

## White Pine County Board of County Commissioners

### COUNTY COMMISSION & FIRE COMMISSION MEETING AGENDA

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**DATE:** Wednesday, October 14, 2020  
**TIME:** 9:00 a.m.  
**PLACE:** White Pine County Library Conference Room  
950 Campton Street, Ely, Nevada

In light of Governor Sisolak's emergency directive to ban gatherings of 50 or more, this County Commission & Fire Commission Meeting is going to be available via Zoom meeting. Please enter the following link in your web browser, or access it from this agenda at [whitepinecounty.net](http://whitepinecounty.net). If you plan on attending in person, the meeting will still be held at 9:00 am in the Library, we will be adhering to the 6 foot social distancing rule, the ban of 50 or more, and the mask/face-covering mandate. Thank you for your patience as we adapt to the circumstances.

Nichole Baldwin, County Clerk

Join Zoom Meeting

<https://us02web.zoom.us/j/81185379475?pwd=MkFjdXMxL3pvR2l0KzRlb0lGSTdoQT09>

Meeting ID: 811 8537 9475

call: 408 638 0968

Passcode: 101405

**\*ASTERISK (\*) DENOTES POSSIBLE ACTION ITEM**

Note: All times are approximate except for bid openings, public hearings, and any other items agendized at a specific time. Action may be taken on all items except where otherwise indicated. Items not scheduled for a specific time may be considered at any time and in any order to promote efficiency. The Commission may combine two or more agenda items for consideration, and may remove an item from the agenda or delay discussion at any time. Sponsorship of an Agenda Item by a member of the County Commission or Fire Commission may not signify agreement with the requested action. The White Pine County Board of Commissioners may take a short break every 1 ½ hours. The Commission will recess for a one-hour lunch break at approximately 12:00.

**Public Comment:** Public Comment during the County Commission & Fire Commission Meeting on October 14, 2020, will be for all matters, both on and off the agenda and will be limited to three (3) minutes per person. The Commissions reserve the right to reduce the time or limit the total time allowed for public comment. **Comments during Discussion Items may not be accepted from the General Public.** The Commissions may prohibit comment if the content of the comments are willfully disruptive of the meetings by being slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on the item at the Commission meeting.

**ATTENTION: Cell phone use, text messaging and conversation that are unrelated to the specific agenda item that is being discussed are prohibited while the meeting is in session.**

**9:00 A.M. PLEDGE OF ALLEGIANCE**

**MOMENT OF SILENCE/SILENT INVOCATION**

**PUBLIC COMMENT:** A period devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken (N.R.S. 241.020(2)(c)(3)).

## **1. NOTICE OF TIMED AGENDA ITEMS:**

### **A. 9:00 A.M. PUBLIC HEARING**

- \*1) **PUBLIC HEARING/Discussion/For Possible Action:** The White Pine County Board of Commissioners will take public comment regarding the receipt of a notice from the State Engineer of the Division of Water Resources that Bema Gold (U.S.), Inc., through its agents, Hydrotech Consulting Services, LLC and Dixon Hydrologic, PLLC, of an application 89953T filed on July 27, 2020. This application proposes to change the point of diversion of existing Permit 26239 from an underground source in White Pine County to a well site located within Nye County. The Board of Commissioners may approve a course of action to recommend to the State Engineer

The Chairman will temporarily recess the regular County Commission Meeting for a regular meeting of the White Pine County Fire Commission.

### **B. 9:15 A.M. FIRE COMMISSION MEETING**

#### **PUBLIC COMMENT**

- 1) **Discussion/Update** on Fire District Progress. Brett North, Fire Chief & Pat Stork, Ely VFD Fire Chief
- \*2) **Discussion/For Possible Action:** Approval of an agreement between White Pine County, the White Pine County Fire Protection District and Silver Lion Farms, LLC, for the establishment of a Fire District Volunteer Fire Station (Lages Station) to be located upon Silver Lion Farms' property near Lages Junction. Brett North, Fire Chief
- \*3) **Discussion/For Possible Action:** Approval of alternate funding source from the Fire District to pay for the amount necessary for a new ambulance (\$137,905) if Governor's Finance Office denies it under the Coronavirus Relief Funds. Elizabeth Frances, Finance Director
- \*4) **Discussion/For Possible Action:** Approval to contract with Dr. Dana Vitale, M.D. to fill the position of White Pine County EMS Medical Director at a cost of \$12,000.00 annually; cost to be split equally with the City of Ely
- \*5) **Discussion/For Possible Action:** Approval of Resolution 2020-63 to Augment the Fire District General Fund from unanticipated and unbudgeted beginning fund balance in the amount of \$6,000 to pay for EMS Medical Director services

- \*6) **Discussion/For Possible Action:** Approval of monthly financial reports for September 2020. Elizabeth Frances, Finance Director
- \*7) **Discussion/For Possible Action:** Approval of minutes from the Fire Commission Meeting of:
  - September 9, 2020

**PUBLIC COMMENT**

The Chairman will adjourn the meeting of the White Pine County Fire Commission to reconvene the Regular County Commission meeting.

**C. 10:00 A.M.**

- \*1) **Discussion/For Possible Action:** Approval for White Pine County to join Plaintiffs (Lander County) in a civil complaint against the State of Nevada for acting outside the scope of Special Legislative Session and seeking other remedies. District Attorney, Mike Wheable & Brian Hardy, Esq.

**D. 10:15 A.M. NATURAL RESOURCES**

- 1) **Discussion:** Information only regarding the White Pine County Natural Resource and Public Land Issues Tracking List. Jeremy Drew, RCI
- 2) **Discussion:** Information only regarding a summary of the Nevada Division of Water Resources Basin Designation Hearings. Jeremy Drew, RCI
- \*3) **Discussion/For Possible Action:** Approval regarding a Work Order Amendment for development of written comments regarding the Nevada Division of Water Resources' proposal to designate groundwater basins in White Pine County. Jeremy Drew, RCI

**E. 10:30 A.M. ROAD COMMISSION**

- \*1) **Discussion/For Possible Action:** Approval to terminate the road agreement with Western Oil for their failure to provide the balance of the bond within the agreed terms and/or to discuss an extension of the terms with modified conditions upon additional proof of good faith
- \*2) **Discussion/For Possible Action:** Approval of minutes from the following Road Commission Meetings:
  - September 9, 2020
  - September 23, 2020

**2. ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS:**

**A. COUNTY COMMISSION**

## **1. Richard Howe, Chairman**

- \*a) **Discussion/For Possible Action:** Approval of the County Commission Meeting schedule for November and December 2020
- \*b) **Discussion/For Possible Action:** Approval to set a Special County Commission Meeting in January 2020 immediately following the swearing in of newly elected Commissioners
- \*c) **Discussion/For Possible Action:** Approval of a letter of support regarding the N4 water issue
- \*d) **Discussion/For Possible Action:** Approval of comments in regards to the Ely Ranger District proposed fee increase for campgrounds

## **2. Travis Godon, Vice Chairman**

- \*a) **Discussion/For Possible Action:** Ratification to extend termination of space utilization for the University of Nevada, Reno Cooperative Extension in the County Library until November 30<sup>th</sup> to allow more time to find a suitable and affordable private lease for its services

## **3. Laurie Carson, Commissioner**

- \*a) **Discussion/For Possible Action:** Approval to donate 2 picnic tables to McGill Elementary School for the duration of the COVID-19 pandemic

## **B. ELECTED OFFICIALS**

### **1. Sheriff Scott Henriod**

- \*a) **Discussion/For Possible Action:** Acceptance of quarterly in custody death report

### **2. Nichole Baldwin, County Clerk**

- \*a) **Discussion/For Possible Action:** Approval to hold a Special County Commission Meeting on Monday, November 16, 2020 to accept the Canvass of the Vote for the 2020 General Election
- \*b) **Discussion/For Possible Action:** Approval of the request to appoint Aaron Ruesch to the White Pine County Wildlife Advisory Board
- \*c) **Discussion/For Possible Action:** Approval to reappoint Mitchell McVicars, Ray Sawyer, Steve Marquez, and Ramona Maestes to the White Pine County Wildlife Advisory Board
- \*d) **Discussion/For Possible Action:** Approval of the request to resign Gabria Smith and Shadrach Michaels from the Local Emergency Planning Committee as per the request from that board

- \*e) **Discussion/For Possible Action:** Approval of the Second Amendment to the Voting System Agreement by and between Dominion Voting Systems, Inc. and White Pine County, NV for the purchase of a high capacity scanner in the amount of \$13,075 which is paid for out of the funding the Clerk received from AB4 for the 202 General Election

## **C. DEPARTMENT HEADS**

### **1. Brett North, Director of Emergency Management**

- \*a) **Discussion/For Possible Action:** Approval of an agreement between White Pine County, the White Pine County Fire Protection District and Silver Lion Farms, LLC, for the establishment of a Fire District Volunteer Fire Station (Lages Station) to be located upon Silver Lion Farms' property near Lages Junction
- \*b) **Discussion/For Possible Action:** Approval of the FY2020 Hazardous Material Emergency Planning (HMEP) mid-cycle grant award from Nevada State Emergency Response Commission in the amount of \$11,578.00 for the period September 16th, 2020 through November 30<sup>th</sup>, 2020. The required county match amount is \$0

### **2. Bill Calderwood, Public Works Director**

- \*a) **Discussion/For Possible Action:** Approval to remove two trees from Veteran's Park due to safety concerns in an amount not to exceed \$10,500 from contingency

### **3. Tim Bunch, Human Resources Director**

- \*a) **Discussion/For Possible Action:** to interview Chad Stewart, an applicant for the Airport Manager position, and determine if he meets the qualifications and expertise required for this position. Seeking a decision to appoint this applicant to the position or to continue the search. The Airport Manager position has been covered in an interim capacity by Tim Parish since July
- \*b) **Discussion/For Possible Action:** Approval to post position for Program Supervisor Senior Center in that Chris Ricci will be retiring on January 31, 2021
- \*c) **Discussion/For Possible Action:** Approval to post/advertise for Senior Center Program Manager at Grade 127, Step X at \$18.90 per hour

- \*d) **Discussion/For Possible Action:** Approval to onboard the new Program Supervisor for the Senior Center in addition to Chris, to allow the crossover of a two-week training period between Chris Ricci (retirement) and her replacement. Finance Director Elizabeth Frances will have on another agenda item to augment budget to allocate for this action
- e) **Discussion Only:** Human Resources Operational Analysis for period of August 1st-September 15<sup>th</sup>, 2020

#### **4. Elizabeth Frances, Finance Director**

- \*a) **Discussion/For Possible Action:** Approval of monthly financial reports for September 2020
- \*b) **Discussion/For Possible Action:** Approval of Resolution 2020-61 to utilize \$10,500 from contingency to cover the cost of removal of trees that pose a public safety hazard
- \*c) **Discussion/For Possible Action:** Approval of Resolution 2020-62 to utilize \$2,500 from contingency to cover the cost for the Nevada Attorney General to review charges and potentially prosecute case number 2020-258 pursuant to NRS 228.130
- \*d) **Discussion/For Possible Action:** Approval of Resolution 2020-64 to utilize \$10,108 from contingency to cover the cost of JNA Consulting Services required in relation to the USDA Rural Economic Development Loan & Grant Program (REDLG Loan)
- \*e) **Discussion/For Possible Action:** Approval of revision of Grant Application Being Made By Elizabeth Frances to the Nevada Department of Public Safety. For Funding Of Virtual Court Hearing Equipment and Approval of Grant Award in an Amount Not To Exceed \$64,600.00 for the Period of January 20th, 2020 through June 30th, 2021 with A Required County Match of \$0
- \*f) **Discussion/For Possible Action:** Approval of Resolution 2020-50 to augment the Capital Improvements Fund from unanticipated and unbudgeted beginning fund balance by \$9,300 to provide a required backflow preventer for the jail
- \*g) **Discussion/For Possible Action:** Approval of Resolution 2020-58 to augment the General Fund from unanticipated and unbudgeted beginning fund balance by \$12,309 to provide for potential higher rate of pay than budgeted for new bailiff

- \*h) **Discussion/For Possible Action:** Approval of Resolution 2020-60 to Augment the 911 Telephone Surcharge Fund from unanticipated and unbudgeted beginning fund balance in the amount of \$650 to upgrade RIMS Software at the Sheriff’s Office to provide integration with mapping to allow enhanced 911 dispatch
- \*i) **Discussion/For Possible Action:** Ratification of Finance Director’s decision to extend White Pine County’s CARES Act Small Business Grant Program application process through October 29, 2020 and allowing non-profits to submit applications as long as all small business grants are prioritized and paid first prior to any payments to non-profits being made
- \*j) **Discussion/For Possible Action:** Possibility of increasing award amounts to small businesses under the White Pine County’s CARES Act Small Business Grant Program and allowing retroactivity to businesses that have already applied and may be eligible for more
- \*k) **Discussion/for Possible Action:** Approval to amend budget for CARES Act Funds as previously approved based on changing needs and updated Treasury Guidance

### **3. CONSENT AGENDA**

**The following are “action” items that may be considered in one motion/one vote. They are considered routine, non-public hearing items that have no protests. Any person representing an item or member of the public not in agreement with the recommendations by staff should request to have that item removed from the Consent Agenda. Any County Commissioner may remove any items from the consent Agenda and have it placed in the Action Items.**

- \*a) **Discussion/For Possible Action:** to ratify Correspondence Sent on Behalf of the White Pine County Commission.
- \*b) **Discussion/For Possible Action:** Approval of Payroll for County Elected Officials.
- \*c) **Discussion/For Possible Action:** Approval of HR Transmittal for Payroll Changes.
- \*d) **Discussion/For Possible Action:** Approval of budget transfers within and between functions or programs within a fund that do not increase the total appropriation of the fund.

### **4. NOTICE OF UNTIMED ITEMS**

- \*a) **Discussion/For Possible Action:** Approval of minutes from the following County Commission Meetings:
  - September 9, 2020
  - September 23, 2020
- \*b) **Discussion/For Possible Action:** Possible motion to close the open meeting for discussion with the Board related to Collective Bargaining pursuant to NRS 288.500 (c)

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County Commission                      \* Adjournment

**NOTICE TO PERSONS WITH DISABILITIES:**

Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Clerk of the Board of Commissioners at 801 Clark Street #4, Ely, Nevada 89301; or by calling 775-293-6509 at least two (2) days in advance.

**Affidavit:**

I, Nichole Baldwin, did on the 8TH day of OCTOBER, 2020 by 5:00 p.m. cause to be posted (5) five notices of the White Pine County Commission/Fire Commission Meeting Agenda in the County of White Pine, to-wit: At the Courthouse, at the Public Safety Building, the White Pine County Library, the White Pine County Administration Building, and at the Ely U.S. Post Office. The meeting notice is also posted to the White Pine County website at <http://whitepinecounty.net> and on the State of Nevada Public Notices website at <http://notice.nv.gov>. An additional copy of the Agenda along with supporting material, if any, are on display and available at the front counter of the White Pine County Clerk's Office at 801 Clark Street, Suite 4, Ely, NV 89301

*Nichole Baldwin*