that he was a cancelled voter and that he voted in that election. Its really important to people that they have the correct information because we people have incorrect information it can lead to a lot of concerns. Which I understand.

Mary Jane Zakas: I am only trying to get the people that are available to me.

Gaberiel Di Chiara Deputy Secretary of State: He wouldn't be able to sign it anyways because he is no longer a voter in Esmeralda County.

Mary Jane Zakas: Yes, he would I was told anyone who voted could, the NRS (*due to other people taking this part of the conversation was unheard*) But in Silver Peak 6 people have moved away, A few in Dyer have moved away and a few have died. So how come Kirkland is not on the list for me to look at it. The NRS's are complicated and every petition has their own set of rules and NRS that they have to follow about who can sign them.

Cyndi Chase: I'm just curious so anyone can get my voter information, like if I have voted, anyone can get that?

Gaberiel Di Chiara Deputy Secretary of State: Yes mam, just that you voted, there is no way to connect the voter to who they voted for.

Mary Jane Zakas: The reasoning behind this is to do a recall you may only have 25% people who casted their ballot in that election. NRS that's why I wanted my list to be proper and correct and why it took me 4 times to get it.

LaCinda Elgan: We talked to VOTECH every single time we provided a list, I even personally had a list of all the names you gave me we checked to make sure that they were on that list. So, I was kind of confused, but that's okay this is an example of why again not trying to throw VOTECH under the bus but they are very difficult to work with. VOTECH and the system with the state don't work well together. Now can I talk about total vote, that the SOS is moving to, it's beautiful from what I can see, our data is going to go in there. Total vote is when you vote

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today within an hour you should be able to go online and see your voted cast not who you voted for just that it was casted.

Gaberiel Di Chiara Deputy Secretary of State: its really important that voters have confidence in the system but it also really important that people be informed I just want to say in the SOS's opinion Cindy does an excellent job and there are a whole bunch of statues and regulations and very confusing with computers talking to each and we are trying to make it as simple as possible.

13. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Requesting permission to use county roads for 2 off-road events for motorcycles, quads, UTVs, cars and trucks on April 19-20 and October 12th, 2024. All roads be repaired after the event. Maps will be sent to the road supervisor. (Donald Jackson)

Donald Jackson: Would like approval to use Esmeralda County Roads for 2 offroad events the race starts in Pahrump and finishes in Yerington.

Carl Shrider, there are 4 major roads of concern that Donald Jackson has agreed to fix prior to the race.

Commissioner Winsor: Makes a motion to approve permission to use the county roads. Commissioner Holt: Seconds that motion all in favor that motion passes.

14. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION: TIMED ITEM: 10:30AM** – For possible action – presentation, discussion and deliberation regarding: 1. The status of the Rural Desert Southwest Brownfields Coalition (RDSBC); and 2. Approval to sign a Memorandum of Agreement in support of the ongoing partnership between the RDSBC. (Lorina Dellinger)

Lorina Dellinger: I'm the assistant county manager for Nye County and the program manager for the Brownfield Program which Esmeralda County is a member of our coalition, I want to Highlight a few things. The bigger the footprint the bigger the grants from the EPA, the brownfield program is taking lands that are either contaminated or on the verge of being contaminated and we repurpose the land that could benefit from an element of the program, we are coming to each county to reintroduce this program. We would like your support in signing the agreement.

Commissioner Winsor: With Coaldale, there is a lot of diesels due to the spill, and with the solar plant project and green link (Phase 1) Makes a motion to approve the Memorandum of Agreement

Commissioner Holt: Seconds that motion all in favor that motion passes.

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15. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** To discuss the Water Infiltration and Structural Assessment for the Goldfield Community Center. In this motion we will also need to decide where to take the funding from. The proposal came in at \$21,000.00 dollars. (Commissioner Rachel Holt)

Commissioner Holt: Proposing that this bill come from District 1 and the historic fund.

Natalie Colunga: Was curious how much was in that fund and the scope of work.

Danielle Johnson: There have been many reports done on the extent of the damage.

It was decided that half of the money would come from District one while the other half from Historic Fund.

Commissioner Holt: Made a motion that the money would come out of both funds.

Commissioner Winsor: Seconded that motion all in favor that motion passes.

16. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Loneer and ArcDome respectfully request an extension for ArcDome Strategies Scope of Work and associated reimbursement agreement to March 6th, 2024 and April 14th, 2024 respectively. (Tyson Falk)

Tyson Falk: Requesting an extension on the ArcDome Strategies Scope of Work and reimbursement agreement.

Robert Glennen: If the language is the same I don't see a problem.

Commissioner Holt: Makes a motion to approve the agreement,

Commissioner Winsor: Seconds that motion all in favor that motion passes.

17. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION: Timed Item: 11:30am** – NV Energy offers a program for placing car chargers on private or public land at no cost to the land owner. That program will be explained and a request made of the Board to submit an "Interest Form" for the Goldfield Visitors Center to be considered for placement of car chargers. Filing an Interest Form would not obligate the County in any way. It simply indicates formal interest in the program and requests NV Energy consider the site. (Darrell McGowan)

Darrell McGowan: Express possible interest in placing car chargers at the Goldfield Visitors center.

Natalie Colunga: Expressed concern because of current car chargers being almost paid off and the county start making money off of existing ones.

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Commissioner Winsor: Makes a motion to submit a letter of interest
Commissioner Holt: Seconds that motion all in favor that motion passes.

18. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION: Timed Item: 12pm** – Report of activities of Magruder Consulting LLC and information about BLM Resource Management Plan Amendment process. (Nancy Boland)

Nancy Boland: 2 existing lines between Bishop Ca and the south end of fish lake valley. Additional 300 workers (temporarily increase in traffic) 30 ppl crews. As far as resources 2 things visual and scope of work. Right away grants, NEPA documentation. Statements, comments, and review, 45-day comment period day period final EIS Plan Amendment period.

No action currently.

19. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** How long those purchasing land in Gold Point per NRS 244.2815 after March 4th have to tender payment. (Kathleen Keyes)

Kathy Keyes: The march 4th deadline was for the people we could not find. We have like 10 ppl that we couldn't find its like 11 parcels as of this morning I believe 7-8 of them were sold. So, the remaining 3 people that we need to send letters too, there are expecting them. We had set deadlines for the other things and March 4th was the last one. With the last 3 people its less then \$100 so its not big money, so how long would you guys like to give them to pay.

Robert Glennen: The actual timeframe has always been our estimation of what due process would require, there is nothing set in stone.

Commissioner Keyes: 15 days, March 20th?

Commissioner Holt: Makes a motion to approve the purchasing land in Gold point for the 15-day deadline, Commissioner Winsor: Seconds the motion all in favor that motion passes.

20. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve to deem the attached list in backup; asset surplus with no useful life. To be removed from property asset list and be auctioned off or removed by salvage company at no charge to county instead of county having to dispose of it. If there is a value remaining after the salvage company removes and processes it, the funds will be paid to road department. (Carl Shrider)

Carl Shrider: Phase 1 complete, currently asking for the commissioners to approve that some of the vehicles be auctioned off at Goldfield Days 2024.

Commissioner Holt: Makes a motion to approve the vehicles for the auction
Commissioner Winsor: Seconds that motion all in favor that motion passes.

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21. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve the Corrective Action for Internal Control Finding letter. (Vera Boyer & LaCinda Elgan)

LaCinda Elgan: This is just a letter for the Dept of Taxation that has already been sent this is just basically housecleaning for the Commissioners.

Commissioner Holt: Makes a motion to approve the corrective Action letter.

Commissioner Winsor: Seconds that motion all in favor that motion passes.

22. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss the options for new card readers for the fuel stations in the County (Goldfield, Fish Lake Valley, and Silver Peak). Decide which option will work best for the County. (Commissioner Keyes)

Maureen Glennen: At the last meeting I thought I heard Vera say she would bring back the items she already found, we just don't know what those are.

Commissioner Holt: I thought we agreed on the fuel force one. The issues were finding an electrician and I think that's where the can is getting kicked.

Commissioner Holt: Makes a motion for Mr. Bowman to work with the Auditor/Recorder on card readers, Commissioner Winsor: Seconds that motion all in favor that motion passes.

23. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss Joe Bowman to hire as electrician for the installation of the new card readers. Mr. Bowman has his license and is available to the County at \$50.00 an hour. Decide and approve hire Mr. Bowman to install new card readers for fuel tank access. (Commissioner Keyes)

Joe Bowman: Been an electrical contractor for many years, this is not brain surgery, what you would like to utilize as a card reader send it to me and I can install it.

Commissioner Winsor: While looking over what type of card reader we would need its always nice to have someone such as yourself to ask the technical questions too, I didn't think it was going to be as technical as it is becoming. We would like to get something as reasonable as possible but something everyone thru out the county can use but in a way that everything is kept separate as well. That's kind of the problem we are having right now that everything is kind mixed into together.

Joe Bowman: You also have to determine if its going to be different accounts for each location, internet access, power etc.

Commissioner Keyes: We have kicked this around for awhile now and we need to get this solved.

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Danielle Johnson: Can I make a suggestion, so if the commissioners are going to a contract with Mr. Bowman can I make a request that you don't specify that it is only for the fuel pumps, I have electrical things fixed too lol, I have the lift, the park those are huge with the electricity.

Commissioner Keyes: That comes to liability, do you have insurance?

Joe Bowman: Yes.

Commissioner Keyes: So, we need to decided what card readers we need to go with.

Commissioner Winsor: Well, I think we need to get more information first, but he may be able to find something else too.

Commissioner Keyes: Mr. Bowman will need to get with Bob and work on a standard contract, invoicing etc.

Commissioner Keyes: Makes a motion to hire Mr. Bowman as the electrician for public works, road dept, Danis office etc, Commissioner Winsor: Seconds that motion all in favor that motion passes.

24. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Discuss and approve to pay the POOL Pact bills from November 23rd, 2023. Discuss and decide which employee/department will be the contact person for the POOL Pact billing. (Commissioner Keyes)

Maureen Glennen: The bills came to my office; I thought Vera submitted this.

Commissioner Holt: I dropped the ball on this due to an address issue however the bill has already been submitted with payment.

No action taken

25. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve and sign wastewater operator agreement and hold homeless agreement with Michael Anderson for services from March 16th, 2024 to April 15th, 2024. This agreement will only take effect if Emory La Rue does not receive their wastewater treatment grade 1 certificated in the mail by March 15th. Invoices associated with this agreement are to be paid out of Goldfield Utilities Sewer account 502-410-52210. (Emory La Rue)

Commissioner Holt: Makes a motion to approve the agreement with Michael Anderson. Commissioner Winsor: Seconds that motion all in favor that motion passes.

26. ***FOR POSSIBLE ACTION: DISCUSSION/DECISION:** Approve Public Works Department to purchase four used vehicles from the Nevada State Purchasing Division for a total amount of

Minutes from the March 5th, 2024 Board of County Commissioners and Board of Highway Commission Meeting

\$9,000.00. These vehicles will be paid from the services & supplies accounts for General Maintenance and Goldfield Utilities. (Emory La Rue)

Commissioner Holt: Makes a motion to approve the agreement with Michael Anderson. Commissioner Winsor: Seconds that motion all in favor that motion passes.

27. **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.)

Maureen Glennen: So, I put on each of your guys desk a letter from Priscilla Lane regarding the wild horse and burro and the situation with them, I'm not going to read it, but ask to be incorporated into the minutes, she is favor of doing everything we can to save the animals.

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

Danielle Johnson: So, I have a meeting every Monday and Thursday for my new case management system. We have a whole week training in 2 weeks and we super excited. Plus, Opioid stuff and MOUD Stuff.

29. ***FOR POSSIBLE ACTION** – Closure of meeting, pursuant to NRS 288.220 for purposes of conducting labor negotiations, conferring regarding labor negotiations, issues, and other personnel matters.

None

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

None

31. ***FOR POSSIBLE ACTION** – Recess meeting, pursuant to NRS 241.015(2)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation.

None

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

None

33. **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.)

Minutes from the March 5th, 2024 Board of County Commissioners and Board of Highway Commission Meeting

(Unfortunately, her name was not spoken clearly): I am just going to highlight Clerk Treasurer Elgan public credit as well as Esmeralda County Voters, for her dedication to give voters options with the voting machines, the voters benefit from her institutional election rules she opposing hand counting to the voting machines but welcomes it as an alternative, but hand counting comes with the risk with error and delay in process verification, We also thank the Secretary of State for mentioning ERIC and that system and that the glitch did not effect the count of that election. The new election management system will take stress of the counties we support Clerk/Treasurer Elgan.

34. ***ADJOURNMENT:**

Commissioner Holt: Make a motion to adjourn the meeting, Commissioner Winsor: Seconds that motion all in favor that motion passes.



Esmeralda County Road and Solid Waste

CARL B. SHRIDER, SUPERVISOR
PO Box 129 · 266 Bellevue Ave N
Goldfield, Nevada 89013
P 775-485-3448 · F 775-485-3457

Road Dept update 3/5/24

Roads Maintained-

Alkali Pole Line, Oasis Pole Line Clayton Valley side, Palmetto, Windmill, Yolumne, Hi-Bar, Penson, White Mountain, Silver Peak Road shoulder work, Coyote Road East, Goldfield Landfill access, Billy Wright Road x2, Diamond Field access, B Street, Lida Wash partial, Lida bell, Big Springs Road, Serfoss

Snow Removal on the Following Roads-

Chiatovich, Coyote, Lida Town, Pigeon Springs, Middle Creek, Boland, Hard Luck Castle Road, Rail Road Springs, Goldfield roads, Settler's Way, Wild Horse Run, Davis Meadows, Kirby Way

Maintenance Preformed-

- Service Grader Unit 218
- Service Grader Unit 213
- Repair tire on Back Hoe Unit 311
- Replace tire on Pickup Unit 33
- Grader Unit 214 disassemble transmission and main hydraulic pump for diagnose
- Pickup unit 29 repair fuel transfer tank connection
- Repair tire on Dump Truck Unit 117
- Replace hydraulic filter on Dump Truck Unit 117
- Service on Tractor Unit 107
- Grader Unit 210 located on Pigeon Springs snow removal project diagnosed engine failure

Other projects and communications-

Chain up and transport Loader Unit 310 from Goldfield to Lida then Lida to Pigeon Springs

Snow removal Pigeon Springs utilizing chained up loader and grader

Transport vehicles from state purchasing to Goldfield

Communication with DMV for registration and plates on vehicles from State Purchasing

Transport Dozer Unit 606 from Goldfield Landfill to Coyote Road

Recover stuck Grader Unit 218 from Coyote Road

Transport Dozer Unit 606 from Coyote back to Landfill

Transport Grader Unit 215 to Hard Luck Castle Road for snow removal

Haul McAfee material to washout on B St

Communication with NDEP and BLM on spill report. BLM initiating a cleanup contract with their environmental firm to address the identified release area.

Communication with NV Energy on ingress and egress on Goldfield Substation proposed work

Communication with John Deere for quote regarding Grader Unit 214 transmission

Transport Grader Unit 214 from Fish Lake Valley to Goldfield shop

Communications with Esmeralda County School District on water usage on upcoming project with MLD

For two shifts Road Operator covering for absence of Landfill Operator

Position still open for 50%/50% Solid Waste/Road Operator

Position still open for full time Road Operator

Remove scrap from lower Goldfield yard



Esmeralda County Road and Solid Waste

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Solid Waste Update 3/5/24

1. No February monthly total due to agenda request due before month end.
2. Total waste disposed at Landfill including transfer stations for the month of January totals 1007 yards.
3. Ongoing scrap metal removal being conducted at Goldfield Landfill.
4. Currently have no drop boxes rented out.
5. Position still open for 50%/50% Solid Waste/Road Operator.

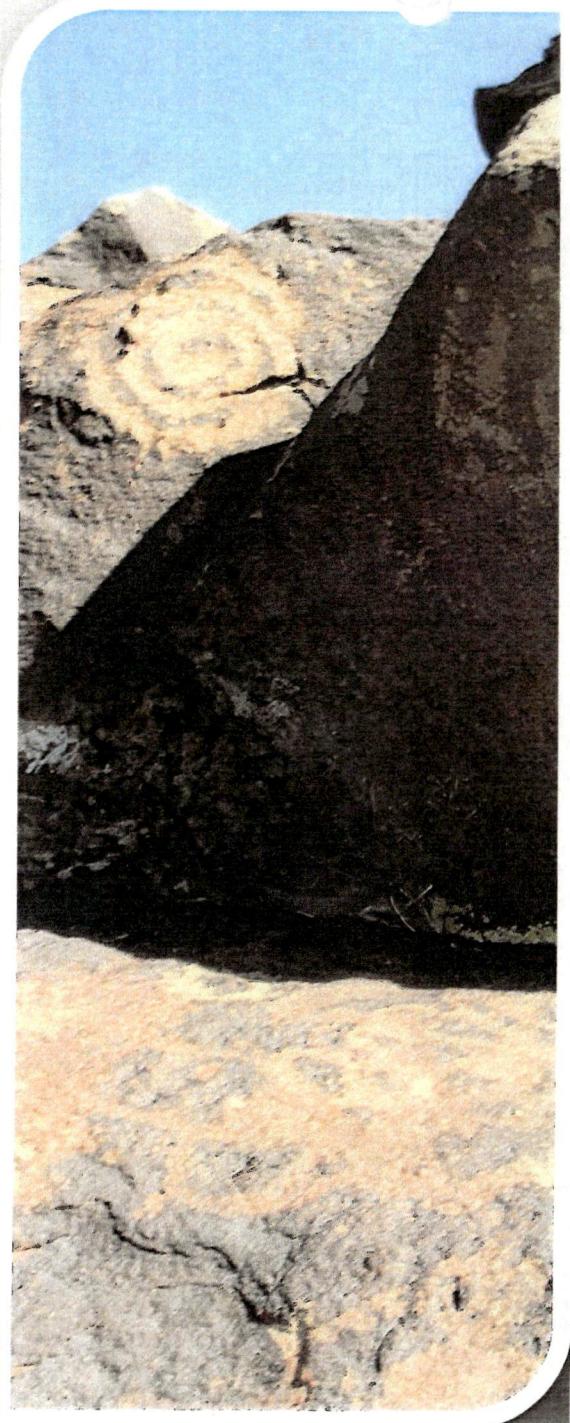


Rural Desert Southwest Brownfields Coalition (RDSBC)

**Presentation to the Esmeralda County Board of Commissioners
March 5, 2024**

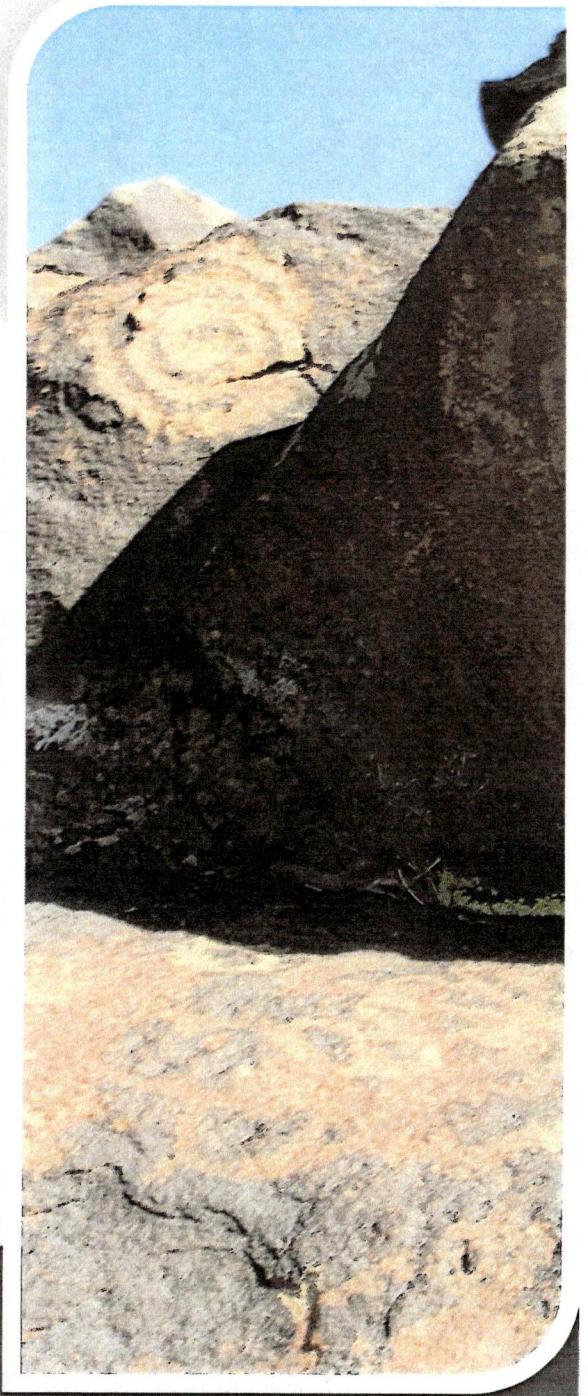
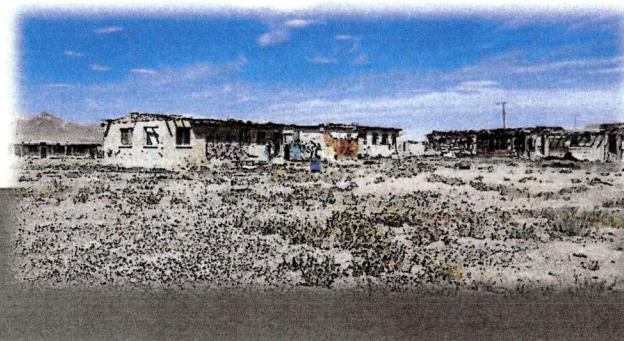
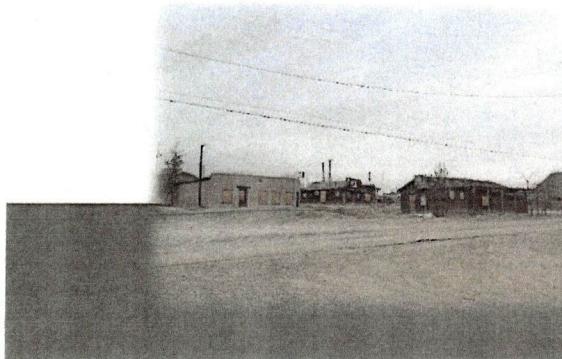
The Rural Desert Southwest Brownfields Coalition (RDSBC)

- Formed in 2011 to address environmental and economic development needs for five counties across two states.
 - Esmeralda, Lincoln, Nye, and White Pine Counties in Nevada, and Inyo County, California.
 - Awarded a \$1 million Brownfields Assessment Grant.
- Expanded in 2014 to include Mineral County.
 - Awarded \$600,000 Brownfields Assessment Grant.
- Expanded in 2016 to include the Duckwater Shoshone Reservation.
 - Awarded \$600,000 Brownfields Assessment Coalition Grant.
 - Awarded \$800,000 Revolving Loan Fund Grant.



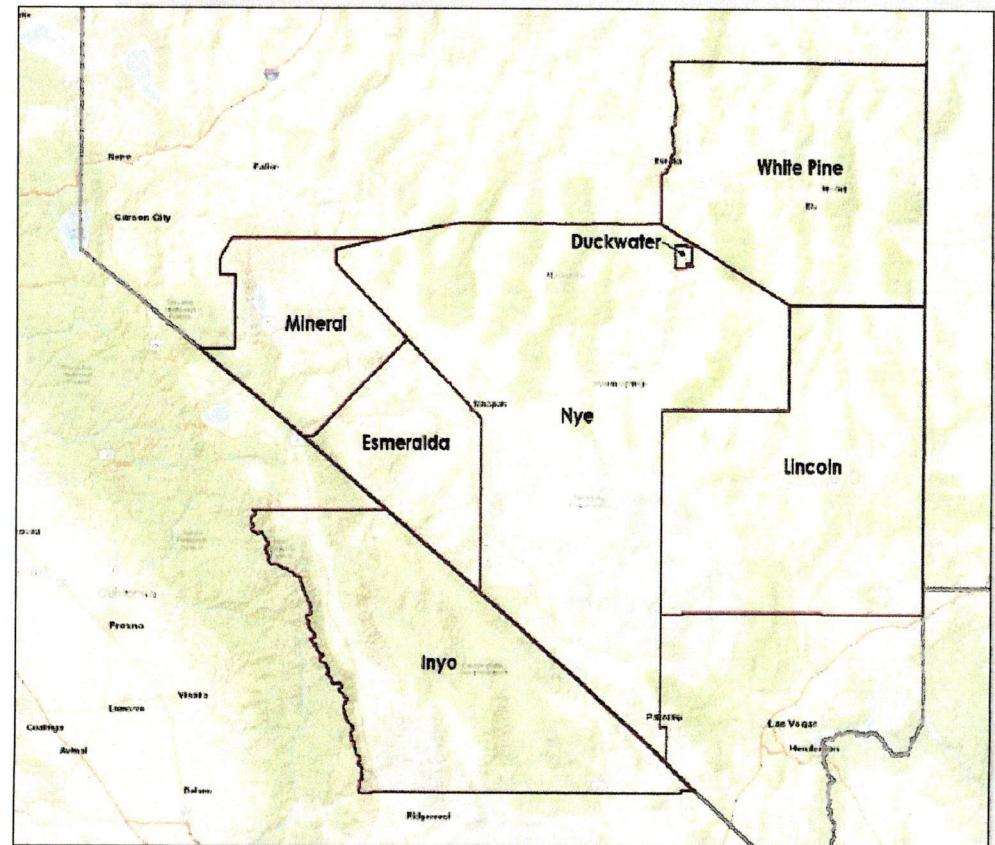
What is a Brownfield?

- The EPA defines a brownfield as “real property, the expansion, redevelopment, or reuse of which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant”.
Common contaminants include:
 - Asbestos
 - Lead-Based Paint
 - Oil, gasoline, diesel and kerosene
- Can be hazardous to the environment and community safety.
- Can suppress community and economic development.



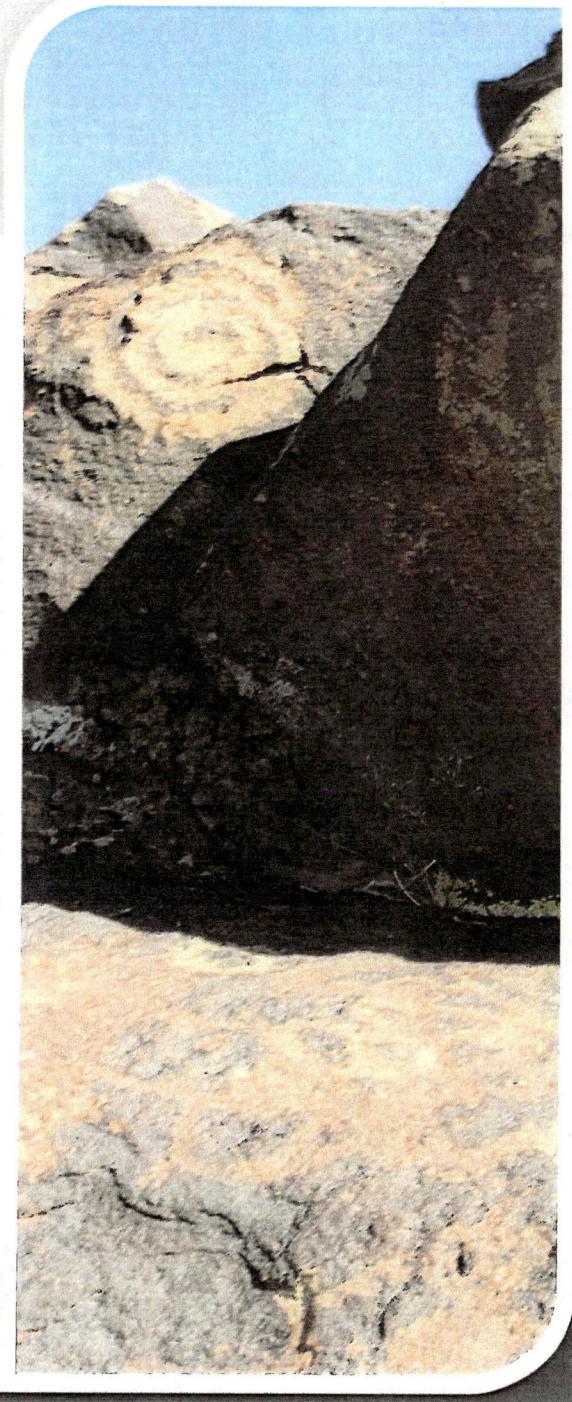
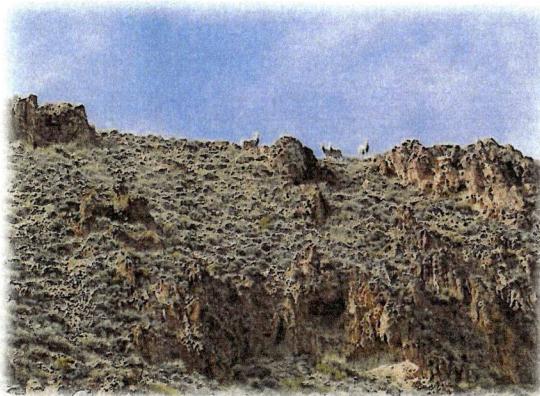
RDSBC Coalition Members

- Duckwater Shoshone
- Esmeralda County, Nevada
- Inyo County, California
- Lincoln County, Nevada
- Mineral County, Nevada
- Nye County, Nevada
- White Pine County, Nevada



Goals and Objectives

- Protect the health and welfare of the population.
- Protect the environment.
- Promote economic development and job creation.
- Promote economic development and diversification through water-efficient renewable energy, testing and manufacturing facilities, innovative agriculture, and tourism opportunities.



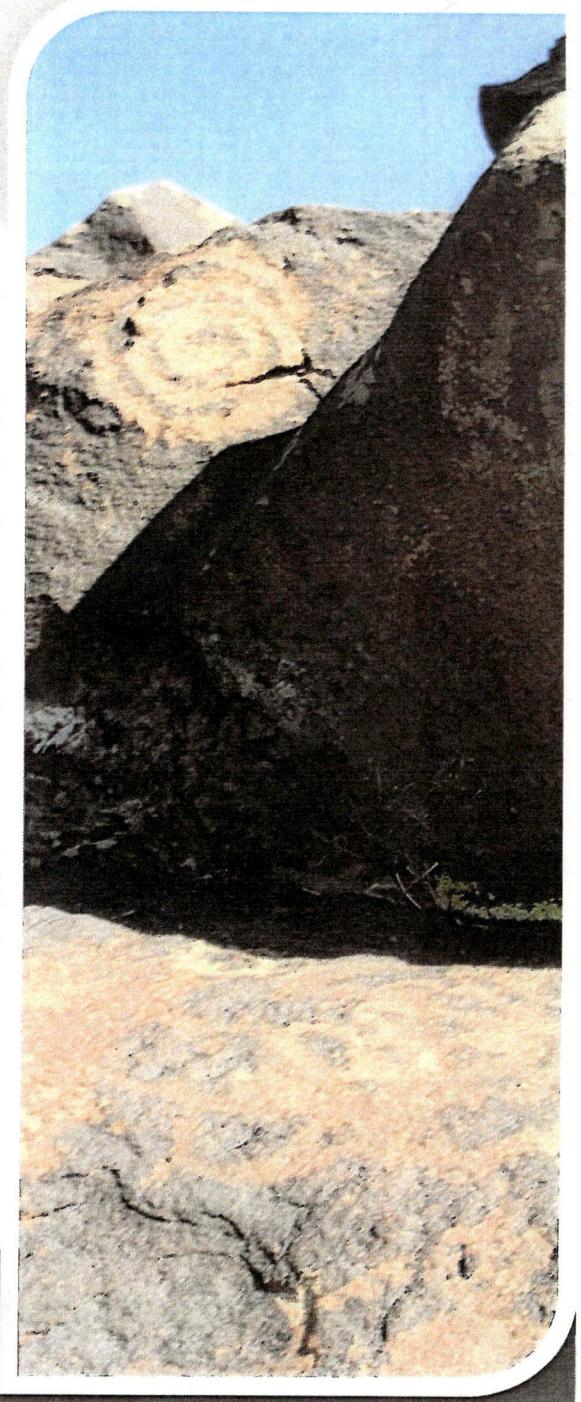
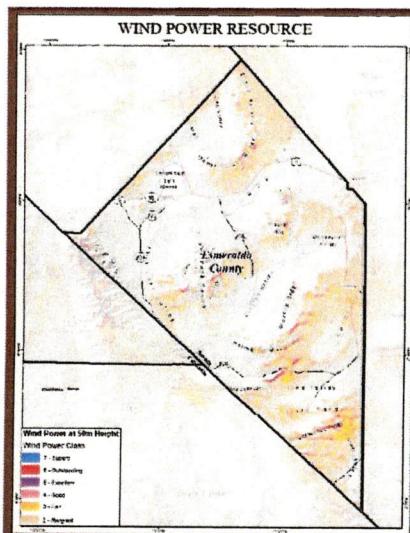
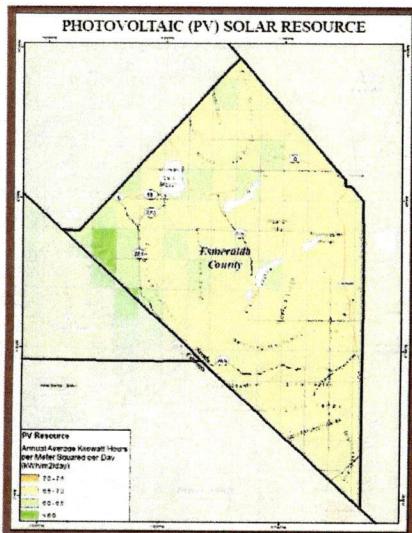
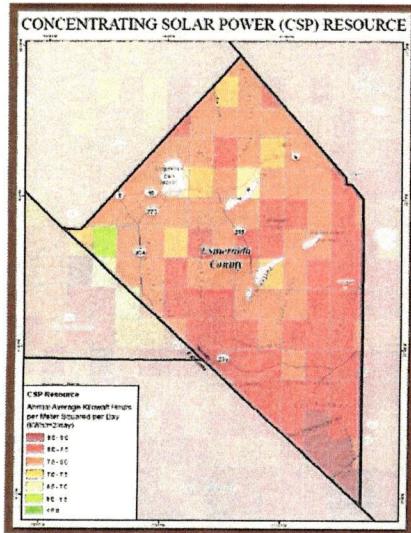
Measures of Success

Measures	Grant Goals (2011 -2020)	RDSBC Actual	Esmeralda Actual
Site List	8	8	5
Site eligibility forms completed (by parcel)	50	74	5
ACRES Forms (by parcel)	48	65	5
Phase I ESAs (by parcel)	48	62	5
Sampling and Analysis Plans (by parcel)	17	22	2
Phase II ESAs (including in progress, by parcel)	17	17	2
Area Wide Plan (including in progress)	3	3	2
Updated Coalition Maps	30	50	9
Website Updates	3	As Needed	N/A
Quarterly Meeting Agendas and Summaries	24	44	N/A
Public Outreach Meetings	52	49	9
Communication Plan/Public Outreach Plan	3	3	N/A

Since 2011, \$197,801 in grant dollars have been spent on Esmeralda County grant deliverables – not including Esmeralda County reimbursable travel expenses.

The Esmeralda County Area Wide Plan

- The Area Wide Plan created especially for Esmeralda contributed to streamlining economic development strategies for the County.
- Detailed maps featured in the Plan highlight Esmeralda's potential for renewable energy resources, including solar and wind, with the goal of attracting new industry to the area.



Dew Drop Inn & Shifting Sands Bar (002-052-04)

Location: Silver Peak, Nevada

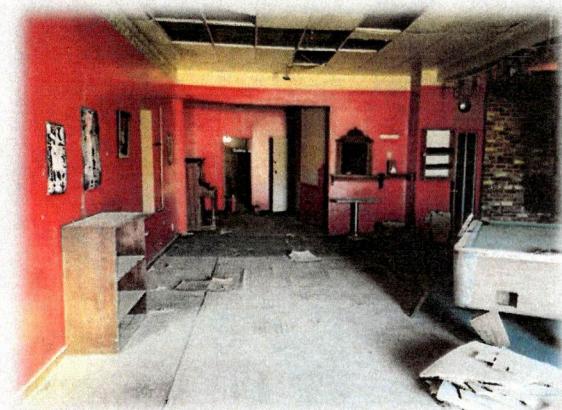
Description: Two buildings historically operated as a restaurant and a bar.

Challenges:

- Apparent mine shaft in cellar.
- Buried 55-gallon drums.
- Suspected contaminants include asbestos, petroleum hydrocarbons, and vapor intrusion.

Activities:

- Phase I Environmental Site Assessment December 2016.
- Pre-Demolition Asbestos Survey July 2017.
- Phase II Environmental Site Assessment August 2017.



Old Gas Station & Convenience Store (002-053-01 and 002-053-02)

Location: Silver Peak, Nevada

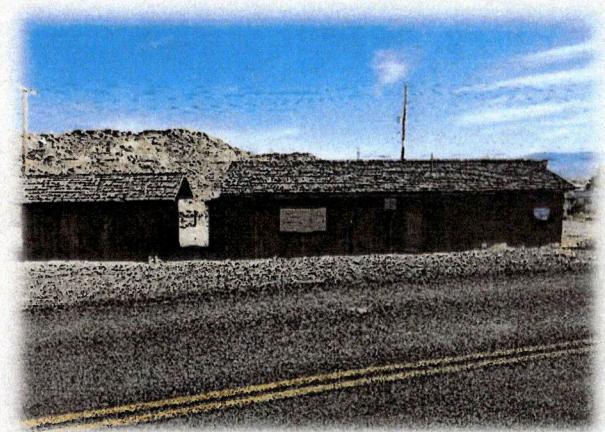
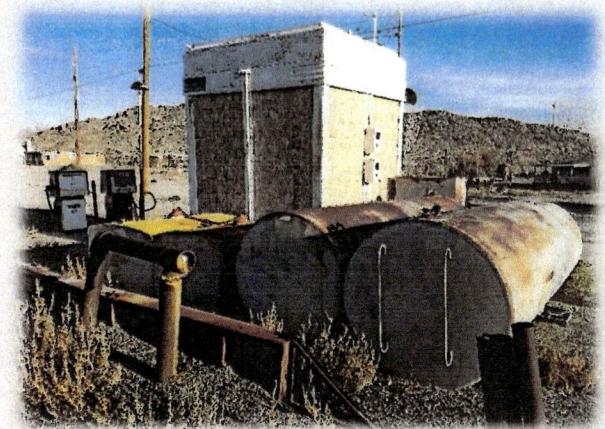
Description: Two parcels historically operated as a self-serve gas station and convenience store.

Challenges:

- Suspected contaminants include asbestos, petroleum hydrocarbons, and lead-based paint.

Activities:

- Phase I Environmental Site Assessment December 2016.
- Pre-Demolition Asbestos Survey July 2017.
- Phase II Limited Environmental Site Assessment December 2017.



Silver Peak Motel (002-061-03)

Location: Silver Peak, Nevada

Description: Former motel and abandoned trailer on single parcel.

Opportunities:

- Proper disposal of household debris prior to redevelopment recommended.



Activities:

- Phase I Environmental Site Assessment December 2016.
 - No Recognized Environmental Conditions were identified.



Coaldale Junction (006-161-09)

Location: Coaldale, Nevada

Description: 10 acres of a 40-acre parcel used as café, motel, and diesel/gasoline retail operations.

Challenges:

- Soil contamination of TPH in excess of NDEP RC of 100 mg/kg in multiple locations.
- Groundwater contamination of benzene in excess of NDEP RC of 5 µg/L.
- Analytical results indicated 7 of 37 samples contained asbestos.
- Analytical results indicated lead-based paint used on at least one structure.



Coaldale Junction (006-161-09)

Accomplishments: The RDSBC has made progress in moving the Coaldale site towards cleanup. To date the RDSBC has successfully:

- Entered the Coaldale site into the RDSBC program.
- Worked with the property owner and obtained an access agreement.
- Completed the Phase I Environmental Site Assessment.
- Prepared and obtained EPA approval of a Site-Specific Sampling and Analysis Plan.
- Submitted a letter to the State Historic Preservation Office (SHPO) requesting review of the site and all associated assessment and remediation work.
- Completed the Phase II Environmental Site Assessment.



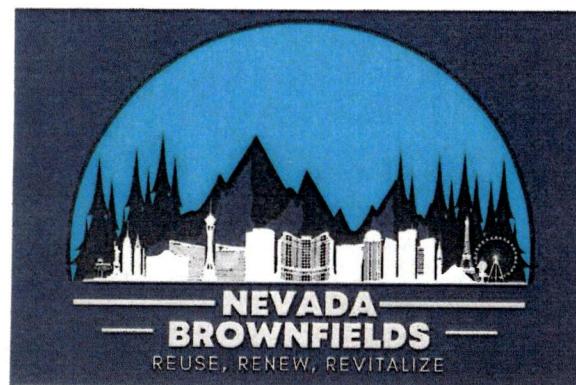
Nevada Conferences

Nevada Association of Counties (NACO) Conference

- September 26th through September 28th, 2017
- November 13th through November 15th, 2018
- September 25th through September 26th, 2019
- July 9th through July 12th, 2021
- July 19th through 24th, 2022
- July 21st through July 24th, 2023

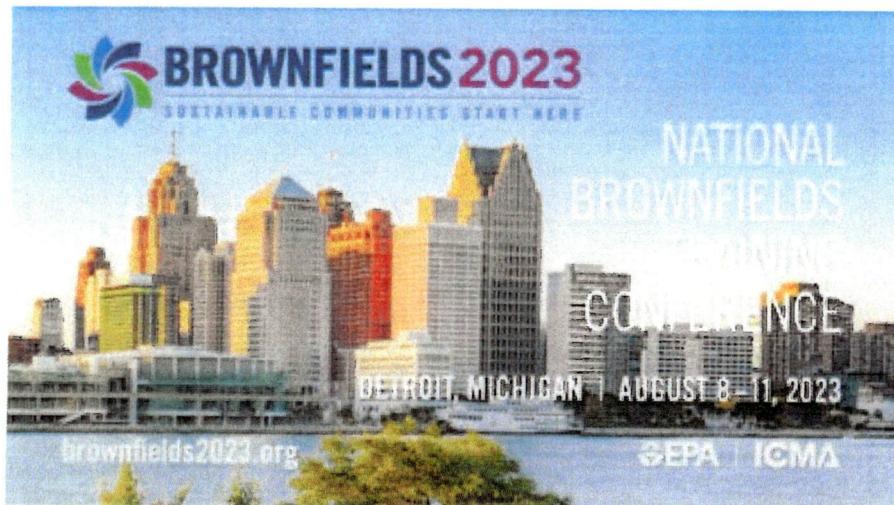
Nevada Brownfields Workshop

- September 7th Silver Knights Arena in Henderson
- September 13th Brewery Arts Center in Carson City



2023 National Brownfields Conference

- August 8th through August 11th, 2023.
- A conference in Detroit, Michigan, that provided opportunities for networking and educational sessions.
- Nye County representatives Lorina Dellinger, John Klenke, Arnold Knightly and Jessica McCutcheon participated.
- The RDSBC was highlighted during presentation given by Arnold Knightly on funding challenges in rural community and how the challenges were overcome.

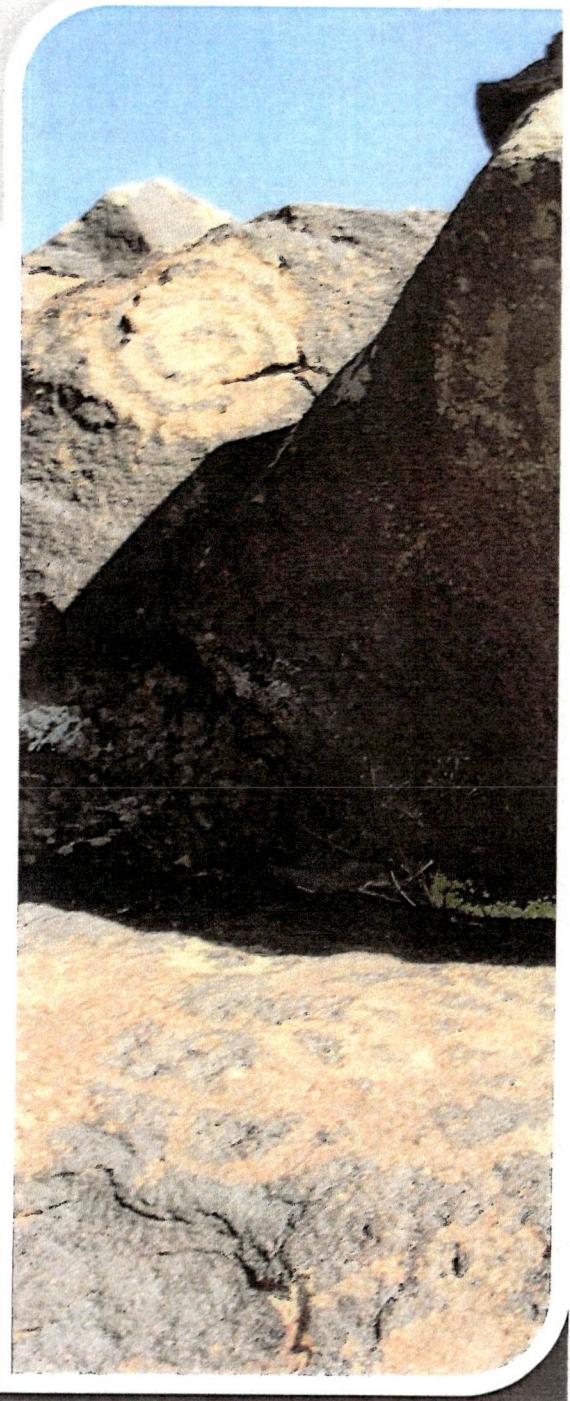


RDSBC Website

The RDSBC website was created as a resource for the public and coalition members. The website provides a variety of information including:

- An overview of the RDSBC, county-specific brownfields, and renewable energy factors.
- Detailed information and documentation for each brownfields site participating in the RDSBC.
- RDSBC meeting information.
- News on upcoming brownfields events.

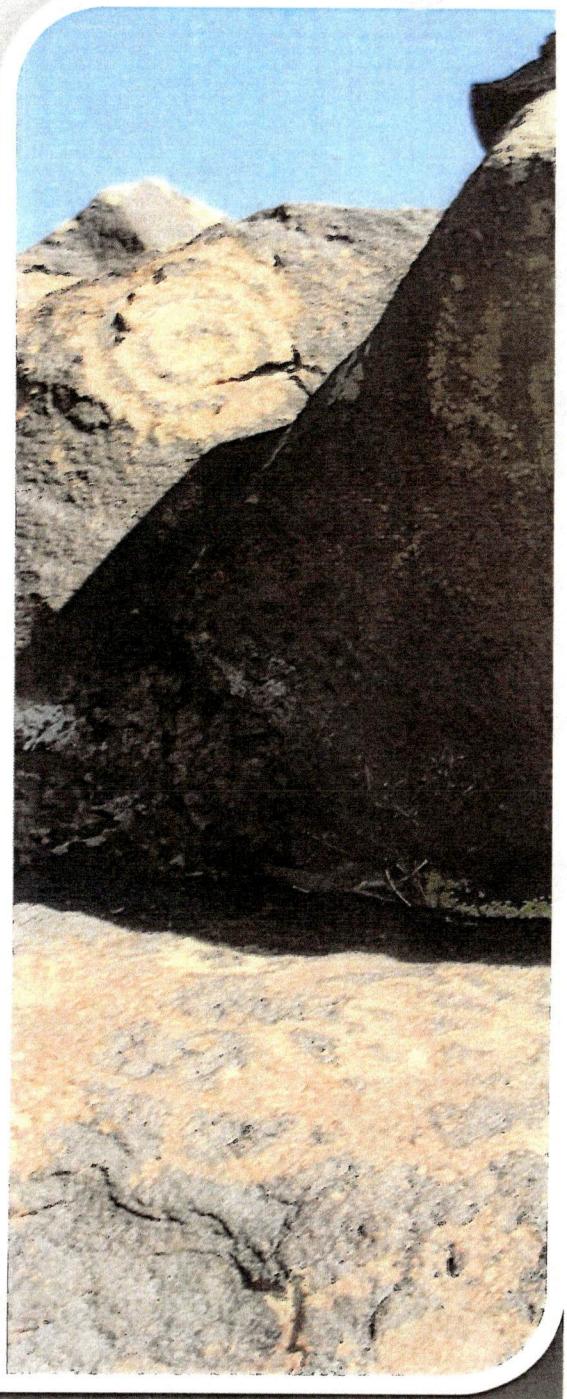
<http://www.rdsbc.org/>



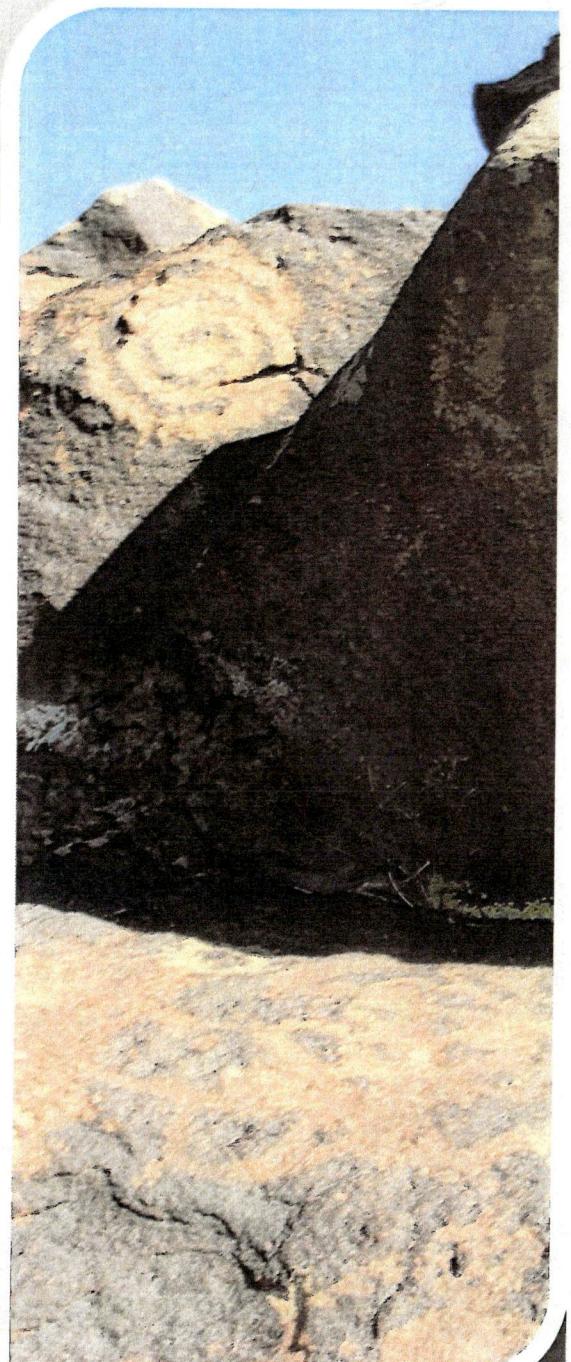
Stakeholder Participation

Participation by community members is the most effective method to identify sites that have the greatest potential to benefit the community through assessment, cleanup, and redevelopment.

The RDSBC welcomes input on potential brownfields sites by the public, community organizations, and community leaders. It is through this collaboration that the RDSBC will provide the most assistance to communities and achieve the most success.



Questions



**Lorina Dellinger
Nye County
Assistant County Manager
Phone: (775) 482-7319**

dellinger@nyecountydnv.gov



Thank You

FRANCISCO V. AGUILAR
Secretary of State

MAGGIE SALAS CRESPO
Deputy Secretary for Southern Nevada

SHAUNA BAKKEDAHL
Deputy Secretary for Commercial Recordings

DEBBIE I. BOWMAN
Deputy Secretary for Operations

STATE OF NEVADA



OFFICE OF THE
SECRETARY OF STATE

GABRIEL DI CHIARA
Chief Deputy Secretary of State

ERIN HOUSTON
Deputy Secretary for Securities

MARK A. WLASCHIN
Deputy Secretary for Elections

MEMORANDUM

To: Secretary of State Francisco Aguilar
From: Chief Deputy Gabriel Di Chiara, Deputy Secretary for Elections Mark Wlaschin
Date: February 21, 2024
Subject: February 18, 2024 Vote History Discrepancies

Mr. Secretary,

On February 18th, the state was made aware of potential irregularities relating to the vote history of individuals who did not participate in the Presidential Preference Primary (PPP). State staff met that evening to discuss possible root causes, and determined that a conclusion could not be reached without input from the clerks and registrars of counties with affected voters. After those preliminary discussions, state and county staff met to discuss the issue at 8 am on February 19th, and remained working on it throughout the day. What follows is an outline of the circumstances that brought about these irregularities, as well as the steps that the state and counties took to alleviate the issue.

The technical issue that resulted in the inaccurate information being displayed was a miscommunication in code, based on the state and counties interpreting the same data in different ways. These events highlight the importance of modernizing our election system, and educating voters on how elections are administered in Nevada.

It is important to note that at no time were election results affected by this issue nor any voter Personally Identifiable Information (PII) compromised. The voter registration and election management systems are kept separate. Additionally, at no point was any county data inaccurate. *Any claims to the contrary are false.*

This memo is based on the understanding of Secretary of State staff, and is not intended to make any representations on behalf of the counties

Summary

The Secretary of State's website provides several election-specific services to voters, including the ability to register to vote, update your voter registration, and more. Once such service is 'vote history', which allows voters to log in and see which elections they voted in and by what method (early voting, vote by mail, etc).

NEVADA STATE CAPITOL
101 N. Carson Street, Suite 3
Carson City, Nevada 89701-3714

PAUL LAXALT BUILDING
COMMERCIAL RECORDINGS
401 N. Carson Street
Carson City, Nevada 89701-4201

LAS VEGAS OFFICE
2250 Las Vegas Blvd North, Suite 400
North Las Vegas, Nevada 89030-5873

Over the weekend of February 18th, individuals who did not participate in the PPP, when checking their vote history on the Secretary of State's website, found that they had a PPP vote history of 'Mail Ballot Counted'. This primarily seemed to be affecting individuals who did not vote in the PPP and did not surrender their ballots.

The effect of this issue was concerning to many voters: people who had not voted received a message saying their mail ballot had been counted. As soon as the issue of erroneous data was identified, state and county staff immediately began working together to diagnose and resolve the problem; by 8pm on February 20th fixes had been identified for all impacted counties.

The root cause of the incident was simple and preventable in retrospect: the state voter database was hard-coded to interpret a certain vote history code in one way before and on Friday, February 16th, the 10th day after the election, and to interpret that same code another way after that date. Before the 10th day after an election, counties marked any voters who had been sent a mail ballot with the code "MB" - after this date, the system interprets the "MB" code as a Mail Ballot Counted.

This change on the 10th day signifies the acceptance of the results by the Boards of County Commissioners/Supervisors pursuant to NRS 293.387 which must occur not later than the 10th day after the election. The 'canvass' code was a solution to a problem facing the state in the 2020 election cycle, and has been in place ever since. In prior elections, individual counties worked with the state and their vendors to take steps based on their election management system, ensuring that this code was only applied to appropriate individuals; some of those steps did not happen for the PPP.

This was also the culmination of various issues that election administrators at the state and local level have been trying to address for years. The increasingly politicized climate around elections, the number of demands placed on individual clerks and their staff, the turnover of election staff at every level, lack of adequate resourcing for local election offices, and the precariousness of the bottom-up system currently in place could each lead to unfortunate outcomes on their own. The fact that Nevada's elections run so smoothly is a testament to the hard work of the clerks and registrars in the face of this adversity.

The solution, as the legislature saw fit to write into law with AB422 in 2021, is moving to a top-down voter registration and election management system. This will take the potential for issues related to data conversion out of the process entirely, while also allowing the state to spot check data and assist counties with troubleshooting. Due to your focus on this subject, and the governor's decision to include \$30 million in one-shot dollars for the VREMS project, our new system will go live before the June 2024 primary election. There is no substitute for a top-down system, and with the support of the counties the VREMS system will alleviate these concerns and many more.

The current voter registration process

Currently, Nevada's bottom-up voter registration systems requires the state to stitch together 17 different files from different systems and combine them into a single statewide file, which we then make available to the public. Bottom-up systems have not been a best practice in the

industry for decades, and there are fewer than 6 states (including Nevada) that currently have a bottom-up voter registration system.

Each night, the counties send a copy of their own voter registration file to the state via secure upload. The state has an automated program that then ‘stitches together’ these files, creating that single statewide voter registration file. The files contain data related to each voter: county voter ID number, name, birth date, and assorted other data. Some of this other data includes ‘vote history’, meaning if a voter voted in any given election, and also by what method.

The code that the counties use related to mail ballots is “MB”. The statewide voter database has been programmed to interpret the “MB” code coming from a county voter file in two different ways based on the date. At any point prior and up until the 10th day after the election, “MB” means that a mail ballot has been sent to the voter. Following the 10th day after the election, the system interprets the “MB” code as meaning “Mail Ballot Counted”. This ‘canvass’ code has been in place for each election since Nevada became a universal vote by mail state in 2020, and was based on feedback from the counties at that time.

In order to ensure the accuracy of the voter file, counties worked with their internal teams and election management vendors to identify a way to remove the “MB” code from voters who were sent a mail ballot but did not return it, surrender it, or vote by another method. Once that ‘clean up’ step was taken at the county level, the ‘canvass’ code would run at the state level and voters would see their vote history updated appropriately: the “Mail Ballot Counted” message for individuals who voted by mail, and no vote history for individuals who did not vote.

Crucially, after this programmatic was put in place the state and counties had little interaction on the matter. Given the many demands on the clerk/registrar’s time, short-staffing, turnover in county offices, etc., it was perhaps unrealistic to expect that the ‘clean up’ step would happen on a regular basis without communication from the Secretary of State’s office.

This election, there were a number of issues related to the voter history data uploaded to the state, and how the state’s system interpreted that data. The technical reasons behind the “MB” code issue varied from county to county, but they all became public upon the execution of the ‘canvass’ code at 12:00am on Saturday, February 19th.

As the election management and voter registration systems are kept separately, and both are currently controlled by the counties, it is impossible for the state to know who actually voted in the election and who did not. As such, inaccurate data would be indistinguishable from accurate data, and the state was unable to pre-emptively identify that there was an issue.

Issues and solutions by county

VOTEC Counties (Churchill, Elko, Esmerelda, Eureka, Humboldt, Lincoln, Lyon, Mineral, Nye, Pershing, Storey, White Pine)

Twelve of Nevada’s counties utilize the VOTEC election management system, VEMACS. The ‘clean up’ step described above was historically accomplished in different ways, even among VOTEC counties; it involved a single setting several menus deep. Once the issue was pinpointed as the presence of the “MB” code, counties were

able to identify and implement a solution and the “MB” code was removed from voters who had not returned their mail ballot.

The state is very grateful to Lisa Lloyd, Lincoln County Clerk, for taking screenshots of the process step by step so that it could be distributed to other counties.

Clark County

Two post-‘canvass code’ files that Clark County sent to the state were in a format that the state system could not read appropriately, and resulted in inaccurate information being displayed on the state site; again, at no point was county data inaccurate. Once these formatting issues were identified, Clark County was able to make an adjustment and move an updated file to our system by 5pm on Monday, February 19th, which was immediately validated and moved into production.

Washoe County

Washoe County maintains their own instance of an election management system, DIMS, that is no longer supported by the vendor. As a result, any changes to statute or regulation can require adjustments to source code that have the potential for error. The Washoe County issue was specific to their instance of DIMS, which made identifying the problem and solution complicated. By 8 pm on Monday, February 19th an accurate file was moved to the Secretary of State, where it was verified and put into production.

Respectfully,

The Office of the Secretary of State

*Memo prepared for Secretary Aguilar by Chief Deputy Gabriel Di Chiara and Deputy for Elections Mark Wlaschin

FRANCISCO V. AGUILAR
Secretary of State

MAGGIE SALAS CRESPO
Deputy Secretary for Southern Nevada

SHAUNA BAKKEDAHL
Deputy Secretary for Commercial Recordings

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STATE OF NEVADA



OFFICE OF THE
SECRETARY OF STATE

GABRIEL DI CHIARA
Chief Deputy Secretary of State

ERIN M. HOUSTON
Deputy Secretary for Securities

MARK A. WLASCHIN
Deputy Secretary for Elections

To the Honorable Members of the Esmeralda County Commission:

My name is Gabriel Di Chiara, and I serve as Chief Deputy Secretary of State of the state of Nevada. I am at your meeting today on behalf of Secretary of State Francisco V. Aguiar, Deputy Secretary for Elections Mark Wlaschin, and myself.

I would like to express our complete support for Clerk Treasurer LaCinda Elgan.

Administering elections is never easy, even under the best of circumstances. There are hundreds of state statutes and regulations, in addition to federal laws and requirements, that election administrators are expected to follow to the letter. This takes a truly significant amount of work, above and beyond all of the other duties that are required of the Clerk Treasurer. We believe she does this job admirably.

Cindy, as well as the other staff in her office, work hard to follow these laws and keep elections in Esmeralda County fair, accessible, and Secure. If something the state proposes won't work for Esmeralda County, she tells us. Beyond that, she works with us to find a solution. She always puts her constituents, the voters of Esmeralda County, first. This dedication to public service is worthy of respect.

There should be no doubts about Cindy's ability to administer any election the law requires her to, including her own recall election should it come to that. Secretary Aguilar hopes that it will not.

Again, on behalf of the Secretary of State, I tell you that elections in Esmeralda County are in safe hands with Clerk Treasurer Elgan.

Thank you,

A handwritten signature in black ink, appearing to read "Gabriel Di Chiara".

Gabriel Di Chiara,
Chief Deputy Secretary of State

NEVADA STATE CAPITOL
101 N. Carson Street, Suite 3
Carson City, Nevada 89701-3714

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LAS VEGAS OFFICE
2250 Las Vegas Blvd North, Suite 400
North Las Vegas, Nevada 89030-5873

To: County Commissioners of Nevada,

Friends of the Wild (horses and burros) is a small organization that started in December of 2022. Our mission was to stop the horrific, sadistic helicopter roundups of Nevada's beautiful wild horses.

During the course of that year our organization worked diligently to pass an ordinance which would stop helicopter roundups in Nye County. It was our hope that once an ordinance passed in Nye County that other Counties in Nevada and other states would follow suit. After presenting our draft ordinance at several town meetings to get support as requested by the Board of County Commissioners in Nye County, we knew it was going to be difficult due to lack of support from those that are involved in the cattle industry. We are very happy to let you know that the ordinance was passed with small changes made to the verbiage. After viewing the videos taken by other organizations that are fighting our same fight, members of the Nye County Board of County Commissioners were in agreement that things needed to change. The verbiage was changed asking the Bureau of Land Management for more humane treatment when collecting what they feel is an overpopulation of horses. Prior to any roundup the BLM is required to show proof of why that gathering must take place. They are not providing this data. They are not being held accountable to any degree. Let me be clear that it is our desire for BLM to leave the wild horses and burros alone or simply relocate them (in a humane fashion) to other areas of Nevada where they can live free and wild as intended. We're hoping by enclosing a copy of that ordinance you will share with those in Washington DC that can move the needle in some form or fashion to stop these sadistic helicopter roundups all over the United States.

Another matter that we wanted to discuss with you is the BLM's desire to sell, lease or allow developers to build solar fields in the areas where our wild horses and burros live free and wild. If the BLM is allowed to continue managing our lands in the manner that they have for many years, they will eradicate our beautiful wild horses and burros. In order to build these facilities, the environmental protections that have been put in place to protect many species of wildlife have been removed to allow these private industries to continue to build these solar fields that are sucking our precious water from the ground and killing off those protected species. We are asking you to please not support the building of these solar fields in areas that will threaten our wild horses, our wild Burros, our endangered species and remove our precious water. My name is Priscilla Lane and I'm the president of Friends of the Wild (horses and Burros) and I look forward to meeting you.

Friends of the Wild (horses and burros) look forward to working with you on these matters and any others that affect our beautiful state of Nevada and the wild horses that have been part of our history for many years.

Just to add to our letter, here are few more facts to consider.

The BLM did not do assessments before the roundup

They are using helicopters with No FAA identification #'s

They are hiring contractors who have no compassion or idea how to care for the very animal they are to protect..

The pilots are flying below FAA required wildlife safety levels

Below are two videos 1 from 2011 and 1 from 2023/24 they both show what we are trying to bring attention to and in the past 13 years nothing has changed in the way BLM is treating our wild horses.

<https://youtu.be/oTkMmy5HxRE?si=BZeUubsCopKvH4nz>. And "Is It Bad Enough For You? Wild Horses",
<https://youtu.be/uvcd06Mywjc?si=5FGjtD3EKDotSj79>

Thank you for your time and we hope you will consider joining us in supporting Ordinance #599 in protecting our wild horses and burros

Priscilla Lane

President, Friends of the Wild, horses and burros

prissynmick47@gmail.com

775-727-5325

NYE COUNTY ORDINANCE NO. 599

SUMMARY: An Ordinance to Ensure Safe and the Humane Treatment During and After the Roundups of Wild Horses and Burros Within the Boundaries of Nye County as Indicated in the Wild Free-Roaming Horses and Burros Act of 1971; Providing for The Severability, Constitutionality and Effective Date Thereof; and Other Matters Properly Related Thereto.

TITLE: AN ORDINANCE TO ENSURE SAFE AND THE HUMANE TREATMENT DURING AND AFTER THE ROUNDUPS OF WILD HORSES AND BURROS WITHIN THE BOUNDARIES OF NYE COUNTY AS INDICATED IN THE WILD FREE-ROAMING HORSES AND BURROS ACT OF 1971; PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY AND EFFECTIVE DATE THEREOF; AND OTHER MATTERS PROPERLY RELATED THERETO.

WHEREAS, pursuant to NRS 244.137, Dillon's rule provides that the Board of County Commissioners possesses and may exercise powers and the appropriate authority to address matters of local concern; and

WHEREAS, pursuant to NRS 244.143(1)(a), a matter of local concern primarily affects or impacts areas located in the county, or persons who reside, work, or visit or are otherwise present in areas located in the county and does not have a significant effect or impact on areas located in other counties; and

WHEREAS, on June 16, 2020, Resolution 2020-08 was approved unanimously by the then Nye County Board of County Commissioners declaring that it does not support the Bureau of Land Management's ("BLM") helicopter method of rounding up of wild horses and burros in Nye County, Nevada; and

WHEREAS, in 1971 the BLM created the Wild Horse and Burro Program to implement the Wild Free-Roaming Horses and Burros Act (the "Act") which was passed by Congress. Broadly, the Act declares wild horses and burros to be "living symbols of the historic and pioneer spirit of the west" (BLM website: www.blm.gov/whb) and stipulates that the BLM and the U.S. Forest Service have the responsibility to manage and protect herds in their respective jurisdictions where wild horses and burros were found roaming in 1971; and

WHEREAS, on November 25, 2019 President Trump signed into law the bipartisan Preventing Animal Cruelty and Torture ("PACT") Act which stated that "it is important that we combat these heinous and sadistic acts of cruelty, which are totally unacceptable in a civilized society; and

WHEREAS, the American Wild Horse Campaign and Wild Horse Education have documented inhumane acts during roundup procedures perpetrated by the BLM; and

WHEREAS, the BLM spends multi-millions of tax payor dollars for these helicopter roundups. Across the United Stated, there has been much public comment given to the BLM asking for the heinous and sadistic roundups to stop and suggestions made that are much more financially responsible, to which the BLM has turned a deaf ear.

NOW THEREFORE, the Board of County Commissioners of the County of Nye, State of Nevada, does hereby ordain:

1. Nye County is insisting that the Bureau of Land Management (BLM) conduct the roundup of wild horses and burros in a humane manner at all times of a roundup.
2. 18 U.S. Code § 47 - Use of aircraft or motor vehicles to hunt certain wild horses or burros: Whoever uses an aircraft or a motorized vehicles to hunt, for the purpose of capturing or killing any wild unbranded horse, mare, colt, or burro running at large on any of the public land or ranges shall be fined under this title or imprisoned not more than six months, or both.

SEVERABILITY If any provision of this ordinance or amendments thereto, or the application thereof to any person, thing or circumstance is held to be invalid, such invalidity shall not affect the validity or provisions or applications of the ordinance or amendments thereto which can be given effect without the invalid provisions or applications, and to this end the provisions of this ordinance and amendments thereto are declared to be severable.

CONSTITUTIONALITY. If any section, clause or phrase of this ordinance shall be declared unconstitutional by a court of competent jurisdiction, the remaining provisions of this ordinance shall continue in full force and effect.

EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after passage, approval, and publication as required by law, to wit, from and after the 7th day of November, 2023.

Proposed on the 18th day of July, 2023.

Proposed by: Commissioner Carbone.

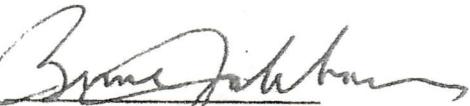
Adopted on the 17th day of October, 2023.

Vote: Ayes: Commissioners: Jabbour, Strickland, Cox, Carbone, Boskovich

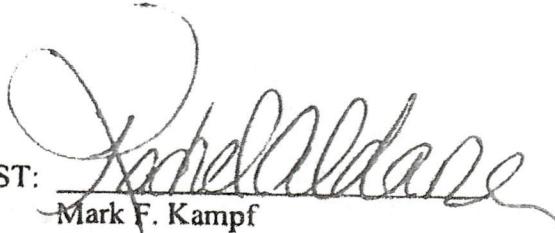
Nays: Commissioners: Ø

Absent: Commissioners: Ø

BY


Bruce Jabbour, Chair
Nye County Board of
County Commissioners

ATTEST:


Mark F. Kampf
Clerk and Ex-Officio
Clerk of the Board