

IN A REGULAR MEETING OF THE WHITE PINE COUNTY COMMISSION HELD ON JANUARY 24, 2018 IN THE COUNTY LIBRARY CONFERENCE ROOM IN ELY, NEVADA

The Following Were Present:

County Commission

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

County Officials

Jennifer Farnworth, IT Specialist
Maxine Lantz, D.A./VWS
Scott Henriod, WPC Sheriff
Bill Calderwood, Public Works Director
Elizabeth Frances, Finance Director
Mike Wheable, District Attorney
Megan Brown, Aquatic Facilities Director
Kathy Ricci, Human Resources Director
Tim Woolever, WPC Fire District Chief
Dr. David Byun, WPC Public Health Officer
Burton Hilton, WPC Assessor
James Beecher, Deputy District Attorney
McKinzie Petersen, Deputy District Attorney
Lori Romero, Library/Sr. Ctr. Program Admin.
Bryan Pyle, Deputy District Attorney
Catherine Bakaric, WPC Treasurer
Lance Gale, Airport Manager
Desiree Barnson, Social Services Director

Also Present

Donna Bath, Senator Dean Heller
Geri Wopschall
Tony Gilbert, WPC Fire District
George Chachas, KGTV-10
Wayne Cameron, WP Chamber of Commerce
Bill Wilson, PLUAC
Ross Rivera, Ely Fire Chief
KayLynn McMurray-Roberts, Ely Times
Anselmo (Lee) Garcia, McGill VFD
Juliana M. Ahrens-Grenier, ECADV
Mindy Seal, BLM
Greg McKay, Nv. OHV Commission
Jennifer Scanland, DCNR OHV Program
Mike Wopschall, Lackawanna VFD
Bill Miller
Terry McIntosh, High Desert Trail Blazers
Tony & Carol Carr, High Desert Trail Blazers
Earlynn & Marsha Betsill, High Desert Trail Blazers
Mike Dickens, Armstrong Consultants/Airport
Linda Woolever, McGill VFD
Jennifer Hollingsworth, WPC Fire District/MVFD
Sean Flignor, Marsy's Law
Ian Bullis, White Pine Living
William A. Ward, WPC Fire District

Present By Telephone

Dr. Joe Iser, SNHD
Dr. Antonia Capurro, State Dental Health

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Chairman Richard Howe called the meeting to order at 9:00 a.m. Commissioner Carol McKenzie led the Pledge of Allegiance.

PUBLIC COMMENT

Mr. George Chachas cited the agenda item pertaining to the cooperative agreement with the City of Ely for election services; he felt the County and City elections should NOT be held at the same time. He noted there are different issues facing each entity, and the voters could get confused due to so many candidates being on the ballots. Next he advised that the County is supposed to be paying just half of the Building Inspector's wages, and to date that seems not to have been corrected. As to the City failing to collect monies for the landfill, he claimed that the \$391,000 figure isn't accurate. He also advised the City hasn't been collecting track rental from the railroad, which has been in effect for the past 15 years. He told the Board that they can't expect the taxpayers to pick up the pieces that have been dropped. Mr. Chachas asked who would be doing the final inspection on the Interpretative Trail; he commented that Day Engineering hasn't had a good track record with the City in the

past. Then he cited the vandalism that occurred on his own property; he even has photos for evidence, and he has yet to receive some satisfaction from that, which amounted to \$200.00 in damages. He added he will be bringing the bill to repair the window(s) to this Board if no action is taken. Next was his concern that we have yet to solicit a new cable company in our community. He started to bring up the cement structure that Commissioner Carol McKenzie had done in Lund, and the Chairman called his time.

### NOTICE OF TIMED AGENDA ITEMS

At 9:05 a.m., Chairman Richard Howe recessed the regular Commission meeting and opened the Road Commission meeting. Subsequently, Chairman Richard Howe adjourned the Road Commission meeting and reconvened the regular County Commission meeting.

#### 9:15 A.M. – ELKO COMMITTEE AGAINST DOMESTIC VIOLENCE

##### **DISCUSSION/UPDATE FROM JULIANA M. AHRENS-FRENIER, RURAL OUTREACH ADVOCATE FOR THE ELKO COMMITTEE AGAINST DOMESTIC VIOLENCE**

Ms. Juliana M. Ahrens-Grenier provided brochures and business cards to the Board and thanked them for the opportunity to present today. She is the new advocate for this committee, ECADV (Elko Committee Against Domestic Violence), and will be collaborating with Victim & Witness Services' Program Director Maxine Lantz, who will handle the legal aspects of this. Their committee serves Elko, Eureka, and White Pine counties; their mission statement provides that no one should have to live with abuse, and people are entitled to live a life free of violence. She cited all kinds of abuse, including men, women, kids, the elderly, sex trafficking, and any sexual orientation. They provide crisis intervention and safety for victims, and she listed many of the non-profit organizations to which they provide referrals as well. Ms. Ahrens-Grenier continued that a portion of Marriage License fees are set aside to help fund their committee activities; they have a "hot line" available 24/7, which she indicated is printed on their business cards. She asked the Board for any questions they may have. Commissioner Gary Perea asked what kind of outreach programs are available here in White Pine County; she replied they are community-based, and cited they provide a "peace plan," for example. As they are a trauma shelter for their clients, they take detailed steps to help people to work independently and ensure their safety. As to the counseling portion, they monitor their client's plans towards obtaining their goals, and they assist their clients in helping to identify those. As there is, however, no shelter here in White Pine County, she noted that she travels from Elko to assist clients; the Sheriff's Dept. also collaborates with them to get people into emergency shelters as needed. District Attorney Mike Wheable noted that this always comes back to housing and how we can keep this local; that's always been a problem in the County, particularly the financing for that. However, he continued, he is pleased with the committee and felt this is great for our community. Ms. Ahrens-Grenier will contact our doctors, hospitals, etc., all those who would be in contact with the local clientele. Commissioner Perea suggested that one avenue to advertise their services could be to place notices in our public restrooms, for example, which would provide some discretion for those wishing to contact them. Ms. Ahrens-Grenier felt that was a great idea. The Board thanked her for the information.

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

##### PUBLIC HEARING

##### **THE WHITE PINE COUNTY COMMISSION WILL TAKE PUBLIC COMMENT REGARDING ORDINANCE 482, BILL NO. 12.06.2017, AN ORDINANCE AMENDING TITLE 4 REQUIRING ANY PERSON OR ENTITY WHICH ENGAGES IN ANY BUSINESS, TRADE, PROFESSION, INDUSTRY, OCCUPATION OR CALLING IN WHITE PINE COUNTY TO OBTAIN AND MAINTAIN A BUSINESS LICENSE TO OPERATE**

Chairman Richard Howe read the text title into the record; District Attorney Mike Wheable advised this pertains to the County Business License, which had been pursued for years and is finally at the point where it may be implemented. Commissioner Carol McKenzie commented it's been actually discussed at length for decades, but to no avail until now. Chairman Howe asked for public comment; there was none.

**DISCUSSION/ACTION/APPROVAL OF ORDINANCE 482, BILL NO. 12.06.2017, AN ORDINANCE AMENDING TITLE 4 REQUIRING ANY PERSON OR ENTITY WHICH ENGAGES IN ANY BUSINESS, TRADE, PROFESSION, INDUSTRY, OCCUPATION OR CALLING IN WHITE PINE COUNTY TO OBTAIN AND MAINTAIN A BUSINESS LICENSE TO OPERATE**

District Attorney Mike Wheable noted this is being treated as a 2<sup>nd</sup> reading; there were a couple of minor changes since the first reading, which he proceeded to highlight. WPC Clerk Nichole Baldwin advised the most recent version may not be included in the backup, as she had updated this on Monday. D.A. Wheable noted that one of the changes included no double billing, so there wouldn't be the issue of a business having to apply for both a business license plus a home occupation permit. Commissioner Carol McKenzie asked if this would pertain to ranchers and farmers, for raising hay? The reply was affirmative, and furthermore it would apply also to the marijuana industries. He added that if the Board wished to make changes, now is the time to do that. Commissioner Gary Perea asked how we would handle the various vendors who put up their booths at the County Fair, would each one be required to obtain a license? Commissioner Shane Bybee suggested in that event, that perhaps a temporary license, such as a 48-hour maximum, could be done. Mr. George Chachas noted that the sponsors of the County Fair would take out the business license, and whoever would apply for a booth would pay a fee attached to that. Commissioner Perea felt that was a good idea; he recalled that at the Snake Valley celebration, the organization does a blanket license to cover all those vendors. D.A. Wheable will find some language for the Board to consider regarding those kinds of events, and suggested a \$75 fee for each vendor. That fee would apply for the day, the weekend, the event, etc. During the discussion, D.A. Wheable noted that this Ordinance needs to be in place prior to the expiration of the marijuana moratorium, this coming Spring. Commissioner Steve Stork advised he would support this only in light of it being a data source for the Assessor's office with respect to property taxes, etc. He emphasized this County business license would not be another revenue-producing source; D.A. Wheable commented it would probably cost the County more to run this than any of the revenues coming in. It was added that the Clerk's Office would be taking care of the County business licenses. Commissioner Carol McKenzie had a question regarding the marijuana fee; as she understands it, there would be a one-time cost of \$15,000 for the license? What about renewals? D.A. Wheable explained that for the first setup of the establishment it would be \$15,000; there are so many statutes that must be followed after that, and he noted there would be a statutory cap of 3% of gross receipts to be paid back to the County annually. He continued that he will be working towards, and asking for, passage of the Ordinance during the February 14<sup>th</sup> Commission meeting. He assured the Board that it could always be modified over the next year or so; in the meantime he will be researching some of the issues brought up today.

**PUBLIC HEARING**

**THE WHITE PINE COUNTY COMMISSION WILL TAKE PUBLIC COMMENT REGARDING ORDINANCE 483, BILL NO. 12.20.2017, AN ORDINANCE AMENDING TITLE 2 REGULATING AMBULANCE RUNS TO ELY STATE PRISON**

Although District Attorney Mike Wheable received a communication that Prison Warden Timothy Filson wouldn't be able to attend today, and that he had requested tabling this item, D.A. Wheable felt this could go forward. At this point in the agenda it was noted this is just for a Public Hearing.

Ms. Jennifer Hollingsworth, a member of the WPC Fire District for nearly 10 years, noted that for 5 of those years she was paid staff. She had been asked to come today as the Board had requested her to answer any questions regarding volunteer input and the Ordinance changes. She expressed great excitement over this Ordinance, and commented that it was great to have "an administration willing to work with you to provide a safe place to work in an institution like that, it's really encouraging." She gave some examples of how procedures are done currently that don't ensure the most safe environment for the EMTs and others. With the passage of this Ordinance, however, they will have the ability to set up for triage in a secured area, for example, as they wouldn't be spatially limited. The Board appreciated her comments.

WPC Fire District Chief Tim Woolever advised that the Warden and his Associate were called away to an emergency meeting, which is why they couldn't attend. He confirmed that the only people allowed in the ambulance area are the minimum security inmates.

EMT Tony Gilbert thanked the Board for this opportunity, and advised that Ms. Hollingsworth had covered most of his concerns/comments. He noted he was instrumental in crafting the first Ordinance for this; he added the current Warden is great to work with. Due to some nightmares going on there, which he detailed by example for the Board, namely having to go into unsecured areas to retrieve people, is why this Ordinance was done in the first place. From his point of view with this language, the EMTs and other emergency personnel wouldn't have to go beyond a specific point where their safety might be compromised. He did note that the entire parking lot is an unsecured area, and the portion being selected for staff/emergency parking will be much better. He thanked the Board for their consideration.

**DISCUSSION/ACTION/APPROVAL OF ORDINANCE 483, BILL NO. 12.20.2017, AN ORDINANCE AMENDING TITLE 2 REGULATING AMBULANCE RUNS TO ELY STATE PRISON**

Following brief discussion, Chairman Richard Howe entertained a motion for approval. Commissioner Gary Perea made a motion to approve Ordinance 483, Bill 12.20.2017, an Ordinance amending Title 2 regulating ambulance runs to Ely State Prison. Commissioner Steve Stork seconded. Motion carried.

At this time, Chairman Richard Howe recessed the regular Commission meeting for a Special Meeting of the White Pine County Board of Public Health. Chairman Dr. David Byun received the gavel from Chairman Howe. At 11:00 a.m., Chairman Byun adjourned the Special Meeting of the White Pine County Board of Public Health to reconvene the regular County Commission meeting, and relinquished the gavel to Chairman Richard Howe.

**11:00 A.M. – PRESENTATION ON SOLAR FARM**

**DISCUSSION/PRESENTATION ON THE SOLAR FARM BY 7X ENERGY**

Mr. Bryan Harris, Director of Development at Longroad Energy, advised that 7X Energy is a partner with them on this project. He appreciated that the Commission approved the lease agreement, and apologized that he was out of town and couldn't attend for that agenda item. He provided a handout to the Board by way of introduction to the Solar Farm project, and gave a brief history of their company. They are a new company, started in 2017, but all the principals have worked together for 10 years in FirstWind Company, which completed many projects in Beaver and Iron counties in Utah. Longroad Energy has 14 solar and 2 wind farm projects; they've gained much expertise from their experience. Briefly, the investors/stakeholders formerly with FirstWind worked together in helping to form Longroad Energy. They have a diversified portfolio, providing both wind and solar projects. Their company is based in Boston, Massachusetts, where they have many wind projects in that area and also in Hawaii; Texas has both wind and solar; and now in Utah, where they've been very successful over the past 10 years. Director Harris indicated that their White Pine Solar Project would be close to Gonder Substation, and there are 4 different property owners involved in that, one of which is White Pine County. He noted this is a long-term process; a lot of work has already been done, and this is a multi-year project, but there's still much to do. The project will be 200 MW, which will glean 100% in output even if the sun doesn't shine. A battery—they are considering a Tesla Power Pack--will help meet the demand of sundown hours, as he explained. He continued that by a recent Presidential Order, there is now a tariff on solar panels coming into the United States. The project will all be on private lands except for the transmission tie, and they're working with the BLM on that; he added that the solar project in Utah is on BLM land. The next topic was the requirements needed for the project here in White Pine County; District Attorney Mike Wheable noted our Building Inspector takes care of inspections, and he would have the information Director Harris is seeking. WPC Assessor Burton Hilton added that area is currently zoned O-5, which is for open range. Director Harris asked if anyone had any issues with this project at this time; Commissioner Shane Bybee responded in the negative, "absolutely not, at this time." Director Harris continued that this is a process; they're spending a lot of money, but a contract is needed for outtakers; he cited NV Energy has an RFP in the works as they would be seeking to be outtakers of the solar energy. Getting such a contract is key to the project, which he felt could be constructed in 2020-21; there are also studies that will be required. He assured the Board that they've already done internal studies which indicate that while there shouldn't be a problem with the transmission line, "that's always a risk." He completed his review for the Board, citing photos in the handout and noting the panels—of

which there would be over 1 million—would be laid out N-S and would track the sun throughout the day. In reply to a query from Chairman Richard Howe, it was noted there would be from 300-400 construction workers on the project, but once it becomes operational it would be automatic and the long-term operations would only require 3-4 employees. Chairman Howe commented he's looking forward to this, as it would be a great natural resource and a boost to our economy. Director Harris thanked the Board for their letter of support, and noted that this project will have a bigger impact here in White Pine County than it would have in Clark County. The Board thanked him for his presentation. EMT Tony Gilbert wished to comment that there was a concern regarding the infrastructure, specifically to a battery pack backup, as it's a big fire hazard; Commissioner Perea noted that concern and some of those kinds of things will need to be included in the infrastructure.

#### 11:30 A.M. - NEVADA OHV TRAILS

##### DISCUSSION/UPDATE ON THE SILVER STATE TRAIL SYSTEM IN WHITE PINE COUNTY

Mr. Greg McKay, Chairman of the OHV Commission, provided business cards and brochures to the Board. He advised that if the Commission adopts this Silver State Trail System, the County will see increased spending and longer stays by people bringing in their recreational vehicles, resulting in increased revenues. Off-Highway Vehicle usage generates over \$120 billion/year in the U.S.; Nevada generates roughly \$1.5 billion, for which White Pine County could reap 10% of that figure, or \$1 million during the year. He continued that they want to work on the economic development plan as part of this system plan, and noted it won't affect any other trails in the area. It would also provide for more OHV management than is normally done; there would be a Resource Management Plan and also a Travel Management Plan. They can take care of signage, law enforcement, public education, etc. He noted the Great Basin Institute is already under contract for the System, and they've accomplished these things for Lincoln County. He does understand White Pine County's history regarding the issues surrounding the System, but pointed out that things do change, however slowly; "It's a long process." He encouraged us to go forward with this; they are requesting we pass a resolution and encourage the BLM to move forward with White Pine County's support, and then the BLM can begin looking at this Plan, which he noted is an extensive, environmental plan. The implementation has already been signed and developed for the System, and as to tourism he felt our partners west of White Pine County would also be interested in doing this. Chairman McKay cautioned that there is a window of opportunity here; we need to hold our public comment hearings, etc., and then by March have the resolution of support ready so they can communicate with us and get things going. At this point, Ms. Jenny Scanland, Executive Secretary of the State of Nevada's Dept. of Conservation & Natural Resources, addressed the Board. She's done 28 agreements during the past few weeks; even though the SNPLMA grant source is now gone, she assured the Board they will have over \$1 million/year available for OHV-related grants. She noted that the Sheriff's Dept. was a recipient of one of those grants, as that was how they purchased their Razor 4-wheeler a couple of years ago. Secretary Scanland explained that they give out the grants to various communities, which then do the projects; she clarified they won't do the projects, we do those. In reply to a query from the Board, she advised that the monies come from the OHV registration, which is put into the grants program, and there's no match required; it's paid 100%. The grants usually open around September, but it is "never too early to start a grant application." She continued that a goal of theirs is to promote partnerships, to be the collaborator pulling people together. She commented that nearly everything needed for the projects are eligible under their grant program, from the NEPA process to the shovels! Chairman Richard Howe stated this would be great for White Pine County. Commissioner Shane Bybee wished to illustrate the importance of this in White Pine County, and asked for a show of hands at today's meeting of those coming to hear about the OHV trail. Nearly everyone present raised their hand, it was noted for the record. He added that "we don't get this many folks attending for a positive thing." He felt we should go full steam ahead with this. Commissioner Bybee added that while this was frowned upon years ago, since that time we've seen communities and other states and the many benefits that come from this, and "it's time for us to get on board."

Commissioner Gary Perea recalled that he was a Commissioner during that time, and the major problem was the location of the OHV trail. He asked if the process to figure out the location was part of this; the reply was affirmative. He added that after the location of the trail, the next concern was how to manage it. Commissioner Bybee noted that the resources brought to us will give us much mitigation; if there's an impact, he explained, there would also be a means to remedy it. Commissioner Steve Stork was in favor of this; he felt it

would be a great opportunity for the County. Commissioner Carol McKenzie was also in favor of this, and added that she'd like to ride the trail if she could get her husband to buy her a machine! Chairman Howe also noted there's no obstacles to this project now like there was a few years ago.

PLUAC Chairman Bill Wilson commented that Commissioner Perea has pointed out this is a subject they've been working on for many years, including when the trail location was first submitted to the BLM and met with their approval. The hangup for the County, as he recalled, was on the legal end, mainly concerns with liability. He advised that "PLUAC would love to get teeth into it again and work on it" with the Commission's approval. Secretary Scanland advised that in the OHV communities of Moapa, Overton, etc., they're putting up regulations to help address such concerns as liability. She added that if we would like a consultant to come in and help us with those regulations, this is also covered under a grant.

Chairman Harris noted that together this could be a great project, and it's up to the Commission to decide. Ms. Mindy Seal, of the BLM, was pleased that this Board is supportive. She does need a resolution, however, from the County; she noted that the BLM had done all the work to allow for such a trail, but at the last hour they had to rescind their decision to go forward. At that time, former District Manager Rosie Thomas had promised the Commission this wouldn't be revisited until they requested it. Therefore, Ms. Seal concluded, the BLM will need a resolution from the County to move forward. Chairman Howe asked if a resolution could be drafted and have it in time for the next Commission meeting in February; District Attorney Mike Wheable replied in the affirmative. Chairman Howe confirmed this would be during the February 14<sup>th</sup> Commission meeting; he also asked WPC Sheriff Scott Henriod to work with our D.A. on any concerns they might have. During the brief discussion, Commissioner Perea wanted to ensure public location would be sought with respect to the trail's location, and that he would hope to have that included in the resolution. Commissioner Bybee commented that our local OHV Club, the High Desert Trail Blazers, has done much groundwork with respect to this OHV trail, and he appreciated that they've stepped up to try and make this happen. The Board thanked everyone for their participation.

At 12:00 noon, Chairman Richard Howe recessed the Commission meeting for a lunch break. The meeting was reconvened at 1:11 p.m., at which time the regular Commission meeting was recessed in order to go into the Special Meeting of the White Pine County Fire Commission. At 2:00 p.m., Chairman Richard Howe adjourned the Special Meeting of the White Pine County Fire Commission and reconvened the regular County Commission meeting.

#### 2:00 P.M. - MARSY'S LAW

##### DISCUSSION/PRESENTATION ON MARSY'S LAW

WPC Clerk Nichole Baldwin cited the backup materials on this agenda item. Mr. Sean Flignor cited the Sheriff's Dept. issues regarding enforcement of this law, and explained the Attorney General's office would be the resource center for the victim, and most of the legwork would be accomplished by that office. The part that would need to be carried out by the Sheriff's Dept. would basically just be to advise the victim that they have those rights available, and providing the proper contact numbers. Mr. Flignor continued those things could be provided either by giving them a card listing their rights, or attach it to the case report at the scene of the incident. He added this has never been an issue; if an officer should fail to advise, then the Attorney General's office would notify the people of their available resources. The County wouldn't have any local liability because they aren't the entity that would be enforcing the rights or the provisions, he explained to the Board. As to the implementation, he stated that the State legislators would implement it into law, and each State would be advised of the guidelines. Mr. Flignor noted that Nevada has the VINE system, with funding available for that, to notify the victims/families through their process. He emphasized that funding for Marsy's Law has never had to be earmarked. District Attorney Mike Wheable asked about the current status, and if there would be a voter initiative. The reply was that as an amendment, it has passed 2 Legislative sessions in a row; therefore it will be on the ballot, showing as Question 1 this November. Mr. Flignor replied to a query from the D.A., in that his background is in outreach for different candidates and initiatives. With respect to Marsy's Law, this would make it more clearcut and uniform across the State. It's harder to reach the people in the rural counties, as currently there isn't a uniform system in the State. He added that the final version of Marsy's Law is available for perusal

on their website, nv.marsyslaw.us. Commissioner Gary Perea noted he downloaded it, and it's quite similar to the version in our backup. Finance Director Elizabeth Frances had some concerns; for one thing, it isn't clear that the Attorney General would be taking responsibility for this. She noted every year the State passes down to the counties unfunded mandates; she wanted to know who would pay for all these things, and how it would impact the County financially. Mr. Flignor noted that Nevada already has the funding available for the VINE system, and that would be the only monies that are required. Director Frances then asked why we are changing this, if VINE already exists? The response was that Marsy's Law aims to stop having victims be looked at as statistics in a court venue, and giving them something they can fall back on. This includes not only privacy for them, but also the information needed would be made available to ensure everything is clearcut, he added. This will be educating these people that VINE is available to them. Director Frances asked Mr. Flignor to list the extra resources as noted in the materials. Mr. Flignor advised that if you are a victim, the police are called, they come to the house, and they advise you of the resources available to you as a victim; it links people to those resources. Commissioner Perea understood that every victim has these rights, but asked if it's just a matter of publicizing them and putting them into the constitution. The reply was affirmative. Commissioner Perea fully supports this as brought forward, and he would want to ensure that victims/families have those rights, but he felt the government would be putting more pressure on the system. D.A. Wheable would like to support this, but he noted there are different rights involved; the victims/families are notified of the sentencing and the perpetrator's release afterward. After that occurs, nobody could sue the State or anyone in the government for damages? How about some of the things that prosecutors must do, keeping in mind that the victim has the right to prosecute the "bad guys" in a timely manner. He was also uneasy about the phrase, "full and timely restitution," and explained a district attorney can't enforce that. While he doesn't wish to fight victims with respect to their rights, he needs to spend his time prosecuting the "bad guys." Commissioner Steve Stork's take on this, is, that the Victim's Bill of Rights within the California Constitution was the model for Marsy's Law in 2008. He commented that "he's not happy with anything from California," it's just giving another avenue to put us through the wringer again. D.A. Wheable added that even though an inmate is a prisoner, if one of them is stabbed, they now become a victim by this law. He recommended that the Board move forward with the next agenda item.

**DISCUSSION/ACTION/APPROVAL TO OFFICIALLY ENDORSE MARSY'S LAW EITHER AS INDIVIDUAL COMMISSIONERS OR AS A BOARD**

District Attorney Mike Wheable recommended that he doesn't want to necessarily sink this endorsement, but rather the Board could table this for now and allow him to do more research on some of the provisions. Commissioner Richard Howe entertained a motion to table. Commissioner Carol McKenzie made a motion to table this agenda item. Commissioner Shane Bybee seconded. Motion carried.

**ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS**

**COUNTY COMMISSION**

**SHANE BYBEE, COMMISSION VICE-CHAIRMAN**

**DISCUSSION/ACTION/APPROVAL TO AMEND THE CURRENT INTERLOCAL AGREEMENT FOR FIRE AND EMS WITH THE CITY OF ELY TO ALLOW FOR CLOSEST UNIT RESPONSE**

This agenda item was discussed during the Special Fire Commission meeting earlier.

**STEVEN M. STORK, COMMISSIONER**

**DISCUSSION ONLY TO REVIEW THE OPTIONS TO CONTRACT OUT AMBULANCE BILLING**

Per request of Commissioner Steve Stork, this agenda item was tabled.

## ELECTED OFFICIALS

### NICHOLE BALDWIN, COUNTY CLERK

#### **DISCUSSION/ACTION/APPROVAL OF THE COOPERATIVE AGREEMENT FOR ELECTION SERVICES BETWEEN WHITE PINE COUNTY AND THE CITY OF ELY**

WPC Clerk Nichole Baldwin had approached City Administrator Bob Switzer at the City of Ely regarding combining what seemed like duplicated election services for the City/County. The State just gave the Clerks \$8 million to purchase new voting machines, which White Pine County has done. She noted this will save the City \$15,000 each election year. The City elections will be held at the same time as the other Federal/State/County elections, during the even-numbered years. The City Council and the Mayor's terms, which are up, will be extended for 1 year to 2020. Financially, we are allowed per NRS to charge the City \$.15 per registered voter, or approximately \$400.00 for each election. She noted this doesn't mean a lot of extra work for the Clerk, or significant cost to the County. The City would be available to help on Election Day and by proofing ballots prior to that date, besides also sitting on the recount board. She felt this is a positive direction for the City/County to be moving in, as it would benefit both entities. Additionally, voting every 2 years is enough, rather than during every year. She noted this was approved by the City Council, and a City Ordinance is being drafted to put this into place. In reply to a query from the Board, Clerk Baldwin explained that an Ordinance would establish the new election cycles and a cooperative agreement between the City/County would need to be done. Chairman Richard Howe had a concern that when both City/County candidates would be running, some people could just skip running as a City candidate and try for the County offices and vice versa, which would spark some conflict. By having the City elections on even years and the County on odd years, he felt that would alleviate that concern. He emphasized that he's all for saving the City some money, and \$400.00 wouldn't be a big deal, those are just his thoughts, that having both entities run at the same time would be confusing to the voters. Commissioner Shane Bybee felt that running an election every single year didn't make any sense, and he would fully support this; Chairman Howe added that he would support this as well, and Commissioner Gary Perea echoed support for this. However, the question of whether the City Council/Mayor could extend their terms another year arose, and it was advised that they can, per Ordinance, at this time. D.A. Wheable noted the City has their own counsel and they can do this, the County is just working towards this agreement, and as long as everything is done legally we can assist them. There was a brief discussion regarding the sets/styles of ballots, for which Clerk Baldwin explained there would be different ballot styles but there would be no problem in accurate ballot reporting. Chairman Richard Howe entertained a motion for approval. Commissioner Steve Stork made a motion to approve the cooperative agreement for the election services between White Pine County and the City of Ely. Commissioner Shane Bybee seconded. Motion carried.

#### **DISCUSSION/ACTION/APPROVAL OF A GRANT APPLICATION BEING MADE BY NICHOLE BALDWIN, COUNTY CLERK, TO THE NEVADA SECRETARY OF STATE FOR REIMBURSEMENT OF MONIES EXPENDED ON ELECTRONIC POLL BOOKS AND ELECTION MACHINES AND SOFTWARE TOTALING \$69,023 WITH NO COUNTY MATCH**

WPC Clerk Nichole Baldwin explained the State is giving this to us in the form of a grant reimbursement program; monies have already been spent for the new voting machines and electronic poll books. She is requesting to go forward and ask the State to reimburse our \$69,023. Finance Director Elizabeth Frances advised it's her understanding that we had to purchase the equipment first, and then the State would reimburse 50% of that. Clerk Baldwin clarified that we had to buy the equipment first and this is our allotment for which we can be reimbursed. Chairman Richard Howe entertained a motion for approval. Commissioner Carol McKenzie made a motion to approve the grant application to the Nevada Secretary of State for reimbursement of monies expended on electronic poll books and election machines and software totaling \$69,023 with no County match. Commissioner Steve Stork seconded. Motion carried.

#### **DISCUSSION ONLY ON HOW TO GET A QUESTION ON AN ELECTION BALLOT**

Clerk Baldwin advised that at the last Commission meeting, she was asked to provide information and/or options on how to get a question onto the ballot. She cited the backup materials and summarized the process briefly. For example, a question could come from different sources; they would all start with a petition,



fulfilling a specific % of voters, which signatures are verified by her office. Once the signatures are verified, the Commission would determine if an Ordinance could be crafted to address the needs of the petition or not. If the Board fails to do an Ordinance, the petition can be put on the ballot for voter approval. Clerk Baldwin noted that various governing bodies may also bring ballot questions forward to the Clerk's office for placement on the ballot. Committees for/against the questions are formed, and her office has information on how that is to be done. She concluded by stating that she needs the information in by March 16<sup>th</sup> for the Primary, and July 13<sup>th</sup> for the General. The reason they must be turned in so early is to allow enough time to verify the signatures and form the committees. The Board thanked Clerk Baldwin for her information.

**DISCUSSION/ACTION/APPROVAL OF RESIGNATIONS AND APPOINTMENTS:**

**Requesting (Re)Appointment**

|                   |                     |                   |
|-------------------|---------------------|-------------------|
| James C. Derrick  | LEPC                | Fire/EMS          |
| Ernie Rivera, Jr. | McGill Town Council | At Large Resident |

WPC Clerk Nichole Baldwin listed the requests for the Board, noting that James Derrick's term on the LEPC expired last December 31, 2017. She added there's a vacancy on the McGill Town Council, and Ernie Rivera, Jr. is a resident requesting to fill that seat. Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to approve the reappointments for James Derrick to LEPC and the appointment of Ernie Rivera, Jr. to the McGill Town Council. Commissioner Gary Perea seconded. Motion carried.

**BURTON HILTON, COUNTY ASSESSOR**

**DISCUSSION/ACTION/APPROVAL TO CLOSE CLARK STREET FROM 8<sup>TH</sup> TO 10<sup>TH</sup> STREETS FROM 5 AM 6/21/18 TO 5 PM 6/23/18 FOR THE PURPOSE OF TRAINING AT THE NEVADA STATE FIREFIGHTER'S CONVENTION HOSTED BY THE ELY VOLUNTEER FIRE DEPARTMENT**

WPC Assessor Burton Hilton advised this street closure would be just like for the SSCC or other events; they will be using areas for burn simulations, mock auto accidents, etc. He noted they expect over 150 attendees over the 3-day period, Thursday-Saturday. A minor date change was noted and included in the motions. Chairman Richard Howe entertained a motion for approval. Commissioner Shane Bybee made a motion to close Clark Street from 8<sup>th</sup> to 10<sup>th</sup> Streets from 5:00 AM on June 21, 2018 to 5:00 PM on June 23, 2018 for the purpose of training at the Nevada State Firefighter's Convention, hosted by the Ely VFD. Commissioner Carol McKenzie seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL TO ACCEPT AND APPROVE THE LUND IRRIGATION COMPANY'S 2018-2019 SPECIAL ASSESSMENTS FOR LUND STREAM FOR \$1,635.50, HOME RANCH FOR \$3,654.50, AND LUND FIELD STREAM FOR \$3,349.00**

WPC Assessor Burton Hilton explained these assessments are for the different areas served by the Lund Irrigation Company. He noted they are identical to last year's assessments; amounts are figured by the allocations of shares by the different owners. Commissioner Carol McKenzie clarified this is for field irrigation. Commissioner Gary Perea made a motion to approve the Lund Irrigation Company's 2018-19 special assessments for Lund Stream for \$1,635.50, Home Ranch for \$3,654.50, and Lund Field Stream for \$3,349.00. Commissioner Steve Stork seconded. Motion carried. The question of Commissioner McKenzie's needing to abstain was answered by her noting that neither she nor her husband benefit from this, therefore no abstention was needed.

**DISCUSSION/ACTION/APPROVAL TO ACCEPT AND APPROVE THE SPECIAL ASSESSMENTS FOR THE FISCAL YEAR 2018-2019 ON THE FOLLOWING STATE OF NEVADA, DIVISION OF WATER RESOURCES LISTS, ACCORDING TO NRS 533.280, 533.285, 533.290**

Assessor Hilton advised that both the Humboldt River and White River run through White Pine County, and there are yearly assessments that must be distributed for these as well. He explained that the Nv.

Division of Water Resources determines who needs to be assessed and for how much; he traditionally brings these forward to the County Commission for approval. There are costs involved to manage the resources, and those are paid from the assessments. Chairman Richard Howe entertained a motion for approval. Commissioner Shane Bybee made a motion to approve the special assessments for FY 2018-19 on the State of Nevada Division of Water Resources Lists as presented. Commissioner Steve Stork seconded. Motion carried.

**CATHERINE BAKARIC, COUNTY TREASURER**

**DISCUSSION/ACTION/APPROVAL TO CONTRACT WITH BASIN ENGINEERING FOR SNPLMA PROJECT WP<sub>10</sub> FOR THE MCGILL BALL FIELD MODERNIZATION AND ADA ACCESS PROJECT PHASE II**

WPC Treasurer Catherine Bakaric provided a handout on this SNPLMA project, which covers the McGill Ball Park modernization and ACA access. She presented a contract to the Board for their approval. Chairman Richard Howe entertained a motion for approval. Commissioner Gary Perea made a motion to approve the contract with Basin Engineering for SNPLMA Project WP-10 for the McGill Ball Field modernization and ADA access project Phase II as requested. Commissioner Shane Bybee seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL TO CONTRACT WITH DAY ENGINEERING FOR SNPLMA PROJECT WP<sub>11</sub> FOR NORTHERN NEVADA RAILWAY INTERPRETIVE TRAIL PHASE II**

Treasurer Bakaric cited the materials on this project for the Northern Nevada Railway Interpretive Trail Phase II and requested Board approval. Chairman Richard Howe entertained a motion for approval. Commissioner Shane Bybee made a motion to approve the contract with Day Engineering for SNPLMA Project WP-11, Northern Nevada Railway Interpretive Trail Phase II as requested. Commissioner Steve Stork seconded. Motion carried.

**MIKE WHEABLE, DISTRICT ATTORNEY**

**DISCUSSION/ACTION/DIRECTION TO THE DISTRICT ATTORNEY'S OFFICE TO DRAFT ORDINANCES AND/OR RESOLUTIONS TO MOVE FORWARD WITH MAKING THE FIRE COMMISSION AN ELECTED BOARD**

This agenda item was duplicated in the Fire Commission agenda.

**DISCUSSION/ACTION/APPROVAL OF THE SUBSTITUTION OF TRUSTEE AND FULL RECONVEYANCE OF A DEED OF TRUST DATED JANUARY 2, 2008, RECORDED 01-02-08, AS DOCUMENT NO. 341293 IN BOOK 496, PAGE 263 OF THE OFFICIAL RECORDS OF WHITE PINE COUNTY, NEVADA, APN 02-097-01**

District Attorney Mike Wheable advised this pertains to the RNDC (Rural Nevada Development Corporation), which White Pine County had sponsored in the past and served as beneficiary under the deeds of trust. Once these properties change hands, however, they aren't marketable; this action will clean up the ownership rights and provide the opportunity for sale. Chairman Richard Howe entertained a motion for approval. Commissioner Gary Perea made a motion to approve the Substitution of Trustee and Full Reconveyance of a Deed of Trust dated January 2, 2008, recorded 01-02-08, as Document No. 341293 in Book 496, Page 263 of the Official Records of White Pine County, Nevada, APN 02-097-01. Commissioner Carol McKenzie seconded. Motion carried.

**DEPARTMENT HEADS**

**DESIREE BARNSON, SOCIAL SERVICES DIRECTOR**

**DISCUSSION/ACTION/APPROVAL OF A CONTRACT BETWEEN GENESIS AND WHITE PINE COUNTY FOR HOME HEALTH SERVICES FOR INDIGENT INDIVIDUALS**

Social Services Director Desiree Barnson explained that this is in an effort to find ways to keep people from having to go to the White Pine Care Center, to keep them at home if possible. Sometimes the indigent elderly or infirm need assistance with their showers, or they need a health check. This fund provides a maximum

of \$15,000 annually; she noted that a Nurse's Aide assistance with showers is \$15 for example, and \$35 for a monthly health visit. The money comes out of the Indigent Medical Fund; Finance Director Elizabeth Frances confirmed there are adequate funds for those purposes. Commissioner Gary Perea made a motion to approve the contract between Genesis and White Pine County for Home Health Services for indigent individuals. Commissioner Shane Bybee seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF THE ADDENDUM TO THE WHITE PINE COUNTY DRUG AND ALCOHOL TESTING POLICY**

Social Services Director Desiree Barnson advised that NDOT has made changes to CFR Part 40, which are reflected in this addendum. This pertains to the requirements for the Ely Bus grant, it was noted. One of those changes involve various drug tests being added; there is no cost increase regarding these changes. Following brief discussion, Commissioner Shane Bybee made a motion to approve the addendum to the White Pine County Drug and Alcohol Testing Policy as requested. Commissioner Steve Stork seconded. Motion carried.

**BILL CALDERWOOD, PUBLIC WORKS DIRECTOR**

**DISCUSSION/UPDATE ON THE PURCHASE FROM THE CAPITAL IMPROVEMENT BUDGET FOR A DEMAND HEAT CONTROLLER IN THE LIBRARY**

Public Works Director Bill Calderwood advised that instead of replacing the 2 HVAC units in the Library, this demand heat controller will be installed instead. He explained that the costs include both the installation and lodging for the people coming here to install the controller.

**LORI ROMERO, LIBRARY DIRECTOR/SENIOR PROGRAM ADMINISTRATOR**

**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**

Library/Sr. Program Administrator Lori Romero requested that this agenda item be tabled at this time. Chairman Richard Howe entertained a motion to table as requested. Commissioner Shane Bybee made the motion; Commissioner Steve Stork seconded. Motion carried.

**MEGAN BROWN, AQUATIC CENTER DIRECTOR**

**DISCUSSION/UPDATE ON THE AQUATICS DEPARTMENT FROM OCTOBER 2017 THROUGH DECEMBER 2017**

Aquatic Center Director Megan Brown cited her update in the backup materials and provided her report to the Board. She noted that an agreement will be brought before the Board shortly to form a High School Swimming Team; the old team was under the Nevada Aquatics Association, and at this time it may be possible to form our own team under her management. She noted this will take some time but she will bring information on this to the Board when it's available. For now, she noted, there is a Swimming Fitness Class, with members paying a fee. The schools are participating with High School P.E. Classes, lessons, and Special Education; the Charter School also comes in as a reward for their students, plus there's an After-School Program that comes in every other week. Additionally, the Boys & Girls Club comes in normally on Fridays. Adult Volleyball is a very popular activity, held on Thursday evenings from 5:30 p.m. to 7:00 p.m. or so. She continued to report on the pool activities, and advised of a new health challenge event, "Swimming the National Parks," with tee shirts available for purchase. This year there has been enough interest to hold a Triathlon, which is planned to be held on August 11<sup>th</sup>, per the next agenda item. Training includes CPR open to the public; and staff training included the required Bullying Class, among others. Director Brown reported that the revenues generated by the pool are increasing over last year's, and pool activities continue to draw locals and visitors alike. Chairman Richard Howe commended her for doing such a great job with the aquatics facilities.

**DISCUSSION/ACTION/APPROVAL FOR THE WHITE PINE AQUATIC CENTER TO PARTNER WITH ELY OUTDOOR ENTHUSIASTS TO PUT ON A TRIATHLON**

Director Brown is requesting the partner with the Ely Outdoor Enthusiasts at this point. While these are very popular and are done all the time, she has never participated in one, and advised the expertise of this group is needed for a successful event. The event this year will be held on August 11<sup>th</sup>, and will consist of swimming, bicycling, and running. There will be different divisions for the age groups, such as the adults would swim about 300 yards, bicycle for 12 miles, and finish off with a 3-mile run. Kids and toddlers will also have age-appropriate events; a relay may also be offered to allow other people to be able to participate as well. She is requesting the Board to approve this partnership. Chairman Richard Howe entertained a motion for approval. Commissioner Shane Bybee made a motion to approve the White Pine Aquatic Center to partner with Ely Outdoor Enthusiasts to put on a Triathlon. Commissioner Steve Stork seconded. Motion carried.

**TIM WOOLEVER, EMS DIRECTOR**

**DISCUSSION/ACTION/APPROVAL OF FFY 2017 EMPG SUPPORTING PERSONNEL COSTS FOR EMERGENCY MANAGEMENT FROM OCTOBER 1, 2016 THROUGH MARCH 31, 2018, IN THE AMOUNT OF \$20,000 WITH A COUNTY MATCH OF \$20,000**

Finance Director Elizabeth Frances noted this is the normal EMPG grant, which provides for the salary and benefits of the Emergency Management Services Director. Following brief discussion, Commissioner Carol McKenzie made a motion to approve the FFY2017 EMPG supporting personnel costs for Emergency Management from October 1, 2016 through March 31, 2018, in the amount of \$20,000 with a County match of \$20,000. Commissioner Gary Perea seconded. Motion carried.

**LANCE GALE, AIRPORT MANAGER**

**DISCUSSION/ACTION/APPROVAL OF THE 2018 AIRPORT IMPROVEMENT PROJECTS**

Airport Manager Lance Gale introduced Mr. Mike Dicken, of Armstrong Consultants, who is here today to answer any questions the Board may have regarding the Airport Improvement Projects. Manager Gale noted that our deadline is January 31<sup>st</sup> for the County to get our projects outlined for this year and in the coming years. Chairman Richard Howe asked if revamping of the Airport included the runways; the reply was affirmative, specifically Runways 18 and 36. Manager Gale explained the North and South areas were done, and the middle section still remains to be done. He then listed the projects, including those that were pushed into this year from last year. In reply to a query from Commissioner Steve Stork, Finance Director Elizabeth Frances advised that the Airport Capital Improvement Fund balance is \$315,000; another \$150,000 will be transferred into that fund prior to the end of this fiscal year. During the discussion, Mr. Dicken noted that the Airport projects are programmed at least a year in advance; therefore, Nevada receives a certain amount of money that's apportioned and White Pine County gets an entitlement of \$150,000 annually, as Director Frances indicated. He continued that the FAA inspected our runways and identified them as a true priority project, and it's earmarked for a \$12 million grant to take care of those needs for FY2018, which by the Federal calendar officially started last October. Once the grant is approved, the project is bid out and those bids are submitted to the FAA, who reviews them for compliance. If the bid meets all requirements, they award us a grant based on that bid, plus our local match. Hopefully the bids come in lower than the grant amount, it was noted; as Mr. Dicken noted, half our local match will be in the bank and the other half will be added to our next fiscal year budget, so the match will be available. Director Frances stated she would like to review that; she noted her financial concerns regarding the County's commitments and the timelines involved. Mr. Dicken explained the process and added that the capital improvement documents are "living documents," as they change all the time. He recommended that if we have the local match available now, we move forward with this. Manager Gale added that if the bids come in much less than expected, the extra grant monies would automatically carry over into the next year's Airport projects. He emphasized to the Board they aren't requesting a commitment, just approval at this point. Mr. Dicken also noted that we're under no obligation to accept the grant. Following brief discussion, Commissioner Steve Stork made a motion to approve the plan for the 2018 Airport Improvement Projects. Commissioner Gary Perea seconded. Motion carried.

**DISCUSSION ONLY ABOUT THE WILLOW CREEK AIRPORT**

Airport Manager Lance Gale advised he had received a notice from the FAA that the Willow Creek Airport is just to the south of us, it's the one Mr. Bob Hoffman has at the Coke Ovens. Mr. Hoffman was approved for that airport, was hooked up with NDOT, and now he is receiving Federal funding from the FAA as a recognized airport. It was noted that it was hoped to name the airport for the Coke Ovens, but Mr. Hoffman has decided to stay with the name Willow Creek Airport.

**DISCUSSION/UPDATE ON YELLAND DAY ON JANUARY 25, 2018**

Manager Gale reminded everyone that "Yelland Day" is tomorrow, celebrating over 100 years' anniversary of James Henry Yelland's death, for whom our Airport was named. He noted that Ms. Donna Bath will be present to represent Senator Dean Heller, and Mr. Sean Pitts will also attend to represent the White Pine Museum. He encouraged everyone's attendance.

**DISCUSSION/ACTION/RATIFICATION OF THE UPDATED DBE PROGRAM PLAN FOR ELY AIRPORT/YELLAND FIELD FROM ARMSTRONG CONSULTANTS**

Manager Gale advised that due to the timeframe involved, the DBE Program Plan has already been signed, and today he's requesting its ratification. Commissioner Steve Stork made a motion to ratify the updated DBT Program Plan for Ely Airport/Yelland Field as requested. Commissioner Shane Bybee seconded. Motion carried.

Manager Gale then notified the Commission regarding the passing of Mr. Murray Hewko this past week. He noted that Mr. Hewko's hangar will be emptied out by the end of February, and a yard sale will be done.

**KATHY RICCI, HUMAN RESOURCES DIRECTOR**

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

Human Resources Director Kathy Ricci advised she has no new information for the Board on this, and she still needs to do more research. She will bring the Board more information in February. No action was needed.

**DISCUSSION/ACTION/APPROVAL OF 5% TEMPORARY SUPERVISOR PAY TO THE ASSISTANT COOK WITH THE SENIOR NUTRITION PROGRAM IN THE ABSENCE OF THE COOK AS OUTLINED IN ARTICLE 8 OF THE COLLECTIVE BARGAINING AGREEMENT AND ANALYZED BY THE DISTRICT ATTORNEY'S OFFICE**

District Attorney Mike Wheable advised the Board could vote on this today. However, Finance Director Elizabeth Frances requested this be tabled until the next meeting. Following brief discussion, Commissioner Shane Bybee made a motion to table this agenda item. Commissioner Steve Stork seconded. Motion carried.

**ELIZABETH FRANCES, FINANCE DIRECTOR**

**DISCUSSION/UPDATE/REPORT/APPROVAL OF QUARTERLY GRANT REPORTS BY GRANT MANAGERS FOR:**

Finance Director Elizabeth Frances cited the grant reports in the backup materials. She noted the Board can approve all of these with the exception of the District Court, Emergency Management, and the Airport, which reports need to be tabled for now.

**SOCIAL SERVICES  
DISTRICT COURT  
TREASURER  
SENIOR CENTER  
LIBRARY  
EMERGENCY MANAGEMENT**

**SHERIFF'S OFFICE  
DISTRICT ATTORNEY'S OFFICE  
AIRPORT**

Following brief discussion, Commissioner Gary Perea made a motion to approve the quarterly grant reports with the exception of the District Court, Emergency Management, and Airport, which are to be tabled for now. Commissioner Shane Bybee seconded. Motion carried.

District Attorney Mike Wheable advised that the Chairman can open the next 7 agenda items at the same time as they are all resolutions. He added that the amounts and a general summary from each of the text titles may be cited as being sufficient for the motion.

**DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2018-01 TO AUGMENT THE WHITE PINE COUNTY AGRICULTURAL EXTENSION FUND FROM UNANTICIPATED AND UNBUDGETED BEGINNING FUND BALANCE IN THE AMOUNT OF \$13,359 TO PAY FY2017 INVOICES THAT ARE DUE AND PAYABLE BUT WERE SUBMITTED AFTER THE FISCAL YEAR WAS CLOSED;**

**DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2018-02 TO AUGMENT THE WHITE PINE COUNTY GENERAL FUND FOR UNANTICIPATED AND UNBUDGETED WATER LEASE REVENUES IN THE AMOUNT OF \$50,000 AND TO INCREASE NATURAL RESOURCES CONTRACT SERVICES BY THE SAME AMOUNT;**

**DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2018-03 TO AUGMENT THE WHITE PINE COUNTY GENERAL FUND FROM UNANTICIPATED AND UNBUDGETED BEGINNING FUND BALANCE IN THE AMOUNT OF \$40,500 AND TO INCREASE THE PARKS MAINTENANCE EQUIPMENT OVER \$5,000 LINE ITEM BY THE SAME AMOUNT IN ORDER TO PURCHASE AND INSTALL NEW WELL PUMPS FOR THOSE REQUIRING REPLACEMENT;**

**DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2018-04 TO AUGMENT THE WHITE PINE COUNTY GENERAL FUND FROM UNANTICIPATED AND UNBUDGETED BEGINNING FUND BALANCE IN THE AMOUNT OF \$12,935 AND TO INCREASE THE DISTRICT COURT NUMBER 2 STATE OF NEVADA ASSESSMENTS FOR ADULT PROBATION PRESENTENCE INVESTIGATION LINE ITEM BY THE SAME AMOUNT TO COVER 100% OF THE STATE ASSESSMENT;**

**DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2018-05 TO AUGMENT THE WHITE PINE COUNTY GENERAL FUND FROM UNANTICIPATED AND UNBUDGETED BEGINNING FUND BALANCE IN THE AMOUNT OF \$15,000 AND TO INCREASE THE JUDICIAL RELATED COSTS ATTORNEY AND INVESTIGATION LINE ITEM BY THE SAME AMOUNT TO COVER HIGHER THAN NORMAL ATTORNEY AND INVESTIGATION COSTS;**

**DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2018-06 TO AUGMENT THE WHITE PINE COUNTY GENERAL FUND FROM UNANTICIPATED AND UNBUDGETED BEGINNING FUND BALANCE IN THE AMOUNT OF \$2,700 AND TO INCREASE THE JUSTICE COURT CONTRACT SERVICES LINE ITEM BY THE SAME AMOUNT TO COVER HIGHER THAN NORMAL JUDGE PRO TEM COSTS; and**

**DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2018-07 TO UTILIZE \$6,400 FROM CONTINGENCY IN ORDER TO PAY FOR THE WEBSITE UPGRADE APPROVED BY THE BOARD OF COUNTY COMMISSIONERS AT THE JANUARY 10, 2018 COMMISSION MEETING**

Chairman Richard Howe commenced reading the Resolution numbers, amounts, and general explanation from the text titles into the record as follows: Resolution 2018-01, to augment the WPC Agricultural

Extension Fund for \$13,359 to pay for 2017 invoices; Resolution 2018-02, to augment the WPC General Fund for \$50,000 in water lease revenues and increase Natural Resources contract services by the same amount; Resolution 2018-03, to augment the WPC General Fund for \$40,500 and increase Parks Maintenance Equipment Over \$5,000 by the same amount to purchase new well pumps; Resolution 2018-04, to augment the General Fund for \$12,935 and increase District Court #2 assessments for Adult Probation PSI line item by the same amount, to cover 100% of the State assessment; Resolution 2018-05, to augment the WPC General Fund for \$15,000 and increase Judicial Related Costs by same amount for Attorney/Investigation costs; Resolution 2018-06, to augment the WPC General Fund for \$2,700 and increase the Justice Court Contract by the same amount to cover Judge Pro Tem costs; and Resolution 2018-07, to utilize \$6,400 from Contingency to pay for the County Website Upgrade approved by the Commission January 10<sup>th</sup>. Chairman Howe entertained a motion to approve these Resolutions as presented. Following brief discussion, Commissioner Steve Stork made a motion to approve Resolutions 2018-01 through 2018-07 as presented. Commissioner Shane Bybee seconded. Motion carried.

#### **DISCUSSION/ACTION/APPROVAL OF MONTHLY FINANCIAL REPORTS FOR DECEMBER**

2017

Finance Director Elizabeth Frances asked if there were any questions; there were none. Chairman Richard Howe entertained a motion for approval. Commissioner Gary Perea made a motion to approve the monthly financial reports for December 2017. Commissioner Carol McKenzie seconded. Motion carried.

#### **DISCUSSION/ACTION/APPROVAL OF THE FAMILY PLANNING SERVICE GRANT FROM THE NEVADA DEPARTMENT OF HEALTH AND HUMAN SERVICES, DIVISION OF PUBLIC AND BEHAVIORAL HEALTH GRANT BEGINNING JANUARY 1, 2018 AND ENDING JUNE 30, 2019 IN THE AMOUNT OF \$83,518 WITH COUNTY IN-KIND TO BE PROVIDED OF OFFICE SPACE AND FINANCIAL SERVICE SUPPORT**

Finance Director Elizabeth Frances noted the typo in the agenda title, and the date should be June 30, 2019. She added that she had received an update from the State on this, and the grant amount has been increased to \$83,533 based on the new Federal per diem rate. Following brief discussion, Chairman Richard Howe entertained a motion to approve. Commissioner Shane Bybee made a motion to approve the Family Planning Service Grant in the amount of \$83,533 as revised and discussed. Commissioner Steve Stork 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**

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

#### **NOTICE OF UNTIMED ITEMS**

#### **DISCUSSION/ACTION/APPROVAL TO CLOSE THE COUNTY COMMISSION MEETING TO HAVE A CLOSED PERSONNEL SESSION FOR FIRE CHIEF, TIM WOOLEVER. TO CONSIDER CHARACTER, ALLEGED MISCONDUCT, PROFESSIONAL COMPETENCE, PHYSICAL OR MENTAL HEALTH IN RELATION TO JOB PERFORMANCE**

This agenda item was addressed earlier in the Special Fire Commission meeting, per advice from legal counsel.

DISCUSSION/ACTION/APPROVAL OF A WRITTEN PLAN OF ACTION TO CORRECT ISSUES WHICH CAME TO LIGHT DURING THE CLOSED PERSONNEL SESSION OF FIRE CHIEF/DIRECTOR OF EMERGENCY SERVICES, TIM WOOLEVER, PREVIOUSLY HELD WHICH MAY ALSO INCLUDE ISSUING TO CHIEF WOOLEVER; A VERBAL WARNING AND/OR WRITTEN REPRIMAND, AND/OR ADMINISTRATIVE LEAVE WITH PAY, AND/OR ADMINISTRATIVE LEAVE WITHOUT PAY, AND/OR TERMINATION OF EMPLOYMENT WITH THE COUNTY, AND/OR NO DISCIPLINARY ACTION, AND/OR COMMENDATION OR RECOGNITION FOR POSITIVE ACTION TAKEN AND SATISFACTORY EXECUTION OF JOB DUTIES

This agenda item was addressed earlier in the Special Fire Commission meeting, per advice from legal counsel.

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

January 10, 2018

Commissioner Carol McKenzie made a motion to approve the January 10, 2018 Commission minutes as presented. Commissioner Steve Stork seconded. Motion carried.

**COUNTY COMMISSION RECOMMENDATIONS FOR FUTURE AGENDA ITEMS:**

- . Deadline for agenda items for the Commission meeting of Feb. 14<sup>th</sup>, is on Tuesday, Feb. 6<sup>th</sup>.
- . The Administrative Assistant will be increased from part-time to full-time on both the Fire and County Commission agendas.
  - . First reading of the Ordinance to merge EMS services and the Fire District.
  - . Increase of 5% for the Nutrition Center Assistant Cook that was tabled from today's meeting.
  - . Item regarding WPC Fire District Chief Tim Woolever's personnel session, to be presented as a draft on the next agenda. Any modifications to that item may be emailed to WPC Clerk Nichole Baldwin, and the options will be included in the agenda item.
  - . Parking issues at the Courthouse; to be on an agenda in the near future.

**PUBLIC COMMENT**

There was none.

**ADJOURNMENT**

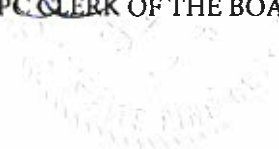
Commissioner Carol McKenzie made a motion to adjourn the meeting at 4:45 p.m. Commissioner Steve Stork seconded. Motion carried.

BOARD OF COUNTY COMMISSIONERS  
WHITE PINE COUNTY  
STATE OF NEVADA

BY: *Richard New*  
CHAIRMAN

ATTEST:

*Nichole Baldwin*  
WPC CLERK OF THE BOARD





Richard Howe, Chairman  
Shane Bybee, Vice Chairman  
Commissioner Gary Perea  
Commissioner Carol McKenzie  
Commissioner Steven M. Stork

801 Clark Street, Suite 4  
Ely Nevada 89301  
(775) 293-6509  
Fax (775) 289-2544

White Pine County  
Board of County Commissioners

Resolution Number 2018-01

Resolution to Augment the White Pine County Agricultural Extension Fund From Unanticipated and Unbudgeted Beginning Fund Balance in the Amount of \$13,359 to Pay FY2017 Invoices that are Due and Payable but Were Submitted After the Fiscal Year was Closed

Whereas, White Pine County reimburses the University of Nevada Reno for agricultural extension services; and

Whereas, the University of Nevada Reno through the agricultural extension submitted \$13,359 worth of invoices from FY 2017 in December 2017 after the close of FY 2017 that were unanticipated and unbudgeted in the current fiscal year; and

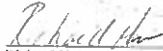
Whereas, the FY2018 Agricultural Extension Fund has a beginning fund balance of \$145,548 which is \$20,009 higher than budgeted and is available for legal appropriation.

Now Therefore Be It Resolved that White Pine County shall augment the White Pine County Agricultural Extension Fund from unanticipated and unbudgeted beginning fund balance in the amount of \$13,359 (020-000-29905-000) and increase the Agricultural Extension Activities line item (020-501-56350-000) by the same amount.

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

Passed, adopted and approved the 24<sup>th</sup> day of January, 2018.

Ayes: 5  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

  
Richard Howe, Chairman of the Board

ATTEST:

  
Nichole Baldwin, Clerk of the Board

Richard Howe, Chairman  
Shane Bybee, Vice Chairman  
Commissioner Gary Perea  
Commissioner Carol McKenzie  
Commissioner Steven M. Stork

801 Clark Street, Suite 4  
Ely Nevada 89301  
(775) 293-6509

White Pine County  
Board of County Commissioners

Resolution Number 2018-02

Resolution to Augment the White Pine County General Fund for Unanticipated and Unbudgeted Water Lease Revenues in the Amount of \$50,000 and to Increase Natural Resources Contract Services by the Same Amount

Whereas, White Pine County entered into a water rights lease agreement with RNM which will generate a minimum of \$50,000 annually once the water permits are approved by the State of Nevada; and

Whereas, the State of Nevada has approved the water permits; and

Whereas, these revenue sources were unanticipated during FY 2018 budget process and therefore not budgeted; and

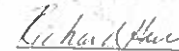
Whereas, the Board of County Commissioners has indicated their desire to dedicate these revenues to natural resources;

Now Therefore Be It Resolved that White Pine County shall augment the White Pine County General Fund for unanticipated and unbudgeted lease revenues in the amount of \$50,000 (001-000-36203-000) and increase the Natural Resources Contract Services line item (001-425-52915-000) by the same amount.

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

Passed, adopted and approved the 24<sup>th</sup> day of January, 2018.

Ayes: 5  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

  
Richard Howe, Chairman of the Board

ATTEST:

  
Nichole Baldwin, Clerk of the Board

Richard Howe, Chairman  
Shane Bybee, Vice Chairman  
Commissioner Gary Perea  
Commissioner Carol McKenzie  
Commissioner Steven M. Stork

801 Clark Street, Suite 4  
Ely Nevada 89301  
(775) 293-6509  
Fax (775) 289-2544

White Pine County  
Board of County Commissioners

Resolution Number 2018-03

Resolution to Augment the White Pine County General Fund from Unanticipated and Unbudgeted Beginning Fund Balance in the Amount of \$40,500 and to Increase the Parks Maintenance Equipment Over \$5000 Line Item by the Same Amount in Order to Purchase and Install New Well Pumps for Those Requiring Replacement

Whereas, well pumps at Steptoe Park and the White Pine County Fairgrounds require replacement; and

Whereas, these expenditures were not anticipated when the FY 2018 budget was developed; and

Whereas, the FY2018 White Pine County General Fund has a beginning fund balance of \$14,019,083 which is \$2,113,234 higher than budgeted of which \$352,402 was appropriated for transfers to various special revenue funds, \$53,220 was appropriated for election equipment and \$5,503 was appropriated for transfer to the SB 74 fund leaving \$1,702,109 available for legal appropriation.

Now Therefore Be It Resolved that White Pine County shall augment the White Pine County General Fund from unanticipated and unbudgeted beginning fund balance in the amount of \$40,500 (001-000-29905-000) and increase the Parks Maintenance Equipment Over \$5000 line item (001-402-53901-000) by the same amount.

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

Passed, adopted and approved the 24<sup>th</sup> day of January, 2018.

Ayes: 5  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

  
Richard Howe, Chairman of the Board

ATTEST:

  
Nichole Baldwin, Clerk of the Board

Richard Howe, Chairman  
Shane Bybee, Vice Chairman  
Commissioner Gary Perea  
Commissioner Carol McKenzie  
Commissioner Steven M. Stork

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White Pine County  
Board of County Commissioners

Resolution Number 2018-04

Resolution to Augment the White Pine County General Fund from Unanticipated and Unbudgeted Beginning Fund Balance in the Amount of \$12,935 and to Increase the District Court Number 2 State of Nevada Assessments for Adult Probation Presence Investigation Line Item by the Same Amount to Cover 100% of the State Assessment

Whereas, the state assessment for adult probation presence investigation was under budgeted by \$12,935 during the FY 2018 budget process; and

Whereas, White Pine County is required to pay 100% of the required assessment; and


Whereas, the FY2018 White Pine County General Fund has a beginning fund balance of \$14,019,083 which is \$2,113,234 higher than budgeted of which \$352,402 was appropriated for transfers to various special revenue funds, \$53,220 was appropriated for election equipment, \$5,503 was appropriated for transfer to the SB 74 fund and \$40,500 was appropriated for park well pumps leaving \$1,661,609 available for legal appropriation.

Now Therefore Be It Resolved that White Pine County shall augment the White Pine County General Fund from unanticipated and unbudgeted beginning fund balance in the amount of \$12,935 (001-000-29905-000) and increase the District Court Number 2 State of Nevada Assessments for Adult Probation Presence Investigation line item (001-211-57161-408) by the same amount.

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

Passed, adopted and approved the 24<sup>th</sup> day of January, 2018.

Ayes: 5  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

  
Richard Howe, Chairman of the Board

ATTEST:

  
Nichole Baldwin, Clerk of the Board

White Pine County  
Board of County Commissioners

Nichole Baldwin, Ex-officio Clerk of the Board

wpcclerk@whitepinecountynv.gov

Resolution Number 2018-05

Resolution to Augment the White Pine County General Fund from Unanticipated and Unbudgeted Beginning Fund Balance in the Amount of \$15,000 and to Increase the Judicial Related Costs Attorney and Investigation Line Item by the Same Amount to Cover Higher Than Normal Attorney and Investigation Costs

Whereas, the judicial related costs attorney and investigation line item was budgeted at \$9,000 based on average past utilization during the FY 2018 budget process; and

Whereas, White Pine County has already exceeded that amount as of December 31, 2017; and

Whereas, White Pine County is required to pay all court ordered attorney and investigation fees; and

Whereas, the FY2018 White Pine County General Fund has a beginning fund balance of \$14,019,083 which is \$2,113,234 higher than budgeted of which \$352,402 was appropriated for transfers to various special revenue funds, \$53,220 was appropriated for election equipment, \$5,503 was appropriated for transfer to the SB 74 fund, \$40,500 was appropriated for park well pumps and \$12,935 was appropriated for State of Nevada assessments for adult probation presentence investigation leaving \$1,648,674 available for legal appropriation;

Now Therefore Be It Resolved that White Pine County shall augment the White Pine County General Fund from unanticipated and unbudgeted beginning fund balance in the amount of \$15,000 (001-000-29905-000) and increase the Judicial Related Costs Attorney and Investigation line item (001-207-52709-000) by the same amount.

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

Passed, adopted and approved the 24<sup>th</sup> day of January, 2018.

Ayes: 5  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

  
Richard Howe, Chairman of the Board

ATTEST:

  
Nichole Baldwin, Clerk of the Board

White Pine County  
Board of County Commissioners

wpcclerk@whitepinecountynv.gov

Resolution Number 2018-06

Resolution to Augment the White Pine County General Fund from Unanticipated and Unbudgeted Beginning Fund Balance in the Amount of \$2,700 and to Increase the Justice Court Contract Services Line Item by the Same Amount to Cover Higher Than Normal Judge Pro Tem Costs

Whereas, the justice court contract services line item was budgeted at \$3,000 based on average past utilization during the FY 2018 budget process; and

Whereas, White Pine County is already at \$2,717 of December 31, 2017; and

Whereas, White Pine County is required to pay for appropriate and necessary judge pro tem costs; and

Whereas, the FY2018 White Pine County General Fund has a beginning fund balance of \$14,019,083 which is \$2,113,234 higher than budgeted of which \$352,402 was appropriated for transfers to various special revenue funds, \$53,220 was appropriated for election equipment, \$5,503 was appropriated for transfer to the SB 74 fund, \$40,500 was appropriated for park well pumps, \$12,935 was appropriated for State of Nevada assessments for adult probation presentence investigation and \$15,000 was appropriated for judicial related costs-attorney and investigation leaving \$1,633,674 available for legal appropriation;

Now Therefore Be It Resolved that White Pine County shall augment the White Pine County General Fund from unanticipated and unbudgeted beginning fund balance in the amount of \$2,700 (001-000-29905-000) and increase the Justice Court Contract Services line item (001-204-52915-000) by the same amount.

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

Passed, adopted and approved the 24<sup>th</sup> day of January, 2018.

Ayes: 5  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

  
Richard Howe, Chairman of the Board

ATTEST:

  
Nichole Baldwin, Clerk of the Board

Nichole Baldwin, Ex-officio Clerk of the Board

White Pine County  
Board of County Commissioners

wpcclerk@whitepinecountynv.gov

Resolution Number 2018-07

Resolution to Utilize \$6,400 from Contingency in Order to Pay for the Website Upgrade Approved by the Board of County Commissioners at the January 10, 2018 Commission Meeting

Whereas, the Board of County Commissioners approved a contract with Civic Plus in order to upgrade the White Pine County official website at a cost of \$6,400; and

Whereas, this expense was not budgeted during the FY 2018 budget process; and

Whereas, the FY2018 Contingency Account had a beginning balance of \$216,688 of which \$4,795 has been utilized for an economic development strategic plan, \$31,214 has been utilized for a halftime Deputy Treasurer, \$682 has been utilized to provide for travel/training in the Clerk's Office, \$7,000 has been utilized for juvenile transports, \$2,500 has been utilized for land appraisals, \$343 for Tri-County administrative services and \$1,524 for County Code expenses leaving a balance of \$168,630 which may legally be used for this purpose;

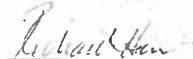
Now Therefore Be It Resolved that White Pine County shall appropriate \$6,400 from contingency to provide for Information Technology-Contract Services to upgrade White Pine County's website and adjust accounts in the general fund follows:

| Account           | Description                              | Increase | Decrease |
|-------------------|------------------------------------------|----------|----------|
| 001-109-52915-000 | Information Technology-Contract Services | \$6,400  |          |
| 001-600-54101-000 | Contingency Account                      |          | \$6,400  |

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

Passed, adopted and approved the 24<sup>th</sup> day of January, 2018.

Ayes: 5  
Nays: \_\_\_\_\_  
Absent: \_\_\_\_\_

  
Richard Howe, Chairman of the Board

ATTEST:

  
Nichole Baldwin, Clerk of the Board