

IN A REGULAR MEETING OF THE WHITE PINE COUNTY COMMISSION HELD ON JANUARY 9, 2019 IN THE COUNTY LIBRARY CONFERENCE ROOM IN ELY, NEVADA

The Following Were Present:

Fire Commission

Richard Howe, Chairman
Travis Godon, Vice-Chairman
Ian Bullis, Commissioner
*Shane Bybee, Commissioner
Steve Stork, Commissioner
Nichole Baldwin, Clerk of the Board
Susan Lujan, Deputy Clerk

County Officials

Jennifer Farnworth, IT Specialist
Lori Romero, Library/Sr. Center Admin.
Tim Regan, WPC Fire District Chief
Elanie Calderwood, Chief Deputy Finance Dir.
Timothy Bunch, Human Resources Dir.
Bill Calderwood, Public Works Director
Carl Gregory, Emergency Mgmt Svcs Dir.
Mike Wheable, District Attorney
Scott Henriod, WPC Sheriff
Burton Hilton, WPC Assessor
Bryan Pyle, Deputy District Attorney
Brad Christiansen, Building Official
Catherine Bakaric, WPC Treasurer

Also Present

Tracy Saville, Silver Lion Farms/HFM CEO
Geri Wopschall
Danielle Jensen
Donna Bath
Caroline McIntosh
George Chachas, KGTV-10
Kyle Horvath, Tourism & Recreation Bd. Dir.
Sheldon Mudd, NNRDA Exec. Dir.
Laurie Carson, Coord. Resource Management
Gian Khalsa, Silver Lion Farms/HFM
Jonathan Grady, Silver Lion Farms/HFM
Rob Dower, Silver Lion Farms/HFM
Kay McMurray, Ely Times
Brian Morrison, Baker Resident
Bunny Hill, Silver State Classic Challenge
Orvan Maynard
Duff Smith, Baker Resident
Danielle Foley
Marietta Henry
Brad Simpson, Keller Williams Realty
Rob & Charlie Scheerer
Robert Clayton
Angela Simpson, Keller Williams Realty
Janelle Baker, Baker Ranches
Pete Mangum

Keith Preszler, Baker Resident
Bill Rountree, former Baker Resident
Katherine Rountree, former Baker Res.
Joyce Brown, Baker Resident
William Panagopoulos
Keith & Paula Carson
Juan Carlos Cervantes, Coop Extension
Ross Rivera, Ely Fire Chief
Dee Ferguson, Baker Resident

*Commissioner Shane Bybee was unable to attend today.

Chairman Richard Howe called the meeting to order at 9:04 a.m. Commissioner Travis Godon led the Pledge of Allegiance.

PUBLIC COMMENT

Ms. Caroline McIntosh informed the assemblage of an upcoming Diesel Mechanics class, which is being made available by a WINN grant from the Governor's Office of Economic Development (GOED). The grant covers costs for all the equipment and an instructor. She noted there was space for 16 slots, and there are still 5 remaining open. She added that it's a 3-semester class; the first semester is totally free to the students. Great Basin College is also offering a Welding class and an Electrical Program, she noted. She wished to give them public notice and recognize their generosity to our community.

Mr. Kyle Horvath, Tourism & Recreation Board Director, reported that this year the Fire & Ice event will be held at Cave Lake on January 19-20. He read the Schedule of Events, which he advised also includes events to be held in case of inclement weather. This year there is enough ice on the lake to allow for snow sculptures, it was noted. Other events on that Saturday throughout the community include the Birchebeiner Ski Races, a Snowshoe Run, and Fat Tire Bike Races. People can visit The Cove and paint ceramic tiles; there will be a Volleyball Tournament at the Aquatic

Center; a Dart Tournament at the VFW; and a Bowling Tournament at Sunset Lanes. This year, Steam Engine #93 is 110 years old, which will be commemorated by a Special Train Ride. The Fireworks Train will shoot off their annual fireworks at 6:00 p.m., after which people can congregate at the Train Yard to view a wooden elk sculpture, constructed out of pallets; it will be burned in a special ceremony. People can then migrate downtown to enjoy Karaoke, a Billiards Tournament, and a Bounce House will be available for the kids, as well as Face Painting. Sunday the Snow Sculptures will be judged at Cave Lake, and there will also be a Snowshoe Hike at the Lake. There will be sledding, ice horseshoes, and ice bowling. There will be Fireworks at the Lake at 5:30 p.m., and as there will be a full moon lunar eclipse (peaking about 7:00 PM), there will also be a Star Party. Director Horvath concluded that many of these planned events offer prizes. For more information about the weekend's activities, he suggested visiting FaceBook and the White Pine Tourism & Recreation website.

Executive Director for NNRDA Sheldon Mudd is here today to report to the Commission; after seeing a need for an Economic Development Officer here, who would be dedicated to White Pine County, after some time someone was located. NNRDA feels they've found the right person for the job, and he advised that an offer had been made and Mrs. Donna Bath had accepted the position. As of January 14th, she will be the point of contact for NNRDA here in White Pine County. The assemblage applauded, both for the need being filled and for Mrs. Bath for the position.

Mr. George Chachas commented about the agenda item concerning the MOU with Mt. Wheeler Power; he felt the County needs to have them adhere to the ADA regulations. He cited some concerns with their compliance in the past and felt they have a poor record for that. He reiterated ongoing concerns about utilizing the old Annex site for the new Courthouse; 4 lanes should remain on Aultman; and how there should be an overhead pedestrian walkway near the intersection of Great Basin Blvd. and the bypass. He continued that Park Avenue, Campton Street, and Avenues I, K, and L still lack proper signage of schools, citing the kids' traffic in those areas. He also repeated the lack of railroad track rental fees and lack of regulation compliance at Ms. Carol McKenzie's residence in Lund. Chairman Richard Howe commented that Mr. Chachas is bringing up these same issues way too often. Mr. Chachas added that there's lots of stuff going on in the County, but there's little or no reporting in the newspaper. He still wants the County to send him a check to cover his vandalism, and compared how former Commissioner Gary Perea received over \$6,000 to send Fire/EMS employees to a funeral while he's just asking for a couple hundred dollars. He also charged selective enforcement at the Centennial Arts building, as improvements were being done with no permit or a licensed contractor. Time was called.

At 9:15 a.m., Chairman Richard Howe recessed the regular Commission meeting and opened the Fire Commission meeting. At 9:30 a.m., Chairman Richard Howe adjourned the Fire Commission meeting and reconvened the regular Commission meeting.

PASSAGE OF ORDINANCE AND HEMP FARM PRESENTATION

PUBLIC HEARING/DISCUSSION/THIRD READING/POSSIBLE ACTION/APPROVAL OF ORDINANCE 496, BILL NO. 11.14.2018, AN ORDINANCE AMENDING TITLE 6 OF THE WPC CODE TO REGULATE BURNING WITHIN WHITE PINE COUNTY

District Attorney Mike Wheable noted this is a Public Hearing, after which the Board may vote and take action if they so choose. Chairman Richard Howe asked for public comment: Mr. George Chachas advised that in the regulations he sees there's no burning of standing grass/weeds. He asked how we could get rid of them? D.A. Wheable explained he could still call to get a license to burn them, they just need permission from the Fire District to burn. Mrs. Paula Carson advised they burn the standing grass/weeds yearly since they live in the country. By doing this once a year, she continued, they prevent further fires and it also reduces the number of bugs and pests on their acreage. She and her husband agree with the remainder of the Ordinance; she asked if they have a permit, is it then okay to burn? D.A. Wheable replied in the affirmative, and explained that this came about due to a couple of controlled burns that got out of control, and the intent is to inform the Fire District with more notice regarding their controlled burns. Mrs. Carson asked about the areas where they don't have cell service; D.A. Wheable recommended calling the Fire District to get their permission first, before they go out to the burn site where there might not be cell service. WPC Fire District Chief Tim Regan noted that this is a new Ordinance, and they are working through some of the permitting issues such as contacting the homeowners, going to the sites to review the concerns and address their needs. D.A. Wheable reiterated that per the language in the Ordinance, the attempt must be made to contact the Fire District prior to a burn. Ms. Laurie Carson asked about allowing for the smaller incinerators, those smaller than a burn barrel? She cited one with a lid in Mt. Wheeler's magazine, *Ruralite*, that may be used for burning personal documents. She is in the process of buying one of those, and wondered about their acceptability in the Ordinance regulations. D.A. Wheable pointed out

that for small BBQs used for food prep, permits aren't needed; however, during the discussion it was clarified that although the small incinerator has a lid, it would still be necessary to obtain a permit to use it.

Acting District Manager for the Forest Service Bill Panagopoulos advised that he is also the Zone Management Fire Officer. If a fire were to escape, there is a provision to notify adjacent agencies through the EICC—the Ely Interagency Communications Center. D.A. Wheable noted there is nothing that would require a property owner to do that, but an email could be sent from the Fire District to the EICC once a permit request is received and issued. Chief Regan agreed that would be a suitable protocol.

Commissioner Travis Godon advised he's against this Ordinance, and commented that "people will always be stupid." He continued that he's a conservative, and wouldn't want to put these protocols on the people, and that's where he stands. Chairman Richard Howe asked the Board for some action to be taken on this. D.A. Wheable recommended the Board could either pass or not pass; the Ordinance could also be modified from the discussion today. He added they could also visit with the Fire Chief and get some ideas from him; however, he cautioned NOT to deliberate among themselves as they would be an OML violation. The matter may be researched, though, and tabled for the time being. Commissioner Steve Stork felt that this came about when a private property owner wasn't licensed to burn, they burned, and it escaped onto public lands. He's fine with tabling this and researching into some of the burn products such as what Mrs. Carson had brought up. Commissioner Steve Stork made a motion to table the Ordinance; Commissioner Ian Bullis seconded. Motion carried.

DISCUSSION/UPDATE FROM HEALTH FARM MANAGEMENT (HFM)/SILVER LION FARMS LLC ON HEMP FARM IN NORTHERN WHITE PINE COUNTY

Silver Lion Farms CEO and Team Leader Tracy Saville thanked the Board for inviting them here today to share their product. She added that the County staff have been very supportive and made them feel very welcome. She introduced several members of their team to the assemblage, and advised the presentation for the project is being left with us to share with the community. She continued to note the highlights of what they're doing and how they're accomplishing it: Silver Lion Farms acquires the lands, grows and owns the crops, and constructs the buildings and facilities. Leader Saville also explained about the Health Farm Management, and provided a chart showing the firms' composition and relationship. She noted there will be 8-10 greenhouse jobs plus over 40 additional construction people involved in managing their hemp farm. The greenhouse will be comprised of 250,000 sq ft and will be erected within the next 3-4 weeks. Their goal is 7 million premium industrial hemp plants; the plant materials go into various end products, such as food (citing Kraft Foods as an example). The total acreage between Silver Lion and Grady Farms is 2,750. She continued they're basically a research and development company; nothing has been done on this large a scale with hemp in the United States to date. There will also be an industrial hemp education center located in Ely in the near future. All Federal, State, and local regulations will be in compliance, it was noted. As to the timeline, she explained that it takes 7.5 million seeds from the greenhouse and into the fields in 4-5 weeks, bringing key jobs in during organic, economic farming. They are located near Lages Junction, and employment will run 24/7. Leader Saville continued there will be temporary labor living and working on site, from 8-10 people during the construction. The entire project will have "zero negative impact on the environment," she advised, and they are committed to "growing healthy farms that are good for the planet." She also explained the important difference between hemp and cannabis: Cannabis contains THC, which is known for psycho-active properties; this THC-free hemp is grown over all the world. This hemp contains many nutrients/compounds, such as CBD, which is a pain/inflammation reducer, besides being good for the skin and is present in many beauty products. Coca-Cola, coffee, beer, Estee Lauder, analgesic products for the NFL and NBA were cited as specific examples of CBD utilization. Mr. Gian Khalsa added that bringing wealth back to the farmers is one of their goals; they can come in and teach farmers about hemp, noting they can bring in \$30/lb as opposed to \$5/lb for other crops. The Health Farm Management firm is a day-to-day management company that partners with local farmers, for example. They also partner with Nevada State Agriculture, with respect to their research and development involvement. Chairman Richard Howe noted that White Pine County is on the verge of a really big economic future and would like to see the local newspaper put the news out to the County. While we are a mining community, he added, we need to diversify and this would be an agricultural boon; he felt that with Silver Lion/Health Farm Management, White Pine County is set up to be the largest hemp farm in Nevada. He continued that by March their greenhouse will be built, and by this Spring this process will be taking off. It is of major importance that our Commission and community knows about Health Farms. He thanked Leader Saville for their presentation. Commissioner Travis Godon asked how many pounds of hemp are involved here; the reply was that 80% of anything sold in the United States either originated with hemp via their advisers or partners, and the amount is literally millions of pounds.

At 10:13 a.m., Chairman Richard Howe opened the Liquor Board meeting. At 10:15 a.m., Chairman Howe adjourned the Liquor Board meeting and opened the Road Commission meeting. At 10:45 a.m., Chairman Howe adjourned the Road Commission meeting and reconvened the regular Commission meeting.

10:30 A.M. – PUBLIC HEARING – BUILDING & PLANNING

PUBLIC HEARING/DISCUSSION/ACTION/CONSIDERATION TO APPROVE A PROPOSED APPLICATION FOR A VARIANCE. THE APPLICANTS, HOMER DEE AND KRISTY K. FERGUSON, WISH TO RAISE ANIMALS ON THEIR PROPERTY – FOWL, PIGS, COWS, GOATS, AND RABBITS. THIS PROPERTY IS CURRENTLY ZONED C-3 (HIGHWAY COMMERCIAL DISTRICT) WHICH DOES NOT ALLOW FOR THIS USE – SUBJECT PROPERTIES ARE 220 WEST ELKO STREET AND 50 ETCHEBARREN AVENUE., BLOCK 16, LOTS 4,5,6,10,11 & 12, BAKER, NEVADA. THE APNS ARE 005-166-05 AND 005-166-06

WPC Clerk Nichole Baldwin advised there were 9 letters of Public Comment on this agenda item, plus 3 more that were received after the agenda was published. She asked if the Commission had had time to read all of them; they had not. District Attorney Mike Wheable proceeded to read all of the letters into the record, noting all were in opposition to the variance. Building Inspector Brad Christiansen noted that this area is zoned C-3, "Highway Commercial," and this road leads up to the Lehman Caves. It was noted no formal feedback had been received from the Baker Area Citizens Advisory Board. Ms. Joyce Brown approached the Board and noted that she is the neighbor to the Fergusons and her letter was not read into the record; Clerk Baldwin advised hers was the first letter included in the backup material. D.A. Wheable read Ms. Brown's letter into the record, noting hers was also in opposition to the variance. Clerk Baldwin also advised of another letter from Ms. Patricia Dore, which she read into the record at this point. Mr. Brian Morrison, a native of Snake Valley, noted everyone who is opposed to this is relatively new to the Baker area. He stated no one out there has not been free to raise chickens; it's considered sheep range, open range, and he has cows throughout his property at any given time. He continued that these are people coming from the city and who are having a hard time with chickens making noise. He commented that if you move to a rural area, "you have to live with the chickens." Ms. Brown advised she's lived there since 2002; she arrived from Arizona, where you have to have a particular zoning in order to raise stock. She added that some of the letters read today come from people who have lived in their places for 42 years. Mr. Dee Ferguson stood up and stated that they are retired and there's no business going on there. He does things to help his neighbors; there's more than enough space, and their chickens have been there the full time, while Ms. Brown has only lived there part-time. He added that he even helped her get settled, but now she's pushed it to the point to where it's worse; furthermore, if he had known he had to have a variance, they would have gotten it long ago. Chairman Richard Howe interrupted the discussion and noted this isn't the place for a personal debate; it's a Public Hearing. While the Board has heard all the letters, he added, this is a zoning issue. Inspector Christiansen noted the property is zoned incorrectly; it's for a house and a shop, zoned commercial. The issue, per Chairman Howe, is if it's properly zoned to allow for use with the animals. Commissioner Travis Godon noted they are requesting a variance, personal issues aside. Mr. Bill Rountree lived in Baker since 1972, although he's recently moved to Spring Valley. He dug the footings for the Ferguson's chicken coop over 20 years ago, and added that chickens have always been in Baker and its environs. He cited that other folks and the chickens and everyone had always gotten along until recently, and frankly "we never came to a venue like this to air our dirty laundry." He concluded his comment by noting that as a lifelong resident he's in full support of the Ferguson's, and Dee would do anything for any of their neighbors, and he has done so. Mr. Duff Smith owns the property directly west of the Fergusons, and as he doesn't know anyone else there, his opinion is objective. The property is zoned commercial; he comes from a small town and understands about the animals. However, he doesn't see this location affording a proper setting for a variance to have various livestock. He felt the property wasn't big enough to handle that many animals, and cleaning up the area should come first. Mr. Ferguson noted that if there were problems, they used to talk it out; he advised the chicken thing could be mitigated, and they could raise chickens without roosters. Ms. Janelle Baker, of Baker Ranches, was curious about the zoning; she pointed out that many of the longtime Baker residents weren't even aware this was happening. She felt perhaps more residents should have the opportunity to comment; while many of the letters come from part-time residents, she emphasized that they all need to be a part of making the decision. District Attorney Mike Wheable advised he could mediate some of this if all the comments have been made today. Mr. Smith noted that chickens aren't listed in the variance application, and agreed everyone else should have been involved. Mr. George Chachas was disappointed that the Baker residents had no idea of these issues and weren't informed, despite the fact that 2 of the now defunct Regional Planning Commission members lived in Baker. He added that many of these people are grandfathered in. D.A. Wheable continued that the variance does show some ambiguity. There is a movement across the United States for people to become more self-sufficient, which is something this Board does need to take into consideration. He recommended this variance be denied and the Baker Area Citizens Advisory Board should hold a

meeting specific to the zoning ordinances and figure out things, work with the County Building Official, inform the community as to how many chickens would be allowed, and bring their recommendations back to this Commission. He clarified that if a new zoning scheme was brought to this Board, they have the power to change the zoning, and thus bypass a "piecemeal variance." During the discussion he added that the Commission isn't judging the chicken ownership issue, but they do wish to be informed of what would be best for the citizens of Baker. In reply to a query from Commissioner Steve Stork, D.A. Wheable advised that a moratorium wouldn't be necessary; put simply, if the Ferguson's continued to have chickens, in a moratorium scenario he would have to prosecute. He advised the Baker residents to go see what is permitted on each of their properties and educate themselves as to what is allowed; then they could contact the Building Inspector or the D.A.'s office, as they work together on such issues. He added that this could wait until after Baker has held meetings and then in the Spring the zoning matter could be addressed. Mr. Ferguson advised they've already gotten rid of the chickens. Commissioner Godon asked the Baker citizens present if they would agree with this approach; there were voices of assent. Chairman Richard Howe entertained a motion for approval. Commissioner Steve Stork made a motion to approve the variance as requested. Motion died for lack of a second. During the discussion, Commissioner Stork asked if a Commissioner was to make a motion for approval, would he be bound to vote in support of it; the legal advice was negative. Chairman Howe repeated the request for a second to Commissioner Stork's motion twice more; it died. Chairman Howe then entertained a motion to deny. Commissioner Stork made a motion to deny the variance request. Commissioner Ian Bullis seconded. Motion carried 3:1 with Commissioner Travis Godon voting in opposition. Chairman Howe thanked everyone for coming and it was noted that Commissioner Godon is liaison to the Baker Area Citizens Advisory Board, so the recommendation from BACAB could be passed along to him, who will in turn present it to this Board for a vote.

received
 1/7-2019

Clare Sorenson
 P.O. Box 164
 Baker, NV 89311


January 7, 2019

To Whom it May Concern:

This statement is in support of Homer Dee and Kristy Ferguson's application for a Variance for lot locations listed in the Public Hearing Notice dated 12/19/2018 for the purpose of owning and raising of the animals listed in above stated notice.

I moved to the Baker area 25 years ago to be back in a country setting and away from the crime, sirens, squealing tires and gun shots. Knowing well they were not for a good purpose. The sounds of a crowing rooster or grunting pig or bleating goat or calves being weaned are sounds of life and a good life. I understand that the reason or one of the reasons ultimately for this application was a noise issue. Handled in a city manner, which has no bearing here I guess.

Anyway I fully support granting the application for a zoning Variance to the Ferguson's.


 Clare Sorenson

received
 1/7-2019

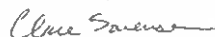
White Pine County Commission
 501 Mill Street
 Ely, NV 89301

RE: Proposed Application for a Variance

Dear Sirs and Madams,

As pertaining to the proposed Application for Variance at the property of Homer Dee and Kristy K Ferguson, as a resident of the town of Baker and Snake Valley, for the past 24 plus years, I am in favor of granting this request for a variance, concerning the desire to raise farm animals. Given the amount of property, in a small town, for such a purpose - I find no reasonable argument against the request. Thank you.

Sincerely,



Joyce Brown
PO Box 83
Baker Nevada 89311

2018 DEC 31 AM 10:37

White Pine County Building & Planning Department
White Pine County Clerk
801 Clark Street, Suite #4
Ely, Nevada 89301

December 24, 2018

Dear White Pine County Commission

I am writing to strongly oppose and express my concern about the many adverse impacts a proposed variance to raise animals on property currently zoned C3 will generate. This proposed property is located at 220 West Elko Street and 50 Etchebaren Avenue, block 16, lots 4, 5, 6, 10, 11, & 12, Baker, Nevada up for the committee hearing on January 9, 2019.

1. It is my understanding the primary purpose of zoning is to segregate uses that are incompatible, to develop some conformity, and preserve property values.

a. My concern is that raising fowl, pigs, cows, goats and rabbits on block 16 is not compatible or consistent with the surrounding public gathering establishments. Within very close proximity are the following: Baker Town Hall, Snake Valley Community Center, Baker Elementary School, Baker Community Church, a private residence and potential future businesses. Approving this variance will not enhance present day structures, businesses, or add to the consistency of present day emphasis on tourism.

b. Coops, cages, pens and animal waste are completely out of the sync with the current neighboring properties and as the obvious eyesores that they would be they could potentially bring down values of all the surrounding properties.

2. The proposed variance would be unable to meet the minimum requirements necessary to raise farm animals as mandated in RE-43 or RE-21, 17.22.020. Uses: "Animal raising as an incidental use as follows; no animals less than 1/2 acre, and 1/2 acre for each of the following: 1 cow, 2 horses, 2 goats, 2 sheep and 100 fowl."

a. My concern is that under these standards it would require more than four, 50x100 foot lots designated to raising animals humanly and in accordance with the established minimum requirements. Currently the Fergusons have 6 such lots, but those lots are already substantially occupied, leaving the required half acre unavailable.

b. This lack of adequate space on the proposed site is not conducive to meeting the minimum required distances from dwellings currently on site, other structures, operating businesses, and to allow proper setbacks from neighboring property lines, parcel # 51-166-04 and # 51-166-03.

c. One of the standards by which an application for a conditional use is granted is the hardship on the land the proposed new use would have. Current use on parcel # 005-166-05 and parcel # 005-166-06 includes: an established residence, Ferguson's Welding and Machine

business, heavy equipment storage, numerous personal and customer vehicles, personal recreational vehicles, and finally Ferguson's firewood operation. Introducing farm animals on this site would manufacture more stress and hardship on this over used proposed site.

3. As a person who stands to suffer an undeniable negative impact on the reasonable use and enjoyment of my own property, this proposed variance interferes with my property rights.

a. The proposed animals generate high levels of noise. It has been my personal experience living next to the Fergusons' attempt at raising chickens, that roosters crow throughout the day; up to hundreds of times and it can start anywhere from 2a.m. to 6a.m. making it impossible to sleep, to open windows or to sit outside until the crowing stops. The Fergusons had approximately 25 hens and it was also my experience that having so many hens created a substantial racket as well.

b. I am concerned that the decision to raise chickens and roosters becomes more important than a humans right to have "quiet enjoyment" on their own property or when attending community meetings, church and school activities.

4. Upholding and maintaining established nuisance laws is not compatible with raising farm animals in a commercial district.

a. Raising animals generates unreasonable levels of noise, noxious smells, pollution, and can cause potential health risks to the public.

b. Raising animals attracts rodents, skunks, and predators endangering the animals they are trying to raise as well as neighborhood children and pets.

c. Finally, the potential of a slaughterhouse and the prospect of poor sanitation. Monitoring and maintaining a mitigation plan for waste removal would be necessary and costly to the county if the variance is granted.

As a neighbor to the proposed site, and as a property owner, citizen and voter in White Pine County, I urge the planning committee to decline the requested zoning variance. Please support my rights as a homeowner for my pursuit of "Quiet Enjoyment". If the request is granted it will be offensive to quality of life and have negative impact on all surrounding properties.

Respectively

Joyce Brown
Joyce Brown

Enclosed: A plot map of the proposed site.



State of Nevada
County of White Pine

This instrument was acknowledged before me by Joyce Brown on 12/28/18.

Heather Brodson

received
Held late

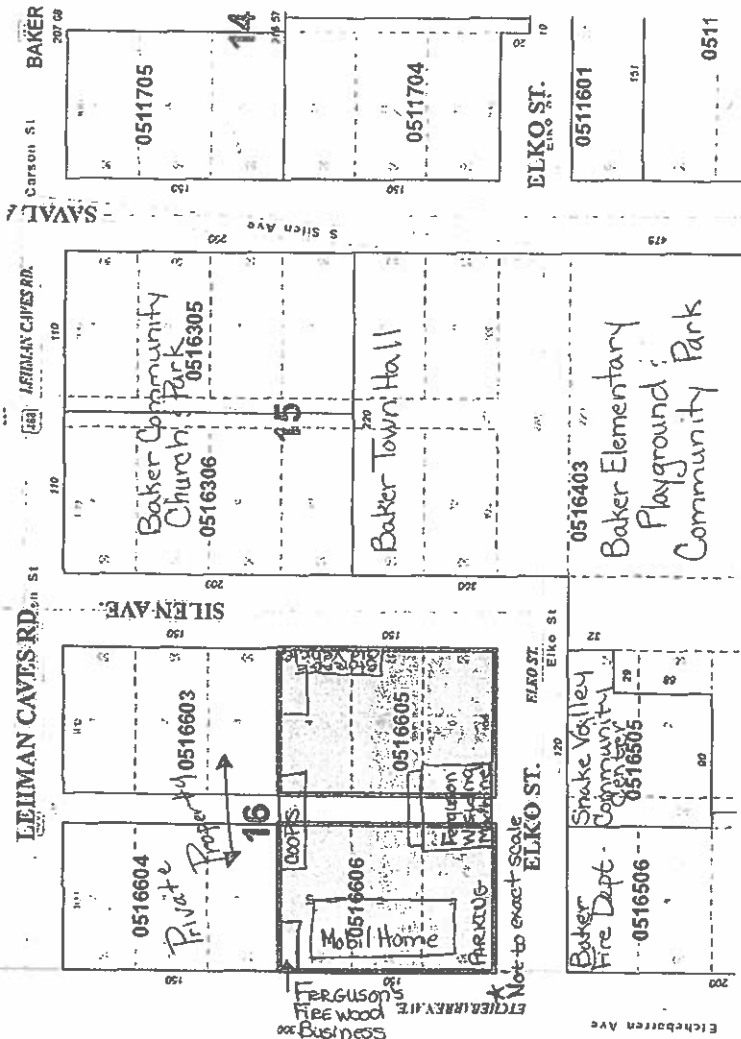
To Whomever it concerns,

In the Case of Homer Dee and Kristy Ferguson, I hear by believe that the allegation against them for possessing live stock on their property that is commercially zoned is ridiculous. The town of Baker has always possessed livestock of many kinds, and there has never been a problem until a city dweller (their neighbor) moved next door to them and created a problem. Yah the town of baker you hear chickens crowing, cows mooing, dogs barking, cats fighting and traffic driving by... There has never been an issue until THEIR NEIGHBOR moved in. I do not believe that the town of baker should have the same laws as a real city does, Baker is not a real city atmosphere, it's a ranching community... If the one and only person with the complaint, has a problem, maybe they should move away, cause nobody else in this town as an issue with livestock of sorts chickens, rabbits, etc. besides the Fergusons' NEIGHBOR... The bigger concern is the complaints from their NEIGHBOR. the road art displayed by the NEIGHBOR causes a bigger hazard by stopping traffic and causing dangers to the pedestrians, (School children) on hwy 488 then the livestock does to the community period.... I think this whole thing is bogus and I think that Homer Dee and Kristy Ferguson should be aloud to raise chickens on their property. It is a good thing for the community, it provides eggs to the community since we live so far away from stores, and nobody else in the community is bothered by the chickens or anything else. Homer Dee and Kristy Ferguson have been upstanding citizens in this community long before we even moved here 10 years ago. They are Helpful Honest good people. We do believe that they are being wronged. We are concerned Citizens of Baker, Nevada. Let the Fergusons have their chickens!

Sincerely,

The Andersons

Dave Anderson
Wynne Anderson



January 2, 2019

White Pine County Clerk
801 Clark Street - Suite #4
Ely NV 89301

Re: Application for a Variance for
Assessor Parcel Numbers 005-166-05 and 005-166-06
Located in Baker, Nevada

To Whom It May Concern,

I enjoy living in a rural community with a blend of housing, businesses and ranching; however, I am concerned that there is not enough room available for the well-being of farm animals on the property described above. Certainly the maintenance of farm animals - specifically, waste materials - would need to be clearly addressed so the farm animals would not become a public nuisance or potential health risk to neighboring residents and businesses.

Thank you for entering my comments into the record of this Public Hearing.



Margaret Pense
597 Page Avenue
Baker NV 89311

2019 JAN -7 AM 11:30

WHITE PINE COUNTY CLERK
BY DEPUTY

White Pine County Clerk
801 Clark Street
Ste. #4
Ely, Nevada 89301

2019 JAN -7 AM 11:30

WHITE PINE COUNTY CLERK
BY DEPUTY

To Whom It May Concern:

I just received a notice for a Public Hearing to be held January 9, 2019 to consider a proposed Application for a Variance. The applicants Homer Dee and Kristy K. Ferguson wish to raise what I would consider a small zoo and I live right across the street from them. While I love animals I think this would represent some major problems to the Town of Baker which is where this is being considered. We are talking about a very very small area for all these animals in question, which of course would not be fair to them, as well as all the noise from the animals, all the smells and what about all the waste, such as manure, etc.. Besides the fact that it would change the entire dynamic of the town. I, for one am vehemently against this variance being granted.

If you need to ask me any other questions pertaining to this matter please feel free to contact me.

Linze Cerese
140 S. Page Avenue
Baker, Nevada
89311

Sincerely,

Linze Cerese

P. Dore
PO Box 145
Baker, NV 89311,

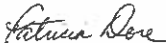
December 30, 2018

White Pine County Clerk
801 Clark Street, Ste #4
Ely, NV 89301

RE: Public Hearing on January 9, 2019 at 10:30 am re Parcel Numbers 005-166-05 and 005-166-06 in Baker, Nevada

Without wishing to upset or disappoint anyone, thank you for appreciating that property in a town or village is not suitable for the raising of fowl, pigs, cows and goats.

Respectfully,



Patricia Dore
PO Box 145
Baker, Nevada 89311

FILED

2019 JAN 11 10:30 AM

WHITE PINE COUNTY CLERK

BY DEPUTY

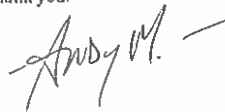
Andy Monaco
440 Page Ave.
Baker, Nevada
89311
1-2-19

To whom It may concern,

My name is Andy Monaco and am a property and homeowner in Baker. It has come to my understanding that Dee Ferguson has applied for a variance in the zoning for his property. I have met Dee and found him to be a fine person and a long time asset to the community. I do however, object to granting a variance for the following reasons:

1. The idea is sound and a good one, but the location is just plain wrong.
2. Allowing livestock in one area will open a Pandora's box and set a precedent that will potentially change the 'residential' qualities of our neighborhood forever.

Thank you.



Andy Monaco

Keith Preszler
PO Box 152
Baker, Nevada 89311

FILED
2019 JAN -7 AM 11:36

As the County Clerk
WHITE PINE COUNTY CLERK
BY _____
DEPUTY

White Pine County Commission
White Pine Building and Planning Department
801 Clark Street, Ste. #4
Ely, Nevada 89301

Concerning the January 9th Commission meeting and specifically the Application for a
Variance by Homer Dee and Kristy K. Ferguson.

Greetings

A town brings people and their varied interests into close contact and that's exactly why zoning codes exist. Some of the most obvious problems concern animals and it's no accident that the codes spell out just what kind of animals, and how many of them, can be raised. Without those codes certain activities can destroy a neighbor's quality of life and devalue their property.

In the case of chickens, the most immediate problem and the most difficult to alleviate, is noise. I am a close friend of the Ferguson's neighbor and have spent a considerable amount of time on that property, even house sitting when my friend is out of town.

This summer the Fergusons kept approximately 25 chickens and 3 roosters. The amount of noise those roosters made could have driven the mildest person insane. Roosters wake long before sunrise. 4 a.m. means nothing to a rooster, but it means a whole lot to a person trying to get a good night's rest. When staying on my friend's property there wasn't a morning that I didn't wake wishing those roosters a quick and certain death.

Giving up on sleep and getting up didn't solve the problem. Roosters crow, not just during the night and the predawn hours, but throughout the day. Even hens, while not nearly so noisy as roosters, can work themselves into a frenzy of noise and 25 hens make entirely too much noise.

This perfectly illustrates why zoning codes are necessary. To suppose that the happiness of raising a rooster and 25 hens should take precedence over a neighbor's right to a good night's sleep and a day free of noise, is ridiculous. When a rooster wants to wake up is his prerogative, but to consider that everyone else should wake with him is so far beyond common courtesy that it bewilders comprehension.

When living in a town there comes into play an obligation to consider your neighbors. There is no way to keep the noise from a large flock of chickens and one or more roosters, from flying right over a property line. Only distance could mitigate so much noise and, in this case, there is simply not enough available space to effect that mitigation.

When friends stopped by it wasn't at all unusual for them to ask: Doesn't that noise drive you crazy? And of course it did, but what could be done? Without the least bit of prompting, a visiting 10 year old once announced that the noise of those chickens was "obnoxious."

Eventually the 3 roosters were too much to take and sheriff's officers were called to help find peace. 2 roosters disappeared, but the remaining one very quickly proved that even one rooster could continue to ruin a person's sleep and totally destroy the peace and quiet of a day.

A letter was eventually sent asking the county to provide some advice, particularly as to whether the zoning codes allowed a rooster and 25 chickens within town. No response was ever received, but one day all the birds disappeared and a curtain of silence descended upon the world. No more crowing, no more clucking. It was wonderful, and remains wonderful, but now a variance is being requested that would allow even more chickens, plus other farm animals. If it takes only a minute for a 10 year old to decide that chickens and roosters are obnoxiously noisy, then I would hope that reasonable adults will see that existing codes wisely preclude raising chickens and farm animals within a town.

Thank you

Keith Preszler

1/2/2019

James A. Keesler, Trustee
2920 Cochise Court
Park City, UT 84060
(801) 712-5568

FILED
2019 JAN -8 AM 9:34
As the County Clerk
WHITE PINE COUNTY CLERK
BY _____
DEPUTY

January 2, 2019

To whom it may concern,

This letter is in response to the proposed application to rezone the Ferguson property. Changing the zoning by allowing a livestock farm would be a mistake. It would adversely affect the surrounding properties, including ours and the town of Baker as a whole. This type of piecemeal zoning has occurred in other towns, which are no longer a nice place to live, or to visit. In contrast, smart and conscientious development will allow Baker to evolve into a primary destination for White Pine County, and provide residents with a comfortable and prosperous lifestyle.

Great Basin National Park is growing in popularity, and the increased visitor numbers are a trend that will continue. Increased visitation allows existing businesses to be more successful and provides the economic impetus for new ones to develop. Many of these new businesses will cater to tourism, and support long term residents, similar to other towns that are in close proximity to National Parks. For example, our family purchased the property at 410 W. Elko Street, one block from the Ferguson property, with the intention to develop. We are considering lodging and retail. This type of development will create new business opportunities, jobs, short and long term housing and a new source of tax revenue for White Pine County.

A livestock farm (with the associated smells, sounds and sights) in the commercial highway zone would hinder our ability to be successful and it will diminish property values across town. The proposed livestock farm also would not be in harmony with the existing businesses and residences of Baker. The Ferguson application should be denied, maintaining the integrity and future growth of Baker's highway commercial zone.

2019 JAN -7 AM 11:30

As the County Clerk
WHITE PINE COUNTY CLERK
BY _____
DEPUTY

White Pine County Clerk
801 Clark Street, suite 4
Ely NV 89301

Katherine Claeys & Kris Jacob Cerese
115 South Baker Avenue
Baker NV 89311
Phone (775) 234-7323

January 4, 2019

To the White Pine County Commission,
regarding variance application for Assessor Parcels 005-166-05 and 005-166-06.

We are full-time residents of Baker and business owners here. We respect our neighbors and enjoy living peacefully in an area that mixes residential, small-scale commercial, and community buildings, such as Baker School and Baker Hall. However, we believe that livestock do not belong in that mix.

We are concerned that the sounds and smells will have a negative impact on our business. We have motel rooms just one block away and know that our guests would not appreciate farmyard odors or early-morning wake-up calls from fowl or goats.

I, Katherine, grew up on a 7-acre farm; it took that much space to successfully graze a few cows and sheep. The lots listed in this application, totaling approximately .7 acres, seem much too small to provide a humane environment for most of the proposed animals.

For these reasons we oppose the variance application. If the Fergusons wish to raise livestock, we believe that would best be pursued outside of Baker's residential and commercial center.

Yours respectfully,

Katherine Claeys & Kris Jacob Cerese
Owners of Stargazer Inn & Kerouac's
Owners of Baker parcels 05-116-01, 05-114-03, 05-114-04, 05-154-03, 05-154-06

From: Rowena Leonard <roerex@att.net>
Sent: Monday, January 07, 2019 10:47 AM
To: White Pine County Clerk
Subject: Letter of protest for a variance request for Fergusons

To White Pine County Commission

We would like to express our concerns for the Variance on the Fergusons property in Baker NV. Our concern is that it would set a precedent for other properties to do the same and there is not room on people's property for lots of animals. The Ferguson property is behind the Baker town Hall and across the street from the Community center and would cause an odor, noise and potential for disease. It is also close to our School and the Baker Hall is used for many school functions and also there are neighbors on all sides that it would adversely effect.

Thank you for your careful consideration.

Baker Homeowner and Resident

2019 JAN -7 PM 11:44
WHITE PINE COUNTY CLERK

11:30 A.M. – ADVISORY BOARD INTERVIEWS

DISCUSSION/ACTION/POSSIBLE INTERVIEWS OF AND DISCUSSION WITH THE FOLLOWING APPLICANTS RE: THEIR QUALIFICATIONS, EXPERIENCE AND INTEREST IN SERVING ON THE AG DIST. 13/FAIR & RODEO BOARD, AND APPOINTMENT OF TWO OF THE CANDIDATES TO FILL TWO EXPIRED SEATS

- GAYLE BARTLETT SEEKING REAPPOINTMENT TO HER SEAT
- SHAWN BELLANDER IS SEEKING REAPPOINTMENT TO HIS SEAT
- PETE MANGUM
- DANIELLE FOLEY

WPC Clerk Nichole Baldwin cited the letters of recommendation from the Ag.District 13/Fair & Rodeo Advisory Board in the backup materials. At this point, Ms. Danielle Foley was invited to approach the Board; she thanked the Board for the opportunity to be interviewed. She listed her qualifications: She has a degree in Animal Science, and is experienced in Husbandry, Race Track Management, and Human Relations. She also has education and personal experience in budgeting in this particular field. Her personal experience includes the English style of riding, which she explained to the Board. She's also gotten more into barrel racing, sorting and roping. Her overall intent for applying is that she sees the potential of what the community can offer at the Fairgrounds, and what she can bring with her ideas to help promote, such as holding training clinics, etc. She added that Northern Nevada Equestrian Sports are also interested in coming here to host their events. She envisioned more financial revenue coming in, not just for their advisory board or the County Fair, but for the entire community. She added she's a huge advocate of sponsoring competitions. She thanked the Board.

Mr. Pete Mangum approached the Board, noting he's been in this community for 40+ years, 33 of which he was the 4-H Director. He has also spent 14 years on the School District Board of Trustees. He added that he has no desire to replace anyone that's doing a good job, he simply has the time, abilities, and desire to serve.

District Attorney Mike Wheable asked Clerk Baldwin if all the applicants received invitations to attend today's meeting; they had. Chairman Richard Howe asked for comments from the Board; there were none. Chairman Howe entertained a motion for selection. Commissioner Travis Godon made a motion to appoint both Ms. Foley and Mr. Mangum to serve on the Ag. District 13/Fair & Rodeo Advisory Board. Commissioner Ian Bullis seconded. Chairman Howe recognized the requests for reappointment, noting that both Ms. Gayle Bartlett and Mr. Shawn Bellander have served well on this advisory board for many years. Motion carried.

11:45 A.M. – ADVISORY BOARD INTERVIEWS

DISCUSSION/ACTION/POSSIBLE INTERVIEWS OF AND DISCUSSION WITH THE FOLLOWING APPLICANTS RE: THEIR QUALIFICATIONS, EXPERIENCE AND INTEREST IN SERVING ON THE MCGILL TOWN COUNCIL, AND APPOINTMENT OF TWO OF THE CANDIDATES TO FILL ONE EXPIRED SEAT AND ONE VACANT SEAT

- ANDY McVICARS IS SEEKING REAPPOINTMENT TO HIS EXPIRED SEAT
- LINDA CHRISTINE MAESTES
- DANIELLE JENSEN

Clerk Baldwin advised of the reappointment request from Mr. McVicars and the requests from Ms. Maestes and Ms. Jensen to serve on the McGill Town Council.

Ms. Danielle Jensen advised she's been a McGill resident for 21 years; she works at the WBR Hospital and also sits on the Quality Review Board there, where she is tasked with taking on patient complaints. While she has had no experience serving on town councils, she felt that along with the other board members she might hopefully make a difference in McGill. Commissioner Ian Bullis asked her why she wants to be on the McGill Town Council; her reply was just to help improve McGill and bring in some new ideas for businesses, help bring the community together, assist with events, and provide things for kids to do in McGill.

Chairman Richard Howe advised he is the town council's liaison and he's spoken to the members regarding both applicants. The members and the Secretary felt that Ms. Maestes would be preferred as she's been active for several months in the community. Following brief discussion, Chairman Howe entertained a motion to reappoint/appoint any of these candidates. Commissioner Ian Bullis made a motion to reappoint Mr. Andy McVicars to the McGill Town Council. Commissioner Travis Godon seconded. Motion carried. Chairman Howe entertained a motion for selection for the remaining seat on the town council. Commissioner Steve Stork made a motion to appoint Ms. Danielle Jensen. Motion died for lack of a second. Chairman Howe entertained a motion to select. Commissioner Ian Bullis made a motion to appoint Ms. Linda Christine Maestes to the McGill Town Council. Commissioner Travis Godon seconded. Motion carried.

ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS

ELECTED OFFICIALS

SHERIFF SCOTT HENRIOD

DISCUSSION/ACTION/APPROVAL TO APPLY TO POOL/PACT RISK MANAGEMENT EDUCATIONAL GRANT PROGRAM FOR SERGEANT NATHAN MINGO TO ATTEND A TRAINING CLASS IN LAS VEGAS, NV ENTITLED "JAIL/CORRECTION RISK MANAGEMENT, LIABILITY, LOSS CONTROL CONFERENCE" IN THE AMOUNT OF \$917.78

WPC Sheriff Scott Henriod advised that POOL/PACT offers educational grants; they are sponsoring the Risk Management Class as noted in the agenda item. Sheriff Henriod applied for the grant, noting all expenses involved for the officer to attend are paid for through the grant. Chairman Richard Howe entertained a motion to approve. Commissioner Travis Godon made a motion to apply to the POOL/PACT Risk Management Educational Grant Program for Sgt. Mingo to attend the class as requested. Commissioner Ian Bullis seconded. Motion carried.

NICHOLE BALDWIN, COUNTY CLERK

DISCUSSION/ACTION/APPROVAL TO REAPPOINT BRYANE GOERINGER TO THE TOURISM AND RECREATION BOARD REPRESENTING HOTEL OWNERS

WPC Clerk Nichole Baldwin advised that Mr. Bryane Goeringer submitted his letter to be reappointed, and noted he's the only person requesting his seat. Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to reappoint Mr. Bryane Goeringer to the Tourism & Recreation Board as requested. Commissioner Travis Godon seconded. Motion carried.

DISCUSSION/ACTION/POSSIBLE INTERVIEWS OF AND DISCUSSION WITH THE FOLLOWING APPLICANTS REGARDING THEIR QUALIFICATIONS, EXPERIENCE AND INTEREST IN SERVING ON THE TOURISM & RECREATION BOARD REPRESENTING LOCAL MOTEL OWNERS, AND APPOINTMENT OF ONE OF THE CANDIDATES TO FILL ONE EXPIRED SEAT

- MARIETTA HENRY IS SEEKING REAPPOINTMENT TO HER EXPIRED SEAT
- GEORGE CHACHAS

Commissioner Travis Godon disclosed that one of these applicants helped with his campaign to be a Commissioner, so he will not be voting on these.

Ms. Marietta Henry approached the Board and listed her work experience for the Board; she worked with IBM for 15 years and then the Hilton Hotels in Las Vegas for 10 years. Her current business is with the Magnuson Hotels. She continued that they purchased the Bristlecone Hotel 10 years ago and sold it just last year. She advised that the Tourism & Recreation Board has a strategic plan which provides guidance in accomplishing their goals; they've updated the Catering Policy; and they have a new Director, Mr. Kyle Horvath, who brings his vast experience in the industry. They communicate with lodging operators, utilize social media, and provide assistance as needed for community events. Ms. Henry noted she was appointed in January 2017, whereupon she met with most of the hotel/motel owners and brought their concerns forward to the Tourism & Recreation Board. She is hoping for positive consideration on the Commission's part in making their selection.

Mr. George Chachas advised he is a property owner, lived in White Pine County all his life, and did a good job while he served on the Tourism & Recreation Board. He noted that board gave out much funding through their Aid To Organizations; they dealt with over \$1 million in the past years but only gave out \$60,000 to the Aid To Organizations last year. He constantly goes before that board, and noted there have been some changes; he agreed that Mr. Horvath has been one of the positive ones. He is concerned about where the Tourism & Recreation Board's monies are being spent. He attends all their meetings, and stated there's no one who has a better track record than he does. He added there's already one family member on that board, and he urged someone should be placed on the board who actually owns property, not just manages it.

Chairman Richard Howe thanked both applicants for their interviews and entertained a motion to appoint. Commissioner Steve Stork made a motion to reappoint Ms. Marietta Henry as requested. Commissioner Ian Bullis seconded. Motion carried 3:0, with Commissioner Travis Godon abstaining.

DISCUSSION/ACTION/APPROVAL TO RESIGN BRIAN MORRISON FROM THE BAKER AREA CITIZENS ADVISORY BOARD PER THE CHAIRMAN'S REQUEST

WPC Clerk Nichole Baldwin cited the backup materials for this agenda item from BACAB Chairman Craig Baker. She advised they are requesting to officially remove Mr. Brian Morrison from their board for various reasons. Chairman Richard Howe entertained a motion to resign him as requested. Commissioner Steve Stork made a motion to resign Mr. Brian Morrison from BACAB per their Chairman's request. Commissioner Ian Bullis seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL TO FILL THE TWO VACANT SEATS ON BAKER AREA CITIZENS ADVISORY BOARD WITH DAVID KUIPER AND ELIZABETH WOOLSEY

Clerk Baldwin noted there are 2 vacancies on BACAB, and two people have submitted their applications for appointment. Chairman Richard Howe entertained a motion to approve. Commissioner Ian Bullis made a motion to appoint both Mr. David Kuiper and Ms. Elizabeth Woolsey to BACAB as requested. Commissioner Steve Stork seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL TO APPOINT WILLIAM BUTTS TO THE WATER ADVISORY COMMITTEE REPRESENTING DOMESTIC WELL USERS

Clerk Baldwin advised that about a month ago Mr. Butts submitted a letter of resignation to the Water Advisory Committee, but he was talked back into it, especially while the legislative session is going on. She added that he's also a member of CNRWA (Central Nevada Regional Water Authority), and "we want to keep him while we can." Chairman Richard Howe entertained a motion to approve. Commissioner Travis Godon made a motion to appoint Mr. William Butts to the Water Advisory Committee representing Domestic Well Users as requested. Commissioner Steve Stork seconded. Motion carried.

DISCUSSION/ACTION/RATIFICATION AND APPROVAL OF THE 2019 COUNTY COMMISSIONER LIAISON LIST

At this point in the meeting, Ms. Laurie Carson approached the Board and noted there is an incorrect liaison appointment on the back page of the Commission Liaison List; the error was corrected but it didn't make it to the list. She explained that ENLC (Eastern Nevada Landscape Coalition) isn't part of the normal liaisons, it was something she was asked to serve on, for which she was interviewed 5 years ago. She suggested removing ENLC from the list. Commissioner Travis Godon also cited the Basin & Range and BLM Land Sales would fall under PLUAC; as he is the liaison to those two boards, perhaps those issues shouldn't be separated out. District Attorney Mike Wheable felt this Board could do a motion to approve the List with those edits noted.

Chairman Richard Howe continued down the Liaison List, specifically noting the non-Commissioner liaison appointments. He cited that Public Works Director Bill Calderwood could be the SLUPAC liaison; Mr. William Butts could be the CNRWA liaison. Former Commissioner Gary Perea has also accepted membership on the CNRWA, it was noted. Regarding the Nevada Site Specific Board, that liaisonship could go to our Emergency Management Director, Mr. Carl Gregory; according to Chairman Howe, who had spoken with that board, we could appoint a non-Commissioner to represent White Pine County (they had just approved this yesterday at their meeting). He continued that Ms. Laurie Carson was a liaison to SLUPAC, which was part of the subcategories under SNPLMA, such as covering Park Trails and Natural Resources, which went to Director Calderwood. There was a brief discussion, though, during which it was confirmed that Ms. Carson is still the ENLRP liaison, she had just opted out of the SLUPAC appointment. Commissioner Travis Godon reported that a NACO representative had advised him regarding representing White Pine County; since we can't be "co-partners" as representatives, we could select a primary and a secondary instead. Commissioner Ian Bullis will be the primary, and Commissioner Travis Godon will be the secondary, meaning if one can't attend meetings the other will, and both will have voting privileges. Clerk Baldwin added that Commissioner Godon will also be the Library liaison. There was further clarification regarding CNRWA; Mr. Perea will be the At Large representative, and Commissioner Steve Stork will be the Commission representative; adding Mr. Butts, there will be three White Pine County representatives on that very important board. Chairman Richard Howe entertained a motion to ratify/approve the entire list. Commissioner Travis Godon made a motion to ratify/approve the entire Commission Liaison List with the additions/changes as discussed today. Commissioner Steve Stork seconded. Motion carried.

DEPARTMENT HEADS

LORI ROMERO, LIBRARY DIRECTOR

DISCUSSION/ACTION/APPROVAL TO ACCEPT LSTA GRANT IN THE AMOUNT OF \$421.00 FOR TRAVEL FOR NCLAB WORKSHOP TRAINING IN LAS VEGAS ON JANUARY 16, 2019 WITH A MATCH OF \$47.00 TO COME FROM FRIENDS OF THE LIBRARY

Library Director Lori Romero advised that enthusiasm is growing for the NCLab Workshop training; Ms. Lori Williams attended last year, and she will be going again next week. Chief Deputy Finance Director Elanie Calderwood noted that her travel will cost less than last year, and the match of \$47.00 will come from the Friends of the Library group. Following brief discussion, Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to accept the LSTA grant for \$421 for travel to the NCLab Workshop in Las Vegas with a match of \$47 coming from the Friends of the Library, as requested. Commissioner Travis Godon seconded. Motion carried.

TIMOTHY BUNCH, HUMAN RESOURCES DIRECTOR

DISCUSSION/ACTION/APPROVAL OF POOL/PACT GRANT AWARD (\$770.20) FOR HUMAN RESOURCES TRAINING WITH NO COUNTY MATCH – CLASSES TO BE HELD FEB. 2, 2019-FEB. 7, 2019 AND FEB. 20-21, 2019

Human Resources Director Timothy Bunch advised this is for his continued education for HR training. POOL/PACT approved a grant for him to attend this, with no match required. Chief Deputy Finance Director Elanie Calderwood confirmed that there are never any matching fees required for POOL/PACT's education grants. Commissioner Ian Bullis made a motion to approve the award for \$770.20 for HR training with no required match for HR Director Timothy Bunch as requested. Commissioner Steve Stork seconded. Motion carried.

ELIZABETH FRANCES, FINANCE DIRECTOR

DISCUSSION/ACTION/APPROVAL OF MONTHLY FINANCIAL REPORTS FOR NOVEMBER 2018

Chief Deputy Finance Director Calderwood asked if the Board had any questions on this, citing the backup for this in their packets. There were none. Chairman Richard Howe entertained a motion to approve. Commissioner Steve

Stork made a motion to approve the monthly financial reports for November 2018 as requested. Commissioner Ian Bullis seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF PROPOSED FY2020 BUDGET PREPARATION SCHEDULE

Chief Deputy Finance Director Calderwood cited the backup materials with this information, noting that the items in bold are dates we must abide by, why others are just meetings as noted. She continued that Finance Director Elizabeth Frances does this every year; we get our Budget Workbooks at the end of February, and in March the budget workshops are held. Chairman Richard Howe entertained a motion for approval. Commissioner Travis Godon made a motion to approve the proposed FY2020 budget preparation schedule as presented. Commissioner Steve Stork seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF THE FAMILY PLANNING SERVICE GRANT AMENDMENT #1 FROM THE NV. DEPT. OF HEALTH & HUMAN SERVICES, DIV. OF PUBLIC & BEHAVIORAL HEALTH GRANT DECREASING THE AMOUNT OF \$83,518.00 TO \$27,797.00

Chief Deputy Finance Director Calderwood noted this was the grant for our Public Health Nurse; the State initially wasn't going to supply us with a Nurse, but now we do have one for 2 years, the term of the grant. She advised that's why the amount has been decreased pursuant to our needs. She assured the Board that the reduction doesn't change what is being supplied to the community. Chairman Richard Howe entertained a motion to approve. Commissioner Ian Bullis made a motion to approve the Family Planning Service Grant Amendment #1, decreasing the amount from \$83,518 to \$27,797 as requested. Commissioner Travis Godon seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF 3% PAY INCREASE FOR TIMOTHY BUNCH, HUMAN RESOURCES DIRECTOR, FROM \$72,363.00 TO \$74,534.00 FOLLOWING SIX-MONTH PROBATIONARY PERIOD BRINGING HIM TO STEP 1 ON THE CURRENT EXEMPT EMPLOYEE PAY SCALE EFFECTIVE TO DECEMBER 11, 2018

District Attorney Mike Wheable asked the Commission to please refrain from commenting on Director Bunch's job performance, as that would require noticing for a Closed Session. Chief Deputy Finance Director Calderwood noted this isn't in the budget, so it would cost roughly \$1,654; if approved, a resolution would be forthcoming from the Contingency Fund. Commissioner Travis Godon asked if this was promised to Director Bunch when he signed on; Chairman Richard Howe explained that he wasn't given a pay raise when he was hired but this would be revisited in 6 months, and that was anticipated upon his hiring, which D.A. Wheable confirmed. Commissioner Travis Godon made a motion to approve the 3% pay increase for HR Director Timothy Bunch from \$72,363 to \$74,534 as requested. Commissioner Ian Bullis seconded. Motion carried.

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

District Attorney Mike Wheable advised that if anything needs to be addressed specifically it may be pulled, otherwise a motion could be made to approve as is. Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to approve the Consent Agenda as presented. Commissioner Travis Godon seconded. Motion carried.

NOTICE OF UNTIMED ITEMS

DISCUSSION/ACTION/APPROVAL TO CLOSE SR 318 ON SUNDAY, MAY 19, 2019 AND SUNDAY, SEPTEMBER 15, 2019 FOR THE SILVER STATE CLASSIC CHALLENGE

Silver State Classic Challenge representative Bunny Hill is here today requesting support from the Commission on these road closures. District Attorney Mike Wheable pointed out this is just a temporary closure; Ms. Hill agreed, clarifying it's roughly from 5:00 AM to 4:00 PM daily. Chairman Richard Howe entertained a motion to approve. Commissioner Travis Godon made a motion to approve closure of SR 318 on Sunday, May 19 and Sunday, September 15, for the Silver State Classic Challenge as requested. Commissioner Ian Bullis seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL TO CLOSE HIGHWAY 490 FOR APPROXIMATELY 5 HOURS ON FRIDAY, MAY 17, 2019; SATURDAY, MAY 18, 2019; FRIDAY, SEPTEMBER 13, 2019; AND SATURDAY, SEPTEMBER 14, 2019 FOR THE SHOOTOUT CHALLENGE

Representative Bunny Hill is asking the Board to also support this event. She explained that it's being requested for two days in May and September, in case one day is rained out. Chairman Richard Howe entertained a motion to close Highway 490 for roughly 5 hours on Friday and Saturday May 17 & 18, and roughly 5 hours on Friday and Saturday September 13 & 14 for the Shootout Challenge, as requested. Commissioner Steve Stork seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF THE PROCLAMATION TO DECLARE JANUARY 2019 AS NATIONAL RADON ACTION MONTH IN WHITE PINE COUNTY

WPC Clerk Nichole Baldwin cited an email she received from the UNR Cooperative Extension Office regarding this Proclamation, which she noted is done annually. Following brief discussion, Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to approve the Proclamation to declare January 2019 as National Radon Action Month in White Pine County. Commissioner Travis Godon seconded. Motion carried.

Richard Howe, Chairman
Travis Godon, Vice Chairman
Commissioner Shane Bybee
Commissioner Steven M. Stork
Commissioner Ian Bullis

Nichole Baldwin, Et-officio, Clerk of the Board

White Pine County
Board of County Commissioners

801 Clark Street, Suite 4
Ely, Nevada 89301
(775) 293-5509
Fax (775) 269-2544

WPClerk@whitepinecounty.nv.gov

**A PROCLAMATION DECLARING JANUARY 2019 AS
"NATIONAL RADON ACTION MONTH IN WHITE PINE COUNTY, NEVADA"**

WHEREAS, many White Pine County residents don't know about radon, yet need to know, for the safety and health of their families, as radon is a colorless, odorless, naturally occurring radioactive gas that is the primary cause of lung cancer among nonsmokers, the second leading cause of lung cancer for smokers; and

WHEREAS, the U.S. EPA estimates 21,000 people in the U.S. die each year from lung cancer caused by indoor radon exposure, and lung and bronchus cancer kills more people in a year than any other cancer; and

WHEREAS, radon kills more people than secondhand smoke, drunk driving and home fires combined; and

WHEREAS, any home in White Pine County may have elevated levels of radon, even if neighboring homes do not, and living in a home with an average radon level of 4 picocuries per liter of air poses a similar risk of developing lung cancer as smoking half a pack of cigarettes a day; and

WHEREAS, testing is the only way to know if a home has an elevated radon level, and testing is easy and inexpensive, and when identified, homes can be fixed; and

WHEREAS, University of Nevada Cooperative Extension, the Nevada Division of Public and Behavioral Health, and the U.S. Environmental Protection Agency support efforts to encourage all White Pine County residents to test their homes for radon, mitigate elevated levels of radon, and have new homes built with radon-reducing materials and features.

NOW, THEREFORE, We, the White Pine County Board of Commissioners, do hereby proclaim January 2019 as

"NATIONAL RADON ACTION MONTH"
In White Pine County, Nevada

ADOPTED this 9th day of January, 2019

(Signature and Seal of Official)


Commission Chairman

DISCUSSION/ACTION/APPROVAL OF MINUTES FROM THE FOLLOWING COUNTY COMMISSION MEETINGS:

- November 28, 2018
- December 12, 2018
- Special Joint Meeting December 12, 2018

There was a brief discussion with District Attorney Mike Wheable regarding approval of these sets of minutes due to lack of a quorum plus having two new Commissioners who weren't present during those meetings. Therefore, Chairman Richard Howe entertained a motion to table per legal recommendation. Commissioner Steve Stork made a motion to table the November 28, 2018; December 12, 2018; and Special Joint Meeting December 12, 2018 minutes. Commissioner Travis Godon seconded. Motion carried.

PUBLIC COMMENT

Mr. Bob Clayton advised that, with respect to the Silver State Trail, the concept of delegation of the trail system came up during the legislation session. He noted that once delegation is done, "the Feds will own it." Therefore, if any repairs or maintenance need to be done on the trail, a Federal agency would have to be contacted to get it done. He felt this would be a bad idea, and recalled that was one of the negative issues in 2006 when the Silver State Trail was first proposed to be in White Pine County. He thanked the Board for the opportunity to comment.

Human Resources Director Timothy Bunch requested that in future instances, compensation be kept consistent in the County process. During his hiring there were comments/questions as to where the Board would be on the Step process, so he was asked to wait 6 months before he was re-evaluated. A 3% cost-of-living increase was done for all County employees during that period; he noted; he was fine with the decision to have his pay revisited after the 6 months' probationary period. He wants to know if we would start employees at Step 1 and then revisit in 6 months, or just give them a cost-of-living increase? Commissioner Steve Stork felt that was a good point, agreeing there is inconsistency. District Attorney Mike Wheable noted this will be placed on the next agenda.

ADJOURNMENT

At 12:18 p.m., Chairman Richard Howe entertained a motion to adjourn. Commissioner Steve Stork made the motion; Commissioner Travis Godon seconded. Motion carried.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF WHITE PINE
STATE OF NEVADA

BY:



CHAIRMAN

ATTEST:


WPC CLERK OF THE BOARD