

IN A REGULAR MEETING OF THE WHITE PINE COUNTY COMMISSION HELD ON JULY 27, 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

Bill Miller, Road Maint. Superintendent
Kathy Ricci, Human Resource Director
Elaine Blackham, Sr. Mgmt. Assistant
Dahn Puckett, Administrative Assistant
Elizabeth Frances, Finance Director
Mike Wheable, District Attorney
Capt. Scott Henriod, Sheriff's Dept.
Steve Stork, Airport Manager
Megan Brown, WPC Aquatics Center Dir.
Jennifer Farnworth, IT Specialist
Brad Christiansen, Building Inspector
Bill Calderwood, Facility Maint. Supert'dt.
Lori Romero, Sr. Center/Library Director
Desiree Barnson, Management Assistant
Chris Ricci, Sr. Center Program Supervisor
Maxine Lantz, Victim & Witness Services
Jennifer Rivera, Public Health
Juan Carlos Cervantes, UNR Extension

Also Present

Ann Carson
Pam Borda, NNRDA
Peter Wallish, GOED
Ross Rivera, Ely City Fire Chief
Delores Manchester, McGill Town Council Secty.
Pastor Bob Winder, McGill Town Council Chairman
Melissa Spear, Ruth Town Council Vice-Chairman
Gary Kapetan
Danny Kapetan
Mike Kapetan
Walt Betts, Regional Transportation Commission
Mitch Polinsky, Glider Pilot
Tom & Della Seim, Glider Pilots
David Lantz
Justin Spear
Fred & Jani Ahlvers
Ed DuBrutz, McGill Town Council
Greg McKay, Nevada Commission on OHV
Mary Sorenson
Betsy Lopez
Don Hull

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

PUBLIC COMMENT

Mr. Don Hull approached the Board and advised the road situation with County Road #1185 must be straightened out before improvements can be made, and he doesn't want this to continue dragging on like it has for the past 3 years. He wants the issue rectified; he's been paying taxes on it since 1962, and the County came in the early 1970s and graveled the road. He stated he "hasn't seen them since." Taxpayers have the right to legal entrance to their property, and he doesn't have that right now. Chairman Gary Perea advised the survey for that is in progress, it was approved during the last meeting; he assured Mr. Hull this is moving forward.

Mr. Tom Seim, from Richmond, Washington, is here with his family. They are flying gliders at the Airport, and launch between noon and 1:00 p.m. He continued that glider pilots come here from all over the world, as it's well-known, world-class gliding center. However, this Airport is in serious decay; it's literally crumbling, and he brought in a small bag of crumbled asphalt. He noted this stuff could be ingested into an engine, with a very costly result. Mr. Seim noted that although a contractor will be doing some repairs to the runway, this Airport will be needing a major overhaul in the near future. The importance of medical flights was emphasized, as he noted doctors come here to Ely to take care of patients at our hospital; if there's no Airport access, people won't even consider coming here to do their business. He added that for every \$1 we put into repairs, the FAA puts in \$16; the condition of the runways and taxiways are paramount. He thanked the Board for their time.

Mr. Mitch Polinsky, of Stanford, California, is another glider pilot who comes to Ely. He actually had his tail wheels stuck in a crack in our Airport. He focused on the economics of why the Airport is so valuable to our community, and reiterated Mr. Seim's note that Ely is world-reknowned for its superb gliding conditions. He comes here June 6th and doesn't leave until August 13th; he lives at the Airport during that time in his pop-up camper, and spends all of his money here in White Pine County, as does everyone else who comes here to fly their gliders. Without the Airport improvements that must be made, the flyers would disappear.

At 9:05 a.m., Chairman Gary Perea recessed the regular Commission meeting and opened the Road Commission meeting. At 9:15 a.m., Road Commission Chairman Gary Perea adjourned the Road Commission meeting and opened the Special Fire Commission meeting. At 9:25 a.m. Fire Commission Chairman Gary Perea adjourned the Special Fire Commission meeting and opened the Liquor Board meeting. At 9:30 a.m., Liquor Board Chairman Gary Perea adjourned the Liquor Board meeting and reconvened the regular Commission meeting.

ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS

COUNTY COMMISSION:

DISCUSSION ONLY: POSSIBLE MEMBERSHIP IN THE NNRDA (NE NEVADA REGIONAL DEVELOPMENT AUTHORITY)

Chairman Gary Perea advised that there have been some changes regarding Regional Development Authority membership; there is no more Great Basin RDA. However, there is the possibility that White Pine County could join this Northeastern Nevada Regional Development Authority (NNRDA), and he wished to make the Board aware of this. District Attorney Mike Wheable noted there are some representatives here today from the Governor's Office of Economic Development and the Regional Development Authority. Pertaining to the interlocal agreement with the old GBRDA, Lander County exited the agreement and then Eureka County, and they became members instead with the new NNRDA. The NNRDA, he continued, has much expertise with bringing economic development into communities, and are actively involved in promoting all their members. D.A. Wheable noted this would be a political decision to be made on behalf of the Commission, and he supports this. Chairman Perea invited comments.

Ms. Pam Borda, NNRDA, advised the NNRDA was created 5 years ago, and is comprised of Nevada's mining regions: Humboldt, Lander, Eureka, Elko and White Pine counties are all hoped to join. Lander and Eureka counties have joined, and they are here today to extend an invitation to White Pine County as well. She continued that they offer equality of treatment for all their members; each entity will have their own web page, and the NNRDA's Resource Guide is now going online. There will be a video, to be used

for marketing purposes, on the web page; she reported that the Nevada Mining Association, Great Basin College, and other entities are getting much exposure from the videos. Ms. Borda added that each of the counties will have strategic planning for their economic development, tailored for the specific counties, which NNRDA feels is critical for each community to have their own plans in place. Each has their unique set of resources and assets, which will reveal how and where jobs may be added to help the economy. Commissioner Laurie Carson advised that she supports this, as it's one way to maximize selling ourselves she added that she is opposed to closing the office in any way, shape or form. She noted that the County used to do strategic planning on a regular basis. She asked about the funds to pay for an individual County to come in, are they split out? Ms. Borda noted there is no cost to the County, as it's included as part of their membership in the NNRDA. District Attorney Mike Wheable noted some financial impacts: GOED agreed to provide \$45,000 for the past couple of years towards the GBRDA, which was split between Lander/Eureka/White Pine counties. He continued that it was the only agreement like that in the State; the real mission of GOED was to provide funding for non-profit. Whether we did anything or not, the \$45,000 is back in the GOED and they will dedicate the NNRDA for that amount if we join. He clarified the monies wouldn't come to us, but rather go direct to the NNRDA to support their overall non-profit. Commissioner Carson asked if we became non-profit, would the circumstances change? She noted that Sr. Management Assistant Elaine Blackham has written many grants for us. D.A. Wheable advised that we would be looking at a couple of years before the monies would get back out and be reallocated, and there's no guarantee we could get even that back. He continued that the cost of the membership would be roughly \$10,000, as it's resident based; \$1.10/resident, including the City of Ely. The cost for this NNRDA package would be \$11,239, it was calculated. Commissioner Laurie Carson wished to clarify; the EDC staff here would be the support staff for what the NNRDA is doing? Ms. Borda confirmed this. D.A. Wheable pointed out, though, that the \$45,000 we once had to support that staff is no longer available, so in FY2017 we would have to come up with the \$45,000 plus the NNRDA membership cost. He continued that we had full-time staff because they essentially ran the RDA themselves; the NNRDA would be doing this instead, and over the next several months we will need to determine if changing the budget to current staffing levels would be required. However, he added, when the staff is needed, they WILL be needed, and they will also be very busy. As a footnote, he commented that the NNRDA is also involved with the Nevada Lands Council. The ramifications of all this will be discussed at upcoming Commission meetings; he emphasized there is a function the NNRDA offers that could assist, NOT replace, the EDC office. Commissioner Richard Howe advised that while he's in favor of being more solvent, we're losing the \$45,000 plus having to pay for membership, and "everyone knows how I feel about it." It's unknown what NNRDA has done aside from the mining industry; he asked what other industry have they brought to, for example, Battle Mountain? He did suggest perhaps with their help we could go on a year-to-year agreement, however he reiterated we lost the funding for that office. Economic development, to him, is "lip service to the State," as they only come out once or twice a year and he feels it's a waste of time. Las Vegas and Reno are the areas of economic development that he sees the State focusing on as being more important. He does feel that joining this group is a good idea, though. D.A. Wheable noted that NNRDA members don't all have economic development offices, which he illustrated to the Board. He felt the Commission needs to consider all this prior to the next meeting with respect to its structure, how it will look, financial impacts, etc.

Chairman Gary Perea has some concerns, although those are being alleviated by our discussion. The appearance that we are outsourcing our economic development is one concern, but Ms. Borda has explained our involvement in the NNRDA and where their time/money will be spent, including reports, for which we will have access. Ms. Borda added that she would also provide status reports to the Board. Chairman Perea brought up the Airport, which is a shared interest, and perhaps that could also be built

upon; Commissioner Carson added our public lands could also be included in that, as they have such a high impact on our economic development. She commented that she doesn't know what she would have done without the EDC office, for all they've done, such as gathering and putting together data.

Mr. Peter Wallace of the Governor's Office on Economic Development, addressed the Board. With respect to the \$45,000 funding; when the interlocal agreement collapsed and there were only 2 entities left, there was no mechanism in place to provide funding to GBRDA, which led to restructuring the agreement. He continued that they contract with 8 RDAs throughout the State. The Board thanked Mr. Wallace and Ms. Borda for their information.

Sr. Management Assistant Elaine Blackham notified the Board that Ms. Borda didn't contact the EDC staff, but rather she and Administrative Assistant Dahn Puckett contacted her. She continued that they saw the EDC office steadily going downhill for the past 6 years. The new proposed membership she felt would be a win-win situation for White Pine County; she feels that Ms. Borda would be calling the EDC office daily, in fact. She added that they are currently working on 2 projects that will be given to Ms. Borda, who could do what Assistant Blackham would not be able to do. Assistant Blackham advised she supports joining this new RDA. District Attorney Mike Wheable noted that White Pine County would also earn a vote on the NNRDA board; as a member, we would be eligible to vote. Chairman Perea proposed that we should also involve the City of Ely in this; D.A. Wheable commented that both Elko County and the City of Elko are members, and therefore they get 2 votes. Commissioner Mike Coster asked if the City of Elko pays, or if Elko County pays for both? It was explained that the City pays for their share; Commissioner Coster "loves that answer!" He added that we have much in common with Elko with respect to tourism, but even more in industrial development. Chairman Perea pointed out that if we joined along with the City of Ely, we would be the third largest member of the NNRDA, with respect to population. Mr. Wallace noted that when the new GOED office was formed in 2012, they allocated some funds into 9 RDA Districts, based on population. He noted that the Las Vegas/Reno areas were \$1.15/resident, while in the rurals the cost was more like \$2.30/resident for membership, so the rurals cost more than in the more heavily populated areas. Commissioner Coster cited the past possibility of drones coming here; as we were not near urban areas, we still weren't seriously considered, and he felt that would have been a golden opportunity for White Pine County. He continued that we have many small businesses here, which would have been great, but "we were never granted a serious audience." Mr. Wallace indicated they have 9 industry specialists for 9 different industries, for the Board's information. Ms. Borda added that she has a great relationship with GOED, and has been personally very successful in obtaining specialized funds for special projects. It's her responsibility to ask on a county's behalf, and "when I ask them, I get it." Getting the drones certified was one, she noted, because they went after it. Airport Manager Steve Stork noted he has worked with Ms. Borda, and she impressed him as one of the most focused and driven public/private administrators that he has ever had the opportunity to work with. Commissioner Richard Howe noted that in support of joining with Elko County, he noted some statistics; we would get more funds, based on the dollar figure, if we join with Elko. If we stand alone, though, he felt we wouldn't be eligible to receive much. Mr. Wallace agreed with that assessment; while he couldn't quote actual figures, he felt \$3 million would be available throughout the State. Chairman Perea advised this will be on the next Commission agenda to consider membership in the NNRDA.

DISCUSSION ONLY: POSSIBLE EXTENSION OF THE SILVER STATE OHV TRAIL THROUGH WHITE PINE COUNTY AND ISSUES RELATED TO THAT POSSIBILITY

Mr. Greg McKay, of the Nevada Commission on OHV, is here today to gauge Commission sentiment about extending this trail through White Pine County. He cited handouts provided to the Board and

noted that the money for licensing each OHV on public lands--\$21.00/OHV—is used for trail construction, signs, facilities, law enforcement, public education, etc. They are currently trying to get some projects to extend the OHV trail network throughout the State, and the Silver State OHV Trail is a serious contender. He noted it's "shovel ready," but the Commission has not supported this in the past. According to the BLM, he continued, the next move is up to the Board, and if the County supports it, they can move forward. Otherwise, he noted, it will remain as it stands. Mr. McKay cited benefits to the community from having the Silver State OHV Trail going through White Pine County. Chairman Gary Perea noted this had been brought up in 2006, which was much discussed; he noted there was some pretty strong opposition from the farmers/ranchers who live along these trails, besides the Sheriff's Dept. having safety concerns since some of the trails share County highways. He noted the Commission has been wary as there had been a fatal accident that occurred between an OHV and a vehicle; however, he can see the benefits of moving forward with this. Commissioner Laurie Carson felt it would be appropriate to provide Mr. McKay with minutes pertaining to those concerns, when Ms. Rosie Thomas was the Ely BLM District Manager and EDC Coordinator Karen Rajala had also worked on that. She noted this could benefit our economy, and would like to see this continue into Eureka County as well. She continued that permittees had concerns regarding their livestock, wildlife enthusiasts concerned over the elk and deer stressed during pregnancy, etc. Some permittees had water pumps at their stockwells, generators, etc. that had actually been stolen; these are examples of the diverse concerns. Commissioner Mike Coster would like to see what other counties have experienced from having these kinds of trails. Chairman Perea would like to see a Town Hall meeting in the Fall to gather information from other counties and hear their concerns. Commissioner Richard Howe noted much has changed over time, but this trail stops short at White Pine County; he can understand the concerns of the ranchers, but pointed out many of them now own and use OHVs. We never passed an Ordinance in support of this; people travel the trail through Lincoln County, stop and load their OHVs on trailers, drive to Elko, unload them and ride the trails there. He commented that if we are trying to diversify our resources, we should be involved in this. He would like to hear why we CAN do it, rather than why we CAN'T. District Attorney Mike Wheable cited the handout just provided, and noted there are answers to many of our questions on there. Road Maintenance Superintendent Bill Miller had researched the minutes back in 2011 and found many people had voiced concerns at that time on public record. Chairman Perea pointed out this would just be a designation of a possible extension. Superintendent Miller would like to get a map to compare with our County Road map, see where the impacts would be, and how to mitigate those. During the discussion, it was noted PLUAC had explored this during their meetings as well, and their input at that time could also be valuable. The Board thanked Mr. McKay for his information.

At 10:11 a.m., Chairman Gary Perea opened the Ordinance portion of the agenda.

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

FIRST READING OF ORDINANCE #463, BILL 07-27-16 – AN ORDINANCE AMENDING THE WHITE PINE COUNTY CODE REVISING THE SPEED LIMIT ON A CERTAIN SECTION OF THE LACKAWANNA ROAD

Road Superintendent Bill Miller read the text title of this Ordinance into the record, after which Chairman Gary Perea asked for comments, even though this is the first reading of the Ordinance. Commissioner Carol McKenzie asked where this is located; it was noted that at the Landfill, where Keith Carson's property is and the corner with the little dump truck, and the City speed limit sign is just up the hill about 20 yards. In 440' the limit is at 20 mph, and then it goes up to 25 mph for 3,330' up to the Landfill, where there is signage noted. Capt. Scott Henriod, of the Sheriff's Dept., advises they support this Ordinance. He met with Superintendent Miller about it; he continued that speed zone is very confusing

as it switches speeds 3 times over a quarter mile stretch. What is being proposed in this Ordinance will protect the residents and it makes more sense, he felt. Ms. Jani Ahlvers, who lives on Lackawanna Road, felt changing the speed limit would make it better and safer at both ends of the speed zone. She illustrated that by noting that people “romp on it” at the stopsign and zoom past the City Corrals, although it’s supposed to be 25 mph there. She also cited personal experience with witnessing someone nearly being hit, not to mention various animals crossing there. During the discussion it was noted Lund has a 20 mph speed limit; McGill has a citywide speed limit of 25 mph. Mr. Bill Sanford lives in the area of North Street and Ogden; people come off of Aultman on Ogden and there’s no sign there. That’s a “freeway” that the prison personnel use consistently; he counted 10 people running the stopsign just this morning. He emphasized that we either need to enforce it, or don’t change the speed limit as it would be a waste of time. He added that putting a radar trap in there and give out a few citations might help the situation. There being no further comments, Chairman Perea closed the first reading.

At 10:17 a.m., Chairman Gary Perea recessed the Commission meeting for a break. The meeting was reconvened at 10:29 a.m., whereby Chairman Perea opened the grant reports/updates portion of the agenda.

DISCUSSION/ACTION/APPROVAL OF UPDATES ON QUARTERLY GRANT REPORTS BY DEPARTMENT HEADS AND/OR GRANT MANAGERS

Social Services

- o—CSBG – This is for emergencies/rent/utilities/dental/food, and which a portion also goes to Eureka County. There should be a carryover of \$30,772.33 for next year.
- o—WSAP – There was a \$9,000 award for 2017 plus a carryover of \$1,725.90, so next year there will be a carryover of over \$10,000.
- o—Ely Bus – There are 2 grants for Ely Bus; the Nv. Div. for Aging grant was totally expended, and the NDOT Federal grant runs October-September so we’re into this 9 months and not even 75% has been spent to date.

EDC Office

- o—G.O.E.D. – Sr. Management Assistant Elaine Blackham advised she just submitted the final quarterly report for the funding we received for the past 3 months.
- o—CDBG – Since first submitting this, all the work has been done and drawdowns completed, and they will be closed this Friday.
- o—SNPLMA – Work continues on Camp Success, and they’ve been trying to get up there to see everything that’s been done during the past 6 months. Facility Maintenance Superintendent Bill Calderwood advised he’s waiting for approval on the 10% contingency, which the Board approved last time. Assistant Blackham is working with Jeff Wilbanks on this; also, the SNPLMA Executive Committee was supposed to meet yesterday on the \$2 million in grants that White Pine County had requested, but we haven’t heard the results yet. Out of 29 projects, it was noted our County’s projects were number 3 and 5, per Mr. Wilbanks’ advisement.

Senior Center

- o—Div. for Aging Services (Congregate & Homebound) – these are ongoing.
- o—USDA Cash Grant – This has already been done and reported.
- o—EJC Foundation Grant – The \$1,027 left from the funds for the dishwasher lease and remainder will be utilized for seniors’ medical trips.

o—Pennington Foundation – This has been expended.

Sr. Center Program Supervisor Chris Ricci advised that she does have \$5,000 from E.L. Cord for a convection oven purchase, but the cost went up to \$6,000. She did send them a thank-you note.

Library

o—Postage Grant – This is continuing to be sent to us, with no match required. Sr. Center/Library Director Lori Romero noted they reimbursed us \$1,600 last year, so if this grant goes away it would be a huge impact.

o—Summer Reading Grant – This grant was expended in April.

o—eBook Grant – This grant was expended in August.

o—E.L. Cord – This has been spent; the Library Expansion Project is now completed.

o—Collection Development – This State grant was also expended, but we will get more funding for this year.

o—Robert Hawkins – This was \$5,000 for new furnishings for the Library Expansion, and that's half spent.

Director Romero added that not listed was E.L. Cord for microfilm, and a Great Basin Heritage Area Partnership Grant, to purchase that equipment/software. Those have been expended, and the equipment is now available for use. She noted that the building permit was obtained July 13th, so the first Commission meeting in August—the 10th—will be held at the new Library Conference Room. There will be an Open House on August 13th. Chairman Gary Perea disclosed briefly that his mother sits on the GBHA board.

Office of Emergency Management

Chairman Gary Perea noted that our new Fire Chief was going to be here to present but he was attending a grant meeting in Las Vegas. This will be presented during the next Commission meeting.

Sheriff's Dept.

WPC Sheriff Dan Watts was out of town; this will be presented during the next meeting.

District Attorney

Victim & Witness Services Program Director Maxine Lantz provided this report; she cited her written reports to the Board. Her employee quit on July 15th and her volunteers are covering what is needed. It is hoped that with the Victim & Witness Services grant match, they can make it work. She apologized for her recent heavy travel, what with the bombing in Panaca and a shooting in Rachel. In reply to Commissioner Laurie Carson's commendation for all she does, Director Lantz noted it was largely due to great volunteers, the D.A., and deputies, who are all very supporting. Commissioner Mike Coster asked about the staffing money shortage; she reported she had requested \$60,000 and received \$40,000. Part of the problem was the massive shift of funds from the VAW, as she explained. So far her office's donations have exceeded what was required for the match.

Airport

o—Runway 18/36 Design – This was closed out April 7th.

o—Runway 18/36 Construction – There is a balance available and funding will be coming down for AIP as Airport Manager Steve Stork explained. Commissioner Richard Howe asked about the runway issues presented this morning; he advised that the north and south ends of the runway are deteriorating, so he closed part of taxiway Alpha, which is where the rubble in the bag had come from. The north portion is no longer safe; the south is not much better. There's no funding for AIP beyond this year, he noted. Manager Stork continued that Road and Highway Builders, LLC will begin Phase 1 of

reconstruction next Monday; while the runway will be closed, helicopter traffic areas will still be open. He will work with the BLM to accommodate the smoke jumpers, for whom we are receiving a \$100/day fee.

County Facilities

o—Pennington Foundation Grant – Facility maintenance superintendent Bill Calderwood provided a breakdown of 3 projects and how the monies were spent in a written report to the Board. There was a problem in that some infield material received at Marich Field didn't contain enough clay to be used as a binder for the sand. However, a load of clay was subsequently brought down and mixed in and it's good now.

Finance

o—DOE Renewable Grant – this was closed out on February 28th, and a report was provided to the Board during the last quarter. This is a final report showing everything was done properly.

Chairman Gary Perea entertained a motion to approve these grant reports. Commissioner Richard Howe made a motion to approve the quarterly grant reports, with the exception of Emergency Management and the Sheriff's Department. Commissioner Carol McKenzie seconded. Motion carried.

MICHAEL WHEABLE, DISTRICT ATTORNEY:

DISCUSSION ONLY: ON CORRESPONDENCE FROM MCGILL TOWN COUNCIL CONCERNING NUISANCE ABATEMENTS DATED JULY 11, 2016 AND DISCUSSION OF AMENDING EXISTING ORDINANCES AND ADDING NEW SECTIONS TO COUNTY ORDINANCES ADDRESSING TRASH ACCUMULATION AND ABATEMENT OF NUISANCES

District Attorney Mike Wheable noted that both McGill and Ruth Town Councils are desperately seeking redress for several problems involving nuisances and trash accumulation. He noted the next item on the agenda is a draft Ordinance which proposes a better way for the Sheriff's Dept. to provide notices of these problems and go forward; he added that this County has to be ready to abate the nuisance. If the property owner just ignores it, then there needs to be some provision for us to clean up the property ourselves, and there isn't funding in our budget to take care of such things at this point in time. He did advise that we can get moving on some properties, however, and he will be revising some Ordinances to make it easier to address some of these problems. Part of this is the possibility of delegating more authority to the town councils and the Sheriff's Dept. in these instances. He provided some materials to the Board and asked for responses from the Commissioners on those once they've had the opportunity for review. Chairman Gary Perea opened the next agenda item as it pertains to this current item.

DISCUSSION ONLY: PROPOSED DRAFT ORDINANCE ADDING TO AND AMENDING EXISTING WPC CODE REGARDING TRASH ACCUMULATION AND ABATEMENT OF NUISANCES, PROCEDURAL CHANGES AND REMEDIES

Chairman Gary Perea asked if when reviewing a draft Ordinance, does it go to the Commission first and then later on to the Planning Commission? It was noted that while the draft language isn't totally applicable, D.A. Wheable wished to present to the Board so they could read it and make suggestions. Chairman Perea commented he would prefer not to have the Planning Commission involved. D.A. Wheable advised that as most of these properties were just land, perhaps a Road Commission meeting could address them and we could keep the abatements coming on each agenda. It's really a budget concern, he added, and that's where the discussion needs to begin. We could allocate budgets to the town councils for holding public hearings and address the issues; if the property owner didn't comply, then prosecution for the nuisance could be another avenue to pursue. Commissioner Richard Howe

asked if the abatement would also include demolition; D.A. Wheable replied that it could, and in fact that's what the City has done, it doesn't turn out so expensive when you utilize your own people. He felt that the Board must be willing to give the town councils a budget to start to take care of these things. In the event of instances in unincorporated areas, such as Baker or Lund, D.A. Wheable advised that we could send the Sheriff's Dept. as is noted in the new draft Ordinance. But for now, however, it is this governing body—the Commission—that gets the evidence and makes a decision regarding notification of the property owner.

DISCUSSION ONLY: FOR COUNTY COMMISSION TO CONSIDER AND DISCUSS ORAL OR WRITTEN EVIDENCE FROM COUNTY BUILDING INSPECTOR, OR MEMBERS OF MCGILL AND/OR RUTH TOWN COUNCIL, AND/OR PUBLIC, CONSIDER SENDING NOTICE TO PROPERTY OWNERS TO HOLD PUBLIC HEARING IN AUGUST RE: ABATEMENT OF SPECIFIC NUISANCES, DANGEROUS CONDITIONS, TRASH ACCUMULATION, JUNKED VEHICLES, ETC. AND DISCUSS POSSIBLE STATUTORY AND CODE PROCEDURES PURSUANT TO WPC CODE 6.03.090-6.03.100, AND/OR 10.08.190-10.08.210, AND/OR 11.48.020 et seq. AND/OR NRS 202.450-480, AND/OR NRS 269.210 AS MAY BE APPLICABLE TO THE FOLLOWING PROPERTIES:

1. APN 004-165-04: #7 AVENUE F, MCGILL, NEVADA
2. APN 004-051-14: #14 SIXTH STREET, MCGILL, NEVADA
3. APN 004-122-14: #2 AVENUE G, MCGILL, NEVADA
4. APN 003-101-17: #27 KEYSTONE, RUTH, NEVADA
5. APN 003-101-06: #49 KEYSTONE, RUTH, NEVADA

Chairman Gary Perea read the entire text title into the record. District Attorney Mike Wheable advised that if these were noticed, the current process would be for the Commission to discuss the properties, receive the evidence, and make a determination as to whether a nuisance exists or not, and then draft a Resolution based on their decision. He identified the top 5 properties at issue in the County, noted in the listing. There hasn't been any noticing to the property owners, they weren't specifically served, as this was just placed on the agenda for Discussion Only, which is legal. Building Official Brad Christiansen advised that he had spoken with Ruth Town Council's Secretary Mary Sorenson, plus he had provided letters to the McGill homeowners involved in this list. He met with the McGill Town Council and gave them notices of the orders that were to be sent out to these property owners on the list. He continued that he had just found out, during today's Commission meeting, that they had never been sent out, therefore nothing has been done on the McGill properties to date. He continued that McGill Town Council would actually be paying for the mailouts rather than the County; the homeowner would respond as to whether they received the letter or not. At that point, the 30-day period would begin, during which they would either abate the nuisance or not. However, that step apparently never happened, since the notices hadn't gotten out. During the discussion, D.A. Wheable pointed out that nothing can happen on those properties until the liens are paid. Official Christiansen noted that per the County's current Ordinance, determinations are made by himself and the County Engineer, which we no longer have. Therefore, if there is a red tag on the house, he has no authority via the Ordinance now in place. D.A. Wheable noted that the City uses their Building Inspector to enforce an NRS, so there's another possible mechanism besides the Sheriff's Dept. to enforce the laws. D.A. Wheable asked that if the letters had gone out and no action was taken, would that fall within Official Christiansen's authority to cite? The reply was negative; the Building Official would take the matter to the D.A. and then proceed from there. D.A. Wheable plans to have the first reading in August, but that can't be done until it is determined how to pay for it. He noted that #4 on the list would need to go through the process again, a resolution be prepared of what needs to be done, and then the Board would need to consider augmenting the budget to get these things done; these properties are dangerous and pose significant liability. Chairman Perea suggested the town councils could perhaps provide some funds along with the County to help with these. During

subsequent discussion, D.A. Wheable proposed making this a recurring agenda item, as it's our duty to take care of some of these problems. Finance Director Elizabeth Frances advised that the Board would need an extensive list of all costs involved, including for mailings, etc. to be added onto the appropriate tax bills for those property owners who are still paying taxes on these. D.A. Wheable advised that he would need the estimated costs to abate these 5 properties prior to placing them on an August agenda for a public hearing. Those costs should include what our hourly employees get paid for doing the work, required notices to the specific property owners on the hearing, etc. He added that for all the work involved in these, it might not be until September that the public hearing can be held. Commissioner Mike Coster pointed out that we could wait until the redemption period for the properties expires, which is 180 days; D.A. Wheable agreed.

McGill Town Council Chairman Bob Winder advised he has the letters that Official Christiansen wrote; however, he noted that by law the letters must come from the Commission. He thanked Official Christiansen for all the work he has done on this, and also Commissioner Coster. D.A. Wheable posed the question, what if we changed the law to allow the town councils to issue the letters? Chairman Winder's response was, that's what they've been asking for, for a very long time. He added that he would encourage the dialogue that he sees taking place, and hopes to see some resolution forthcoming. The Board thanked him for his statements.

Melissa Spear, Ruth Town Council Vice-Chairman, commented that she's glad the County is going forward with these homes. She cited that 1 trailer plus 1-1/2 dumpsters' worth of stuff was taken from one property alone in Ruth. She also advised that the #49 Keystone property will be especially hazardous to clean up, and if it catches fire it would be disastrous. She also noted that on another property, it took 4 hours just to mow down all the weeds. They have been using community service kids to help with the general cleanup, such as mowing. The Board thanked her for the information.

**BUNNY HILL, SOCIAL SERVICES DIRECTOR:
DISCUSSION/ACTION/APPROVAL AND ACCEPTANCE OF CSBG GRANT AWARD IN THE
AMOUNT OF \$74,330.00 OF WHICH \$9,000.00 GOES TO EUREKA COUNTY FOR THE PASS-
THROUGH**

Management Assistant Desiree Barnson is presenting this for Director Hill as she was unable to attend today's meeting due to recent surgery. She explained this grant takes care of all emergency assistance; hotels, utility bills, etc. She advised that a portion of this goes to Eureka County, as part of the grant award requirement. Chairman Gary Perea entertained a motion to approve this as requested. Commissioner Carol McKenzie made a motion to approve and accept the CSBG grant award in the amount of \$74,330.00, of which \$9,000.00 goes to Eureka County for the pass-through. Commissioner Laurie Carson seconded. Motion carried.

**ELIZABETH FRANCES, FINANCE DIRECTOR:
DISCUSSION/ACTION/APPROVAL/RATIFICATION OF THE UNITED WE STAND GRANT
APPLICATION FOR FY2017 IN THE AMOUNT OF \$24,951.00 WITH NO MATCH**

Finance Director Elizabeth Frances advised she had asked Ely Fire Chief Ross Rivera to speak on this; Chief Rivera advised he had connected with WPC Clerk Nichole Baldwin regarding this agenda item. The grant was sent in and approved; however, there are some minor corrections to be made on the application, and we have 45 days to make those and get them submitted. He added that they just need a signature from the Commission once those are done. Chairman Gary Perea entertained a motion to approve this as requested. Commissioner Mike Coster made a motion to approve/ratify the United We

Stand grant application for FY2017 in the amount of \$24,951.00, with no match. Commissioner Laurie Carson seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF A ROOF SNOW LOAD VARIANCE FOR 3626 N. 151ST EAST STREET FOR 2005 LIBERTY MOBILE HOME

Mr. Gary Kapetan presented this agenda item to the Board, and cited documents he had sent pertaining to this request. He continued that his brother Daniel invests in property here in order to provide affordable housing in Ely. He explained that they moved a manufactured home here in Ely out to a 5-acre property between Ely and McGill. They provided the foundation, septic, utilities, etc. and are now at the end of the process of turning it over to real property, and then sell it as affordable housing. Building Official Brad Christiansen noted that the roof on the home doesn't qualify for the snow load here in Ely. While the house was approved for Ely and set in 2006, the codes were changed in 2007 and the snow load for a roof is higher now. The house was designed for 30 lbs of snow load per square foot; however, there are now 38 lbs required for snow load. He was surprised that the house had been permitted prior to moving it out to the property. In reply to a query from Chairman Gary Perea, it was noted that this hadn't been brought before the Planning Commission for consideration. Mr. Daniel Kapetan advised that coming here today required travel and time off from their jobs; that house sat in Cedar Park for 10 years, and it's been moved to a lower elevation, he pointed out. Chairman Perea noted that's the problem; they moved the house, but this is a procedural question and they need to go before the Planning Commission. He explained that the County Commission acts upon recommendations from the Planning Commission. Mr. Gary Kapetan advised he would have liked to have known that they needed to go before the Planning Commission, prior to his placing it on the agenda. District Attorney Mike Wheable advised that this is a special project, and this Commission does have the authority to approve this, or they can send it back to the Planning Commission. Chairman Perea asked Official Christiansen to speak; Official Christiansen explained that the Kapetans applied for a variance for the location, but it doesn't meet the criteria for the location by Ordinance. No one has seen the plans on it, and this was done about 2 years ago; it shouldn't have been approved to begin with. The foundation is the reason they applied for the variance. He continued that he needed documentation regarding construction of the home, and when he received it from Mr. Kapetan it didn't meet the standards either for Ely or White Pine County. He worked with the Kapetans and they came up with the 38 lbs needed for the exact location of the home; he clarified the actual snow load requirement was 42, but they had lowered it to 38. Official Christiansen discussed this with State Manufactured Housing and told him that as the Building Inspector, he couldn't sign off on this, knowing it doesn't meet the snow loads based on the residential and commercial building codes. He talked with the Kapetans and suggested getting an engineer in there to determine if there would be enough leeway to be able to hold the 38 lbs at their present location; he has not heard back from them on that, nor has he received anything concerning this. In reply to a query from D.A. Wheable, Official Christiansen advised that no notices to adjacent property owners are required for this as it's structural, not aesthetic. Commissioner Coster brought up the question if structural insurance might affect the surrounding community. The discussion progressed in more detail; D.A. Wheable wasn't happy with the suggestion about getting an engineer to go look at this; Official Christiansen advised that he won't stop the Kapetans from applying for a variance; those would have to be properly noticed, in that event. If it passes the Planning Commission and the County Commission, but the State won't sign off on it, he declared that he wouldn't either. Commissioner Richard Howe commented that half the mobile homes in White Pine County are illegal, then, and if people wanted to put a new bathroom in their home, they couldn't. Official Christiansen advised that he had contacted the Department of Manufactured Housing in Carson City and advised them of the situation; they told him they will not sign off on it. Chairman Perea stated that the Board would not second-guess Official Christiansen's decision; he added to the Kapetans that while he's sorry for their predicament, the Board

will not approve something our Building Official won't sign off on. Commissioner Coster advised that none of us like to see loss of value of property, but he would recommend looking into other options. Official Christiansen suggested putting a canopy over the top of the home to remove the snow load, which he felt would work. Mr. Daniel Kapetan advised that this whole process began prior to Official Christiansen's coming on board. They do have an engineer looking at this, and that engineer had stated they could do some things to provide additional support, and he will try to get some documentation of that. However, he added, they never got noticed from the beginning, even after all they did do on the house they were never given notice, and they were allowed to proceed. He maintained that they would never had moved forward if they had known this would have been the result. D.A. Wheable advised that they still can get the occupancy permit, get the engineer's documentation and go back to the Planning Commission and sort it all out. Afterward they can come back to this Board with the recommendation. As no one was willing to take any action on this today, the Kapetans were directed to work with Official Christiansen as to his recommendations. Chairman Perea thanked them for coming today.

DISCUSSION/UPDATE ON AT&T'S PETITION TO THE NEVADA PUBLIC UTILITIES COMMISSION TO CHANGE AND/OR WITHDRAW ITS LANDLINE SERVICE IN WHITE PINE COUNTY, INCLUDING THE CITY OF ELY AND THE COUNTY'S COMMUNICATION WITH THE NEVADA CONSUMER PROTECTION BUREAU, DISCUSSION OF POTENTIAL AND ACTUAL HARDSHIPS TO COUNTY, BUSINESSES, AND INDIVIDUAL CITIZENS, ANTICIPATED COSTS, PUBLIC SAFETY ENDANGERMENT AND OTHER NEGATIVE CONSEQUENCES, WHAT THE COUNTY'S RESPONSE COULD BE AND PURPOSES OF THE SURVEY ALREADY UNDERWAY

District Attorney Mike Wheable advised that on July 20th the Public Utilities Commission held a hearing regarding this issue. Correspondence was presented at that time to the PUC indicating the detrimental impacts, and the subsequent hardship this would create for residents, businesses, etc. He continued that AT&T had maintained nothing would change in their service; however, he made the point that if that were in fact true, why was AT&T going through this process, if nothing was going to change? It had been emphasized that AT&T wouldn't be putting new infrastructure in place and tearing up the old. AT&T reached an agreement whereby they withdrew all of White Pine County except for the urban area (City of Ely), and all branches and outlying areas (such as Mineral Heights, etc.) would still be protected. AT&T would be able to withdraw their status of provider so that "grandma phone lines" would eventually go away. He continued that AT&T has another system that would support senior citizens, etc. and it's cheaper than the landline service. The current rate is \$23.99 plus fees, but they are making an offer of \$19.99 and no fees, to make this happen. They are giving assurance that all people who have pacemakers, the ability to call 911, etc., would not change. D.A. Wheable continued that AT&T had to provide notice "so that ordinary laborers would be able to understand," and while it was duly published last May and everything was done in a timely manner, it was not as comprehensive as they had advertised. The PUC hearing will be on August 2nd, at which time the PUC could either accept or reject the stipulation, plus public comment may be heard at that time. He suggested that some people residing within the City limits might be able to provide evidence that they can't get any other service, and they could be heard at the hearing. He noted that we saved 90% of the geographical area from AT&T's proposal; the outlying ranches depend upon their landlines. AT&T had admitted they didn't have the time to do the studies, and they were depending upon the results of other studies made by other cell companies. Commissioner Carol McKenzie asked about the people who have pacemakers, how would this new system affect people with those? She noted there are 1 or 2 people in Lund who aren't allowed to use cell phones in any way. D.A. Wheable's reply was that is an unknown, since we don't know the kind of technology AT&T is talking about. He does know they are trying to go to an internet line, however. He added that he had discussed this with City Clerk Bob Switzer. He continued that there have been about 400 surveys that had been returned; while "it is a moot point now" he will still collect

them and send them off, although it is unknown where they will ultimately end up. Chairman Gary Perea noted that from his own experience with AT&T, if they "carve out Ely" we would end up with poorer service than we are currently receiving. He didn't feel the PUC was adequately doing their job. D.A. Wheable advised that per AT&T's statements, by their not withdrawing service, they would still be extending service. Sr. Management Assistant Elaine Blackham advised that through this whole process, she became "best friends" with Cherry Creek residents, as "they know how to complain." They got AT&T to go out to Cherry Creek with a GPS; they visited every home and verified that they can't get cell service out there! D.A. Wheable noted out that the issues with customer services and what they provide don't start with the PUC, it starts with the consumer advocate. He added that trying to undo all this will be difficult. Administrative Assistant Dahn Puckett noted that the only evidence the PUC will accept is from the consumer advocate, and they already took that in on July 20th; she noted with some satisfaction that at least we were able to get that to him. Commissioner Coster felt the process was deceptive in the way it was handled by AT&T. He felt they should have placed maps on public display showing clearly the lines of service, etc.; plus, the timing of their presentation to the PUC was also detrimental to affected parties.

DISCUSSION/ACTION/APPROVAL OF OBJECTION LETTER FROM WHITE PINE COUNTY COMMISSION ADDRESSED TO NEVADA PUBLIC UTILITIES COMMISSION OUTLINING POTENTIAL AND ACTUAL HARDSHIPS TO COUNTY, BUSINESSES, AND INDIVIDUAL CITIZENS, ANTICIPATED COSTS, PUBLIC SAFETY ENDANGERMENT AND OTHER NEGATIVE CONSEQUENCES OF AT&T'S PROPOSAL TO WITHDRAW LAND-LINE SERVICE WITHIN WHITE PINE COUNTY AND CITY OF ELY

District Attorney Mike Wheable cited the draft letter in the Commission packet, and noted that he felt it won't change the PUC's position in this. However, he does feel good about us sending at least the surveys, as well as the letters, to the PUC. In reply to Commissioner Laurie Carson's question about sending them to the consumer advocate as well, he noted they can be sent along to both; however, he also doubted the PUC would even look at our letter, and we'd be sending this more as a matter of principle. He continued that AT&T was less than pleased with our survey, and feels that we are misleading people. Commissioner Mike Coster commended the EDC staff with doing quite a job on this, considering the lack of time to get it done, and the corresponding huge response from the community. Following brief discussion, Chairman Gary Perea entertained a motion to approve this as discussed; he added that both the letter and surveys should be sent to the PUC because he has told people the surveys would be going there. Commissioner Laurie Carson made a motion to approve the objection letter and the community surveys be sent from White Pine County to the Public Utilities Commission regarding the negative consequences of AT&T's proposal to withdraw land-line service within White Pine County and the City of Ely. Commissioner Mike Coster 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.

**NICHOLE BALDWIN, COUNTY CLERK/REGISTRAR OF VOTERS:
DISCUSSION/UPDATE REGARDING BALLOT QUESTIONS, THEIR ARGUMENTS FOR AND AGAINST, AND REBUTTALS TO APPEAR ON 2016 GENERAL ELECTION BALLOT**

WPC Clerk Nichole Baldwin advised this had taken a long time due to the many questions that had arisen which needed to be answered. She commended Mr. Jeff Fontaine, NACO, as being very helpful, as well as various County Clerks. Following much discussion, she advised what had been settled upon is in the backup material. Clerk Baldwin quoted from NRS those sections which gave her the authority to appoint the Ballot Committee, as well as providing a list of criteria that must be met. D.A. Wheable

DISCUSSION ONLY ON PROCEDURES/TIMETABLES FOR ESTABLISHING A PUBLIC HEALTH BOARD PURSUANT TO NRS CHAPTER 439

D.A. Wheable advised that he would want to do this by Ordinance rather than by resolution, which is done for other advisory boards. The research on this is slow right now, and he explained it needs to be by ordinance to get the Public Health Board formed and properly noticed. This will show up in an upcoming agenda as a draft Ordinance.

ELIZABETH FRANCES, FINANCE DIRECTOR:

DISCUSSION/ACTION/APPROVAL OF THE 5-YEAR MASTER PLAN TO ENHANCE OR IMPROVE TELEPHONE SYSTEM FOR REPORTING EMERGENCIES IN WHITE PINE COUNTY AS RECOMMENDED BY THE 911 COMMITTEE

Finance Director Elizabeth Frances advised a public meeting had been held on this, and a 5-year Master Plan was proposed, which she cited in the Commission backup materials. She noted this is a requirement prior to the County putting a surcharge in place. She also advised the surcharge monies must be separated out in the County's budget. Following brief discussion, Chairman Gary Perea entertained a motion to approve this as requested. Commissioner Richard Howe made a motion to approve the 5-year Master Plan to enhance or improve the telephone system for reporting emergencies in White Pine County as recommended by the 911 Committee. Commissioner Laurie Carson seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF THE FY2016 INDEBTEDNESS, FIVE-YEAR CAPITAL IMPROVEMENT PLAN AND DEBT MANAGEMENT POLICY REPORTS FOR WHITE PINE COUNTY, LUND, MCGILL, AND RUTH

Director Frances advised these are our usual required reports. The only changes are that we do have debts in McGill and Ruth for the fire engines that were purchased, and those are disclosed within the documentation. Following brief discussion, Chairman Gary Perea entertained a motion to approve these as requested. Commissioner Laurie Carson made a motion to approve the FY2016 Indebtedness, 5-Year Capital Improvement Plan, and Debt Management Policy reports for White Pine County, Lund, McGill, and Ruth. Commissioner Mike Coster seconded. Motion carried.

DISCUSSION/ACTION/RATIFICATION OF ACCEPTANCE OF THE FY2016 DEPT. OF ENERGY EMERGENCY PREPAREDNESS WORKING GROUP GRANT IN THE AMOUNT OF \$203,860 WITH NO COUNTY MATCH REQUIRED

Director Frances noted this Board had previously approved this grant application. However, it had a short timeline, and she is requesting to ratify acceptance of the grant. Chairman Gary Perea entertained a motion to ratify as requested. Commissioner Richard Howe made a motion to accept the FY2016 D.O.E. Emergency Preparedness Working Group grant in the amount of \$203,860 with no County match required. Commissioner Mike Coster advised he would second the motion if the ratification was included. Commissioner Howe restated his motion to include the ratification; Commissioner Coster seconded the restated motion. Restated motion carried.

DISCUSSION/ACTION/APPROVAL OF PRELIMINARY FUND BALANCE REPORT AND CASH FLOW REPORT FOR JUNE 2016

Director Frances explained that we maintain keeping the books open for 60 days following the end of the fiscal year, so the books are still open. There are open encumbrances totaling \$54,000, but at the close of the books those will be gone; the same goes for the revenues, as well as where we are on our investment income. Part of this is due to settling with Robinson Nevada Mine, which will come in during this fiscal year, with the realization of the remainder to come during the next fiscal year. Chairman Gary Perea

entertained a motion to approve this as requested. Commissioner Mike Coster made a motion to approve the preliminary fund balance report and cash flow report for June 2016 as presented. Commissioner Laurie Carson seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2016-31 TO AUGMENT THE ROAD FUND BY \$10,000 TO COVER THE COST OF A SURVEY ON COUNTY ROAD #1185 AUTHORIZED AT THE JULY 13, 2016 COMMISSION MEETING

District Attorney Mike Wheable noted the Commission approved that the amount would be "not to exceed \$10,000." Road Maintenance Superintendent Bill Miller advised that Shannon Station is 4.4 miles north of the boundary line, and he explained how the point was obtained; the cabin was located just last week. During the process of establishing the County line, it was found to be 300' into Mr. Todd's property. D.A. Wheable added that our actual easement is well off of where the road is located. Superintendent provided a brief history of this, including that Eureka County had been notified some years ago of the problem and "they didn't even want to go there." Following some discussion, D.A. Wheable felt the only recommendation he would have would be to include "not to exceed \$10,000" in the Resolution; Director Frances indicated that would be under the first "Whereas." Chairman Gary Perea entertained a motion to approve the resolution with changes noted. Commissioner Laurie Carson made a motion to approve Resolution 2016-31 to augment the Road Fund by an amount not to exceed \$10,000 to cover the cost of a survey on County Road #1185 as authorized at the July 13, 2016 Commission meeting. Commissioner Mike Coster seconded. Motion carried.

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

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Nichole Baldwin, Ex-officio Clerk of the Board

White Pine County
Board of County Commissioners

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Resolution Number 2016-31

Resolution to Augment the Road Fund by \$10,000 to Cover the Cost of a Survey on the Road Known as County Road 1185 Authorized at the July 13, 2016 Commission Meeting

Whereas, White Pine County currently requires a survey of a portion of the road known as County Road 1185 at an estimated cost not to exceed \$10,000; and

Whereas, this expense was not anticipated when the FY2017 budget was prepared; and

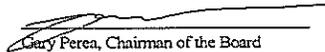
Whereas, the Road Fund is estimated to have an FY2017 opening fund balance \$164,772 higher than anticipated or budgeted;

Now Therefore Be It Resolved that White Pine County shall augment the Road Fund from unanticipated and unbudgeted beginning fund balance in the amount of \$10,000 and increase account 060-501-52915-000 (Road Fund Contract Services) by the same amount.

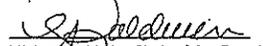
It Is Further Resolved that the Finance Director shall forward the necessary documents to the Department of Taxation, State of Nevada.

Passed, adopted and approved the 27th day of July, 2016.

Ayes: 5
Nays: —
Absent: —


Gary Perea, Chairman of the Board

ATTEST:


Nichole Baldwin, Clerk of the Board

DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2016-30 TO AUGMENT THE REGIONAL TRANSPORTATION FUND BY \$47,940 TO BRING FORWARD UNSPENT FUNDS ON THE MURRY STREET PROJECT FROM FY2016 TO FY2017

Director Frances advised this was requested by Road Maintenance Superintendent Bill Miller; this will take care of the ending fund balance on that project. Following brief discussion, Commissioner Richard Howe made a motion to approve Resolution 2016-30 to augment the Regional Transportation Fund by \$47,940 to bring forward unspent funds on the Murry Street Project from FY2016 to FY2017. Commissioner Laurie Carson seconded. Motion carried.

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

Nichole Baldwin, Ex-officio Clerk of the Board

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Resolution Number 2016-30

Resolution to Augment the Regional Transportation Fund By \$47,940 to Bring Forward from FY2016 into FY2017 the Balance of the Budget for the Murry Street Project

Whereas, at June 30, 2016 the Murry Street Project which was budgeted in FY2016 remained incomplete and had a remaining budget of \$47,940; and

Whereas, the balance of the FY2016 budgeted funds are required to complete this project; and

Whereas, the Regional Transportation Fund is estimated to have an FY2017 opening fund balance \$566,137 higher than anticipated or budgeted;

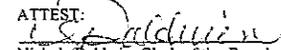
Now Therefore Be It Resolved that White Pine County shall augment the Regional Transportation Fund from unanticipated and unbudgeted beginning fund balance in the amount of \$47,940 and increase account 065-501-57140-000 (Regional Transportation Fund Capital Improvements) by the same amount.

It Is Further Resolved that the Finance Director shall forward the necessary documents to the Department of Taxation, State of Nevada.

Passed, adopted and approved the 27th day of July, 2016.

Ayes: 5
Nays: 0
Absent: 0


Gary Perea, Chairman of the Board

ATTEST:

Nichole Baldwin, Clerk of the Board

DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2016-29 TO UTILIZE THE REVENUES FROM LAND SALES FOR CAPITAL IMPROVEMENTS

Director Frances noted this is based on the fact that we are starting to look at selling County lands and how those revenues will be spent. She explained she can move transfers from sales of the property over to Capital Improvements. Chairman Gary Perea had a concern; if we put this into Capital Improvement, there are other one-time expenses outside of this fund that we could be using some of that money for. Commissioner Laurie Carson pointed out that Resolutions can be rescinded; Commissioner Carol

McKenzie agreed with that. She felt that while Capital Improvements sound great, if we have other more pressing things to consider, perhaps we should set those monies aside for one-time usage only, rather than for operating funds. Commissioner Richard Howe felt the funds should go into Capital Improvements, though, because earmarking them would be the best way to go. Commissioner Laurie Carson would like to see the funds go to the Airport for those capital improvements we need. She added that under the second "Whereas" she doesn't like the word "purchases" in there, and felt it should be changed to "expenditures" instead. D.A. Wheable noted that is a statement which supports the reason for the action. Commissioner Richard Howe made a motion to approve Resolution 2016-29 to utilize the revenues from land sales for capital improvements, with changing the word "purchases" to "expenditures" under the second "Whereas." Commissioner Laurie Carson seconded. Motion carried 4:1, with Chairman Gary Perea voting in opposition.

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

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Nichole Baldwin, Ex-officio Clerk of the Board

White Pine County
Board of County Commissioners
Resolution Number 2016-29

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Resolution to Dedicate Revenues Generated by Land Sales to Capital Improvements

Whereas, White Pine County is pursuing land sales as a method for generating revenues; and

Whereas, these revenues are one-time in nature and should therefore be utilized to fund one-time expenditures; and

Whereas, the County has an ongoing need for Capital Improvements which can be budgeted as revenues are available;

Now Therefore Be It Resolved that White Pine County shall dedicate the proceeds of all land sales to the Capital Improvement Fund.

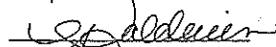
It Is Further Resolved that the Finance Director shall effect transfers of the Land Sale Revenues from the General Fund to the Capital Improvement Fund as necessary.

Passed, adopted and approved the 27th day of July, 2016.

Ayes: 4
Nays: 1
Absent: —


Gary Perea, Chairman of the Board

ATTEST:


Nichole Baldwin, Clerk of the Board

KATHI RICCI, HUMAN RESOURCES DIRECTOR:
DISCUSSION/ACTION/APPROVAL TO PAY ELAINE BLACKHAM, MANAGEMENT ASSISTANT SR., 5% OF HER CURRENT RATE OF PAY FOR WORKING OUT OF CLASS IN THE ABSENCE OF THE COMMUNITY & ECONOMIC DEVELOPMENT DIRECTOR, RETROACTIVELY TO NOVEMBER 5, 2015

Human Resources Director Kathy Ricci cited materials in the Commission packet pertaining to this, i.e. the Union Local Agreement portion regarding working out-of-class. She noted that if an employee works more than 4 hours out of class, they shall receive 5% of their current rate of pay. District Attorney Mike Wheable wasn't sure that's what the language meant in the contract. Commissioner Richard Howe disagreed and felt Assistant Blackham was not in the position of the EDC Director. He continued there's a Supervisor in place, and that's Director Ricci, who was appointed to do that. Further, she's an Administrative Assistant, so she's not working out-of-class. We didn't take the action to promote Assistant Blackham in January so it's his opinion that she shouldn't receive back pay in this since last November. He continued that to authorize any of these promotions, or advancement of additional pay, would be a "slap in the face" to those employees we put on reduced hours. There should be no pay raises or anything, in order to be fair to everybody; he is totally against this. D.A. Wheable responded that this isn't a promotion or a supervisory thing; Assistant Blackham's original Job Description is not the job she's been doing over the past several months. She has fulfilled and done other jobs than what job she was hired to do, and the Personnel Policy requires that we pay her the 5%. He emphasized this is NOT a promotion, but rather it is recognizing she is working outside her original job classification that she was hired to do. Director Ricci provided some detailed history of Assistant Blackham's position, noting that her Job Description hadn't been updated since 2011. D.A. Wheable wished to clarify that she had been assigned to various tasks in between the two EDC Directors (Karen Rajala, Jim Garza), and now that there is a vacant EDC Director position she has taken on those duties again. The Job Description for the Executive Director was cited, a portion read, and discussed; Commissioner Mike Coster noted he wasn't fundamentally opposed to this, but there are rules we need to stick to since we put them in place. There's more work; he wants it to be detailed out for the Board. D.A. Wheable wished to include in the record that Assistant Blackham has been performing those duties since November 5, 2015; the Board needs to determine that she's been doing that. Commissioner Coster added that she's been doing a great job fulfilling those duties. Commissioner Laurie Carson made a motion that based on the information that Elaine Blackham, Sr. Management Assistant has been performing those duties, we approve to pay her 5% of her current rate of pay for working out of class in the absence of the Community & Economic Development Director, retroactively to November 5, 2015. Commissioner Carol McKenzie seconded. D.A. Wheable noted that it should be added "pursuant to WPC Personnel Policy." Commissioner Carson amended her motion to include "pursuant to WPC Personnel Policy." Commissioner McKenzie amended her second respectively. Amended motion carried 4:1, with Commissioner Richard Howe adamantly voting in opposition.

DISCUSSION/ACTION/APPROVAL FOR AN ANNUAL SALARY INCREASE TO \$67,264.00 FOR ELY JUSTICE OF THE PEACE JUDGE STEPHEN BISHOP TO BE COMPENSATED AS WHITE PINE COUNTY ELECTED OFFICIALS SET FORTH BY NRS 245.043 WITH LONGEVITY AS APPLIED TO ELECTED OFFICIALS PER NRS 245.044 FOR FISCAL YEAR 2016-2017

Chairman Gary Perea advised he had met with Judge Bishop, and while he wasn't happy to vote in favor of this it was clear he was going to stop using some of his fees for office expenses and put it onto the County, which in the long run would cost us more money. Commissioner Mike Coster noted that using this as leverage for his salary increase sounds like extortion. District Attorney Mike Wheable advised that this is what the Judge does with his fees, so he believes he was compensated. Commissioner Richard Howe commented he is against this. Commissioner Coster noted that you can't hinge your operation

based on whether or not you get a pay increase; you aren't allowed to misuse that discretion. He would still oppose this since when you sign up for a job, you know what the rate of pay will be. D.A. Wheable noted Judge Bishop provided this Board with written points, and given his caseload compared to others around the State, that's why this information was brought forward. If the Commission doesn't approve this, it will end up being more expensive for the County. Commissioner Coster felt the State should review this, and he felt this is "an illicit connection," although he knows the Judge is a hard worker and ethical besides; he is astounded at this request. D.A. Wheable pointed out that this Board had already approved this in the budget, and that being said, they "can't take it away from him." He is basing his actions on a vote done by a Board in the past. Chairman Gary Perea felt that from the wording in the minutes at that time, it appears this was a one-time thing. During the discussion, Director Ricci advised that this was discussed and directed to Judge Ron Niman at the time, and not specifically for the Justice of the Peace's position. Commissioner Richard Howe noted that back in March he brought up the fact that it was in 2012 for Judge Niman, and when he asked if we would have to give him a raise in 2017, the answer from the Board at that time was "no." As he understands it, it's at the Board's discretion whether we should give him a raise or not, and he will still vote against it, just as he has for other raises that have been requested. He added that he's not afraid of legal action in this matter. During the discussion by the Board, Commissioner Carol McKenzie asked that if Judge Bishop turns in a bill, would we have to pay it? D.A. Wheable's answer was affirmative. For the record, he added this is not in dereliction of the Judge's duties, and not pertaining to his job performance. He wouldn't benefit personally, the County would just have to pay more money. In reply to a query from the Board, Director Ricci noted it would cost roughly \$2,000 to fulfill his request, not including PERS, Medicare, retirement, etc. Chairman Gary Perea entertained a motion to approve this as requested. Commissioner Laurie Carson made a motion to approve an annual salary increase to \$67,264.00 for Ely Justice of the Peace Judge Stephen Bishop to be compensated per NRS 245.043 for which the Justice of the Peace is not included in that NRS, and also with longevity as applied to elected officials set forth by NRS 245.044 for FY 2016-2017. Motion died for lack of a second.

At this time, District Attorney Mike Wheable excused himself from the meeting. At 2:26 p.m., Chairman Gary Perea recessed the Commission meeting for a break. The meeting was reconvened at 2:38 p.m.

BILL MILLER, ROAD SUPERINTENDENT:
DISCUSSION/ACTION/APPROVAL TO CLOSE CLARK STREET AND 8TH STREET ON AUGUST 12TH, 2016 AT 7:00 AM TO 10:00 PM ON AUGUST 13TH, 2016 FOR THE WHITE PINE RODDERS ASSOCIATION

Chairman Gary Perea advised no issues had been reported from this event in the past. Chairman Perea entertained a motion to approve this as requested. Commissioner Laurie Carson made a motion to approve closure of Clark Street and 8th Street on August 12, 2016 from 7:00AM to 10:00 PM on August 13, 2016 for the White Pine Rodders Association. Commissioner Carol McKenzie seconded. Motion carried. Commissioner Mike Coster noted that the Library also has their book sale going on, and he just wanted to make the Board aware that will be a busy parking day.

KATHI RICCI, HUMAN RESOURCES DIRECTOR:
DISCUSSION/UPDATE ON THE STATUS OF THE PUBLIC HEALTH NURSE

Human Resources Director Kathy Ricci advised that Public Health Nurse Karen Collis retired July 17th. In the meantime, we are having a nurse come in weekly from Panaca. Sr. Management Assistant Jennifer Rivera is here to answer any questions the Board may have. The Community Health Service program is currently recruiting a full-time RN for our area, and there is also the possibility of contracting with an APRN on an as-needed basis. However, there's no category at the State level for an APRN so they are

going through the process to get that done. An APRN is an Advanced Practice Registered Nurse, it was clarified for the Board; a nurse practitioner, which is higher than an RN. Ms. Rivera noted we are going through the process with someone who is very interested but there is no date that's been set.

Commissioner Laurie Carson advised that person needs to be called regularly, to keep on top of this, as that's been her experience with the State. The Board thanked Assistant Rivera for her input.

MEGAN BROWN, WPC AQUATIC CENTER DIRECTOR:
DISCUSSION/UPDATE FOR WHITE PINE AQUATICS DEPARTMENT

WPC Aquatics Director Megan Brown cited her handout and proceeded to review for the Board. There are many open swimming hours now, and she noted the people really enjoy the evening hours. They've been extremely busy this summer, both at McGill and the Aquatic Center. There was much summer prep work, including training, that was accomplished. July has been a big month, with 101 group swim lessons, and 20 private lessons. The swim team went to a meet in Elko, and just last week one was held in Reno. She thought the next swim meet might be in September; nearly 200 kids have registered. For the Health Challenge, she noted 20 people have completed that and over 100 more are working on finishing their 96 mile event. She reported on the Olympic Day in June, for which the most popular event was the water polo at the Aquatic Center, and the diving contest in McGill had awarded the winners gold medals. She would like to see it expand for next year. Director Brown has trained 7 new Lifeguards, and recertified 1; she is also trained to teach CPR and that will be ongoing. She provided a brief report regarding the room rentals at the Aquatic Center, and she will bring copies of the current rental agreements back to the Board for their information. There was \$82,644.79 in revenues brought in since the beginning of the year, which was well above what was expected; plus, they are underbudget. Commissioner Laurie Carson commended Director Brown for her hard work and accomplishments.

DISCUSSION/ACTION/APPROVAL FOR WHITE PINE AQUATICS DEPARTMENT-MCGILL POOL TO SOLICIT DONATIONS TO FUND THE ANNUAL BIG SPLASH EVENT TO BE HELD SATURDAY, SEPTEMBER 3RD, 2016

Director Brown cited her draft letter, which she noted will be corrected to show the event to be held on September 3rd will be at McGill Pool. The monies will be used to go towards Admission, since there will be no entry fees to the pool on that day; it will replace that revenue which would have come in. There was brief discussion about how best to circulate letters, by mail or by hand; Director Brown advised she's had better responses when she hands them out personally, and can take that opportunity to talk to the people. Chairman Gary Perea entertained a motion to approve this as requested. Commissioner Richard Howe made a motion to approve the White Pine Aquatics Department-McGill Pool to solicit donations to fund the annual Big Splash Event to be held Saturday, September 3, 2016 at the McGill Pool.

Commissioner Laurie Carson seconded. Motion carried.

COUNTY COMMISSION:
DISCUSSION/UPDATE REGARDING MOVING COUNTY COMMISSION MEETINGS BACK TO THE LIBRARY CONFERENCE ROOM BEGINNING AUGUST 10, 2016

Chairman Gary Perea commented that it seems the new Library meeting room is ready for us, and we need to have our Commission meetings moved back there. He noted that there's no motion needed, and if no one is opposed, we will hold the next Commission meeting in the Library. This was duly noted.

CONSENT AGENDA: APPROVAL TO RATIFY CORRESPONDENCE SENT ON BEHALF OF THE WPC COMMISSION, 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.

DISCUSSION/UPDATE ON AGRICULTURAL EXTENSION EDUCATOR

Chairman Gary Perea asked to table this per request of Mr. Juan Carlos Cervantes as he has a scheduling conflict. The Board concurred, and it was noted this could be done during the next Commission meeting on August 10th.

APPROVAL OF COUNTY COMMISSION MINUTES

June 22

Special June 29

Commissioner Laurie Carson made a motion to approve the June 22 and Special June 29 sets of minutes as presented. Commissioner Carol McKenzie seconded. Motion carried.

RECOMMENDATIONS OF ITEMS FOR FUTURE AGENDAS

- Gold Rock and Midway updates/presentation.
- Parking behind the Courthouse on Campton Street.

PUBLIC COMMENT

There was none.

ADJOURNMENT

At 3:06 p.m., Chairman Gary Perea entertained a motion to adjourn. Commissioner Laurie Carson made a motion to adjourn; Commissioner Mike Coster seconded. Motion carried.

BOARD OF COMMISSIONERS
WHITE PINE COUNTY
STATE OF NEVADA

BY: _____

CHAIRMAN

ATTEST:


CLERK OF THE BOARD

CLERK OF THE BOARD