

IN A REGULAR MEETING OF THE WHITE PINE COUNTY COMMISSION HELD ON APRIL 13,
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
Elizabeth Frances, Finance Director
Jennifer Farnworth, IT Specialist
Kathy Ricci, Human Resources Director
Bill Miller, Road Maint. Superintendent
Megan Brown, Aquatics Facilities Dir.
Mike Wheable, District Attorney
Brett Waters, WPC Fire District Chief
Bill Calderwood, Facility Maint. Superint'dt.
Elanie Calderwood, Financial Analyst
Elaine Blackham, Sr. Mgmt. Assistant
Steve Stork, Airport Manager
Burton Hilton, WPC Assessor
Juan Carlos Cervantes, UNR Ag. Coop. Extension
Lisa Wilson, UNR Ag. Coop. Extension
Lori Romero, Library/Sr. Center Director
Capt. Scott Henriod, Sheriff's Dept.
Karen Collis, Public Health Nurse
Stephen Bishop, Justice of the Peace
Dahn Puckett, Administrative Assistant

Also Present

Geri Wopschall
Ron Miller
Johnathan Dishong
Toby Abell, Tattoo Fortress
Donna Bath, Senator Dean Heller
George Chachas, KGTV-10
Ross Rivera, Ely Fire Chief
Rusty Lewis

Chairman Gary Perea called the meeting to order at 9:03 a.m. Commissioner Mike Coster led the Pledge of Allegiance.

PUBLIC COMMENT

Mr. George Chachas had various ongoing concerns: He wants to see on the Commission agenda an item about removal of the Tourism & Recreation Board members who don't meet membership requirements. He feels that board is squandering money and now the Commission is considering a ½% room tax increase. Also, he claimed that the City is planning to take some of that tax money for their infrastructure. He feels that the White Pine Chamber of Commerce isn't doing much for the community and their Chairman also needs to be removed. He reiterated past concerns regarding lack of ADA compliance at the new Aquatics Center and at the new County Administrative Offices. He added that the County spent \$7 million on the swimming pool and he feels there's no accountability there with respect to ADA needs. He concluded by stating that he's against the room tax, the community is also against it, and the Commission needs to look hard at that issue before they vote on it.

At 9:05 a.m., Chairman Gary Perea recessed the regular Commission meeting and opened the Fire Commission meeting. At 9:20 a.m., Fire Commission Chairman Gary Perea adjourned the Fire Commission meeting and reconvened the regular Commission meeting.

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

There were none.

ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS

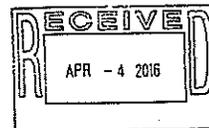
COMMISSION:

DISCUSSION/ACTION/APPROVAL OF GOVERNMENT FINANCE OFFICERS ASSOCIATION –
CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING

Chairman Gary Perea read a letter from the Government Finance Officers Association into the record. He noted that with the County just having gone through the budget season, the Board very much appreciates Finance Director Elizabeth Frances, Financial Analyst Elanie Calderwood, and her staff for the work they do and the accuracy and timeliness of their reporting. Chairman Perea presented the Certificate of Achievement for Excellence in Financial Reporting to Director Frances. Commissioner Laurie Carson noted that Director Frances was with the County, assisting us when we were in the severe financial emergency several years ago, and that the Board is thrilled she is back with us. The Board agreed that Director Frances and her team deserve this recognition.



Government Finance Officers Association
203 N. LaSalle Street - Suite 2700
Chicago, IL 60601
Phone (312) 977-9700 Fax (312) 977-4806



March 30, 2016

Gary Perea
Chairman - Board of County Commissioners
White Pine County
297 11 Street East
Ely UT 89301

Dear Mr. Perea:

We are pleased to notify you that your comprehensive annual financial report for the fiscal year ended June 30, 2015 qualifies for a Certificate of Achievement for Excellence in Financial Reporting. The Certificate of Achievement is the highest form of recognition in governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management.

An award for the Certificate of Achievement has been mailed to:

Elizabeth Frances
Finance Director

We hope that you will arrange for a formal presentation of the Certificate and Award of Financial Reporting Achievement, and that appropriate publicity will be given to this notable achievement. A sample news release is enclosed to assist with this effort. In addition, details of recent recipients of the Certificate of Achievement and other information about Certificate Program results are available in the "Awards Program" area of our website, www.gfoa.org.

We hope that your example will encourage other government officials in their efforts to achieve and maintain an appropriate standard of excellence in financial reporting.

Sincerely,
Government Finance Officers Association

Stephen J. Gauthier, Director

Technical Services Center

SJG/ds

DISCUSSION/ACTION/APPROVAL/UPDATE OF AMBULANCE STANDBY FEES

Chairman Gary Perea noted this will help with the Silver State Classic Challenge, and we will probably be getting a request shortly from the Horse Races again. He advised that the Board has looked into these charges from what was done last year, and he feels this would be a fair way to move forward with the ambulance standby fees. Commissioner Mike Coster advised this is a reduction to a flat fee for a number of vehicles, as opposed to separate charges for each, during large events. Social Services Director Bunny Hill, SSCC representative, noted that there is a concern that the County would “charge us out of business.” She reiterated her public comment during a previous Commission meeting, that the United Kingdom is bringing in their camera crew to film the SSCC race from start to finish, and they will also be filming around our community. It was noted that only the standby fees were changed, from the prior version of the ambulance fees. Commissioner Laurie Carson made a motion to approve the update of Ambulance Standby Fees as presented. Commissioner Richard Howe seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF 30-DAY EXTENSION OF CMAR CONTRACT FOR THE LIBRARY EXPANSION COMPLETION DATE – DUE TO WEATHER AND ADDITIONAL CONSTRUCTION

Commissioner Carol McKenzie advised there’s enough money to do another room in the Library Expansion that they hadn’t really planned on, so they are including that room in the plans. This extension will allow enough time to complete the expansion. Commissioner Mike Coster is the Library liaison, and he hadn’t attended the Library Staff meeting to discuss this, but Commissioner McKenzie did attend that meeting. While the Librarian is fine with this, Commissioner Coster will abstain from the vote due to the lack of information presented on this, which he added would have been available if it had gone through the usual meeting of the Library Board. There was some discussion of the weather and the concrete and other issues, after which Library Director Lori Romero noted it isn’t the intent to use all of the 30-day extension for this. She explained some setbacks such as the fiber optic installation, which can’t have moisture coming down while it’s being done. She added that she has been taking pictures of the Library Expansion all along to ensure the investors’ work is proceeding. District Attorney Mike Wheable noted he hasn’t seen the paperwork on this yet, to sign it off. Facility Maintenance Superintendent Bill Calderwood noted that the option for an additional office had been presented in the initial proposal. That office is being built under the GMP that had been approved by the Commission; he added that quite a bit more construction has been going on, but the costs are still within the GMP and at no additional charge. Commissioner Mike Coster made a motion to table pending further documentation/information. Motion died for lack of a second. Chairman Gary Perea entertained a motion to approve this as requested. Commissioner Richard Howe made a motion to approve the 30-day extension of CMAR contract for the Library Expansion completion date, due to weather and additional construction. Commissioner Laurie Carson seconded. Motion carried 4:1, with Commissioner Coster voting in opposition. D.A. Wheable added for the Board’s information that if the project isn’t completed on time, there are additional charges that may be incurred by the County.

DISCUSSION/ACTION/APPROVAL OF THE PROCLAMATION DECLARING APRIL 2016 AS NATIONAL COUNTY GOVERNMENT MONTH THROUGH NACo’S “SAFE AND SECURE COUNTIES” INTIATIVE

Commissioner Laurie Carson explained the theme of this Proclamation is “Safe and Secure Counties.” She read a portion of the Proclamation into the record. Chairman Gary Perea entertained a motion to approve the Proclamation. Commissioner Carol McKenzie made a motion to approve the Proclamation declaring April 2016 as National County Government Month through NACo’s “Safe and Secure Counties” initiative. Commissioner Richard Howe seconded. Motion carried.

Gary Perea, Chairman
Carol O. McKenzie, Vice Chairman
Commissioner Laurie L. Carson
Commissioner Richard Howe
Commissioner Mike Coster

297 1st Street East, Suite #2
Ely, Nevada 89301
(775) 293-6561 or
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Nichole Baldwin, Ex-officio Clerk of the Board

White Pine County
Board of County Commissioners

commissioners@whitepinecountynv.gov

National County Government Month - April 2016
"Safe and Secure Counties"

WHEREAS, the nation's 3,069 counties serving more than 300 million Americans provide essential services to create healthy, safe, vibrant and economically resilient communities; and

WHEREAS, White Pine and all counties take pride in our responsibility to protect and enhance the health, well-being and safety of our residents in efficient and cost-effective ways; and

WHEREAS, through National Association of Counties (NACo) President Sallie Clark's "Safe and Secure Counties" initiative, NACo is encouraging counties to focus on strengthening the safety and security of their communities; and

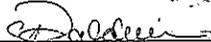
WHEREAS, in order to remain healthy, vibrant, safe, and economically competitive, America's counties provide public health, justice, emergency management and economic services that play a key role in everything from residents' daily health to disaster response; and

WHEREAS, each year since 1991 the National Association of Counties has encouraged counties across the country to actively promote programs and services to the public we serve; and

NOW, THEREFORE, BE IT RESOLVED THAT THE WHITE PINE BOARD OF COUNTY COMMISSIONERS, do hereby proclaim April 2016 as National County Government Month and encourage all county officials, employees, schools and residents to participate in county government celebration activities.

Dated this 13th day of April, 2016

Chairman, Board of County Commission

Attest: 
County Clerk

ELECTED OFFICIALS

DISTRICT ATTORNEY:

DISCUSSION/ACTION/APPROVAL TO DIRECT ALL ADVISORY BOARDS TO PROVIDE THE COUNTY CLERK WITH TIMELY COPIES OF THEIR AUDIO RECORDS, MINUTES, AND AGENDAS OF ALL PUBLIC MEETINGS

District Attorney Mike Wheable explained that as required by both the Open Meeting Law and the Public Records Law, agendas/minutes/recordings of public meetings must be provided to the public within 30 days of the meeting, even if they are unapproved. He added that if they are not approved, there needs to be a "Draft" stamp indicating such. He continued that it's difficult to ensure County compliance when various boards must comply, but he will work with WPC Clerk Nichole Baldwin to formalize the process. He felt there would need to be some draft language included in the policies and Advisory Board Standards, and perhaps even a Resolution should be done to cover this. Commissioner Carol McKenzie asked how we could get those boards to comply; Chairman Gary Perea noted their own elected boards, or their own entity, would be responsible. He asked D.A. Wheable about the General Improvement Districts; D.A. Wheable advised some of them have their own attorneys who could provide the oversight, but the advisory boards and town councils should be sent letters advising them what they should be doing. He would like some direction from the Board regarding the advisory boards and the Advisory

Board Standards. Chairman Perea felt the Board could give him direction just to move forward with this, and include the advisory boards, town councils, and the G.I.D.'s as well. D.A. Wheable advised that Deputy Clerk Susan Lujan keeps a spreadsheet of the boards showing which ones are sending in their materials, and which ones are not; we need to follow up and hold our advisory boards accountable. Commissioner Laurie Carson added that the law also holds the government officials and the D.A. liable as well; D.A. Wheable agreed. He did note that the Commission also has the ability to remove boards. Clerk Baldwin noted that both she and Administrative Assistant Dahn Puckett receive minutes, including the G.I.D.'s. Following further discussion, it was the consensus of the Board that D.A. Wheable will return with verbage addressing this.

DISCUSSION/ACTION/APPROVAL TO DIRECT ANY COUNTY EMPLOYEE WHO RECEIVES A PUBLIC RECORDS REQUEST TO ADVISE THE REQUESTING PARTY, IN WRITING IF POSSIBLE, TO COMPLETE A FORMAL PUBLIC RECORDS REQUEST, WHICH CAN BE OBTAINED FROM THE COUNTY WEBSITE, AND TO SUBMIT SUCH A REQUEST TO THE WPC CLERK'S OFFICE, AND TO DOCUMENT THE EXCHANGE, AND FORWARD DOCUMENTATION TO THE WPC CLERK'S OFFICE

District Attorney Mike Wheable noted this is similarly related to the previous agenda item. The Board could vote on this today, or he could include language in the Personnel Policy as to how this would work, which he preferred to do. WPC Clerk Nichole Baldwin advised this is already on the website, with the Public Records Request form she created specifically for this. Commissioner Mike Coster felt this could create more problems than it would solve; he gave an example of someone asking simply for a list of fees. That list could be made available at the source, rather than having to go through this form. WPC Assessor Burton Hilton noted that he gets multiple requests daily and he has no issue with this, but if a formal request is done, would an email request be sufficient instead? D.A. Wheable responded that we would just need a document showing compliance. There followed brief discussion regarding coverage for various types of requests.

DISCUSSION/ACTION/APPROVAL/RATIFICATION OF RELEASE OF ANY INTEREST IN COMPLETED LOAN CONTRACT BETWEEN WHITE PINE COUNTY AND H&M ELY CO. FOR LOAN PREVIOUSLY EXTENDED TO H&M ELY FOR DEVELOPMENT AND/OR ENHANCEMENT OF REAL PROPERTY APN 001-233-01, 701 GREAT BASIN BLVD., ELY, WHICH LOAN HAS BEEN PAID BACK TO WHITE PINE COUNTY AND OTHER TERMS SATISFIED IN MAY 2015 – SAID RELEASE IS NEEDED FOR H&M ELY'S TITLING PURPOSES

District Attorney Mike Wheable requested this be tabled as he hadn't provided backup for this. Commissioner Mike Coster made a motion to table this agenda item. Commissioner Carol McKenzie seconded. Motion carried. It was noted that this will be presented with a corrected address and backup materials at the next Commission meeting.

DISCUSSION/ACTION/APPROVAL FOR A NEW DISTRICT ATTORNEY LAW CLERK POSITION COMMENSURATE TO JUDICIAL LAW CLERKS' JOB DESCRIPTION AND PAY – THIS POSITION IS IN LIEU OF THE CIVIL DEPUTY POSITION AND WILL REPORT TO THE DISTRICT ATTORNEY

District Attorney Mike Wheable advised he has been advertising for this, and there has been at least one applicant. He noted many law clerks will be graduating next month, and much interest has been shown for this position. A Job Description has been prepared with a lower pay scale which would suffice until the individual receives their bar exam results. If they pass, the D.A. will return to the Commission and request they be hired as a Civil Deputy Attorney at that time. If the individual is extended an offer, he added, they would begin mid-May. It was noted the 90-day hiring is exempted from the D.A.'s office.

Bar results will be supplied in mid-October; the individual would remain a Law Clerk until the D.A. comes to the Commission to request the Civil Deputy Attorney position. Commissioner Laurie Carson asked if this person could be utilized for some Natural Resource-related assistance, for example to help us get through comment periods on sage grouse, BLM issues, etc. D.A. Wheable advised that the Civil Deputy D.A. would have to train themselves to be responsive and responsible to the issues, just like he had to do himself after he was hired. The more research an attorney does, he explained, the more they learn. Chairman Gary Perea entertained a motion to approve this new position as requested. Commissioner Laurie Carson made a motion to approve a new District Attorney Law Clerk position commensurate to the Judicial Law Clerks' Job Description and pay; this position is in lieu of the Civil Deputy position and will report to the District Attorney. Commissioner Carol McKenzie seconded. Motion carried.

At 10:21 a.m., Chairman Gary Perea recessed the Commission meeting for a break. The meeting was reconvened at 10:34 a.m.

ASSESSOR:

DISCUSSION/ACTION/POSSIBLE APPROVAL TO REFUND TAXPAYER OF UNSECURED ACCOUNT #OT 003799 IN THE AMOUNT OF \$15,598.33 FOR OVER-ASSESSMENT OF MINING PROPERTY TAXES

WPC Assessor Burton Hilton advised that two pieces of equipment had been reported separately, but inaccurately. This was also reported in the same manner to the Nv. Dept. of Taxation. The taxpayer did catch their mistake: One piece of equipment is in Esmeralda County, while the other is here in White Pine County. He continued that we billed them, they paid, and then they found their mistake. They received their documentation from the State and it was found we do owe this money back to them. Chairman Gary Perea entertained a motion to refund this as requested. Commissioner Mike Coster made a motion to refund the Bank of America on unsecured Account #OT 003799 in the amount of \$15,598.33 for over-assessment of mining property taxes. Commissioner Laurie Carson seconded. Motion carried.

JUSTICE OF THE PEACE:

DISCUSSION/ACTION/APPROVAL TO PAY JUSTICE OF THE PEACE AS PREVIOUSLY APPROVED AND BUDGETED WITH RAISE AND LONGEVITY

Justice of the Peace Stephen Bishop advised that when this came up at the last Commission meeting, there was some question as to the motion regarding the setting of the salaries. He cited the backup materials, and read from the minutes the verbage of the motion that was made for the annual salaries of the elected officials. He also pulled the audio recording, which stated the salary was \$63,403 at the time the motion was made. Per NRS 405.243 that had gone forward. Since that time, Judge Bishop had been included in an email notification that he needed to let the Commission know if he didn't wish to take the raise for the elected officials; he didn't notify them because he wanted the raise. NRS 245.043 now addresses those raises, and longevity is also part of that. He provided a handout to the Board consisting of several statistics pertaining to this; these reflect the increases in case types and those items which impact the workload in his office. They also include the breakdown of funds taken in and how much goes to the County, and how much is retained in Justice Court. Judge Bishop advised that overall, White Pine County handles twice the number of cases in Lincoln and Eureka counties combined; also, that White Pine County spends less than half of what the other counties pay their judicial officials. Chairman Gary Perea agreed that in 2011 the Commission at that time did decide to set the salary equal to the Clerk, Treasurer, and other elected officials; he pointed out that the Justice of the Peace has always been separate. He continued that Justice of the Peace Ron Niman had been 26 years with the County, which was a justification to give him that raise, and it was specifically noted that the raise was not for the

position, but rather specifically for the person, Judge Niman. On that basis, Chairman Perea advised he would vote against this increase. Judge Bishop maintained that as the statute has changed, his raises should also be changed accordingly; the motion at that time was to pay at that rate, it was budgeted for, and it was in the budget. Commissioner Laurie Carson noted the matter was also to be reviewed in 2012. She clarified that the motion made controls the present, it was made by a different Board. Judge Bishop advised that the next time it could be addressed would be in 2018, and that NRS had been incorporated by reference during the 2012 discussion. Commissioner Richard Howe noted there are other requests for raises/promotions before this Board, and we're in a cycle where we're trying to reduce our budget, although he does understand what Judge Bishop is saying. However, he continued, the Justice of the Peace is separate from the other elected officials so this Commission controls his salary. District Attorney Mike Wheable agreed that Judge Bishop's legal argument is persuasive, but this Board has the ultimate discretion as what to do with his salary. Chairman Perea felt that all raises and/or promotions had been denied during the last meeting, and now we're being asked to raise Judge Bishop's; this is difficult to justify. Judge Bishop maintained that it's been budgeted for, and Financial Analyst Elanie Calderwood had stated that during the last Commission meeting as well. He is requesting a 3% raise, which would increase his salary to roughly \$65,300. Finance Director Elizabeth Frances advised that she did budget the increase, but not the longevity; that hadn't been provided to her by the Human Resources Director, and she didn't know he was eligible for that. D.A. Wheable advised that when the Board budgets something to a Judicial Officer, they can utilize funds at their discretion even over the objection of the Commission. As he sees it, it's been included in the budget already, and we just aren't paying it. During the ensuing discussion, it was clarified this wouldn't be included until next year; further, having it in the budget is the only prerequisite to paying it. D.A. Wheable advised this Board can approve the increase for FY2015-2016. Commissioner Howe asked if we could budget for a lesser amount during the next fiscal year, and he was advised by Judge Bishop in the affirmative, as that salary could come into question again. In reply to a query from the Board, Financial Analyst Elanie Calderwood advised the amount would be roughly \$2,500, which includes retirement and insurance, but not longevity. Chairman Gary Perea entertained a motion to approve this as requested. Commissioner Mike Coster made a motion to take administrative action to pay the Justice of the Peace as previously approved and budgeted for in FY2015-2016. Commissioner Laurie Carson seconded. Motion carried.

11:00 A.M. – DISCUSSION/ACTION/APPROVAL OF FY2017 BUDGET PROPOSAL FOR THE AGRICULTURAL EXTENSION

Mr. Juan Carlos Cervantes, UNR Cooperative Extension Office in Las Vegas, advised that when there's no Educator in place, he takes over that responsibility. The Ag. Extension budget was reviewed with Finance Director Elizabeth Frances and Ms. Lisa Wilson, Finance Manager for the Southern Area of the Ag. Extension. Ms. Wilson proposed 2 changes for how they budget; the sample invoice was included in the Commission packet. Mr. Cervantes clarified that no monies would be leaving White Pine County in this process. Director Frances clarified that this proposal was written out of budget, and only the Commission can change that; she only included what had been requested by Mr. Cervantes and the Human Resources Director. Mr. Cervantes noted these changes were made to assist with processing, and to utilize the budgeted amount that the County gives them to do the work, and then the County is invoiced for that work. The difference lies in the way they process and bill the County against the Ag. Extension budget. Director Frances noted that the County collects the money but the Ag. Extension would invoice us against that money; additionally, they would take over the billing for the Ag. Extension office. The Finance Office is currently taking care of the billing, but that will change per this proposal. Mr. Cervantes assured the Board that "Las Vegas isn't taking the County's money and spending it somewhere else." Commissioner Laurie Carson asked how we would be monitoring the payment of bills; Director Frances explained we would enter into a contract with the Ag. Extension, they would pay

the bills, and then send us an invoice of the payments they made; she had a concern that the County wouldn't see those bills. Ms. Wilson disagreed with this statement, and cited the sample invoice in the Commission packet, noting it is itemized with all the expenses. She added that this doesn't take away the decision making from the Educator as to how the funds will be spent. In reply to a query from the Board, Ms. Wilson noted office supplies, phone, travel expenses, etc. are all charged to the fund. However, the legal liability for paying the bills currently rests with the Finance Director, per the County Commission. Director Frances advised that the itemization doesn't meet the due diligence criteria that we must meet on behalf of the County. Ms. Wilson explained that the budget is established at the University, so the liability would be with the University if the bills aren't paid. She added that Director Frances could have whatever level of detail she would need with respect to this matter. She also noted that this proposal would benefit the Ag. Extension Office, as they would be providing the administrative work for them; the Administrative Assistant position in the County would go away. D.A. Wheable asked if this is in response to our elimination of that position; the reply was in the affirmative, at no additional cost to the County. He asked about the procedure, which Ms. Wilson outlined: The bills would be mailed to the University, they would create the accounts for billing, and be advised per invoice as to what would be paid. Therefore, D.A. Wheable clarified that we are saving the County time and money by doing this. Director Frances asked about how the difference between the University standards and the County standards would be handled; Ms. Wilson advised they would follow the most stringent of the two entities. Chairman Perea sees there will be a transition period; by approving this proposal the County would commence with the new method of billing; he wants to be informed as to its progress. Mr. Cervantes, as the new Educator, would be coming to the Commission meetings and providing reports. Commissioner Laurie Carson feels that if anything becomes questionable in any way, she wants to revert back to what we've done in the past; she cited the award the Finance Director just received for her financial reporting excellence. Mr. Cervantes assured her the money wouldn't be going anywhere else, and they would be allowed to use only what is in the budget. Nothing has really changed other than the method and accountability part, he added. Also, if the Board would want to change back in a few months, they could do that with no problem. Chairman Perea added that if we do revert back, we would also need to put the Administrative Assistant position back into the budget. He felt lots of communication would be needed in order to make this work. There followed some discussion regarding how best to tailor the budget—such as breaking it down into supplies, travel, etc. line items—and Mr. Cervantes felt that would be fine. Chairman Gary Perea entertained a motion to approve this as discussed. Commissioner Carol McKenzie made a motion to approve the FY2017 budget proposal for the Agricultural Extension. Commissioner Mike Coster seconded. Motion carried. The Board thanked Ms. Wilson and Mr. Cervantes for coming today.

NOTICE OF UNTIMED ITEMS

DISCUSSION/ACTION/APPROVAL TO TEMPORARILY WAIVE ENFORCEMENT OF WPC ORDINANCE 4.32.010-4.32.080 AND THE CURRENT PRECLUSION OF INVASIVE BODY DECORATION ESTABLISHMENTS IN WHITE PINE COUNTY FOR TATTOO FORTRESS

District Attorney Mike Wheable advised that the County doesn't have a Public Health Inspector to do inspections. So the County would just waive that portion; everything else under the Ordinance would remain in place. He has met with the Hospital District, and they would be willing to provide a Health Officer; he added we would also have to create our own Public Health Board at the same time. The City of Ely has their own requirements in place that Mr. Toby Abell will have to comply with. So for today, D.A. Wheable felt the Board could just approve the waiver of that portion and could have that set in place for 6 months or so, for example. Commissioner Mike Coster asked if this eliminates a need for a deadline, could Mr. Abell proceed to open? D.A. Wheable replied in the affirmative, and added that the last tattoo establishment took a copy of the County Commission minutes to the City of Ely, to appeal their case. Mr.

Abell approached the Board and advised he is trying to open the tattoo business under his own name, within the Stuff n' Go building. He is sharing the building with his family business, Abell Enterprises, LLC. He provided some personal background for the Board; he's a veteran of the war in Iraq, came here to Ely with his father, and would like to make a living doing art, since he loves to draw. He did tattooing formerly in Tucson, Arizona, so he is aware of all the safety procedures and cautions. The address of his business, Tattoo Fortress, is 309 Aultman Street. In reply to a query from the Board he clarified that he wasn't licensed in Tucson, he was just learning, and didn't do it to earn an income. Also, he does have a license from the State and also a City Business License. Chairman Perea was a bit hesitant because the last person who came here requesting this was already established, besides having a license. During the discussion, Commissioner Mike Coster felt that in the Ordinance there is a paragraph on Page 6 that the Board could waive. If that paragraph is suspended then Mr. Abell can open his business, and when the health official comes in, or other law enforcement, it could get him across that hurdle and the paragraph could be addressed at that time. D.A. Wheable felt the Board could waive that provision, but include a sunset. Chairman Gary Perea entertained a motion to waive this temporarily as requested. Commissioner Mike Coster made a motion to temporarily waive enforcement of WPC Ordinance 4.32.020(a) and the current preclusion of invasive body decoration establishments in White Pine County for Tattoo Fortress, for a period not to exceed 6 months. Commissioner Laurie Carson seconded. Motion carried.

ELECTED OFFICIALS

CLERK:

DISCUSSION/ACTION/APPROVAL OF CLOSURE OF THE COUNTY CLERK'S OFFICE AT 5:00 PM DURING THE LAST 2 DAYS PRIOR TO CLOSURE OF VOTER REGISTRATION (MAY 23RD AND MAY 24TH, 2016) FOR THE JUNE 14TH, 2016 PRIMARY ELECTION PURSUANT TO NRS 293.560(2)

WPC Clerk Nichole Baldwin noted this is fairly standard; past Clerks have requested this. She explained this will allow people to be able to turn in their voter registrations prior to the deadline. There's not usually a great influx of people coming in during that time period, she added, and she's just requesting this closure during normal business hours for those days. Commissioner Richard Howe made a motion to approve closure of the County Clerk's Office at 5:00 p.m. during the last 2 days prior to closure of voter registration (May 23rd and May 24th, 2016) for the June 14th, 2016 Primary Election pursuant to NRS 293.560(2). Commissioner Carol McKenzie seconded. Chairman Perea wondered if we should keep one of these days open, just in case; Commissioner Howe pointed out we would be paying overtime if that was the case, and he's okay with this request. Motion carried 4:1, with Chairman Gary Perea voting in opposition.

DEPARTMENT HEADS

SOCIAL SERVICES:

DISCUSSION/ACTION/APPROVAL OF INTRASTATE INTERLOCAL CONTRACT BETWEEN PUBLIC AGENCIES: DEPT. OF HEALTH & HUMAN SERVICES, DIV. OF WELFARE & SUPPORTIVE SERVICES AND WHITE PINE COUNTY SOCIAL SERVICES – CONTRACT IS FROM JULY 1, 2016 TO JUNE 30, 2020 – THIS CONTRACT IS FOR WHITE PINE COUNTY SOCIAL SERVICES TO ACT AS AN INTAKE SITE FOR THE ENERGY ASSISTANCE PROGRAM – THERE IS NO COST TO THE COUNTY

Social Services Director Bunny Hill advised we've had this contract for many years, at no cost to the County; this is just a nice service to the community. Following brief discussion, Chairman Gary Perea entertained a motion to approve this as requested. Commissioner Laurie Carson made a motion to approve the intrastate interlocal contract between public agencies: Dept. of Health & Human Services, Div. of Welfare & Supportive Services and White Pine County Social Services – contract is from

July 1, 2016 to June 30, 2020 – this contract is for WPC Social Services to act as an intake site for the Energy Assistance Program at no cost to the County. Commissioner Mike Coster seconded. Motion carried.

MAINTENANCE:

DISCUSSION/ACTION/APPROVAL OF AG. DISTRICT #13 RECOMMENDATIONS TO INCREASE MONTHLY AND OVERNIGHT FEE RATES AS INDICATED IN THE BACKUP MATERIALS

Facility Maintenance Superintendent Bill Calderwood advised this had been approved by the Ag. District #13 advisory board some time ago; now they are asking to move forward with these increases. He cited the new rates included in the backup materials. Following brief discussion, Chairman Gary Perea entertained a motion to approve this as requested. Commissioner Laurie Carson made a motion to approve the Ag. District #13 recommendations to increase monthly and overnight fee rates as indicated. Commissioner Carol McKenzie seconded. Motion carried.

AQUATICS CENTER:

DISCUSSION ONLY: UPDATE OF WHITE PINE COUNTY AQUATICS DEPT. JANUARY 2016 TO MARCH 2016

WPC Aquatics Facilities Director Megan Brown advised she's been spending much time with her budget and the SNPLMA Proposal for FY2017 projects. There's been good attendance on Open Swim Days on Holidays, she noted. She explained about Synchrofit training, which they travelled to Elko to have; they were some of the first people trained in this. She advised it's from the United Kingdom, and it's becoming popular in the United States. The Swim Team attended a meet in Fernley and did quite well; they're having more exposure as a team. There's been over 100 people sign up for the Health Challenge, and they're getting close to the 96-mile finish! New items are an online schedule to sign up for different classes, which people can now sign up for at home, and also they can renew and pay their fees/charges for the classes and swimming. Director Brown has been participating in various training and webinars; she cited backup materials for her update. She recently visited Churchill County pool, which is how she found out about the Synchrofit program. In conclusion, she noted her projected revenues were budgeted at \$34,000 and the facility is bringing in \$60,155.61 for the year. The Commission commended her for doing such a great job.

DISCUSSION/ACTION/APPROVAL OF SUMMER 2016 HOURLY PROGRAM SCHEDULE FOR WHITE PINE AQUATIC CENTER AND MCGILL POOL

Director Brown cited the proposed schedule in the Commission packets, noting that the McGill Pool wasn't included because she felt it could remain at the same hours as last year. She did note that the daily hours could be changed to make it easier for the public to remember, such as "open from 11:30 AM to 6:00 PM and closed on Wednesdays." The Board agreed the same daily schedule would be beneficial, and that timeframe was acceptable. For the WPC Aquatic Center, Director Brown explained 2 different options and highlighted the differences. Night swimming has been added, plus longer hours during the Summer. The day for the Aquatic Center to be closed has been on Sundays. She advised a new class, Aquacize Zumba, is being added and there will be training held next week for that. She continued to list the different options, explaining that the same opportunities will remain available for the community for the most part, but the pool will be open less hours. She added that some program times will overlap on the schedule. The Board took a moment to review the options. Following some discussion, Commissioner Laurie Carson made a motion to approve Option #1 for the WPC Aquatic Center, and that the McGill Pool would be open from 11:30 AM to 6:00 PM. Commissioner Carol McKenzie seconded. Motion carried.

Chairman Gary Perea advised Commissioner Richard Howe had to leave the meeting at 11:50 a.m. due to health reasons.

DISCUSSION/ACTION/APPROVAL TO REALLOCATE MONIES BUDGETED FOR PICNIC AND PATIO FURNITURE EQUIPMENT TO BUY A FLOOR SCRUBBING MACHINE FOR WPC AQUATIC CENTER

Director Brown noted this had been discussed in a prior Commission meeting. The floor scrubbing machine costs \$15,000 but she could get it from GSA with different options at a cost of \$8,300. She felt that she could utilize both her Equipment budgets to purchase the machine (Equipment Under \$5,000 and Over \$5,000). Chairman Gary Perea noted the Board had previously approved this at a cost of under \$9,500. It was clarified this agenda item is to reallocate the funds for the specific purchase of this floor scrubbing machine. Commissioner Laurie Carson made a motion to reallocate monies budgeted for picnic and patio furniture equipment to buy a floor scrubbing machine for the WPC Aquatic Center, not to exceed \$9,500. Commissioner Carol McKenzie seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF NEW JUNIOR LIFEGUARD PROGRAM AND FEES FOR THE PROGRAM AT THE AQUATIC CENTER

Director Brown has researched about benefits and costs; in Churchill County they found the Junior Lifeguard Program to be a very good program, which provides them Lifeguards for the future. From the date of this class until the end of summer, she advised the Jr. Lifeguards would have free access to the pool and would be getting some experience in a work environment, as volunteer Lifeguards. She noted this would be great during the heavy volume times of the day, without having to pay for additional Lifeguards. They would work along with the real Lifeguards to assist as needed, do the bandaids, help with getting flotation vests on, etc. The Red Cross Standard for Jr. Lifeguards are 11 to 14 years old. It is an 8-day class, costing \$65.00. Director Brown added that any Certified Lifeguard could teach the class, but she would also certify them for CPR. In reply to a query from Chairman Perea, Director Brown noted that while this program won't generate much revenue, we would have the benefit of recruiting volunteers. There was some discussion regarding the fee; Chairman Perea noted Churchill charges \$100 for the same class. Following some discussion, Chairman Gary Perea entertained a motion to approve. Commissioner Mike Coster made a motion to adopt the new Junior Lifeguard program and fees for that program as presented, with the exception that the cost be adjusted to \$75 rather than \$65. Commissioner Laurie Carson seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF MONTHLY LOCKER RENTAL FEE AT WHITE PINE COUNTY AQUATIC CENTER

Director Brown advised some of the patrons would like to rent lockers by the month; currently they pay \$1 per day to use the lockers. She is proposing a \$10 rental fee per month with a lock deposit of \$10, plus a cleanup fee of \$6. Personal locks are noted on her proposal sheet but upon further consideration, she will remove that. The locker + the lock is received at the same time by the patron; the deposit is returned when the locker + the lock are returned. In reply to queries from the Board, Director Brown advised that the rental lockers are the half/size lockers on the bottom row. They are ventilated and aren't made of metal, plus this is a dry climate, so she didn't think wet clothes would be a real problem in the lockers. Commissioner Laurie Carson suggested a handout on "Locker Etiquette" could be handed out with the rentals. She added it would be nice if more lockers could be purchased with the revenue, and some bleachers for spectators as well. Commissioner Mike Coster made a motion to adopt the monthly locker rental fee at the White Pine County Aquatic Center as presented, deleting the paragraph referencing personal lock use. Commissioner Laurie Carson seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF MONTHLY FEE FOR NEW SYNCHROFIT CLASS BEING OFFERED AT WPC AQUATIC CENTER

Director Brown explained this class is a fitness, synchronized swim class, and people would need to register for it the same as for the swimming lessons. If people are registered, she advised, this would allow for spaces to be filled or to accommodate drop-ins. The cost is \$15/month which is close to the cost of the 10-punch swim class ticket. She added that 10 punches of Aquacize costs \$40.00, which is similarly structured. Following brief discussion, Commissioner Laurie Carson made a motion to adopt the monthly fee as presented for the new Synchrofit class. Commissioner Carol McKenzie seconded. Motion carried.

At 12:14 p.m., Chairman Gary Perea recessed the Commission meeting for a lunch break. The meeting was reconvened at 1:05 p.m.

SR. MANAGEMENT ASSISTANT:

DISCUSSION/ACTION/RATIFICATION OF APPLICATION FOR STATE OF NEVADA DIV. OF ENVIRONMENTAL PROTECTION (NDEP) BROWNFIELDS FUNDING APPLICATION – THIS IS AT NO COST TO WHITE PINE COUNTY

Sr. Management Assistant Elaine Blackham advised that since White Pine County is a member of the Brownsfield Coalition, they notified the WPC Treasurer and requested a list of properties for the tax sale. It was discerned that about 8 of these properties need environmental assessments. Unfortunately, she continued, there are no more funds available to take care of these. She added there wasn't enough time to place this on the agenda last time; she discussed this with Chairman Gary Perea and the application was submitted was sent in. She noted that all monies for this goes through the State. Funding in the amount of \$8,133.74 was received on Monday to complete Phase 1, and perhaps Phase 2, on the properties in question. Following brief discussion, Commissioner Laurie Carson made a motion to approve ratification of the application for NDEP Brownfields funding, at no cost to White Pine County. Commissioner Carol McKenzie seconded. Motion carried.

HUMAN RESOURCES:

DISCUSSION/ACTION/APPROVAL TO FILL FINANCE CLERK HALF-TIME POSITION VACANT AS OF 4/8/2016 IN THE FINANCE DEPT. FOLLOWING THE 90-DAY HIRING PROCEDURE

Human Resources Director Kathy Ricci advised that Finance Director Elizabeth Frances has a vacant position in her office, and she's just asking to hire this position part-time after the 90-day delay. Commissioner Carol McKenzie had a concern, in that we're trying to reduce the budget and this isn't the right time to be considering this, although the position is needed. Commissioner McKenzie asked who would be doing what for the next couple of months in the Finance Dept. due to the vacancy. Director Frances reminded the Board that she's already restructured her office in order to maximize it effectively. There has been a 25% reduction to her office since last year, and the duties have increased in the areas of finance, the Audit Committee, internal controls, etc. She added that they are already having some overtime due to the requirement of paying the bills in a timely fashion, which is what the person in this position does. She feels that the position is necessary, and there are other tasks that must remain undone until this position is filled, especially with the advent of the fiscal year coming up shortly. Chairman Gary Perea advised that the Finance Office has been recognized today for their work done in budget reporting; he feels that as a Commission we need to question everything that comes before them. However, he does feel we should approve this; while we do need to cut costs, we also need to focus on some recommendations that were made along with cost-saving measures. It was clarified for the Board that this part-time person wouldn't come on board until the 90-day waiting period was up. Chairman Gary Perea entertained a motion to fill this position as requested. Commissioner Mike Coster made a

motion to fill the Finance Clerk half-time position vacant as of 4/8/16 in the Finance Dept., following the 90-day hiring procedure. Commissioner Laurie Carson seconded. Motion carried 4:1 with Commissioner Carol McKenzie casting the negative vote.

FINANCE:

DISCUSSION/ACTION/APPROVAL OF NETWORK SERVICES SOLUTIONS TO PROVIDE 250 MEGABYTES OF MIS AT A MONTHLY RECURRING CHARGE OF \$1,995 FOR A TERM OF 36 MONTHS WITH OTHER TERMS AND CONDITIONS AS PROVIDED IN THE CONTRACT ATTACHED AS BACKUP MATERIAL

Finance Director Elizabeth Frances advised this represents a substantial increase, but which would also be \$9,200 in cost savings. She explained that this is a good way to provide better bandwidth. While she was unable to attend a meeting regarding this yesterday, she did receive a copy of the option which she proceeded to review for the Board. In reply to Commissioner Mike Coster's question, she noted this is for data flow rather than hard storage; and "MIS" stands for Management Information Systems. She added that she's always looking for better technology at less cost. Since we have limited bandwidth and only had a 1-year contract, which has now expired, and so we are going month-to-month; she was looking and found this. She further explained that MIS "rides on BCT circuits" and this is relatively new. Following further discussion, the Board gave Director Frances some direction to do more research in this matter.

DISCUSSION/ACTION/APPROVAL OF THE FY2017 TENTATIVE BUDGET IN THE STATE REQUIRED FORMAT FOR WHITE PINE COUNTY AND THE TOWNS OF LUND, RUTH, AND MCGILL

Director Frances explained that the Lund, Ruth, and McGill Town budgets are all incorporated and up to date. She provided handouts to the Board and noted the Board could approve these, if they have no questions. It was noted that White Pine County's wasn't included in these handouts. Following brief discussion, Commissioner Laurie Carson made a motion to approve the FY2017 tentative budget in the State required format for the towns of Lund, Ruth, and McGill. Commissioner Mike Coster seconded. Motion carried.

Director Frances next addressed the tentative budget for White Pine County, and cited the changes made with updates made current up to today. She cited the Position Change Summary, which show the positions that were requested and where the budget is currently. The total cost of all the changes regarding positions is \$148,425; she reviewed each position shown on the list. During the discussion, it was felt the Justice of the Peace request could be removed at this point; the water litigation and planning should be placed under Natural Resources; and regarding the Agricultural Extension Office, Director Frances felt we would still see the cost savings of \$32,436 with the proposal as it had been explained earlier today. Director Frances next reviewed the other intergovernmental budgets briefly. During further discussion, Commissioner Carson noted that when the Nv. Dept. of Taxation came in and made cuts, she wasn't certain if the hourly cuts were made equally among the Depts., or if it included collective bargaining rather than singling out individuals. Director Frances pointed out that it's the management's right to determine staffing levels; Director Ricci advised she's still awaiting a response from the Union. Director Frances continued that we haven't finished negotiations yet, and the insurance increase will be 22% instead of 12% due to some big claims that occurred last year. Commissioner Mike Coster advised that he could make a motion based on the fact that we still have some work to be done between the tentative and final budgets, and he would take out the Justice of the Peace request as noted earlier. Commissioner Mike Coster made a motion to adopt the FY2017 tentative budget in the State required format for White Pine County, with the exception of removing the Justice of the Peace and incorporating the package marked "tentative" and dated April 12, 2016 that was distributed at the meeting.

Commissioner Laurie Carson seconded. Motion carried. Chairman Perea advised the budget will come back for final approval on Monday, May 16th, for a Public Hearing at 9:00 a.m.

DISCUSSION/ACTION/APPROVAL OF A ONE-HALF PERCENT (1/2%) HOTEL/MOTEL TAX INCREASE FOR OUTSIDE RECREATION, WITH THE FIRST YEAR GOING TO THE GOLF COURSE FROM JULY 2016-JUNE 2017 – THEN APPLICATIONS WOULD BE ACCEPTED PRIOR TO JULY 2017 FOR ANY OTHER RECREATION ACTIVITIES – AND THIS IS NOT TO BE ATTACHED WITH THE TOUR & RECREATION’S AID TO ORGANIZATIONS, FACILITIES OR CAPITAL PROJECTS

Chairman Gary Perea advised that since this is on the Ely City Council’s agenda for tomorrow, he would like to table this agenda item until we see what the City does, and until we can get more information on this. District Attorney Mike Wheable advised this could be opened for discussion; also, we would need to do a County Ordinance, and it would take more than just Commission approval. He continued that the City Attorney believes the City can utilize the funds generated from this tax for infrastructure; our portion just applies to the County hotels/motels and transient lodging, much smaller than what the City has. It was noted mobile home parks are also included in this. He agreed tabling this would be beneficial at this point; and in reply to a concern voiced by Chairman Perea, D.A. Wheable noted the City wouldn’t be spending the County’s portion. During the discussion, Commissioner Mike Coster felt that per NRS the County would still be the “final filter” and we would have some say as to how the money could be spent. D.A. Wheable clarified, however, that once we dedicate the purpose of the tax, for example to the Tourism & Recreation Board, we wouldn’t have the control of how it would be spent. The City will vote on this ½% for outside recreation, but they also have an additional part included in their tax that the County has no part in; Director Frances felt that the verbage for this had been taken from the City’s document. D.A. Wheable noted that historically, while we’ve matched the City’s tax in the past, we aren’t bound to do so. Commissioner Laurie Carson hoped that this would be done by the City within the parameters that they should be doing; she noted in the past that hadn’t always been done, and in fact the Nv. Dept. of Taxation had the City correct how they were utilizing their funds. Director Frances added that we also must show the City what we are willing to do in good faith, or else they might not wish to reciprocate in kind. Social Services Director Bunny Hill advised that the City had agreed with the Tourism & Recreation Board that they would do ½% this year, next year 1%, and the following year 1%, which would give the board time to recoup; this is as she understands what came out of their last meeting. D.A. Wheable agreed with her assessment. Commissioner Coster advised that while we need to ensure statutory steps are met, and what our prerogatives are, the County oversees the Tourism & Recreation Board; he has a concern that we might be undermining the mission of that board. Chairman Gary Perea entertained a motion to table this. Commissioner Mike Coster made a motion to table this agenda item. Commissioner Laurie Carson seconded. Motion carried. Commissioner Coster added that we need to find out why the County no longer participates in the Tourism & Recreation Board budget process. He wondered if we have a duty, or an opportunity, whereby we might better influence their usage of funding; he wasn’t sure of just how the mechanism works.

ADVISORY BOARDS

There were none to report.

CONSENT AGENDA: TO RATIFY CORRESPONDENCE, APPROVE PAYROLL FOR ELECTED OFFICIALS, APPROVE HR TRANSMITTAL FOR PAYROLL CHANGES, AND APPROVE BUDGET TRANSFERS WITHIN/BETWEEN FUNCTIONS/PROGRAMS WITHIN A FUND THAT DO NOT INCREASE THE TOTAL APPROPRIATION OF THE FUND

Commissioner Laurie Carson made a motion to approve the Consent Agenda as presented.
Commissioner Carol McKenzie seconded. Motion carried.

APPROVAL OF COUNTY COMMISSION MINUTES

March 9

March 23

Commissioners Carol McKenzie and Laurie Carson advised of a couple of minor corrections to these sets of minutes. Commissioner Carol McKenzie made a motion to approve the March 9 and March 23 sets of Commission minutes with corrections noted. Commissioner Mike Coster seconded. Motion carried.

DISCUSSION/ACTION/MOTION TO CLOSE OPEN MEETING FOR DISCUSSION WITH BOARD RELATED TO COLLECTIVE BARGAINING PURSUANT TO NRS 288.220

This Closed Session was not held.

ITEMS RECOMMENDED FOR FUTURE AGENDAS

- . Invitation to Water Attorney Simeon Herskovits to provide an update to the Commission.
- . Joint Water Advisory Committee/County Commission meeting on April 26th evening.
- . Brief update of the 4/26 meeting to be provided during the April 27th Commission meeting.
- . "Planning 2.0" – Road Maint. Superintendent Bill Miller advised that comments on Planning 2.0 were due on April 25th; it's a very complex document. A 30-day extension for comments has been granted. He noted this will affect local and State governments' voice in land use plans in the future. Commissioner Laurie Carson added that this is for the entire United States, as it is from the BLM on the national level.
- . Amended First Reading of the OHV Ordinance. Commissioner Mike Coster has added insurance to the ordinance, which would be the same as for the large ATVs, plus specific sanctions that the Sheriff's Dept. had been requesting.

PUBLIC COMMENT

There was none.

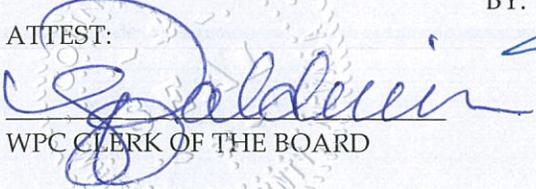
ADJOURNMENT

Chairman Gary Perea adjourned the meeting at 2:12 p.m.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF WHITE PINE
STATE OF NEVADA

BY: _____
CHAIRMAN

ATTEST:


WPC CLERK OF THE BOARD