

IN A REGULAR MEETING OF THE WHITE PINE COUNTY COMMISSION HELD ON JANUARY 10, 2018 IN THE COUNTY LIBRARY CONFERENCE ROOM IN ELY, NEVADA

The Following Were Present:

County Commission

- Richard Howe, Chairman
- Steve Stork, Vice-Chairman
- Shane Bybee, Commissioner
- Carol McKenzie, Commissioner
- Gary Perea, Commissioner
- Nichole Baldwin, Clerk of the Board
- Susan Lujan, Deputy Clerk

County Officials

- Jennifer Farnworth, IT Specialist
- Lance Gale, Airport Manager
- Tim Woolever, WPC Fire District Chief
- Bill Calderwood, Public Works Director
- Scott Henriod, WPC Sheriff
- Mike Wheable, District Attorney
- Elizabeth Frances, Finance Director
- Kathy Ricci, Human Resources Director
- Lori Romero, Library/Sr. Center Program Admin.
- Shonna Sampson, District Attorney's Office
- McKenzie Peterson, Deputy District Attorney

Also Present

- Geri Wopschall
- Sev Carlson, Kaemper Crowell
- Brandon Whipple, CORE Construction
- John Sanders III, CORE Construction
- George Chachas, KGTV-10
- Donna Bath, Senator Dean Heller
- Caroline McIntosh
- Penny Jo Robison
- Bunny Hill, SSCC

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

PUBLIC COMMENT

Mr. George Chachas had some concerns about two agenda items for today's meeting. The first was regarding RFQs for architectural services for the new Jail/Courthouse facility. He cited the parking problems on Campton Street and felt the location of the new facility would pose worse problems, given its central location and focal point of the High School, fast food places, etc. He would like to see an overhead walkway for pedestrian traffic put in there. The second concerned the tax override for the Senior Center; he felt that while the seniors recently were awarded an increase in their social security, now they could be seeing an increase in their taxes. He next complained about the Commission supporting the Chamber of Commerce. He advised that the Chamber of Commerce received a monetary boost from the Tourism & Recreation Board; however, he noted that if a business isn't a member of the Chamber of Commerce they won't receive such benefits. He felt the Commission needs to "cut them off," in that the County can't promote any private club, which he alleged the Tourism & Recreation Board is. Time was called on Mr. Chachas.

NOTICE OF TIMED AGENDA ITEMS

9:05 A.M. – COUNTY COMMISSION APPOINTMENTS

DISCUSSION/ACTION/SELECTION OF COUNTY COMMISSION CHAIRMAN FOR 2018

Chairman Richard Howe asked for comments from the Board; he noted that he's served for 1 year as Commission Chairman, and felt he did a good job. He would like to serve for another year as Commission Chairman. He asked if someone else wished to serve, and opened the floor for motions. Commissioner Gary Perea brought up a concern with Chairman Howe's health issues, and if he would be okay to continue forward as Chairman. Chairman Howe replied that his health is fine, and that he apologized for his temporary leave during

the last Commission meeting. Commissioner Steve Stork made a motion to appoint Commissioner Richard Howe as County Commission Chairman for 2018. Commissioner Shane Bybee seconded. Motion carried.

#### DISCUSSION/ACTION/SELECTION OF COUNTY COMMISSION VICE-CHAIRMAN FOR 2018

Commissioner Steve Stork made a motion to appoint Commissioner Shane Bybee as Vice-Chairman for 2018. Chairman Richard Howe commented he was impressed with Commissioner Stork's ability to serve in that capacity last year. Commissioner Gary Perea seconded. Commissioner Shane Bybee was asked if he would accept the appointment; he replied in the affirmative. Motion carried.

#### DISCUSSION/ACTION/APPROVAL OF COUNTY COMMISSION LIAISON APPOINTMENTS FOR 2018

Chairman Richard Howe cited the list in the backup materials and asked for comments from the Board. During the discussion, Commissioner Gary Perea wished to caution the Board that for any meeting there would not be 3 Commissioners attending (i.e., 1 as a liaison + 2 as members/alternates), since that would be a violation of the OML. The changes as discussed and agreed to by the Board are: 1) Richard Howe will be the liaison to the Nevada Site Specific Advisory Board instead of Carol McKenzie. 2) Gary Perea will be the Alternate for NACO and Steve Stork will be the liaison. 3) Gary Perea will continue to be the liaison for PLUAC if the Sage Grouse element is pulled from that liaisonship, and Steve Stork will be the alternate. 4) Steve Stork will be the liaison for the Tourism & Recreation Board instead of Shane Bybee. Commissioner Carol McKenzie advised that as soon as the City is ready, the Planning Commission can be brought back. Chairman Richard Howe asked if they should appoint a liaison to the Fire District, or leave it as is, which is the full Fire Commission membership; Commissioner McKenzie felt it would be easier for our Fire District Chief if he had one specific person to talk to rather than trying to contact everyone, and it was noted the OML could also come into play in that regard. It was the consensus of the Board to leave the Fire District as is, and WPC Fire District Chief Tim Woolever was advised that he can talk to 2 Commissioners about any concerns, just not 3 of them. Chairman Howe noted that Ms. Laurie Carson had volunteered to serve as liaison to SLUPAC and to the ENLRP; he felt she would be willing to continue in that capacity. Commissioner Gary Perea made a motion to approve the liaison appointments as discussed. Commissioner Shane Bybee seconded. Motion carried.

At this time, Chairman Richard Howe recessed the regular County Commission meeting and opened the White Pine County Fire Commission meeting. Chairman Richard Howe adjourned the meeting of the White Pine County Fire Commission and reconvened the regular County Commission meeting.

#### 9:30 A.M. – ORDINANCES, FIRST READINGS, PUBLIC HEARINGS, BID OPENINGS, DECISIONS

##### PUBLIC HEARING

THE WHITE PINE COUNTY COMMISSIONERS WILL TAKE PUBLIC COMMENT ON ORDINANCE 476, BILL NO. 08.09.2017, AN ORDINANCE ADDING CHAPTER 4, SECTION 2 REGULATING THE NUMBER OF SLOT MACHINES, GAMES, GAMING DEVICES, RACE BOOKS OR SPORTS POOLS THAT ARE OPERATED AND PLAYED FOR VALUE WITHIN THE COUNTY

Commissioner Gary Perea disclosed he has a non-restricted gaming license; Commissioner Steve Stork disclosed he has 2 restricted gaming licenses; and Commissioner Shane Bybee disclosed that he has a non-restricted gaming license. These Commissioners therefore will not be taking part in any discussion of this agenda item. Chairman Richard Howe asked for public comment; Mr. Sev Carlson, Attorney at Kaempfer Crowell and representing Nevada Restaurant Services, cited his letter that was emailed to the Board last night. He requested the letter be made part of the record; this was duly noted. Mr. Carlson advised they remain opposed to this Ordinance, and cited NRS 463.0129 which sets gaming regulations, with one section in particular to ensure gaming is done honestly, competitively, and free of corruption. He felt the Board should consider that the Nevada Resort Association represents big gaming, and there's no White Pine County member sitting on that board. He added that the Nevada Restaurant Services owns a casino in McLaughlin, Nevada, and they were not granted membership in the NRA. He asked if this Ordinance accomplishes the regulations we're looking for; he

didn't think so, in his opinion. He continued that if the County feels they need to regulate gaming, they should look to the County Business License, and to our County Zoning. He thanked the Board for the opportunity to comment.

Mr. George Chachas felt it is imperative that we include the number of rooms in this Ordinance. We need to broaden our tax base, which is his main concern; he wondered if we're prohibiting competition? The population of the City of Ely is down to just 4,000 people, he noted. Bringing in a facility here would mean more employment, room taxes, property taxes, etc.; part of those are from the rooms, he noted, and added that we need to expand our tax base: "We need the investment in this community!"

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January 9, 2018

Via Facsimile (775)289-2544 and Email (wpclerk@whitepinecountynv.gov)

The Hon. Richard Howe, Chair  
The Hon. Steven Stork, Vice Chair  
The Hon. Gary Perea, Commissioner  
The Hon. Carol McKenzie, Commissioner  
The Hon. Shane Bybee, Commissioner  
WHITE PINE COUNTY COMMISSION  
801 Clark Street, Suite 4  
Ely, NV 89301

Re: Proposed Ordinance 476, Bill No. 08.09.2017 (Hotel Room Requirement for Nonrestricted Gaming Establishments)

Dear Mr. Chairman and Commissioners:

As you know, this Firm represents Nevada Restaurant Services, Inc. ("NRSI"). Our office has previously sent you two letters dated December 1, 2017 and December 19, 2017 in opposition to the above referenced ordinance and in advance of your December 6 and December 20 meetings, respectively. For the reasons stated below and in our previous letters, despite the modification to the proposed ordinance, reducing the room requirement from 50 rooms to 30 rooms, NRSI remains opposed to the adoption of the ordinance. For ease of reference, copies of our prior letters are enclosed.

At your December 20, 2017 meeting, there was public comment received as to the perceived "importance" of the room ordinance in ensuring that there is an economic benefit to the County and that business generated in the County stays in the County. This simply is not correct. Merely adopting a room ordinance does not create economic development in the jurisdiction where the room ordinance is adopted. To the contrary, adopting a room ordinance to accompany another business, such as non-restricted gaming, actually chills any chance of economic development in the County by non-restricted gaming operators, who would otherwise be contributing to the economic health of the County.

White Pine County, like much of the state and country, could benefit from new businesses and new jobs. NRSI estimates that it would invest between \$2,500,000 and \$6,000,000 to construct a non-restricted gaming location without rooms. And, depending on the size of the location, NRSI estimates that it will employ 15 to 60 people at their new location in the County, paying its employees good wages and providing benefits. This is money expended that would stay in the County – purchasing construction materials and paying for wages to local construction workers during the construction phase, and continuing wages and benefits for

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CROWELL**

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NRSI's employees. NRSI would further contribute to the local economy by paying property taxes and utilizing and paying for utilities in the community once the business is ongoing. These are contributions to the local economy that would be realized with or without any hotel rooms whatsoever.

Furthermore, adopting this ordinance – with the goal of ensuring that all profits remain in the County – improperly and illegally limits commerce by attempting to make it impossible for any person or entity who does not reside in the County from engaging in business here in the County. This would have a tremendous chilling effect on the economy in the County, and is akin to adopting an ordinance that says only White Pine County residents may apply for business licenses in this County.

Finally, this room ordinance is not necessary to govern the entry of casinos into the area. Any casino that wishes to start a business in White Pine County must still obtain its state licensing from the Nevada Gaming Control Board and the Nevada Gaming Commission, as well as meet any and all local zoning and business licensing requirements. And, the County can adopt a less restrictive local ordinance to achieve this goal of governance and oversight; for example, requiring any casino to apply for and obtain a County gaming and/or business license.

We would urge the Commission not adopt the ordinance, even as amended, unless White Pine County wishes to forego the opportunity for millions of dollars of investment in the community, along with related permanent jobs.

Cordially,

KAEMPFER CROWELL



Severin A. Carlson

SA:adg  
Enclosure  
cc: Client

JANUARY 10, 2018

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**DISCUSSION/ACTION/APPROVAL OF ORDINANCE 476, BILL NO. 08.09.2017, AN ORDINANCE ADDING CHAPTER 4, SECTION 2 REGULATING THE NUMBER OF SLOT MACHINES, GAMES, GAMING DEVICES, RACE BOOKS OR SPORTS POOLS THAT ARE OPERATED AND PLAYED FOR VALUE WITHIN THE COUNTY**

Commissioner Gary Perea disclosed his non-restricted license; Commissioner Steve Stork disclosed his 2 restricted licenses; and Commissioner Shane Bybee disclosed his non-restricted license. Upon advice from District Attorney Mike Wheable, Chairman Richard Howe entertained a motion for approval. Commissioner Carol McKenzie noted that this has been discussed at length; she appreciates everyone's concerns, and doesn't believe this will cause a lot of problems in the City. As the number of rooms for this has been reduced down from 50 to 30, Commissioner Carol McKenzie made a motion to approve. Chairman Richard Howe seconded. Motion carried 2:0.

**PUBLIC HEARING**

**THE WHITE PINE COUNTY COMMISSIONERS WILL TAKE PUBLIC COMMENT ON ORDINANCE 481, BILL NO. 11.08.2017, AN ORDINANCE ADDING TITLE 3, CHAPTER 3, SECTION 60 CREATING A CENTRAL RECEIVING AND DISBURSING SYSTEM FOR COUNTY MONEY**

Finance Director Elizabeth Frances advised this is the cash handling that the Board has been discussing, and which process has now been prepared via this Ordinance. She added she would be happy to answer any questions; there were none. Chairman Richard Howe asked for public comment; there was none.

**DISCUSSION/ACTION/APPROVAL OF ORDINANCE 481, BILL NO. 11.08.2017, AN ORDINANCE ADDING TITLE 3, CHAPTER 3, SECTION 60 CREATING A CENTRAL RECEIVING AND DISBURSING SYSTEM FOR COUNTY MONEY**

Chairman Richard Howe asked if the Board had any comment; there was none. Chairman Howe entertained a motion for approval. Commissioner Steve Stork made a motion to approve Ordinance 481, Bill 11.08.2017, as presented. Commissioner Shane Bybee seconded. Motion carried.

At this time, Chairman Richard Howe recessed the regular County Commission meeting and relinquished the gavel to WPC Sheriff Scott Henriod, Chairman of the Liquor Board meeting. Subsequently, Chairman Scott Henriod adjourned the Liquor Board meeting and returned the gavel back to County Commission Chairman Richard Howe, who opened the Road Commission meeting. At 10:13 a.m., Chairman Richard Howe adjourned the Road Commission meeting and reconvened the regular Commission meeting. He then recessed the Commission meeting for a break; the meeting was reconvened at 10:22 a.m.

**ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS**

**ELECTED OFFICIALS**

**MIKE WHEABLE, DISTRICT ATTORNEY**

**DISCUSSION/ACTION/APPROVAL OF AN RFQ FOR ARCHITECTURAL SERVICES FOR THE JAIL EXPANSION/COURTHOUSE PROJECT**

District Attorney Mike Wheable provided handouts to the Board, "Formal Selection Process," on the CMAR Construction Project. He cited meetings that were recently held on this, and the consensus was to select an architect first. After that, the architect will help us put together an RFQ for a CMAR (Construction Manager At Risk) and assist us with the selection process. Once we hire a CMAR, we all work together on finishing the design, engineering drawings, and obtain realistic cost/value amounts. The CMAR works with the architect, he emphasized, and added that we've been doing the process backwards. We've been putting a figure out there and then see if we can entice a CMAR with that; however, we need to be doing it the other way around, as he explained to the Board. He is requesting approval of this RFQ and then it will be officially issued after hearing back from the USDA on this. He continued that several architects will apply, we select them, review the process with them and obtain an actual design of the facility. He added we're doing due diligence in all of this; the District Court Judges have also approved of this process. Finance Director Elizabeth Frances added that at this

point, we're asking for their qualifications, not pricing. In reply to a query from the Board, D.A. Wheable noted that if the USDA were to approve this today, the Statement of Qualifications would need to be submitted by mid-February. Chairman Richard Howe entertained a motion for approval. Commissioner Carol McKenzie made a motion to approve the RFQ for architectural services for the Jail Expansion/Courthouse Project. Commissioner Steve Stork seconded. Motion carried.

**NICHOLE BALDWIN, COUNTY CLERK  
DISCUSSION/ACTION/APPROVAL OF RESIGNATIONS AND APPOINTMENTS FOR WHITE  
PINE COUNTY ADVISORY BOARDS AND TOWN COUNCILS**

Resignations

|                  |                          |                    |
|------------------|--------------------------|--------------------|
| Robert Winder    | McGill Town Council      | At Large Resident  |
| Kathryn Griffith | Water Advisory Committee | Ely Shoshone Tribe |

Requesting (Re)Appointments

|                  |                                          |                   |
|------------------|------------------------------------------|-------------------|
| Thomas Hinkle    | Ruth Town Council                        | At Large Resident |
| Dan Hathaway     | Baker Area Citizens Advisory Committee   | At Large Resident |
| Norris Hendrix   | Water Advisory Committee                 | Agriculture       |
| Jimmy Jordan     | Ag. Dist. 13/Fair & Rodeo Advisory Board | At Large Resident |
| Kathy C. Brumley | Library Board of Trustees                | At Large Member   |

WPC Clerk Nichole Baldwin reviewed the Resignations for the Board. Commissioner Gary Perea asked if there were other vacancies available on the Water Advisory Committee; Clerk Baldwin advised there are a couple, and while she's advertised to fill those, so far there's been no takers. She added that Ms. Kathryn Griffith would like to continue on that committee, but as an environmental representative instead. Commissioner Gary Perea made a motion to accept the resignations of Robert Winder and Kathryn Griffith as requested. Commissioner Steve Stork seconded. Motion carried.

Clerk Baldwin next reviewed the appointments, noting that the first 4 are for reappointments and the 5<sup>th</sup> is a new appointment (Brumley). Commissioner Shane Bybee advised he's familiar with most of these; Messrs. Hinkle, Hathaway, Hendrix and Jordan have done very well, and he felt that Kathy Brumley would be a great addition to the Library Board. Commissioner Bybee made a motion to approve the reappointments and appointment as requested. Commissioner Steve Stork seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF THE FINDINGS OF FACT AND CONCLUSIONS OF LAW WHICH RESULTED FROM THE OAG INVESTIGATION FOR FILE NO. 13897-237 TO CONFORM WITH NRS 241.0395**

WPC Clerk Nichole Baldwin noted this is a result of the Open Meeting Law violation filed several months ago pertaining to Commission meeting minutes not being done on time. Since then, she continued, we've changed our process; these findings are an end to that complaint. The findings note that we were in violation of the OML at that point in time but have since rectified that. Deputy Clerk Susan Lujan advised for the Board's information that the approved, signed minutes are completed and in the book for 2017 through November, and she's additionally been posting them on the County website. Chairman Richard Howe entertained a motion for approval. Commissioner Carol McKenzie made a motion to approve the Findings of Fact and Conclusions of Law which resulted from the OAG investigation for File #13897-237 to confirm with NRS 241.0395. Commissioner Steve Stork seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF AN AGREEMENT FOR EXTENDED WARRANTY, PREVENTATIVE MAINTENANCE AND SUPPORT FROM JUSTICE AV SOLUTIONS (JAVS) FOR THE SEVENTH JUDICIAL DISTRICT COURT FROM NOVEMBER 1, 2017 TO OCTOBER 31, 2018**

WPC Clerk Nichole Baldwin advised that JAVS has contacted her with respect to our Maintenance Contract with them not having been reapproved. They subsequently emailed it to her, and she's requesting

approval of this ongoing Maintenance contract with JAVS. She explained this company maintains the recording equipment for our courtrooms and in Justice Court; if approved, this extension would continue their contract through December 31, 2018. She clarified that the amount isn't increased, this is just to continue the service we already receive. In reply to a query from the Board, Finance Director Elizabeth Frances indicated that we also recoup some of the cost of this service; it's shared by Lincoln and Eureka counties. The breakdown is Lincoln, 30%; Eureka, 10%; and White Pine, 60%. Chairman Richard Howe entertained a motion for approval. Commissioner Carol McKenzie made a motion to approve the extended warranty, preventative maintenance and support from JAVS for the Seventh Judicial District Court from November 1, 2017 to October 31, 2018 as requested. Commissioner Shane Bybee seconded. Motion carried.

#### DEPARTMENT HEADS

**LORI ROMERO, LIBRARY DIRECTOR/SR. PROGRAM ADMINISTRATOR**

#### **DISCUSSION/ACTION/APPROVAL TO ACCEPT 2017 LSTA COMMUNITY ENRICHMENT CYCLE 2 FUNDS IN THE AMOUNT OF \$2,000 WITH NO MATCH**

Library/Sr. Center Program Administrator Lori Romero advised this is a new process the Federal government started. This will allow a digital bulletin board to advertise meetings, events, etc. for the citizens, so they will be made aware. She noted it also includes a P.A. system and a new binding machine, to replace their outdated binding equipment. She continued there's no match required, and the funds became available January 1<sup>st</sup>. Commissioner Carol McKenzie made a motion to accept the 2017 LSTA Community Enrichment Cycle 2 funds in the amount of \$2,000 with no match. Commissioner Steve Stork seconded. Motion carried.

#### **DISCUSSION/ACTION/APPROVAL TO SUBMIT A BALLOT QUESTION TO INCREASE THE TAX OVERRIDE FROM .02 TO .05 FOR THE WHITE PINE NUTRITION PROGRAM**

Director Romero advised this ballot question was passed in 2010 and was active for 5 years, expiring in June 2016. She emphasized this didn't increase taxes, it just gave the voters the opportunity to say that they wanted the County Commission to set aside 3% of the property taxes already collected to go towards that program. Chairman Richard Howe asked if Director Romero had ever been denied by the Board to do this; she replied in the negative, but commented, "the Boards do change." She's requesting to place this on the ballot again, and emphasized that there is no increase in taxes; the 2 cents is already guaranteed, that portion never expired, it was the additional 3 cents above that which expired. She added that if this is done as a set aside instead, that would also definitely have an effect on the Library side of things. Commissioner Steve Stork asked if this is an override or a set aside? Finance Director Elizabeth Frances explained that the override means the tax would go up, as noted in this agenda item. The 2 cents, on the other hand, is in perpetuity. The override of 3 cents would override the existing statute by a vote of the people and take it up 3 cents, she advised the assemblage. District Attorney Mike Wheable asked how the Board felt about this, should it be an override or a set aside? Commissioner Shane Bybee noted this is being presented as an override, taking the monies from our current tax rate. He continued that it was clarified the override could be done, but not the set aside, as it isn't agendaed for that. Commissioner Gary Perea wants to move forward with this, as an override. He wants to see the set aside function be utilized for things that we're mandated to do instead. In Director Frances' opinion, if we're going to do a set aside it restricts the Commission with regard to the revenues. On the other hand, an override allows the citizens to choose; she felt that was the better avenue to take. Commissioner Bybee agreed that's the real issue, and he would hate to tighten the budget any further. Director Romero indicated that that she would follow through with whatever direction the Board wishes to take, but echoed her prior concern about the set aside affecting the Library portion. Following further discussion, Chairman Richard Howe entertained a motion to approve. Commissioner Gary Perea made a motion to submit a ballot question to increase the tax override from .02 to .05 for the White Pine Nutrition Program. Commissioner Shane Bybee seconded. Commissioner Steve Stork advised he would vote for this, but his concern is that we're taxing the very people we're trying to help. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF DETERMINATION OF PERIOD OF YEARS FOR THE BALLOT QUESTION TO DESIGNATE A PORTION OF THE CURRENT PROPERTY TAX RATE FOR THE PURPOSE OF GENERATING FUNDS TO GO TOWARDS OPERATING AND MAINTAINING THE SENIOR CENTER IN WHITE PINE COUNTY**

District Attorney Mike Wheable noted the issue, and advised that if we were doing this as a set aside, it would make more sense. However, as an override, this will need to come back to the Board; he suggested tabling this for the time being. Commissioner Carol McKenzie made a motion to table this agenda item. Commissioner Steve Stork seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL TO USE BALLOT QUESTION EXPLANATION, FISCAL IMPACT, ARGUMENTS IN FAVOR OF PASSAGE AND ARGUMENTS IN OPPOSITION TO PASSAGE AS PRESENTED**

D.A. Wheable advised that the language used for this last time was for a set aside; motion that a new ballot question needs to be drafted, or else to table, is his advice. Commissioner Steve Stork made a motion to table using the ballot question explanation as presented. Commissioner Shane Bybee seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF SENIOR CENTER BUILDING USE CONTRACT FOR RENTAL PURPOSES**

Director Lori Romero noted this mirrors the past rental contract; however, they've eliminated renting the kitchen out anymore. She explained items have come up missing, proper cleanup wasn't done, etc., and it wasn't worth the cleaning deposit to take care of those things. She clarified that the rest of the facility was fine for rentals, just not the use of the kitchen. Chairman Richard Howe asked if the rental cost was the same, \$15/hour; in response, Director Romero affirmed that fee and noted that there are usually no electricity hookups for those rentals (hot plates, etc.). Commissioner Shane Bybee felt the rate should be higher; he suggested going with a flat rate instead. Director Romero pointed out that the 4H group sometimes rents the facility for a couple of hours monthly, and a flat rate would preclude them being able to afford it; it would also affect family events such as anniversaries, etc., and she added there aren't a lot of rental places available here in Ely. Following some discussion, based on a recommendation from D.A. Wheable, Commissioner Gary Perea made a motion to approve the contract for rental of the Senior Center and increasing the hourly rate to \$25/hour. Commissioner Carol McKenzie seconded. Motion carried.

**KATHY RICCI, HUMAN RESOURCES DIRECTOR**

**DISCUSSION/ACTION/APPROVAL OF THE JOB DESCRIPTION FOR FIREFIGHTER I/AEMT FOR THE WHITE PINE COUNTY FIRE PROTECTION DISTRICT**

District Attorney Mike Wheable advised the Board may open this and the next two agenda items, and make motions as were done during the Fire Commission meeting. Commissioner Gary Perea advised these would mirror the agenda item motions as done in the Fire Commission meeting, with respect to the County EMS portion for the Job Descriptions. Commissioner Steve Stork provided his disclosure statement, and advised that the third agenda item---that pertaining to the Fire Equipment Operator---should be tabled, which also reflects what was done during the Fire Commission meeting. Commissioner Gary Perea made a motion to approve the Job Description for Firefighter I/AEMT as pertaining to the EMS portion. Commissioner Steve Stork seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF THE JOB DESCRIPTION FOR FIREFIGHTER II/AEMT FOR THE WHITE PINE COUNTY FIRE PROTECTION DISTRICT**

Commissioner Steve Stork made a motion to approve the Job Description for Firefighter II/AEMT as pertaining to the EMS portion. Commissioner Carol McKenzie seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF THE JOB DESCRIPTION FOR FIRE EQUIPMENT OPERATOR/AEMT FOR THE WHITE PINE COUNTY FIRE PROTECTION DISTRICT**

Commissioner Steve Stork made a motion to table this agenda item until it's brought back to the Board with more clarification. Commissioner Shane Bybee seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL TO BEGIN RECRUITMENT TO FILL THE VACANT POSITION OF THE ADMINISTRATIVE ASSISTANT TO EMERGENCY MEDICAL SERVICES/OFFICE OF EMERGENCY MANAGEMENT AND WHITE PINE COUNTY FIRE PROTECTION DISTRICT WITH THE RESIGNATION OF BARBARA STEPHEY EFFECTIVE 1/25/2018 INCLUDING FILLING AS A TEMPORARY OR PART-TIME, OR TO COMBINE JOB DESCRIPTION WITH ANOTHER COUNTY POSITION**

Following brief discussion, Commissioner Steve Stork made a motion to approve this recruitment to fill the vacant position of the Administrative Assistant to EMS/Office of Emergency Management and White Pine County Fire Protection District with the resignation of Barbara Stephen effective 1/25/2018 including filling as a part-time position. Commissioner Gary Perea seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL TO BEGIN RECRUITMENT FOR FAIRGROUND HOST EFFECTIVE MARCH 31, 2018 WITH THE RESIGNATION OF THE CURRENT FAIRGROUNDS HOST, JOE NOYES**

Human Resources Director Kathy Ricci advised that the Ag. District 13/Fair & Rodeo Advisory Board had brought in a resignation for Joe Noyes; his last day will be March 31<sup>st</sup>. She cited the Job Description in the backup materials, noting the residence is included as part of the compensation for being the Fairgrounds Host. Chairman Richard Howe entertained a motion for approval. Commissioner Carol McKenzie made a motion to begin the recruitment process. Commissioner Shane Bybee seconded. Motion carried.

**DISCUSSION/ACTION/DIRECTION ON THE PROPOSED COUNTY MANAGER JOB DESCRIPTION AND COMPENSATION**

Director Ricci apologized that she was unable to research the Commission minutes as she has been ill; but she did note that Storey County did this back in 2005. She continued that the County Manager requirements follow the NRS; however, if you have a Director/Administrator, the requirements are set by County Code. She will discuss this with our District Attorney and bring the results back to the Board. During the discussion, it was pointed out that it appears having a Director/Administrator under the County Code, the Board has more control, whereas the County Manager is governed by the NRS. Commissioner Steve Stork made a motion to table this agenda item. Commissioner Shane Bybee seconded. Motion carried. Chairman Richard Howe commended Director Ricci, noting that all her information is helping this Board with making a good, solid decision as to which way we should go.

**DISCUSSION ONLY ON OPEN ENROLLMENT FOR HEALTH BENEFITS FOR WHITE PINE COUNTY'S RETIREES THROUGH JANUARY 31, 2018 AS REQUIRED BY NRS AND APPROVED BY THE WHITE PINE COUNTY COMMISSION IN 2010**

Director Ricci advised this is for the Boards information; she explained that during even-numbered years, the County allows their retirees to come back into our plans for health insurance. She added that they do have to pay the full premiums, though, the same as for our County employees.

**DISCUSSION/ACTION/APPROVAL TO RATIFY THE RECRUITMENT PROCESS TO FILL A DISPATCH POSITION AT THE WHITE PINE COUNTY SHERIFF'S OFFICE EFFECTIVE 1/7/18**

Director Ricci noted this is in process right now, so that this position can be filled quickly. She added that the Sheriff's Department is shorthanded right now. Chairman Richard Howe entertained a motion to approve. Commissioner Shane Bybee made a motion to ratify the recruitment process to fill a Dispatch position at the White Pine County Sheriff's Office effective January 7<sup>th</sup>. Commissioner Steve Stork seconded. Motion carried.



**ELIZABETH FRANCES, FINANCE DIRECTOR**

**DISCUSSION/ACTION/APPROVAL TO AUTHORIZE REDESIGN OF THE WHITE PINE COUNTY WEBSITE AT A COST OF \$6,400 AS OUTLINED IN THE PROPOSAL FROM CIVIC PLUS**

Finance Director Elizabeth Frances noted that our County website isn't user friendly, and isn't in compliance. Commissioner Gary Perea cited the Sheriff's Dept. and the Aquatic Center as being somewhat frustrating to navigate, and he would like to see "one-stop shopping" instead; the Board agreed that would be preferable. Director Frances advised that it's our intent to work with each Department Head and get at least one Commissioner involved as well, in the redesign process. She added that having everyone involved would produce the best product for all our County Departments. Chairman Richard Howe entertained a motion for approval. Commissioner Steve Stork made a motion to authorize redesign of the White Pine County website at a cost of \$6,400 as outlined in the proposal from Civic Plus. Commissioner Carol McKenzie seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF PROPOSED FY2019 BUDGET PREPARATION SCHEDULE**

Director Frances cited the information in the Commission packets as being similar to what was done last year; she recalled that the Board had requested getting an earlier start on the budget process. She is requesting this be approved in order to get it out to the Department Heads and begin the process. Commissioner Steve Stork made a motion to approve the proposed FY2019 budget preparation schedule as presented. Commissioner Shane Bybee seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF UPDATED GRANT MANAGEMENT POLICY INCLUDING STANDARDIZED GRANT REPORT FORM FOR REPORTING TO THE COUNTY COMMISSION**

Director Frances cited the backup materials on this, noting the Board had requested a standard form for Grant Managers to utilize. She subsequently developed this form, and noted some minor changes need to be made in the Grant Management Policy to ensure the Board we would be receiving all pertinent information (such as requiring approval by the Board rather than just discussing a matter, for example). She added that titles of Department Heads have also been updated, such as Fire Chief instead of Battalion Chief; the Treasurer replacing the Director of Economic Development in that capacity; etc. She added the Department Heads will have the online ability to update their information on their own. Director Frances advised she had made one word change under 9), following our audit, "fair and open competition" was changed to "full and open competition." She also updated the language under 10) so that it is clarified that written approval from the granting agency be obtained; and also the language under 12) pertaining to the standard grant report forms, and that the Department Heads will not be required to attend. She will be following up with the Commission on any questions they may have. Commissioner Steve Stork commended Director Frances for doing a great job with this; he has received some feedback from the Department Heads on the form, and it was felt the form could be filled out fairly quickly. He added that perhaps putting "No Changes" and updating the date on the form might even be acceptable. Commissioner Steve Stork made a motion to approve the updated Grant Management Policy including standardized Grant Report Form for reporting to the County Commission. Commissioner Carol McKenzie seconded. Following brief discussion, Commissioner Stork amended his motion to include the addition of "No Changes" and revising the date on the form as being acceptable. Commissioner McKenzie amended her second. Amended 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**

Chairman Richard Howe entertained a motion to approve. Commissioner Shane Bybee made a motion to approve the Consent Agenda as presented. Commissioner Steve Stork seconded. Motion carried.

## NOTICE OF UNTIMED ITEMS

### DISCUSSION/ACTION/APPROVAL TO CLOSE SR 318 ON SUNDAY, MAY 20, 2018 AND SUNDAY, SEPTEMBER 16, 2018 FOR THE SILVER STATE CLASSIC CHALLENGE

Ms. Bunny Hill, Silver State Classic Challenge, advised this year marks their 30<sup>th</sup> anniversary, in September. She advised they're changing the race date normally held in May as there is an Electric Daisy Carnival being held at the Las Vegas Speedway being held at the same time. This year's main event will start the cars at Sunnyside's Roadside Rest, they will drive down to the normal finish north of Hiko, restage them and bring them back for 60 miles. Then the cars will come back to Ely to spend 1 more room night here, due to the Carnival in Las Vegas expecting over 130,000 people and therefore a scarcity of available rooms there, so this will increase our room revenue. She added they've already received quite a few entries for the May race. In reply to a query from the Board, Ms. Hill noted that a big SSCC celebration was done at the 25 year mark; however, there will be a celebration for new record holders during the May event. The Record Holder Certificates are all ready to go for that, she added. Following brief discussion, Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to close SR318 on Sunday, May 20, 2018 and Sunday, September 16, 2018, for the Silver State Classic Challenge. Commissioner Shane Bybee seconded. Motion carried.

### DISCUSSION/ACTION/APPROVAL TO CLOSE SR 490 FOR APPROXIMATELY 5 HOURS ON EACH OF THE FOLLOWING DAYS: FRIDAY & SATURDAY, MAY 18 & 19, 2018 AND FRIDAY & SATURDAY, SEPTEMBER 14 & 15, 2018 FOR THE SHOOTOUT CHALLENGE

Ms. Hill advised that as in years past, they are requesting this be closed for both days because of the possibility of weather issues. She noted that they haven't had to hold it on those Saturdays, however, and they've been able to accomplish everything on those Fridays. Chairman Richard Howe entertained a motion for approval. Commissioner Shane Bybee made a motion to close SR490 for approximately 5 hours on each of the following days: Friday & Saturday, May 18 & 19, 2018; and Friday & Saturday, September 14 & 15, 2018, for the Shootout Challenge. Commissioner Carol McKenzie seconded. Motion carried.

### DISCUSSION/ACTION/APPROVAL OF COUNTY COMMISSION MINUTES

December 20, 2017

Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to approve the County Commission minutes of December 20, 2017 as presented. Commissioner Shane Bybee seconded. Motion carried.

### RECOMMENDATIONS FOR ITEMS FOR FUTURE AGENDAS

Perea - Presentation on the OHV trail; also for this Board to give PLUAC some direction, and they've voted against moving forward with this.

Frances - Discussion with water attorney. It was noted this would be a legal discussion outside of the Commission agenda, and perhaps could be held prior to the Commission meeting.

Howe - Solar Farm presentation/update, perhaps on February 14<sup>th</sup>.

Stork - Review recommendations and options available for contracting out ambulance billing.

Wheable - A Closed Personnel Session will be held.

Frances - Table the item on ballot questions; Clerk Baldwin asked to bring back the legal process for how to handle a ballot question if we would be moving forward with this. D.A. Wheable added to research re: a sunset provision as well.

Baldwin - Deadline is next Tuesday at noon, January 16<sup>th</sup>, for inclusion of items on the 24<sup>th</sup> meeting.

Frances - Water attorney payments; are they on hold indefinitely? D.A. Wheable noted as that is overbudget, this should be handled during the first meeting in February.

**PUBLIC COMMENT**

Finance Director Elizabeth Frances advised they are doing internet surveys and looking to get information back from everyone in White Pine County. The more data we collect the better off we will be in moving forward with this project; she added it's currently on the front page of the County website.

Commissioner Steve Stork noted he is meeting with the radio station tomorrow to see about a public service announcement regarding the internet surveys.

District Attorney Mike Wheable noted there will be a Lincoln Day Breakfast with legislators in attendance this weekend, such as Attorney General Adam Laxalt and Senator Dean Heller, for the Board's information.

WPC Clerk Nichole Baldwin reported on the Law Enforcement Appreciation event being held on January 19<sup>th</sup> at the Elks Lodge; tickets are \$15 at the door. Commissioner Shane Bybee will be the grillmaster, and Deputy District Attorney James Beecher will be the MC. She encouraged everyone to attend, noting all 5 branches of White Pine County's law enforcement will be there; the Sheriff's Department, the Ely Shoshone Tribe, NDI, NHP, and Ely State Prison.

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

At 11:31 a.m., Chairman Richard Howe entertained a motion to close the Open Meeting. Commissioner Gary Perea made the motion; Commissioner Shane Bybee seconded. Motion carried.

At 11:37 a.m., Commissioner Carol McKenzie made a motion to go back into Open Session. Commissioner Steve Stork seconded. Motion carried.

**ADJOURNMENT**

Commissioner Steve Stork made a motion to adjourn at 11:37 a.m. Commissioner Shane Bybee seconded. Motion carried.

BOARD OF COUNTY COMMISSIONERS  
WHITE PINE COUNTY  
STATE OF NEVADA

BY: Richard Howe  
CHAIRMAN

ATTEST:

Nichole Baldwin  
WPC CLERK OF THE BOARD

