

**IN A REGULAR MEETING OF THE WHITE PINE COUNTY COMMISSION HELD ON FEBRUARY 24, 2016 AT THE WHITE PINE COUNTY AQUATICS CENTER, 1111 VETERANS BLVD., ELY, NEVADA**

The Following Were Present:

County Commission

Gary Perea, Chairman  
Carol McKenzie, Vice-Chairman  
\*Laurie Carson, Commissioner  
Mike Coster, Commissioner  
Richard Howe, Commissioner  
Nichole Baldwin, Clerk of the Board  
Susan Lujan, Deputy Clerk

County Officials

Bunny Hill, Social Services Director  
Scott Henriod, WPC Sheriff's Dept.  
Kathy Ricci, Human Resources Dir.  
Elaine Blackham, Sr. Mgmt. Assistant  
Brett Waters, WPC Fire District Chief  
Bill Calderwood, Facility Maint. Supert' dt.  
Bill Miller, Road Maintenance Superintend't.  
Elizabeth Frances, Finance Director  
Mike Wheable, District Attorney  
Chris Ricci, Sr. Program Supervisor  
Lori Romero, Library/Sr. Ctr. Director

Also Present

Ron Miller  
Rory Jackson, BCT  
Geri Wopschall  
Donna Bath  
George Chachas  
Bruce & Kathy Holthus  
David Harley, Baker G.I.D.  
Don Geary, Baker  
Dave Sturlin, Baker G.I.D.  
Terry Steadman, Baker G.I.D.  
Dean Day, Day Engineering  
Mike Herder, BLM  
Jill Moore, BLM  
Alicia Hankins, BLM  
Ross Johnson, Ely Times

\*Commissioner Laurie Carson is currently attending a meeting in Washington, D.C.

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Chairman Gary Perea called the meeting to order at 9:00 a.m. and led the Pledge of Allegiance.

**PUBLIC COMMENT**

Mr. George Chachas approached the Board with various ongoing concerns. Chairman Gary Perea recalled District Attorney Mike Wheable's advice that persons making public comment can't name County personnel. Mr. Chachas began by noting new members of the Tourism & Recreation Board need to be appointed; the current members don't meet the minimum requirements and therefore they aren't in compliance. Commissioner Mike Coster at this point brought up that redundant matters minimize the value of public comment, noting that the same items are being repeated several meetings in a row. Chairman Perea thanked him for bringing up that aspect. Mr. Chachas commented that once the Board takes care of something he's bringing up, it will go away. Chairman Perea noted that the Commission can control some things, while others are out of their jurisdiction. Mr. Chachas continued that he's against any tax increases, with respect to the ballot question(s) being considered. He listed the Duck Pond and Golf Course and monies that went missing from the County Clerk's office years ago, paying the Building Inspector twice for his inspections, and other items pertaining to the City and/or County issues involving costs. D.A. Wheable suggested Mr. Chachas submit these issues to the Board so they may be

discussed and handled differently. He added that the items of concern may be general in nature, but mustn't be specific to a named official or employee. If there is a concern regarding an employee it should be submitted to the Commission and it could be discussed in a proper setting, such as in a Closed Session. When Mr. Chachas continued to bring up past concerns, Chairman Perea asked if there was anything new; there was, with respect to fencing off the area of the Annex demolition since it isn't safe. D.A. Wheable suggested Mr. Chachas speak to just one Commissioner regarding this concern, and that Commissioner could place the item on the agenda for discussion and possible action. Facility Maintenance Superintendent Bill Calderwood advised that the demolition company had been told they could either fence the area or do some ground tapering; they are waiting for the ground to thaw.

Mr. Bruce Holthus then cited a letter he had prepared regarding Pinyon Pine Lane concerns; he felt that there's no drainage and there's been no maintenance on that road for at least 12 years. Bringing that road up to County specifications, he added, should fix the problem. He added that the Forest Service uses the road, as well as the City, who sends people up to maintain the water tank up there. Chairman Gary Perea appreciated his comments and noted he is welcome to stay for the Public Hearing on Road Certification coming up on the agenda shortly.

At 9:15 a.m., Chairman Gary Perea recessed the regular Commission meeting and opened the Road Commission meeting. At 9:30 a.m., Road Commission Chairman Gary Perea adjourned the Road Commission meeting and reconvened the regular Commission meeting.

#### ORDINANCES, FIRST READINGS, PUBLIC HEARINGS, BID OPENINGS, DECISIONS

##### PUBLIC HEARING

##### WHITE PINE COUNTY BOARD OF COUNTY COMMISSIONERS WILL RECEIVE PUBLIC COMMENTS REGARDING THE APPROVAL OF CERTIFICATION OF ROADS WITHIN WHITE PINE COUNTY, NEVADA PURSUANT TO NRS 365.550

Road Maintenance Superintendent Bill Miller cited the list of standard County roads in the Commission packets. A list containing the corrected road miles was provided in a handout, which he explained represent changes from last year; these are the "post-audit figures," he clarified for the Board. Superintendent Miller explained that NDOT completed their estimates for total mileage on or before August 31<sup>st</sup>; between that time and December 31<sup>st</sup>, any revisions must be brought before the Commission, and that is why this is being requested today, in order to allow input to the current list. During the discussion, it was noted that Pinyon Pine Road, as well as other roads, have been brought up in the past; those need to go through the process of making them standard County roads. There are many such roads in the County that are not maintained, and per statute they aren't required to be done if they aren't standard roads. Superintendent Miller advised that gas tax monies are what would be required to fix the Pinyon Pine Road. The Maintenance costs for such roads, however, would come out of the General Fund, as he explained. He continued that there are also some roads showing on the maps that aren't travelled or serve any purpose, and the mileage from those roads could possibly be applied to roads the public does frequent. He explained how it would work if the County was to adopt roads not on our list; those would come under the category of public roads, which are figured differently from other roads. He noted there are 2,326.32 miles of public road, which have been put in place by previous Commissions for the purpose of assuring open routes of travel for the public. If the BLM or Forest Service came in to close those roads, he continued, we could state that can't happen as they've been utilized as public roads since approximately 1976; also, the RS2477 argument would prevail in those instances. During further discussion, it was noted that if the SRS (Secure Rural Schools) funding goes away, the Road Dept. would suffer a \$200,000 loss in revenues. The new gas tax which will be on the ballot was also discussed briefly.

Commissioner Mike Coster felt that the monies in the Road Dept. which aren't dedicated to specific use "amount to services we aren't delivering", and perhaps we could look at a way for people to apply for roads for the County to adopt. He also felt that the monies from the tax going onto the ballot would be more palatable to the County residents if they knew exactly where those funds would be going, and if there was a possibility that other roads could be funded by that tax. Pertaining to the SRS, Superintendent Miller advised that if that funding was lost we would be in the position of deficit spending. Chairman Gary Perea added that it also needs to be understood that we are working here in 2016 with 2003 funding. District Attorney Mike Wheable advised that we should be going through this process much earlier, which would allow more time to inform the public and to receive their input, such as has been received from Mr. and Mrs. Holthus. Superintendent Miller added that this could be addressed throughout the year, which would be a better service to the public. Chairman Perea noted that after the ballot question has been decided, we will have some discussion on this in December.

**DISCUSSION/ACTION/APPROVAL OF CERTIFICATION OF ROADS WITHIN WHITE PINE COUNTY, NEVADA PURSUANT TO NRS 365.550**

Commissioner Mike Coster noted we are out of compliance by holding this hearing more than 10 days from the required date of submission to the State. There were issues with this last year; he's trying to decide what appropriate action should be taken this year. He doesn't feel that approving this immediately after the Public Hearing is serving the purpose, since we didn't allow for the 10 days; his concern is that we aren't following procedure. It was felt that we could either do this now or hold off the vote, submit it later, and take the time to address the matter properly by having it on the March 9<sup>th</sup> Commission meeting agenda. Chairman Perea maintained we should vote on this today; even if this had taken place in January, we might not have had the time to address the concerns. Chairman Perea entertained a motion to approve this as requested. Commissioner Mike Coster made a motion to approve the Certification of Roads within White Pine County, Nevada, using this specific, undated exhibit, not the one which was included in the supplemental materials. Also, Road 1185 has been properly removed from the list we are adopting. At this point, Superintendent Miller asked if we could also include the 2,326.32 miles of County public roads/streets as of December 31, 2015. Commissioner Coster withdrew his original motion and made a new motion: To approve the Certification of Roads within White Pine County, Nevada, pursuant to NRS 365.550 and incorporating the landscape-printed document entitled "White Pine Co. Fuel Tax Audit 2013-2014", 9 pages in length and reflecting 2,326.32 centerline miles of public roads and streets as of 12/31/16, and 987.33 centerline miles of roads that are maintained by the County as of 12/31/15 used for fuel tax miles and certification. Commissioner Carol McKenzie seconded. Motion carried.

At 10:15 a.m., Chairman Gary Perea recessed the Commission meeting for a break. The meeting was reconvened at 10:22 a.m. It was noted the District Attorney had requested reopening the Public Hearing portion due to a letter received from Mr. Jim Garza.

**PUBLIC HEARING**

**WHITE PINE COUNTY BOARD OF COUNTY COMMISSIONERS WILL RECEIVE PUBLIC COMMENTS REGARDING THE APPROVAL OF CERTIFICATION OF ROADS WITHIN WHITE PINE COUNTY, NEVADA PURSUANT TO NRS 365.550**

District Attorney Mike Wheable read a letter from Mr. Jim Garza that was sent February 19<sup>th</sup> to both him and Road Superintendent Bill Miller, requesting that a minor road be listed. The letter was read into the record; it was noted the letter from Mr. & Mrs. Holthus will also be included in this portion. D.A. Wheable explained Mr. Garza's letter hadn't been filed with the Clerk, which is why it's now being read

into the record. He added there is a map attached to the letter, but that was given to the Recorder and isn't available for the meeting today. D.A. Wheable added that this example goes back to us needing more time to deal with these requests. He proceeded to read the letter from Mr. Garza into the record, and advised the Commission should take action on whether or not to accept this today. Following brief discussion, Chairman Gary Perea entertained a motion to include this; it died for lack of a motion. Mr. Garza will be advised of our process. There being no further comment received, the Public Hearing was closed.

To the White Pine County Commission:

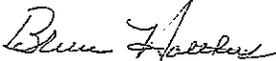
In reference to The Upgrade of Pinyon Pine Lane

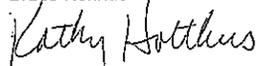
The residents of Pinyon Pine Lane would like the White Pine County Commission to consider bringing the road known as Pinyon Pine Lane up to County Road specifications. At present, the road is in very poor condition due to lack of maintenance. There has not been any maintenance on this road for over 10 years that I know of.

Any time there is any precipitation, be it rain or snow, the water runs down the center of the road because it is not crowned and there are no barrow ditches. We do not think this is a lot of money for the county to spend to upgrade this road. There are seven homes in approximately 8 tenths of a mile. As taxpayers, we would appreciate your consideration in upgrading this road.

There are several more parcels for sale along this road that would probably sell better if this road was in better condition. This would bring more revenue into the White Pine County coffers.

Respectfully submitted,

  
Bruce Holthus

  
Kathy Holthus

From: James Garza [mailto:jimgarza999@yahoo.com]  
Sent: Friday, February 19, 2016 5:38 PM  
To: Bill Miller; Michael Wheable  
Subject: Request to have Private Road E. 224th South St listed on Certificate as a Minor Road

Bill,

I received an email notice from the County Clerks Office regarding the County Commission Meeting agenda for February 24th, 2016. I understand per Item C(1)(a)(b) on page 3 of the agenda, you will be requesting Commission approval for the "Certificate of Roads" to submit to the Nevada Department of Transportation prior to March 1st, 2016 per NRS 365.550.

I understand NRS 365.550(8) after (b) requires a public hearing to be held (10) days before the list is submitted to the NDOT, which the deadline is March 1st. Having the public hearing on February 24th, (5) days before submittal does not meet NRS requirements nor does it allow the public an ample amount of time to challenge your list of minor roads to include an unlisted private road per White Pine County Code 7.10.170.

Last year, this was an issue that was brought up by Commissioner Mike Coster during the February 25th, 2015 County Commission meeting. You can review the minutes of that meeting per pages 2 and 3 from the County website "Agenda and Minutes" profile under the Board of County Commissioners. It seemed to be relevant that a map of the county roads being certified needed to be presented at the public hearing. Although each year this is a repetitious process from your department, I don't believe it is good practice to only give the public (4) days to discuss their issues before the required NDOT submittal deadline. This forces the Chairman to push a vote to support your department in meeting the deadline without ample time for interested individuals to debate their issues in an open public meeting when further investigation may be required to resolve an issue brought up by a private person. This was an issue last year and Chairman Gary Perea pushed for a vote when no list was provided to the public nor were maps available for review as brought up by Commissioner Coster.

I have attached a 11x17 document that meets NRS 403.190(4) requirements to request a minor road be listed on the Certificate. I am formally requesting my option granted per NRS per this email. I will be in Reno attending a meeting on February 24th, 2016 and will not have the opportunity to approach the Commission during the public meeting. I will be filing a copy of the attached USGS map with the WPC Records Office on Monday, February 22nd, 2016 and will pay my \$17.00 fee.

Please include private road "E. 224th South St." as a minor road with a length of 3,996.81' within your Certificate of Roads. I have not been able to locate any code or ordinance that required a private road to meet county construction standards in order to be classified as a "Minor Road." If I am wrong, please advise.

Reasoning for my request, Google Maps, the US Post Office, and other GPS registered offices do not recognize our private road on their maps. This will be my first step to bring awareness to our road being mapped for future emergency service calls and freight delivery.

Thank you for your attention to my request. Feel free to call me to discuss if needed.

Jim Garza  
HC10 Box 10902 Ely, NV. 89301  
(775) 293-5567

**HUMAN RESOURCES:**

**DISCUSSION ONLY ON HOW EMPLOYEES COULD BE NOTIFIED OF EMERGENCY EVENTS THAT MAY AFFECT COUNTY CLOSURES**

Capt. Scott Henriod, WPC Sheriff's Dept., advised that he had talked with Human Resources Director Kathy Ricci about this. The Sheriff's Dept. has a "Code Red" emergency notification system that broadcasts throughout the County. He explained that last year the Sheriff's Dept. located a lost person and actually saved her life by using the "Code Red" system. Capt. Henriod advised there's a link to it provided on the County website; click on the "Code Red" icon, which takes you to the site where you can register your phone number. In the event of an emergency, from the initial notification to the broadcasting to all the registered phone lines, only takes 3-5 minutes. Chairman Gary Perea asked if such a system could be used for situations such as the recent County Snow Day; Capt. Henriod replied in the affirmative, emphasizing that the system would just be used for emergencies. He continued that he carries a script 24/7 that is read into the "Code Red" system as needed at any time. Chairman Perea felt that would be the most effective method, and that he would encourage the County employees and the public to register on that site. He also noted advertising in the newspaper would also be helpful; Capt. Henriod advised that he checks every 2 weeks to see if anyone new has registered on the site. Commissioner Richard Howe felt that the Dept. Heads should continue notifying their own employees, as well; the use of "Code Red" with the Dept. Head backup would be the most effective. Chairman Perea extended his thanks to the Sheriff's Dept. for offering that service. Human Resources Director Kathy Ricci advised she will place this on the Department Head meeting agenda for next week.

At 10:35 a.m., Chairman Gary Perea recessed the Commission meeting for a break. The meeting was reconvened at 10:45 a.m., at which time he recessed the Commission meeting and opened the Special Fire Commission meeting. Fire Commission Chairman Gary Perea adjourned the Special Fire Commission meeting at 11:03 a.m. and reconvened the regular Commission meeting.

**SOCIAL SERVICES:**

**DISCUSSION/ACTION/APPROVAL TO TRAVEL TO CARSON CITY, NV FOR A MANDATORY ALL-DAY NDOT-FTA 5311 WORKSHOP – TRAVEL AND PER DIEM IS 100% REIMBURSEABLE THROUGH RTAP FUNDS – TRAVEL NOT TO EXCEED \$700.00**

Social Services Director Bunny Hill advised it's been 4-5 years since she attended this Rural Travel Asset Program (RTAP). She noted it's now a requirement, as there are now new reporting requirements for the Ely Bus, as she explained. She detailed her travel schedule for the Board. Following brief discussion, Commissioner Mike Coster made a motion to approve travel of our Social Services Director to Carson City for a mandatory, all day NDOT-FTA 5311 Workshop, travel and per diem is 100% reimbursed, not to exceed \$700.00. Commissioner Carol McKenzie seconded. Motion carried.

**LIBRARY:**

**DISCUSSION/ACTION/APPROVAL TO ACCEPT GREAT BASIN HERITAGE AREA PARTNERSHIP GRANT IN THE AMOUNT OF \$1,500 TO BE USED TOWARDS PURCHASE OF MICROFILM EQUIPMENT AND \$1,500 MATCH COMING FROM THE E.L. CORD FOUNDATION GRANT**

Library/Sr. Center Director Lori Romero advised that this is a \$12,290 project for microfilm. The Great Basin Heritage Area Partnership grant has been awarded for \$1,500 specifically for this, plus the match of \$1,500 will be coming from the E.L. Cord Foundation grant. She advised the current equipment isn't operable; this will bring it back into service. She advised the grant from the E.L. Cord Foundation was for \$10,000, but we are still short by \$790.00 for the required match. She advised the WPC Assessor has offered to make up the shortage to enable this project to go forward. Commissioner Mike Coster

disclosed he is the Library liaison, after which he made a motion to accept the GBHAP grant in the amount of \$1,500 to be used towards the purchase of microfilm equipment, and a \$1,500 match coming from the E.L. Cord Foundation grant. Commissioner Richard Howe seconded. Motion carried 3:0 with Chairman Gary Perea abstaining from the vote, since his mother sits on the GBHAP Board.

**FIRE DISTRICT:**

**DISCUSSION/ACTION/APPROVAL TO APPLY FOR FY2017 SERC GRANT FOR \$25,000 IN EQUIPMENT AND \$4,000 IN OPERATIONS WITH NO MATCH**

Following a brief explanation from WPC Fire District Chief Brett Waters, Commissioner Mike Coster made a motion to apply for the FY2017 SERC grant for \$25,000 in equipment and \$4,000 in operations with no match. Commissioner Carol McKenzie seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL/RATIFICATION OF EMPG GRANT FOR FY2016 TO SUPPORT PERSONNEL COSTS FOR EMERGENCY MANAGEMENT**

Chief Waters advised this grant is based on population, and would amount to just under \$20,000. He continued that EMPG has funded this for many years. There is an in-kind match from the General Fund which will take care of our required matching percentage of 50%. Finance Director Elizabeth Frances explained that since he is full-time, we will repay EMPG whatever is spent with respect to his salary. Commissioner Mike Coster made a motion to ratify the EMPG grant for FY2016 to support personnel costs for Emergency Management. Commissioner Richard Howe seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL/RATIFICATION OF PACT GRANT FOR STRYKER EMS EQUIPMENT, 50/50 MATCH, COUNTY SHARE \$30,194.50 FOR NEXT FISCAL YEAR**

WPC Fire District Chief Brett Waters indicated this was signed and sent off due to the short 1-day deadline. Chairman Gary Perea advised he didn't recall the 50/50 match on this when he signed it, for the record. Chief Waters explained this is for the gurneys used in the ambulances; the last time this grant was awarded there was a 50/50 match, and during the last POOL/PACT meeting he was advised they would fund this. However, there was a change of staff and the new person stated the application was due the next day, so this was done as soon as possible. He added this comes out of the next fiscal year, and we wouldn't have even been considered if we hadn't applied. During the discussion, Commissioner Richard Howe, who had reviewed the equipment, wanted to know how we did in the past without this; however he does agree with the safety portion of it. Still, he wished the Board to know the \$30,000 for this in the next FY budget is a problem in his opinion, and wished to know if this is really necessary. Chairman Perea advised that he can't physically lift some of our heavier patients, and this would be a benefit. He would like to move forward with this, but if it isn't approved we can continue on as we have been doing. Chief Waters pointed out that McGill doesn't have a power cot, but that it is up to the Board to decide. Commissioner Mike Coster pointed out that we are just approving the ratification of the application, that we mailed it in on time, and later on we could consider if we would even want to do this. Commissioner Carol McKenzie added that when it's just herself plus another lady in Lund doing the Lund ambulance runs, they also have problems getting really large people into the ambulance. Commissioner Mike Coster made a motion to ratify the PACT grant for the Stryker equipment, with a 50/50 match, and the County's share \$30,194.50 for the next fiscal year. Commissioner Carol McKenzie seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF RAM SOFTWARE SYSTEMS/AIM SOFTWARE SERVICE AGREEMENT FOR 2 YEARS TO SUPPORT AMBULANCE BILLING**

Chief Waters advised their software had just crashed; it hadn't been updated in a long time. This is used to bill for their EMS operations, he noted. The County had chosen in the past to do this inhouse, and we

have been getting a very good return on our investment for doing so, as compared to having a 3<sup>rd</sup> party service. He noted he has discussed this with our District Attorney, and the cost is \$250/month, or \$3,000 total for the year. He added that his budget could handle this; also, if this is approved, he would put one of our Emergency Management computers into this operation as well, having it as a cloud based operation which would update automatically so as to avoid these failures. He assured the Board that no data was lost during the recent crash. Finance Director Elizabeth Frances agreed this is a good idea, and it's all web based. She confirmed there are funds available for this, and it will be a part of the budget process over the 2 years of the agreement. Commissioner Carol McKenzie made a motion to approve the RAM software system/AIM Software Service agreement for 2 years to support ambulance billing. Commissioner Richard Howe seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF CONTRACT TO UPDATE THE WPC EMERGENCY OPERATIONS PLAN AND HAZARDOUS MATERIALS ANNEX, NO MATCH, AND FUNDS HAVE BEEN AWARDED BY AN EPWG GRANT TO PAY FOR THIS SERVICE**

Chief Waters advised this is another grant the Board approved, through EPWG. An upgrade has been done on this plan, the first one having been done back in 2001. He applied for an additional \$25,000 grant to make it a better product, and with more accuracy reflected in the data. He advised that the contractor has met all the requirements, it's been reviewed by both the D.A. and our Finance Director, and they are prepared to move forward if the Board approves it. Chairman Gary Perea entertained a motion to approve this as requested. Commissioner Carol McKenzie made a motion to approve the contract to update the WPC Emergency Operations Plan and Hazardous Materials Annex with no match, and funds have been awarded by an EPWG grant to pay for this service. Commissioner Mike Coster seconded. It was noted at this point there needs to be a name and a monetary amount included in the motion. Commissioners McKenzie and Coster amended their motion and second, respectively, to include Ecology & Environment, Inc., is the name of the contractor, for an amount of \$24,937. Amended motion carried.

**DISCUSSION/ACTION/APPROVAL/SELECTION OF CONSULTANT TO PERFORM A FEASIBILITY STUDY FOR COOPERATIVE SERVICES**

Chairman Gary Perea advised this needs to be ratified, as was done previously. Chairman Perea entertained a motion to approve this as requested. Commissioner Mike Coster made a motion to approve selection of ESCI as the consultant to perform a feasibility study for cooperative services, consistent with the Fire Commission decision of this date. Commissioner Carol McKenzie seconded. Motion carried 3:0, with Commissioner Richard Howe abstaining.

**HUMAN RESOURCES:**

**DISCUSSION/ACTION/APPROVAL OF REVISION TO SECTION 6.9 "EMERGENCY CONDITIONS" AND "DISASTER AREA DECLARATION" TO THE WHITE PINE COUNTY PERSONNEL POLICY**

Human Resources Director Kathy Ricci advised she added a reference to inclement weather into the draft of this policy, as well as a new section, Section 4, pertaining to emergency closure of County offices. Chairman Gary Perea wished to clarify that while the County employees could make their best judgment of whether or not to go to work under those conditions, it's also still up to the Commission Chairman to make the decision about closing the County offices; Director Ricci concurred with this. There followed some discussion of the language, during which it was noted if the Chairman of the Board was not available for any decision, the decision would be brought before the next County Official in line. District Attorney Mike Wheable also felt under paragraph 4 regarding the employees scheduled to work, "SHALL be compensated" should be changed to "MAY be compensated." Commissioner Richard Howe would like to see it clearly stated for the employee to be able to select their option and make their own

decision so it would be their risk to take. The County would close the operation but there would still be room for the employees to choose if they would honor that. Chairman Perea added that as we are in the middle of negotiating with the bargaining units, this could also be brought up. Director Ricci did note that per Commissioner Howe's wish, those options are noted under Section 1 of this revised policy. Commissioner Howe advised it doesn't include Administrative leave, however; he doesn't want to get into utilizing that leave. Director Ricci assured him that is only in the personnel policy; emergency closures have never been addressed in the contracts, and the Administrative leave is not being addressed in this revision. There followed further discussion, during which Chairman Perea commented he would like to see this approved with the condition that it be brought back next Fall for any final changes. The changes to the policy as discussed are: a) To add a comma after the word "employees"; b) "Commission Chairman" should replace "County Official;" c) To change "shall" to "may" in Number 4. Commissioner Carol McKenzie made a motion to adopt this policy, changing it to add a comma after the word "employees," "Commission Chairman" should replace "County Official," and to change "shall" to "may" in Number 4. District Attorney Mike Wheable advised the motion should be read as amended, instead. The changes are: Under Number 4, "Commission Chairman" should replace "State/County Official;" insert a comma after "Employees;" and employees that were scheduled to work "MAY" instead of "SHALL" .....Commissioner Carol McKenzie made that motion; Commissioner Richard Howe seconded. Commissioner Mike Coster amended the motion to include the last sentence requiring the once every 5 years review, to strike reference to the District Attorney from that verbage, so there would be a third amended version. Commissioner McKenzie amended her motion and Commissioner Howe amended his second. Amended motion carried.

**DISCUSSION/ACTION/APPROVAL TO AUTHORIZE THE FINANCE DEPT. TO ADJUST A ONE-TIME REIMBURSEMENT FOR 8 HOURS OF PAID ADMINISTRATIVE LEAVE TO EMPLOYEE'S ACCRUAL DATA SECTION FOR THOSE WHO WERE AFFECTED BY COUNTY OFFICE CLOSURES FOR THE SNOW DAY ON FEBRUARY 1, 2016**

Following brief discussion, it was noted this was for all employees, not just those who were scheduled to work on the Snow Day of February 1<sup>st</sup>. Commissioner Mike Coster made a motion to approve authorizing the Finance Dept. to adjust a one-time reimbursement for 8 hours of paid Administrative Leave to all employees' accrual data section. Commissioner Carol McKenzie seconded. Motion carried.

**FINANCE:**

**DISCUSSION/ACTION/APPROVAL OF MONTHLY FINANCIAL REPORTS FOR JANUARY 2016**

This agenda item was tabled until the next Commission meeting.

**DISCUSSION/UPDATE/EXPLANATION REGARDING DATE CHANGES ON VOUCHERS FOR EMERGENCY MANAGEMENT GRANTS**

Finance Director Elizabeth Frances advised that at the last Commission meeting, Commissioner Laurie Carson wanted to know why changes were being made. Director Frances cited her memo in the Commission packet, which outlined the reason; basically there are submittals being done with errors on them. She advised that she has no authority over the Department Heads to recognize the data being submitted is in error, but emphasized that it must be as accurate as possible. She asked the Board for comment on how to ensure where there are issues, improvements would be made so those wouldn't continue to escalate. Commissioner Carol McKenzie recommended sending a memo to the Department Heads asking them to double check everything they turn in; District Attorney Mike Wheable felt, however, there would still be some data errors. Chairman Gary Perea felt that if there is an ongoing problem with a Department he would want to know, but if there's just a one-time thing it could also be noted; that would help the Commissioners further on how to address it. He wondered if there was too

much in there for Finance to keep track, or if this additional burden would take too much time. Commissioner Mike Coster felt that it could be stressed to the Department Heads how lack of accuracy costs everyone time and money. Director Frances suggested her Department could offer some assistance to those Departments which are consistently found to be in error. Additionally, tracking errors that come in might be enough to spur the Department Heads to turn in more accurate data.

**DISCUSSION/ACTION/APPROVAL OF THE INTERLOCAL AGREEMENT FOR TEMPORARY FIRE PROTECTION AND EMS SERVICES FOR A MONTHLY PAYMENT OF \$6,000 FROM THE COUNTY TO THE CITY AND OTHER CONDITIONS SPECIFIED IN THE AGREEMENT INCLUDED AS BACKUP MATERIALS**

This item was tabled.

**ADVISORY BOARDS:** - There were none to report.

**CONSENT AGENDA: TO RATIFY CORRESPONDENCE SENT ON BEHALF OF THE WHITE PINE COUNTY COMMISSION; TO APPROVE PAYROLL FOR ELECTED OFFICIALS; TO APPROVE HR TRANSMITTAL FOR PAYROLL CHANGES; AND TO APPROVE BUDGET TRANSFERS WITHIN/BETWEEN FUNCTIONS/PROGRAMS WITHIN A FUND THAT DO NOT INCREASE THE TOTAL APPROPRIATION OF THE FUND**

Commissioner Mike Coster made a motion to approve the Consent Agenda as presented. Commissioner Richard Howe seconded. Motion carried.

**COUNTY CLERK:**

**DISCUSSION/UPDATE ON THE 2016 BALLOT QUESTION COMMITTEES**

WPC Clerk Nichole Baldwin advised she has talked to NACO about this and is now awaiting the final version for the ballot question on the motor vehicle fuel tax; this will be presented to the Board during the next Commission meeting. She cited the last page in the Commission packet backup showing the timeline she intends to use for the Ballot Question Committees, which she reviewed for the Board. She noted that their meetings will be held to prepare arguments per that schedule. District Attorney Mike Wheable advised that Clerk Baldwin has proposed some question language, but he also suggested reaching out to NACO on this; he thanked her for all the work she's done on this. Clerk Baldwin added that she's getting more people than necessary to sit on the committee, and anticipates even more coming in prior to presenting this to the Board in April. She added in reply to a query from the Board, that the committee meetings are open to the public.

**MAINTENANCE:**

**DISCUSSION ONLY: COST COMPARISON FOR WHITE PINE COUNTY TRASH PICKUP VS OUTSIDE VENDOR**

Facility Maintenance Superintendent Bill Calderwood provided a cost comparison, included in the Commission packets, per request of the Board during the last Commission meeting. Commissioner Carol McKenzie asked about a breakdown regarding the cost of the Maintenance vehicles to do this; he replied that he felt it was covered, but if a new vehicle would be needed for the task that wasn't included. Superintendent Calderwood explained the County has events going on all the time; they do cleanup on Mondays, and he does like that flexibility, which might not be there if someone else was brought in. The Board appreciated his researching this.

At 12:00 noon, Chairman Gary Perea recessed the Commission meeting for a lunch break. The meeting was reconvened at 1:03 p.m.

## PRESENTATIONS

### DISCUSSION ONLY: BAKER GENERAL IMPROVEMENT DISTRICT (G.I.D.), NEVADA DEPT. OF WILDLIFE (NDOW), AND THE BUREAU OF LAND MANAGEMENT (BLM), REGARDING BAKER G.I.D. RIGHT-OF-WAY APPLICATION

Chairman Gary Perea advised the NDOW representative was unable to attend today, but instead a handout was provided which outlines where they stand on this issue. He added that the Baker G.I.D. and BLM representatives are present. Chairman Perea advised the Baker G.I.D. representatives will present first, and then he has a video to show what we are dealing with. Mr. Dave Sturlin, Baker G.I.D. Chairman, introduced Messrs. David Harley and Terry Steadman of the G.I.D., Mr. Don Geary of Baker, and Mr. Dean Day, of Day Engineering. Mr. Sturlin read a portion of their handout, and explained this pertains to the right-of-way for replacing the water tank that services the community of Baker.

#### Introduction

Baker Water and Sewer established a General Improvement District to supply a culinary water system and sewer service for the Baker Township around 1994. The GID obtained a Right of Way from the BLM for the tank site and pipeline. The ROW expired 6/5/2014 and the GID began discussing the renewal process. The water storage tank was leaking so the repair or replacement of the tank became the top priority. During this time the Board of Directors changed.

In 2015 the new Board of Directors planned the replacement of the water storage tank. An engineering firm was contracted. Funds were secured from the Drinking Water State Revolving Fund. The renewal of the ROW was filed with BLM. Repair of the existing tank was determined to be a "short term fix" and ultimate replacement would be required. A replacement tank was planned.

To maintain water service to the community a new tank would be placed on the East side of the existing tank. When the new tank was certified and put into service, the old tank would be removed. This required an additional 30' X 100' area of BLM ground. Baker GID submitted an amendment to the original ROW to the BLM.

In December of 2015, BLM mailed a decision approving the renewal and amendment. However, some of the requirements in the ROW presented new challenges to the construction project. Baker GID Board of Directors met with the BLM to discuss the new issues. In February of 2016, BLM mailed a modified decision granting the ROW.

At this point, Chairman Gary Perea presented a video to the assemblage; he noted that his house is located ½ mile below the water tank. The new tank will be located just to the east side of the existing tank. His video showed various leakage points on the tank, and that mold is actually growing on the outside of the tank. He also added the water is chlorinated/treated. G.I.D. Chairman Sturlin continued reviewing his memo. He noted that over time, the joints on the bolted, gasketed tank are stressed; over a 23-year period, the extreme temperatures have had adverse affects, which weren't known at the time the water tank was installed. He continued that it was proposed the new tank be moved as close as possible to the old one, which would require an additional 30 feet outside of the existing right-of-way. In the materials is a conceptual design from Day Engineering, and he added that with the timeline and process involved the new tank could be placed into service hypothetically by October 7, 2017. Mr. Sturlin added how various restrictions are imposed as part of the tank replacement, such as migratory birds; a survey is required to ascertain the effects and ensure all is well, and then things could proceed. Once the new tank is in, the old one must be dismantled and removed; if there is a deviation from the timeline, written requests for extensions may be made.

Chairman Gary Perea next invited the BLM representatives to speak, noting that our local office is great to work with. Nonetheless there are some concerns regarding water safety for the community of Baker, Great Basin National Park, the Visitor's Center, etc.; he cited a worst case scenario that happened at Lake Michigan recently. Mr. Mike Herder, BLM, advised they have no formal presentation but they can address any issues/questions we may have; he noted they are looking forward to working out a realistic solution. In reply to a query from Chairman Perea, Mr. Herder advised the BLM is exploring the option of moving the timeline dates earlier; if the criteria are met, construction could perhaps begin May 1<sup>st</sup>. He did note that any changes would require the BLM to rescind the existing decision and prepare an additional NEPA document. Chairman Perea asked that, if everything stays the same on the timeline to start on July 1<sup>st</sup>, it wouldn't come online until October 7<sup>th</sup>. However, the tank is leaking now, and he asked how the situation could be rectified. Mr. Herder responded that it would be in everyone's best interests if the tank was completed and the old one removed during one season; there are potential impacts just by having that additional structure in place in the habitat, so limiting the period of time both tanks are in place would be beneficial; he added that NDOW concurs with that scenario as well. There was some discussion of anti-perching devices, which would discourage raptors and other birds from settling on the tanks; it was noted the old tank does have bird guards. During further discussion, Mr. Herder advised that because this is one of the first projects to be done since the Sage Grouse Plan was signed last September, there is some flexibility allowed regarding design, etc. He did caution that the possible solutions being discussed will not change the migratory bird requirements, however. He continued that ground nesting bird surveys must be done prior to any construction, in fact within a week of beginning the construction. Engineer Dean Day noted that he had been told July 1<sup>st</sup> was the earliest they could get in there, so this has apparently been changed; it was noted it all depends on how quickly the project can go forward. Commissioner Mike Coster asked if any migratory bird is found during the survey timeline, the project can't start; that was confirmed, it couldn't go forward until the birds are gone. G.I.D. Chairman Sturlin wished the Commission to understand they're making every effort to work with the BLM; all traffic disturbance will occur on the existing roads. Additionally, all construction will be within the fenced area, plus the amended right-of-way extension area as noted earlier. The Baker G.I.D. is recommending that the County Commission requests NDOW waive the summer sage grouse habitat restrictions based on the site-specific data, and allow the G.I.D. to somehow expedite this process. Also, this should be put in writing for either the Commission or the Congressional delegation to expedite. Chairman Gary Perea thanked everyone for coming and participating in this process.

#### **ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS**

##### **COMMISSION:**

##### **DISCUSSION/ACTION/APPROVAL TO SUBMIT A LETTER TO THE GOVERNOR OF THE STATE OF NEVADA AND/OR THE NEVADA CONGRESSIONAL DELEGATION CONCERNING THE BAKER GENERAL IMPROVEMENT DISTRICT RIGHT-OF-WAY APPLICATION**

Chairman Gary Perea advised that by this agenda item, we are asking for their support to move the construction date as soon as possible, and also per the timeline to have the Baker water tank done by October. He added that if anything happens to the tank after that date, the blame would then be placed onto the BLM. He continued that the tank could have been completed this season, but now the matter is out of the purview of the G.I.D., it's under BLM control. Our recommendation is to send a letter asking to help expedite this project and include that, in our opinion, anything occurring after the October 7<sup>th</sup> date will become the responsibility of the BLM. Commissioner Coster asked what the physical area of the required survey will be; Mr. Mike Herder responded that it's the work site area plus 200 feet. It was the concurrence of the Board that this letter could be sent next week. Commissioner Richard Howe, however, felt the threatening language shouldn't be included in the letter, stating that everyone knows we're trying to expedite this as quickly as possible. District Attorney Mike Wheable explained that we

are just putting the Feds on notice that we have a current schedule, there are certain requests, and these are the burdens we are dealing with right now. Following further brief discussion, Chairman Gary Perea entertained a motion to approve this. Commissioner Richard Howe made a motion to submit a letter to the Governor of the State of Nevada and/or the Nevada Congressional Delegation concerning the Baker G.I.D. Right-Of-Way application. Commissioner Carol McKenzie seconded. Following brief discussion, it was felt the word "OR" should be removed from the motion, so it would read the letter will be submitted to both the Governor and the delegation. Chairman Perea felt the letters could be sent and ratified; there will be two letters, it was clarified, one from the Baker G.I.D. to the BLM; and from the Commission to the Governor and delegation. Motion carried.

**HUMAN RESOURCES:**

**DISCUSSION/ACTION/APPROVAL TO BEGIN RECRUITMENT TO HIRE AN EQUIPMENT OPERATOR POSITION – THE POSITION HAS BEEN VACANT SINCE JULY 17, 2015**

Road Maintenance Superintendent Bill Miller advised this is for a Senior Equipment Operator position; another Sr. Equipment Operator has left since this request was made, and his final day is next Monday, so of the 3 previous positions 2 have been lost. Human Resources Director Kathy Ricci noted there are cost savings involved with hiring for these positions at the lower rate. Chairman Gary Perea entertained a motion to approve beginning recruit to hire an Equipment Operator position, which has been vacant since July 17, 2015, as requested by the Road Superintendent. Commissioner Carol McKenzie seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL TO BEGIN RECRUITMENT AFTER THE 90-DAY PERIOD PER HIRING DELAY POLICY/PROCEDURE TO HIRE AN EQUIPMENT OPERATOR POSITION DUE TO A 2-WEEK NOTICE SUBMITTED ON FEBRUARY 16, 2016 TO THE ROAD SUPERINTENDENT – RECRUITMENT FOR THIS POSITION WILL BEGIN ON MAY 16, 2016**

Human Resources Director Kathy Ricci advised this is per our hiring delay policy. She noted this could be solicited now and if there is still an interest in 90 days, we could revisit them. She clarified that we can't even look for replacements for 90 days, and that would mean 120 days before someone could be hired. District Attorney Mike Wheable felt this language wasn't included in what the Board just passed; he pointed out the "extenuating circumstances" clause in the policy. Superintendent Miller assured the Board that this position doesn't come out of the General Fund, it's from the Road Dept. Fund. Facility Maintenance Superintendent Bill Calderwood advised he has someone in his Dept. going to retire on June 30<sup>th</sup>. He will recommend moving that position to half-time in his budget. D.A. Wheable read from the existing hiring delay policy/procedure to answer various questions from the Board. He noted there are some options that would accomplish this in a shorter timeframe; it was the concurrence of the Board that this agenda item be tabled pending further information.

**EDC OFFICE:**

**DISCUSSION/ACTION/APPROVAL FOR TRAVEL TO CARSON CITY FOR TWO (2) PEOPLE TO GIVE THE CDBG PRESENTATION RE: THE ELY SENIOR CENTER PARKING LOT UPGRADE GRANT APPLICATION – THE COST OF TRAVEL SHOULD NOT EXCEED \$350.00 PER PERSON FOR A TOTAL OF \$700.00**

Sr. Management Assistant Elaine Blackham advised that any one of the Commissioners could go to Carson City and make this presentation; it does occur on a Commission meeting day. Commissioner Richard Howe asked why 2 people would need to attend; Chairman Gary Perea explained that Assistant Blackham and Superintendent Bill Calderwood have lots of background for this. Assistant Blackham added that it is a CDBG requirement that only 1 person could go if they are the one who wrote the grant application; otherwise, 2 people or more must attend to present. Since the EDC office wrote the grant,

and she is requesting Superintendent Calderwood attend as well, Assistant Blackham advised the EDC would pick up the travel expense, and they do have it in their budget. Chairman Gary Perea entertained a motion to approve this. Commissioner Mike Coster made a motion to approve travel for both the grant writer and the grant doer, to give the CDBG presentation in Carson City regarding the Ely Senior Center Parking Lot upgrade grant application, with the cost of travel not to exceed \$700.00. Commissioner Carol McKenzie seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF APPLICATIONS OF EXTENSION OF TIME FOR WATER PERMITS #72728 THROUGH #72749 (22 APPLICATIONS) FOR INDUSTRIAL USE IN NORTH STEPTOE VALLEY AT A COST OF \$120.00 PER APPLICATION FOR A TOTAL OF \$2,640.00**

Sr. Management Assistant Elaine Blackham advised that White Pine County has held these water permits since 1981. She explained they are slated for industrial use, mainly for development of the power plant when LADWP was going to build it. The State Water Engineer has allowed the County to renew these applications annually, as long as we had a project in the works. She advised there is a possible project in the future, and she recommended renewing these applications. She will be going online shortly to ascertain if there are any status updates on the project, which is a pump storage project as she explained. EDC has been working with this group for nearly 8 years; the project is located south of McGill, at the Gonder Substation. The project involves pumping water over the mountain and through small turbines, which power thus generated would be sold. She added that the process they are required to go through is very slow, which is why it's taking so long. There are funds available out of the Natural Resources Fund for this; she advised that Financial Analyst Elanie Calderwood is on standby in case a check may need to be cut on short notice. Assistant Blackham concluded by stating these applications need to be in Carson City no later than February 29<sup>th</sup>. Chairman Gary Perea entertained a motion to approve this as requested. Commissioner Mike Coster recommended approval of applications of extension of time for water permits #72728 through #72749 (22 applications) for industrial use in North Steptoe Valley at a cost of \$120.00 per application, for a total of \$2,640.00. Commissioner Carol McKenzie seconded. Motion carried.

**UNTIMED ITEMS**

**APPOINTMENTS AND RESIGNATIONS**

Resignations

PLUAC	Doris A. Metcalf
Wildlife Advisory Board	Thomas Brunson

WPC Clerk Nichole Baldwin noted these resignation requests have been received.

Appointments

Wildlife Advisory Board	Steve Marquez
Ag. Dist. 13/Fair & Rodeo	Karen Wines
Ruth Town Council	Thomas Hinkle

Clerk Baldwin also read these requests for appointments into the record. Commissioner Richard Howe advised another person is interested in filling the seat for the Wildlife Advisory Board, but they haven't completed the Statement of Qualifications at this point in time. He would like to table that appointment until the next meeting so both applications could be considered. Clerk Baldwin confirmed there is only one vacancy on that board. Chairman Gary Perea entertained a motion to accept the resignations. Commissioner Mike Coster made a motion to accept the resignations of Doris A. Metcalf from PLUAC, and Thomas Brunson from the Wildlife Advisory Board. Commissioner Richard Howe seconded. Motion carried. Commissioner Richard Howe made a motion to appoint Karen Wines to the Ag. District 13/Fair & Rodeo Advisory Board, Thomas Hinkle to the Ruth Town Council, and to table the

appointment to the Wildlife Advisory Board until the next Commission meeting. Commissioner Carol McKenzie seconded. Motion carried.

### **APPROVAL OF COUNTY COMMISSION MINUTES**

January 27

Chairman Gary Perea entertained a motion to approve these minutes. Commissioner Mike Coster made a motion to approve the January 27 Commission minutes as presented. Commissioner Carol McKenzie seconded. Motion carried.

At this point, Chairman Gary Perea wished to note there is a possibility that the PLUAC and Water Advisory Committees could merge; however, it probably wouldn't occur until a Natural Resource person is hired for the County. That person would become involved with both boards, and then when the time is right, the merge could occur. He just wished to report on some discussion that was held during the advisory board meetings regarding the possibility of this happening in the future.

### **RECOMMENDATIONS FOR ITEMS FOR FUTURE AGENDAS**

- Discussion item re: Dept. Heads entering into contracts without Commission approval.
- SCCRT waiver request, to be ratified.
- NevadaWorks.

At 2:16 p.m., District Attorney Mike Wheable requested reopening the Special Fire Commission meeting. Chairman Gary Perea recessed the regular Commission meeting and briefly reopened the Special Fire Commission meeting. At 2:20 p.m., Fire Commission Chairman Gary Perea adjourned the Special Fire Commission meeting and reconvened the regular Commission meeting.

### **PUBLIC COMMENT**

Sr. Management Assistant Elaine Blackham advised that since both she and Facility Maintenance Superintendent Bill Calderwood are travelling to Carson City for the CDBG presentation, advertising for suggestions for the next round of SNPLMA funds has been done. The Commission will be selecting those projects at their next meeting. She advised a public service announcement has been sent to the newspaper regarding this.

WPC Clerk Nichole Baldwin announced that Candidate Filings are coming up soon, for three seats on the Commission, seats on the G.I.D.s and the Hospital/School Districts. Those filings will take place from March 7 through March 18 at the Clerk's Office, Monday-Friday 8AM to 5PM.

ADJOURNMENT

There being no further business to discuss, Chairman Gary Perea adjourned the meeting at 2:25 p.m.

BOARD OF COUNTY COMMISSIONERS  
WHITE PINE COUNTY  
STATE OF NEVADA

BY:

  
CHAIRMAN

ATTEST:

  
WPC CLERK OF THE BOARD  
