

IN A REGULAR MEETING OF THE WHITE PINE COUNTY COMMISSION HELD ON MARCH 28, 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
Elizabeth Frances, Finance Director
Kathy Ricci, Human Resources Director
Megan Brown, Aquatic Center Director
Scott Henriod, WPC Sheriff
Bill Calderwood, Public Works Director
Bryan Pyle, Deputy District Attorney
Mike Wheable, District Attorney
Lori Romero, Library/Sr. Center Director
Catherine Bakaric, WPC Treasurer
Burton Hilton, WPC Assessor
Randy Long, Golf Course Professional
Brad Christiansen, Building Official

Also Present

Travis Godon
George Chachas, KGTV-10
Donna Bath, Senator Dean Heller
Maxine Lantz, Victim/Witness Services
Mark Crouter, KGHM
Brandon Whipple, CORE Construction
Mindy Seal, BLM
Laurie Carson, SLUPAC
Jojo Myers Campos, GOSIT

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

PUBLIC COMMENT

WPC Clerk Nichole Baldwin read a letter into the record from Mr. Alexander Jones, as he had requested.

Mr. George Chachas asked about the agenda item pertaining to the room tax being used for golf carts; he had thought the Golf Course was set up as an Enterprise Fund. He asked if the Golf Pro would receive a percentage of the cart rental fees; if so, he felt it should be denied. "New golf carts are a luxury, not a necessity," he stated. He advised that the Golf Course hadn't paid the City of Ely for their water usage for the past 2 years. Next, he asked when the Board had requested bids pertaining to the Public Defenders' contract. He noted that the Board had said they were going out to bid last time, and they didn't do that. He also felt the Building Official needs to address the hazard of sledding on the steep hill across from the Senior Center. He brought up Commissioner Carol McKenzie's cement work outside her fence line in Lund; Chairman Richard Howe pointed out he brings that up every meeting; this sparked a brief interchange. Mr. Chachas asked about an RFQ for architectural services for the Jail/Courthouse project, in that it should have included the site of the old Annex building as a possible location. He began to discuss the downtown traffic issue which will be coming up shortly, but Chairman Howe noted that's a City matter. Mr. Chachas' time was up.

March 24, 2018

Dear White Pine County Commissioners:

I am a resident of Ely, NV and have a background in population biology and management of endangered and sensitive species. I hold an M.S. from University of Nevada, Las Vegas in Biological Sciences.

I am writing to provide comment on the discussion and action items relating to the County's direction regarding Bureau of Land Management (BLM) amendments to the Greater Sage Grouse Conservation Plan (GSGCP). I attended the BLM scoping meeting in Ely and have reviewed the planning issue worksheet provided to the commissioners for this meeting.

The Greater Sage Grouse is a species that has previously been found to be warranted for listing as endangered under the Endangered Species Act. Simply put, if the BLM moves forward with the identified Alternative B in the planning issue document the Greater Sage Grouse will have a higher likelihood of being listed under the Endangered Species Act. The implications and regulatory burden for White Pine County residents and the County would be profound. Ranchers and locals would suddenly find themselves needing endangered species take permits to do modifications on their own property or on rangeland. The county itself would also find itself suddenly having to jump through additional regulatory hoops before improving roads or undertaking projects. The listing of the Sage Grouse would serve to discourage economic growth in White Pine County, as companies would have to go through costly permitting and mitigation processes before starting work in Sage Grouse habitat.

Of concern in the Alternative B identified in the document is the removal of Sage Grouse Focal Areas (SFAs). These are areas which have previously been identified as critical habitat for the species. Research suggests that modifications such as new roads and structures in these areas would alter the birds' use of habitat and be a detriment to its population. It should be noted that per admission of BLM officials at the scoping meeting, opening up SFAs to development and resource extraction is the basic goal of these plan amendments. Sage Grouse biologists fear that amendments to these plans will drastically increase the likelihood of listing for the bird.

There are also other actions which will be of detriment to Sage Grouse populations identified in Alternative B, including the lifting of seasonal restrictions to surface disturbance in Sage Grouse habitat which will negatively impact recruitment of the species.

With the proposed amendments the BLM is being penny-wise and dollar-poor. The proposed amendments will drastically hurt economic activity and increase federal regulatory burden in the long term due to the high likelihood that they will result in the listing of the bird.

The original conservation plans were a result of almost a decade of collaboration between state, federal, and local partners. They are based on sound science and would decrease the likelihood of a federal listing for the bird. I urge the County Commission to adopt a resolution supporting the implementation of the 2015 Sage Grouse Conservation Plans and asking the BLM for no amendments.

Sincerely,

Alexander Jones

At 9:05 a.m., Chairman Richard Howe recessed the regular Commission meeting to open the Road Commission meeting. At 9:15 a.m., Chairman Richard Howe adjourned the Road Commission meeting and reconvened the regular Commission meeting.

#### 9:15 A.M. - UPDATE

#### **DISCUSSION/UPDATE FROM THE GOVERNOR'S OFFICE OF SCIENCE, INNOVATION AND TECHNOLOGY ON THE ONGOING EFFORT TO SECURE BETTER BROADBAND SERVICES FOR WHITE PINE COUNTY**

Ms. Jojo Myers Campos, from GOSIT, provided her update to the Board; she noted the State broadband team is also present today to help answer any questions the Board may have. She advised that basically, the community let them know that more broadband was needed, and this was found to be true. At that point it was up to them to find the resources and the targets which would want to invest in White Pine County and also in the City of Ely. Competition would be good for this, she added, and they are looking to invite other companies offering broadband services to come into our area. Ms. Campos advised that Commnet (formerly WestNet) gave a much larger footprint; they're already purchasing the buyout portion of Mt. Wheeler's internet service. Since she and her team came here last August, they've been very active, focusing on Elko and White Pine counties with a very whole-community approach. She explained how everyone will benefit, and cited the survey as a foundation for both commercial business and residential, which they had sent out. The School District's Paul Johnson is working with them now, as is the White Pine County Library and the Ely State Prison. She noted there's a definite safety issue in ESP, "from both sides of the fence." While court appearances are mandatory to be face-to-face, she noted they can also be teleconferenced, which would eliminate prisoner transport. A robust broadband is required to facilitate that; ESP has that, but better connectivity is needed. She explained in detail

how that could be achieved without taking any “juice” offline from the other areas here in the County. Ms. Campos next addressed fiber; they have a tower for NDOT, for which broadband equipment will be installed on that. Another tower is being requested near Blue Diamond, although the CC&Rs (covenants) don’t address that; they are working around that CC&R issue. She noted they are also working with the Tribe. She continued that a conduit system may already be in place; B.J. Almberg, Basin Engineering, is checking into that possibility with NDOT to see where that system is actually located. It was noted the fiber ends only 100 feet from the existing project, which means only 100 feet of fiber would be required to tie in the project. Following further discussion, Chairman Richard Howe cautioned that people had been unhappy with a former broadband service with respect to the charges compared to the service, which they weren’t getting. Ms. Campos advised that the language with the broadband contracts is very specific, such as you would only receive UP TO a certain amount, and there’s no guarantee it would actually be that amount. District Attorney Mike Wheable advised that the people in Blue Diamond probably aren’t even aware that their area is being considered for broadband capabilities. Ms. Campos noted that the CC&Rs could probably be amended to accommodate that option. At this point, she introduced Mr. Joe Ferdozo, part of their broadband team: Mr. Ferdozo noted that 50 servers could be installed without having to subscribe. As long as it’s in the “line of sight,” the signal would go onto a fiber-based network. Their goal is to try to obtain a good signal with as little intrusion on the community as possible. It was noted that adding enhanced broadband service could add as much as 3% to the homeowners’ property value. Commissioner Shane Bybee commented that putting the conduits into the downtown Ely streetscape would also provide a great opportunity and enhance those properties as well. The Board thanked her team for the update.

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

**PUBLIC HEARING**

**THE WHITE PINE COUNTY BOARD OF COMMISSIONERS WILL TAKE PUBLIC COMMENT ON ORDINANCE 487, BILL 02.28.2018a, AN ORDINANCE AMENDING CHAPTER 17, SECTION 65 TO REGULATE ZONING OF MARIJUANA ESTABLISHMENTS**

Chairman Richard Howe asked for public comment; there was none.

**DISCUSSION/ACTION/APPROVAL OF ORDINANCE 487, BILL 02.28.2018a, AN ORDINANCE AMENDING CHAPTER 17, SECTION 65 TO REGULATE ZONING OF MARIJUANA ESTABLISHMENTS**

There being no further comment from the Board, Chairman Richard Howe entertained a motion to approve. Commissioner Shane Bybee made a motion to approve Ordinance 487, Bill 02.28.2018a, an Ordinance amending Chapter 17, Section 65 to regulate zoning of marijuana establishments. Commissioner Gary Perea seconded. Motion carried.

**PUBLIC HEARING**

**THE WHITE PINE COUNTY BOARD OF COMMISSIONERS WILL TAKE PUBLIC COMMENT ON ORDINANCE 488, BILL 02.28.2018b, AN ORDINANCE AMENDING TITLE 10 TO REGULATE MARIJUANA IN WHITE PINE COUNTY**

Chairman Richard Howe asked for public comment; there was none.

**DISCUSSION/ACTION/APPROVAL OF ORDINANCE 488, BILL 2.28.2018b, AN ORDINANCE AMENDING TITLE 10 TO REGULATE MARIJUANA IN WHITE PINE COUNTY**

Chairman Richard Howe asked if the Board had anything to discuss regarding this Ordinance; there was none. Chairman Howe entertained a motion to approve. Commissioner Steve Stork made a motion to approve Ordinance 488, Bill 2.28.2018b, an Ordinance amending Title 10 to regulate marijuana in White Pine County. Commissioner Shane Bybee seconded. Motion carried.

### FIRST READINGS

#### **DISCUSSION/FIRST READING OF ORDINANCE 490, BILL 03.28.2018a, AN ORDINANCE AMENDING ORDINANCE 482 TO BRING INTO COMPLIANCE WITH CHAPTER 364 OF THE NEVADA REVISED STATUTES**

WPC Clerk Nichole Baldwin advised that Deputy District Attorney Bryan Pyle had requested this be tabled for now. District Attorney Mike Wheable added there have been some last minute changes, and recommended this be tabled. Chairman Richard Howe entertained a motion to table. Commissioner Carol McKenzie made a motion to table this first reading of Ordinance 490, Bill 03.28.2018a, as requested. Commissioner Steve Stork seconded. Motion carried.

#### **DISCUSSION/FIRST READING OF ORDINANCE 491, BILL 03.28.2018b, AN ORDINANCE AMENDING TITLE 4 REGULATING COMMERCIAL PHOTOGRAPHY AT SPECIAL EVENTS HELD AT YELLAND FIELD**

District Attorney Mike Wheable advised there's been some concern regarding the County's right to market our events; this is to regulate that. Basically, he explained that people just need to ask permission ahead of time, prior to the event. Deputy District Attorney Bryan Pyle noted that protection of trademarks, etc., are also involved here, citing the photography being done inside of our National Parks, for example. D.A. Wheable read the text title into the record.

#### **DISCUSSION/FIRST READING OF ORDINANCE 492, BILL 03.28.2018c, AN ORDINANCE AMENDING WHITE PINE COUNTY CODE SECTION 4.04.020 TO REASSIGN 1% OF RENTAL BUSINESS TAX CURRENTLY ASSIGNED FOR THE MAINTENANCE FO THE WHITIE PINE COUNTY AQUATIC CENTER TO THE WHITE PINE COUNTY GOLF COURSE FOR THE PURCHASE OF GOLF CARTS**

Commissioner Shane Bybee noted this had been discussed during our last meeting, and he had requested Golf Professional Randy Long come to the meeting today. He asked Mr. Long what percentage does he receive from cart rentals? The reply was 25%. Finance Director Elizabeth Frances advised she has an issue with this Ordinance; she felt this would be limited to a special term, but the way this is written it seems to be in perpetuity. Commissioner Bybee felt the term should be limited to 10 years; Deputy District Attorney Bryan Pyle advised that information didn't make it into this draft. Director Frances requested this item be tabled so she can work with this, along with Deputy D.A. Pyle and Director Brown to clarify this would be a temporary arrangement, with the purpose of returning the tax revenue back to the pool. During the discussion, Commissioner Bybee suggested securing a loan to purchase enough golf carts to make a difference, and then use this room tax as payment on the loan. Aquatic Center Director Megan Brown noted that under the current Ordinance 466, as the 11.5% tax is divided, the Tourism & Recreation Board can use 1% for capital improvements, which could be for the golf carts. Commissioner Steve Stork maintained that the Tourism & Recreation Board had made it clear they wouldn't be doing that, and would instead be utilizing the funds for all outdoor activities, such as for races, marathons, etc. so the money wouldn't be locked into just one event or use. During the discussion, District Attorney Mike Wheable advised that near the end of this fiscal year we need to allocate some Contingency for the golf carts, get those out there, and leave the working budget for the swimming pool alone! He felt we should just fund this; the pool is working, and we don't want to risk that. Commissioner Shane Bybee felt that \$8,000 wouldn't break the pool, but the Golf Course has nearly lost the ability to have large tournaments since our cart fleet is so depleted. Commissioner Gary Perea suggested using the Net Proceeds of Minerals monies instead as a one-time expense. Commissioner Steve Stork would support these ideas, but he asked if a depreciation fund could be started to help replace the golf carts as they age in the future. Director Frances noted that the Golf Course fund is a special revenue fund; his suggestion is viable, and could be done by a resolution of the Board. Following further discussion it was felt that the language could be changed in the Ordinance from "any community recreation facility" to "approved, organized events" or "outdoor organized events" per suggestion from D.A. Wheable.

At 10:02 a.m., Chairman Richard Howe recessed the Commission meeting for a break. The meeting was reconvened at 10:10 a.m. and Chairman Howe opened the Special Fire Commission meeting. At 11:35 a.m., Chairman Richard Howe adjourned the special meeting of the White Pine County Fire Commission to open the Liquor Board meeting. At 11:40 a.m., Chairman Richard Howe adjourned the Liquor Board meeting and reconvened the regular Commission meeting.

**11:40 A.M. – PUBLIC DEFENDER CONTRACTS**

**DISCUSSION/ACTION/APPROVAL OF CHANGES RELATED TO THE PUBLIC DEFENDER CONTRACT REOPENER**

Public Defender Richard Sears advised that he is here today with Attorney Jane Eberhardy, and Attorney Shain Manuele was unable to attend. He clarified that the three attorneys do not share income/funds; they are all independent, and while they rent from the same law firm, they are not partners. Attorney Sears continued that they had agreed to come in with the proposal Attorney Manuele made to adjust all three of their contracts at the same time; he clarified this was just for the convenience of the Commission, to have all their contracts the same. Attorney Jane Eberhardy advised that last year they came in for an increase; the Board approved their 2-year contract, with no raise at that time, but with the ability to reopen the contracts after 1 year. Chairman Richard Howe advised that the initial request was for an 8% raise; the Board agreed that 5% would be acceptable, and that's what Attorney Manuele took back to the others as a counteroffer. Attorney Eberhardy clarified that Attorney Manuele didn't know they were in negotiations to do a counteroffer; they were coming in based on what the Board had stated last year, which was if the budget monies came to fruition there would be what they had requested in the beginning. Attorney Sears added that would be \$20,000 over a 2-year period, or \$10,000 per year for each attorney. The Board decided not to do that, so they actually waited for 3 years without a raise. He pointed out that the County Dept. Heads or employees aren't asking for raises or vacations; everyone else only got a 3% raise. He continued that had to cover their overhead, office employees, etc.; while they would love to be County employees, that would turn into "just another Department to deal with." So far, the attorneys have taken what they've been given, but now he reported they're in the middle of an ACLU lawsuit. They are having to devote our County contract time to that issue, which he briefly explained to the Board. Attorney Sears continued that they have lawyers coming in from Las Vegas, who are unprepared. Their group provides Public Defender services with a good defense, and they do that all week long. He pointed out that the County is spending millions of dollars a year to put people in jail, and we have 3 people working hard not to convict the innocent; their job is to ensure that doesn't happen. Once every 2 years is the only time this Board has to deal with the Public Defenders, he noted, and they are looking for an 8% increase. They're already out \$10,000 each for the first year, and if this fails they are looking at being \$20,000 out apiece. Attorney Eberhardy added that their expenses include paying their employees' insurance, rent, etc. They feel their employees are also entitled after 3 years, and they accommodate their employees. She added that it isn't just doing their job, it's all the expenses we have in order to do their jobs. There are also special items such as malpractice insurance, legal research/accessing recent cases, etc. involved as well. The monetary differences between the 8% and the 5%, for example, is \$11,600 per attorney; Director Frances confirmed the 8% would be \$34,800 for all of them, and she noted that would just be for this year as they will be opening this up next year. During the discussion, Commissioner Shane Bybee commented that we are really limited for attorneys in this town; no one else is available. Commissioner Shane Bybee made a motion to offer them the 8% for the last year of this contract. Commissioner Gary Perea seconded. This would be effective July 1, 2018, for a 1-year term. Motion carried 4:1, with Commissioner Steve Stork voting in opposition.

**11:50 A.M. – SLUPAC**

**DISCUSSION/ACTION/APPROVAL TO HOST THE NEXT SLUPAC MEETING IN WHITE PINE COUNTY AT A LOCATION TO BE DETERMINED, TO APPROVE AN AMOUNT NOT TO EXCEED \$200 TO PROVIDE LUNCH FOR ABOUT 15 PEOPLE, AND DISCUSSION AND APPROVAL OF A LOCATION FOR A "FIELD TRIP" FOR THE ATTENDEES**

Ms. Laurie Carson explained for the assemblage what SLUPAC does and advised they hold their quarterly meetings on a rotating basis. As White Pine County's representative on SLUPAC, she volunteered Ely

for this upcoming quarterly meeting; she noted when it was held in the past, it was at the Aquatic Center Facility, and they weren't charged to hold the meeting there. She noted they will need a projection/screen for their meeting as well, as usually a slide show is presented. There are also field trips taken for the members to preview the new projects/happenings in the area. Ms. Carson suggested a mine tour and/or Camp Success' new facilities. Chairman Richard Howe asked if the other participating counties pay \$200 for the lunches; the reply was affirmative. Ms. Carson is also requesting coffee in the morning, plus sweet rolls and a selection of fruit. She advised that people do take their own vehicles to the meetings. During the discussion, Commissioner Steve Stork pointed out that we need to find that \$200 from somewhere, "we just okayed a \$34,000+ expense!" Commissioner Steve Stork made a motion to approve the hosting of the next SLUPAC meeting in White Pine County and to approve an amount not to exceed \$200 to provide lunch for about 15 people. Commissioner Gary Perea seconded. Motion carried. Ms. Carson advised the meeting will be held on the first Friday in June.

At 12:04 p.m., Chairman Richard Howe recessed the Commission meeting for a lunch break. The meeting was reconvened at 1:04 p.m.

### ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS

#### COUNTY COMMISSION

##### STEVEN STORK, COMMISSIONER

#### DISCUSSION/ACTION/APPROVAL OF AN INTERLOCAL AGREEMENT WITH WHITE PINE COUNTY AND WHITE PINE COUNTY FIRE PROTECTION DISTRICT FOR ALLOCATION OF CENTRAL SERVICES EXPENSES

This agenda item was opened in conjunction with the corresponding Fire Commission agenda item. Finance Director Elizabeth Frances asked the preference of the Board, if this should be allocated out in the General Fund. Commissioners Gary Perea, Carol McKenzie, and Shane Bybee agreed that Maintenance allocation shouldn't be included at this point in time. Public Works Director Bill Calderwood noted that the Road Shop has some positions that are vacant, for which they are paying \$4,000; other Depts., he noted, don't pay anything for their vacancies. Per NRS, Director Frances indicated that there must be a reasonable basis to allocate central services, by using budgeted numbers. It would be very difficult to take into consideration every time a vacancy occurs, as she would have to recalculate, post, budget, etc. She emphasized that as she must use a "reasonable basis," that is what she's been doing, and further the Nv. Dept. of Taxation has approved of this method of allocation. District Attorney Mike Wheable will bring back a revised interlocal agreement for both the Fire District and the Commission, he advised the Board. No action was taken today; this is just for discussion. Chairman Richard Howe took the Board back to the Fire Commission agenda.

##### CAROL MCKENZIE, COMMISSIONER

#### DISCUSSION/UPDATE FROM THE MEETING ABOUT YUCCA MOUNTAIN

Commissioner Carol McKenzie advised this meeting was very interesting, and she met lots of people. She reported that Gov. Bryan Sandoval was there, as was Mr. Robert Halstead, from the Governor's office; both are adamantly opposed to Yucca Mountain. There was a lot of discussion regarding the pros and cons of this project. Should the transportation of nuclear waste start up again, there's a strong possibility it will be taken by railway or Highway 6; she noted we're one of the affected units of local government (AULGs) in that event. She cited discussion regarding an international agreement between the United States and 3 European countries that focused on not recycling the nuclear waste, since Plutonium is a byproduct of that recycling. A gentleman who is quite knowledgeable about the nuclear waste had advised her that people can recycle the spent rods instead, by making new ones from the old. We could also prepare the radioactive isotopes for ourselves, rather than relying on other countries to provide us with those; the process of recycling the spent rods would not produce plutonium, he emphasized. Several counties spoke in favor of doing this: Elko, Inyo (California), and Nye counties. She noted that those entities against Yucca Mountain were in favor of doing this type of recycling. It was also suggested that Nevada Test Site could be the temporary storage area, with the recycling factory located there as well. She plans to attend the next meeting on April 19<sup>th</sup>.

**GARY PEREA, COMMISSIONER**

**DISCUSSION/UPDATE ON THE ISSUE OF AN ARMED RESOURCE PERSON AT WHITE PINE COUNTY SCHOOLS**

Commissioner Gary Perea talked with School District Superintendent Adam Young, who is in favor of supporting this position. WPC Sheriff Scott Henriod also talked with Superintendent Young, and he's 100% in favor as well. There is a possibility that the School District might be able to assist us with this position; Sheriff Henriod will find out this week as they held a Finance meeting last night. Commissioner Perea felt Human Resources Director Kathy Ricci should work with Sheriff Henriod on a Job Description and pay scale, etc. for this position. Chairman Richard Howe asked if it would be worth it for us to just use what we have and not hire another \$80,000 employee? He felt putting someone in that position just in case something happens wouldn't be a good idea fiscally. He felt we are as prepared as if we did have someone out there in the schools. Commissioner Perea advised that the kids in the recent occurrence knew about the bombing in advance, but they had no one to talk to about it; it is extremely important to get some response prior to the actual event. Chairman Howe noted that UNR teachers are being trained to recognize certain things that would be a signal and help identify someone who might be a perpetrator in these events. Sheriff Henriod agreed, that the rapport that's developed with the kids makes it easier to identify even before the teachers become aware. He added, "confidentiality is given to an Officer because they don't want that connection with the teacher or counselor." Commissioner Shane Bybee agreed that having an officer in the school who would know how to react would be important; we should work with the School District and the Charter School, and he added that State/Federal funding could be upcoming for this as well. Commissioner Perea felt that if we had someone in place that would be proof for the grants that we've been doing something about these kinds of issues. Finance Director Elizabeth Frances cautioned that grant funding can't be used to supplant someone; if we hire someone here, the Federal grant monies that could come down couldn't be utilized for the same purpose. Direction was given to move forward and firm up a Job Description.

**ELECTED OFFICIALS**

**MIKE WHEABLE, DISTRICT ATTORNEY**

**DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2018-15, A RESOLUTION OF THE WHITE PINE COUNTY BOARD OF COUNTY COMMISSIONERS DECLARING THE BOARD'S INTENTION TO LEASE HANGAR #2 AT YELLAND FIELD**

District Attorney Mike Wheable advised the Board had already approved to do a Resolution to provide the notice/process for this lease. However, per NRS, we need to ensure this is totally in compliance; he felt that language stipulating the lease amount per month should be added, and while \$228.80 was cited as the minimum amount it was noted the Board could set a different amount if it chose to do so. Deputy District Attorney Bryan Pyle advised the minimum amount was provided in the WPC Airport Fee Schedule for open, undeveloped land. The FAA didn't set lease amounts, he continued, they want the entities to go out and do their own appraising. His reasoning is that instead of spending more money on an appraisal for undeveloped property, we could just set a number as a base minimum. Commissioner Carol McKenzie noted that if this was rented for \$300/month previously, that should be our minimum to go by; Commissioners Shane Bybee and Steve Stork agreed. Per legal advice, the language was stipulated for the motion. Commissioner Gary Perea made a motion to approve Resolution 2018-15, declaring the Board of County Commissioners' intent to lease Hangar #2 at Yelland Field with a change on Item 2 indicating the minimum rental price should be no less than \$300/month. Commissioner Carol McKenzie seconded. Motion carried.

**DISCUSSION/ACTION/RATIFICATION OF A SETTLEMENT AGREEMENT AND MUTUAL RELEASE FOR PREMISES LIABILITY CLAIM WITH NO FURTHER CONTRIBUTION FROM THE COUNTY NECESSARY**

District Attorney Mike Wheable advised this claim was settled so the County won't be paying that amount, initially for \$10,000. All that is required is the approval to ratify the settlement agreement. Chairman Richard Howe entertained a motion to ratify. Commissioner Carol McKenzie made a motion to ratify the settlement agreement as requested. Commissioner Steve Stork seconded. Motion carried.

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

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Nichole Baldwin, Executive Clerk of the Board

White Pine County  
Board of County Commissioners

wpcclerk@whitepinecounty.gov

RESOLUTION NO. 2018-15

A RESOLUTION OF THE WHITE PINE COUNTY BOARD OF COUNTY COMMISSIONERS DECLARING INTENT TO LEASE HANGAR #2 AT YELLAND FIELD

WHEREAS, NRS 244.137 establishes the County's authority to regulate matters of local concern;

WHEREAS, NRS 244 and NRS 496 establish the County's authority to lease real property at the White Pine County Airport, also known as Yelland Field;

WHEREAS, the Board of County Commissioners of White Pine County, State of Nevada, do expressly find that leasing Hangar #2 at the White Pine County Airport, also known as Yelland Field, is in the best interest of the County;

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF WHITE PINE COUNTY, STATE OF NEVADA, hereby resolves:

1. that it is the intent of the Board of County Commissioners of White Pine County ("Board") to lease Hangar #2, also known as the Old Civil Air Patrol Hangar, a 44' x 52' hangar located at the White Pine County Airport, also known as Yelland Field.
2. That the minimum rental price shall be no less than \$3000.00 per month.
3. That the lease term shall be five (5) years.
4. That lease of Hangar #2 is conditioned on the Lessee meeting the requirements set forth in the White Pine County Hangar Policy (July 1, 2017).
5. That the remainder of the lease terms shall be substantially similar to those set forth in prior lease agreements for Hangar #2.
6. That the Lessee must maintain insurance and add White Pine County as an additional insured with not less than \$500,000 coverage.
7. That the Board shall receive and consider both sealed and oral bid proposals to lease Hangar #2 at 11:00 a.m. at its May 9, 2018, public meeting taking place at the White Pine County Library Conference Room, 950 Campton Street, Ely, Nevada 89301.
8. That this meeting shall constitute a regular meeting of the Board at which any interested person may appear.
9. That sealed bids shall be submitted to the White Pine County Clerk, 801 Clark Street, Suite 4, Ely, Nevada 89301. The deadline for submitting sealed bids shall be 5:00 p.m. on May 8, 2018.
10. That a person may not make an oral bid unless, at least five (5) business days before the May 9, 2018, White Pine County Commission Meeting, the person submits to the Board notice of the person's intent to make an oral bid and a statement establishing the person's financial responsibility to the satisfaction of the Board.
11. That a person need not submit a sealed bid to be authorized to make an oral bid as long as such person is qualified to make an oral bid pursuant to section 10 above.
12. That a person may use an agent to bid by proxy to the extent recognized by Nevada law.

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13. That at 11:00 a.m. during public session of the May 9, 2018, White Pine County Commission Meeting, all sealed bid proposals which have been received will be opened, examined and declared by the Board.
14. That of the written (sealed) bid proposals submitted which conform to all terms and conditions specified in this Resolution and which are made by responsible bidders, the bid proposal which is the highest must be finally accepted, unless a higher oral bid is accepted or the Board rejects all bids.
15. That before accepting any written (sealed) bid proposal, the Board shall call for oral bids. If, upon the call for oral bidding, any responsible person offers to lease the property upon the terms and conditions specified in this Resolution, for a rental price exceeding by at least five percent (5%) the highest written (sealed) proposal, then the highest oral bid which is made by a responsible person must be finally accepted.
16. The Board may, either at the May 9, 2018, White Pine County Commission meeting or at any adjourned session of the same meeting held within the twenty-one (21) days next following, finally accept the winning bid, or, if it deems such action to be for the best public interest, reject any and all bids, either written or oral, and withdraw the property from lease.
17. Inspections of Hangar #2 shall be conducted by appointment by contacting Lance Gale, White Pine County Airport Manager, P.O. Box 150631, Ely, Nevada 89315, (775) 293-0472.

FURTHER, Resolution 2018-10 shall be repealed upon passage of this Resolution.

FURTHER, a sunset clause shall be enforced declaring that this Resolution is hereby repealed upon expiration of the lease agreement arising from this Resolution.

INTRODUCED AND PASSED this 28<sup>th</sup> day of March, 2018

Approved:

Richard Howe, Chairman  
BOARD OF COUNTY COMMISSIONERS  
White Pine County, Nevada

ATTEST:

  
Clerk of the Board

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**DISCUSSION/ACTION/APPROVAL OF CONTRACT WITH LOMBARD-CONRAD ARCHITECTS (LCA) FOR PROFESSIONAL CONSTRUCTION MANAGEMENT AND DESIGN SERVICES FOR THE PROPOSED REGIONAL JUSTICE CENTER COMPLEX CONTINGENT ON APPROVAL FROM THE USDA**

District Attorney Mike Wheable advised this contract isn't ready for the Board to review just yet, and requested this agenda item be tabled. Chairman Richard Howe entertained a motion to table. Commissioner Steve Stork made a motion to table this agenda item. Commissioner Carol McKenzie seconded. Motion carried.

**DISCUSSION/ACTION/DIRECTION REGARDING COUNTY INVOLVEMENT IN GREATER SAGE-GROUSE RESOURCE MANAGEMENT PLAN AMENDMENT (2018)**

Deputy District Attorney Bryan Pyle advised he's been attending meetings by telephone; NACO is providing much support on several specific issues for both our County and Lincoln County as well. He noted just for the Board's information that they have "someone on the ground doing this." The Board voiced appreciation for all he is doing in this regard.



**DISCUSSION/ACTION/DIRECTION OF WHETHER THE COUNTY SHOULD ENGAGE AND CONTRACT WITH RCI FOR TECHNICAL ASSISTANCE RELATED TO THE PENDING GREATER SAGE-GROUSE RESOURCE MANAGEMENT PLAN AMENDMENT (2018) IN AN AMOUNT NOT TO EXCEED \$10,000**

Finance Director Elizabeth Frances advised that in past meetings we've been looking to address the sage grouse issues. NACO is trying to contract with RCI to assist with the habitat maps, etc., related to this matter; a contract in an amount less than \$50,000 is being done, and White Pine County will be asked to share in that cost. Commissioner Steve Stork confirmed this; he's attended NACO meetings where this was discussed as well. He advised NACO is just asking for participating counties to contribute an equal amount towards the effort, which works out to be \$7,100 from each County. He commended RCI as the best way to go, as they do have technical expertise in this. Chairman Richard Howe felt the amount "not to exceed \$10,000" would be good with this. Chairman Howe entertained a motion for approval. Commissioner Steve Stork made a motion to contract with RCI for technical assistance related to the pending Greater Sage-Grouse Resource Management Plan Amendment (2018) in an amount not to exceed \$10,000. Commissioner Gary Perea seconded. Motion carried 4:0, as Commissioner Shane Bybee had left the meeting due to an appointment.

**DISCUSSION/ACTION/APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN WHITE PINE COUNTY AND THE BLM REGARDING DEVELOPMENT OF THE RESOURCE MANAGEMENT PLAN AMENDMENT AND ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED NEVADA AND NORTHEASTERN CALIFORNIA GREATER SAGE-GROUSE RESOURCE MANAGEMENT PLAN AMENDMENT**

Deputy District Attorney Bryan Pyle cited two MOUs that had been proposed; one is just with White Pine County, and the other authorizes NACO to also coordinate with the BLM in these discussions. He noted some specific language that had been drafted, such as NACO attendance at the meeting would not suffice for the agreement requirements. This agreement with NACO would allow us to engage and speak with NACO freely, as he explained. Commissioner Gary Perea wished to ensure PLUAC would be kept in this loop as well, since the County doesn't have a Natural Resource Dept. Deputy D.A. Pyle noted they are requesting a contact person for White Pine County, depending on which agreement we go into; the Board pointed out that Deputy Pyle is the contact. Following brief discussion, Chairman Richard Howe entertained a motion per discussion. Commissioner Carol McKenzie made a motion to approve an MOU with NACO as requested, with Deputy D.A. Bryan Pyle as the contact person for White Pine County. Commissioner Gary Perea seconded. Motion carried.

**NICHOLE BALDWIN, COUNTY CLERK**

**DISCUSSION/ACTION/APPROVAL TO UTILIZE \$2,230 OF CONTINGENCY FOR SIDWELL TO DEVELOP A GIS LAYER FOR VOTING PRECINCTS ON THE GIS PLAT MAP**

WPC Clerk Nichole Baldwin thanked Burton Hilton for his assistance with this, as this is used on a daily basis when a new registered voter is entered in the system. This will replace the guesswork with specific boundaries; she is requesting this be done in order to implement the layers. If the City approved this, she noted in reply to a query from the Board, it would help them as well. Clerk Baldwin added that this would be made available to the public, so they could also access the layers. Finance Director Elizabeth Frances indicated that we do have funding for this, and she will bring back a Resolution addressing this at the next meeting if the Board approves. Chairman Richard Howe entertained a motion for approval. Commissioner Shane Bybee made a motion to utilize \$2,230 of Contingency for Sidwell to develop a GIS layer for voting precincts on the GIS plat map. Commissioner Steve Stork seconded. Motion carried. WPC Assessor Burton Hilton advised he will pick up the ongoing costs out of his Assessor's Technology Fund, as this is a one-time cost. Motion carried.

**BURTON HILTON, ASSESSOR**

**DISCUSSION/ACTION/APPROVAL OF A 6-YEAR CONTRACT BETWEEN WHITE PINE COUNTY AND PICTOMETRY INTERNATIONAL FOR AERIAL PHOTOGRAPHY OF CERTAIN IDENTIFIED AREAS WITHIN THE COUNTY IN THE AMOUNT OF \$159,945.44**

WPC Assessor Burton Hilton advised he does have this money available in his budget; former Assessor Robert Bishop had entered into a contract with this firm for 7 years. They fly around the different areas in the State, focusing on the populated areas; every County except White Pine and Esmeralda has this capability, he noted. He advised they utilize it daily, and overlay their parcel lines onto this program. They initially wanted \$85,000/year for the service, but he cut our areas to coincide with appraisal cycles, thus achieving some cost savings. Photos are taken biannually, in different areas at different times. The pictures are better and are updated more often than Google Earth, he noted. In reply to a query from the Board, he advised that our Building Official would also be able to utilize this, it would be a great benefit. He added that as long as it's the public money being spent for this, the public could also have access. Following brief discussion, Commissioner Gary Perea made a motion to approve a 6-year contract between White Pine County and Pictometry International for aerial photography of certain identified areas within the County in the amount of \$159,945.44. Commissioner Steve Stork seconded. Motion carried.

**DEPARTMENT HEADS**

**BRAD CHRISTIANSEN, BUILDING OFFICIAL**

**DISCUSSION/ACTION/APPROVAL REGARDING ABATEMENT PROPERTIES AT #23 AND #25 AVENUE C IN MCGILL, NEVADA**

Building Official Brad Christiansen advised he had received a letter from the McGill Town Council on February 21, and this is in response to their request. He advised that #23 Avenue C is already being planned for demo/abatement. At the #25 Avenue C address he didn't see issues with the house, but perhaps a foreclosure is being considered; it doesn't look that bad. So there are no actual nuisances at #25 Avenue C to abate, and he recommended removing that from the list. He is receiving some complaints on three old Kennecott storage units, however. District Attorney Mike Wheable advised those Kennecott storage units are on County property as a nuisance, but without evidence of title from someone who claims that they are his, they will be on our list for demolishing. Official Christiansen confirmed that just #23 Avenue C and the 3 Kennecott storage sheds would be on for abatement this year. He added that the owner of #25 Avenue C finally has the money to start redoing his house, and he had notified the Building Official about that. Chairman Richard Howe entertained a motion to tear down #23 Avenue C. Commissioner Shane Bybee made a motion to handle #23 Avenue C and the 3 Kennecott storage shed properties behind the GID building as requested. Commissioner Steve Stork seconded. Motion carried. Follow-up letters with the new information for notification will be sent as required.

**DISCUSSION/ACTION/APPROVAL OF A PARCEL MAP – THE APPLICANT IS RICHARD A. BUSTOS – THE SUBJECT PROPERTIES ARE SECTIONS 9 AND 16, T16N, R63E – GENERAL LOCATION OF THE PROPERTIES ARE 582 WEST BUSTOS DRIVE, NE ¼ OF SECTION 16, AND SE ¼ OF SECTION 9, WHITE PINE COUNTY, NEVADA (APN 010-770-05, 001-011-03 & 001-011-04. THE APPLICANT DESIRES TO MERGE AND RE-SUBDIVIDE THE PARCELS FOR ESTATE PLANNING AND TO DO A BOUNDARY LINE ADJUSTMENT**

Building Official Brad Christiansen explained this is a request for exactly as the agenda item reads; he showed the Board on a large map of the area. Access is already in there as well as an easement for utilities, as he noted. The smallest acreage is 3.64 acres; the others are just under 5 acres. The larger ones fall under O-5, as he noted per query from the Board, and RA-2.5 is the zoning for the smaller one. Chairman Richard Howe entertained a motion for approval. Commissioner Shane Bybee made a motion to approve the parcel map for Richard A. Bustos, general location of the properties and legal description as noted on the agenda item, do merge and re-subdivide the parcels and do a boundary line adjustment, as requested. Commissioner Steve Stork seconded. Motion carried.

**DESIREE BARNSON, SOCIAL SERVICES DIRECTOR**

**DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2018-16 AUTHORIZING THE WHITE PINE COUNTY COMMISSION TO EXECUTE GRANT AGREEMENTS WITH THE NEVADA DEPT. OF TRANSPORTATION FOR AID IN THE FINANCING OF OPERATING AND CAPITAL ASSISTANCE PROJECTS**

WPC Clerk Nichole Baldwin is handling this for Social Services Director Desiree Barnson, who was unable to attend this afternoon. She explained that NDOT requires this resolution to be passed in order to allow us to apply for grants through them. The Chairman of the Board of County Commissioners would be authorized to apply for the grants, she noted in reply to a query from Deputy District Attorney Bryan Pyle. Following brief discussion, Chairman Richard Howe entertained a motion for approval. Commissioner Steve Stork made a motion to approve Resolution 2018-16 to authorize the White Pine County Commission to execute grant agreements with NDOT for aid in the financing of operating and capital assistance projects, as requested. Commissioner Shane Bybee seconded. Motion carried.

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

801 Clark Street, Suite 4  
Ely Nevada 89301  
(775) 293-6599  
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Nichole Baldwin, Ex-officio Clerk of the Board

**White Pine County**  
**Board of County Commissioners**

wpcclerk@whitepinecounty.gov

**Resolution No. 2018-16**

A resolution authorizing the submittal of a proposal or proposals with the Nevada Department of Transportation for grants through the US DOT Federal Transit Administration (FTA), as authorized under Federal Transit Law and funds available from the Nevada Public Transportation Grant Program and executing a contract with the Nevada Department of Transportation upon grant proposal acceptance.

WHEREAS, the Director of the Nevada Department of Transportation is authorized to make grants for a public transportation program;

WHEREAS, the contract for financial assistance will impose certain obligations upon the Applicant, including the provision by it of the local share of the project costs in the program;

WHEREAS, it is required by the U.S. Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964, that in connection with the filing of an application for assistance, that the Applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the U.S. Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the Applicant that disadvantaged business enterprise be used to the fullest extent possible in connection with this/these project(s), and that definite procedures shall be established and administered to ensure that disadvantaged businesses shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

**NOW, THEREFORE, BE IT RESOLVED BY White Pine County Commission**  
(Governing Body of APPLICANT)

- 1 The White Pine County Commission Chairman is authorized to execute and submit an application on behalf of APPLICANT with the Nevada Department of Transportation to aid in the financing of capital and operating assistance projects and the Nevada Public Transportation Grant Program.
- 2 The White Pine County Commission Chairman is authorized to execute and file with such application and assurance or any other document required by the U.S. Department of Transportation effectuating the purposes of Title VI of the Civil Rights Act of 1964.

- 3 The White Pine County Commission Chairman is authorized to furnish such additional information as the Nevada Department of Transportation may require in connection with the application for the program of projects submitted to FTA.
- 4 The White Pine County Commission Chairman is authorized to set forth and execute affirmative disadvantaged business policies in connection to any procurement made as part of the project.
- 5 The White Pine County Commission Chairman is authorized to execute grant agreements on behalf of APPLICANT with the Nevada Department of Transportation for aid in the financing of operating and capital assistance projects.

The undersigned duly qualified and acting White Pine County Commission Chairman for the APPLICANT certifies that the foregoing is a true and correct copy of a resolution, adopted at a legally convened meeting of the White Pine County Commission held on the 28<sup>th</sup> day of March, 2018.

  
Authorized Signature

White Pine County Commission Chairman  
Title

3/28/2018  
Date

Attest:  
  
County Clerk

**KATHY RICCI, HUMAN RESOURCES DIRECTOR**  
**DISCUSSION/ACTION/APPROVAL OF THE COUNTY MANAGER POSITION WITH  
ACCOMPANYING JOB DESCRIPTION**

Commissioner Steve Stork had requested this be placed on the agenda, as we've been talking about this for a very long time but we need to make a decision shortly, whether to go with this position or not. If this isn't decided today, Commissioner Stork is asking this to be a standing agenda item until it's resolved. Human Resource Director Kathy Ricci cited some bullet points in the Job Description and asked the Board if they would like to review; they would. She added the Emergency Management Director Job Description is also available for them to discuss as well. Commissioner Gary Perea felt the Emergency Management Director position was out, and that the County Manager could work with the Clerk and assist with the Commission meeting agendas. He added that the direct link between the Finance Director and the County Commission needs to be maintained, rather than adding the Finance Director link to the County Manager. Commissioner Shane Bybee agreed, and cited another entity in the County having the same issue. Commissioner Steve Stork added that our Emergency Management Director is also our Fire Chief; in a true incident he would be acting as the Fire Chief, not the Emergency Manager, "who wouldn't have his boots on the ground." Other facets of the County Manager were discussed by the Board, including the involvement with HR, complaints from citizens, program complaints, etc. Commissioner Stork suggested a POOL/PACT representative might come out and discuss the functions of a true County Manager; he's looking for an outside point of view on this. Director Ricci will see about setting up that visit. During the discussion of various responsibilities, Director Frances noted that along with this position is the question of where they would have their office, and that an Administrative Assistant would be needed for the County Manager. Following further discussion, Commissioner Steve Stork made a motion to table the next two agenda items (the pay scale and posting/recruitment). Commissioner Shane Bybee seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF THE COUNTY MANAGER PAY SCALE**  
This agenda item was tabled, per above discussion.

**DISCUSSION/ACTION/APPROVAL TO POST VACANCY AND ACTIVELY RECRUIT TO FILL  
THE COUNTY MANAGER POSITION CONTINGENT UPON THE POSITION BEING ADDED AND  
APPROVED IN THE FY2019 BUDGET**

This agenda item was tabled, per above discussion.

**DISCUSSION/ACTION/APPROVAL OF A JOB DESCRIPTION FOR LEAD SUPERVISOR ROAD  
WITH A GRADE AND STEP INCREASE AS APPROVED**

Director Ricci cited the new Job Description for this in the Commission packet, and explained that we took away another Supervisory position and created one Public Works Director position for both Road and Maintenance. The work trickled down to the crew leaders, so the Job Description is being changed and a rate increase is being requested for those. She added that these are Union positions, and a whole new job class was created; the Crew Leader positions would be placed as Lead Supervisors. Director Frances advised the Board that any time a new position is added to a bargained agreement, "you don't get it back." She would discourage the Board from adding a new lead position into the contract agreement. Public Works Director Bill Calderwood provided a history of the Public Works/Superintendents that had been in place in the past, and noted that the work still trickles down to the crew leaders. He added that if it wasn't for the two individuals stepping up and working out of their class, he wouldn't have been able to achieve all that he has to date. Director Ricci cited her spreadsheet handout that she provided and noted that the benefits are included in the salary figures. During the discussion, Commissioner Steve Stork advised that he couldn't in good conscience vote for this, given today's expenditures already. Commissioner Shane Bybee felt that something more reasonable should be considered. Director Frances will review this and return with better information; she noted there could be room for interpretation on what's being discussed. The fact that we would be giving these positions more responsibilities needs to be considered, and they do need to be compensated; both Commissioners Bybee and Perea agreed. It was felt this agenda item, plus the others following that pertain to these position, should be tabled for now.

Commissioner Shane Bybee made a motion to table this and the next 3 items on the agenda. Commissioner Carol McKenzie seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF A JOB DESCRIPTION FOR LEAD SUPERVISOR MAINTENANCE WITH A GRADE AND STEP INCREASE AS APPROVED**

This item was tabled per the above discussion.

**DISCUSSION/ACTION/APPROVAL OF A PROMOTION/RECLASSIFICATION FOR THE CREW LEADER ROAD DEPT. TO LEAD SUPERVISOR ROADS WITH A GRADE AND STEP INCREASE AS APPROVED**

This item was tabled per the above discussion.

**DISCUSSION/ACTION/APPROVAL OF A PROMOTION/RECLASSIFICATION FOR THE CREW LEADER MAINTENANCE DEPT. TO LEAD SUPERVISOR MAINTENANCE WITH A GRADE AND STEP INCREASE AS APPROVED**

This item was tabled per the above discussion.

**DISCUSSION/ACTION/APPROVAL TO BEGIN RECRUITMENT FOR THE HUMAN RESOURCES DIRECTOR POSITION THAT WILL BE VACATED IN JUNE**

Director Ricci advised she will need to adjust the pay scale and Job Description if the County Manager takes on the HR function. Commissioner Gary Perea felt the HR duties should not be included in the County Manager's position, and that there needs to be a fully dedicated Department to take care of the HR issues. Director Ricci noted while Eureka, Esmeralda and 2 other counties don't have County Managers, they have put their HR Departments under their Clerk/Treasurer combined office. She did note that there are some confidential areas of the HR position such as HR investigations, Union negotiations, etc. that also need to be considered; those kinds of functions often take a long time to resolve. Following further discussion, Commissioner Steve Stork felt this should also be tabled, and Director Ricci should work with Director Frances and come back with a recommendation, as well as having the POOL/PACT representative come and present. Chairman Richard Howe entertained a motion to table. Commissioner Steve Stork made a motion to table this agenda item. Commissioner Carol McKenzie seconded. Motion carried 4:1, with Commissioner Gary Perea voting in opposition.

**ELIZABETH FRANCES, FINANCE DIRECTOR**

**DISCUSSION/ACTION/APPROVAL OF A XEROX COPIER LEASE FOR 2 COPIERS; ONE COPIER FOR DISTRICT COURT #1 AND ONE COPIER FOR DISTRICT COURT #2; EACH WITH A TERM OF 5 YEARS, MONTHLY PAYMENT OF \$128.26 AND A \$0.0071 PER PRINT RATE**

Finance Director Elizabeth Frances cited backup for what is currently in the Judicial Courts and also the new proposal, which does show a cost savings. She advised that the current copiers are being operated well past their normal lifespan. She noted that these could be purchased through the State Purchasing Office, and Xerox will directly support the equipment. She is requesting the Board's approval today to replace these. She is also having the same people review the other copiers in the County, with the goal of having a replacement leasing program in place for both color and black/white copiers. Commissioner Steve Stork made a motion to approve the Xerox Copier lease for the two copiers as requested. Commissioner Shane Bybee seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL RELATED TO VARIOUS ITEMS AND DEPARTMENTS IN THE FY2019 BUDGET INCLUDING: COMMISSION, CLERK, RECORDER INCLUDING SPECIAL REVENUE BUDGETS, ASSESSOR INCLUDING SPECIAL REVENUE BUDGET, TREASURER, ELECTIONS, INFORMATION TECHNOLOGY, FINANCE, HUMAN RESOURCES, DISTRICT ATTORNEY, JUSTICE OF THE PEACE-ELY INCLUDING SPECIAL REVENUE BUDGETS, DISTRICT COURT I INCLUDING SPECIAL REVENUE BUDGETS, DISTRICT COURT II INCLUDING SPECIAL REVENUE BUDGETS, JUDICIAL RELATED COSTS, JUVENILE PROBATION, JUVENILE DETENTION,**

BAILIFFS, JUDICIAL COURT SUPPORT, SHERIFF INCLUDING ADMINISTRATION, DETECTIVE, PATROL, JAIL, CORONER, DISPATCH AND TASK FORCE, FIRE, EMERGENCY MANAGEMENT, ECONOMIC DEVELOPMENT, BUILDINGS AND MAINTENANCE, PARKS MAINTENANCE, PUBLIC HEALTH, COOPERATIVE AGREEMENTS-ANIMAL CONTROL, COUNTYWIDE EXPENSES, LIBRARY, AIRPORT OPERATING, NATURAL RESOURCES, TRANSFERS, CONTINGENCY, AGRICULTURAL DISTRICT, EMERGENCY MEDICAL SERVICES, AGRICULTURAL EXTENSION, SOCIAL SERVICES INCLUDING DONATIONS FUND, ROAD DEPARTMENT, AIRPORT CAPITAL IMPROVEMENT, CAPITAL IMPROVEMENTS, SB74 TAX FUND, TOWNS OF LUND, MCGILL & RUTH, SENIOR CENTER, INDUSTRIAL PARK, BUILDING & PLANNING, GOLF COURSE, AQUATIC CENTER INCLUDING SPECIAL REVENUE FUND, CHINA SPRINGS, AND CAMP SUCCESS

District Attorney Mike Wheable advised this agenda item could be read “as outlined in the agenda”, rather than having to read the entire text title. He added that the next agenda item may be opened as well. This was done.

#### DISCUSSION/UPDATE ON REVENUE ESTIMATES FOR THE FY2019 BUDGET BASED ON DEPT. OF TAXATION FINAL REVENUE ESTIMATES

Both this and the above agenda item were opened simultaneously. Commissioner Steve Stork provided his disclosure disclaimer. Finance Director Elizabeth Frances cited the backup, and noted that she received these figures from the Nv. Dept. of Taxation later than the rest of the backup materials. She explained that the real and personal property taxes, and Net Proceeds of Minerals figures, are based on the Dept. of Taxation projections, resulting in an \$185,000 increase in our regular ad valorem taxes. She continued that they are estimating \$3.7 million will be coming to our County, with \$3 million going into our General Fund. However, she highly recommended not building our operating budget out of those funds. Also, the final figures won't be in until May. She proceeded through the package for the Board, noting that she is trying to make adjustments in the preliminary revenues and expenses for the General Fund as we go along. Director Frances noted that BCT is asking for a \$30,000 increase next year, and she advised she's not happy about the timing or the amount, either. Mr. Earle Keizer addressed the Board, citing their review in June 2017 and their list of items they've provided for the County at no cost. He noted that for the ADS support figures, shown as -o-, when BCT takes over the net gain will be -o- although there are some overlapping costs which figure into their request. Director Frances noted that as the County transitions into the ADS replacement, we will be paying fees for all those and she wasn't convinced that the ADS reduction would be just the \$30,000. She did concur that an increase is in order, since we will be eliminating some of our old servers. Mr. Keizer continued that there will be costs, such as for the new software, but he included the hardware “intermingling with the ADS replacements.” He added that they cooperated last year with the County in helping us to reduce our costs. Chairman Richard Howe felt it would be prudent for Director Frances to work with Mr. Keizer, and he noted that she is the person who best leads the Commission in these matters.

Director Frances continued to review for the Board, noting the “one-time” items in the budget such as the ADS replacement and the E911 project, which are all expected to use up the remaining Net Proceeds balance. Commissioner Shane Bybee commented that we have about \$2.7 million in requests higher than our actual budget last year; she confirmed that. As she moved down the list in review, she noted all the smaller funds where revenues have changed due to the Dept. Taxation projections, and also that those are ad valorem related. The Road Fund and the RTC were also adjusted based on those revised figures. The tentative budget is due by April 15<sup>th</sup>, so the next meeting will be to balance the budget and approve it to the point that the Board would like. Commissioner Gary Perea requested a sheet showing the items that the Board can cut; Director Frances advised she has one but it will be updated so the Board can set their priorities. The Board commended her for doing a good job on the budgets.

#### DISCUSSION/ACTION/APPROVAL OF MONTHLY FINANCIAL REPORTS FOR FEBRUARY 2018

Director Frances advised these are her regular reports, presented in the standard format. There were no questions. Chairman Richard Howe entertained a motion for approval. Commissioner Gary Perea made a

motion to approve the monthly financial reports for February 2018. Commissioner Steve Stork seconded. Motion carried.

**DISCUSSION/ACTION/DIRECTION ON THE PERSONNEL POLICY AS IT PERTAINS TO THE HIRING PROCESS**

Director Frances cited the discussions held on this last time, and there had been some question as to if the Department Heads were following policy as it relates to hiring people. She noted that it's the regular positions that come to the Commission for approval during the hiring process, and the seasonal employees were not included in the process in the past. Human Resources Director Kathy Ricci noted that the seasonal employees and Lifeguards are generally just brought on without coming to the Commission for those positions. Director Frances added that all the seasonal/temporary positions are normally included into the Consent Agenda packets. It was the consensus of the Board that this practice will be continued.

**DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2018-13 TO AUGMENT THE WHITE PINE COUNTY GENERAL FUND FROM UNANTICIPATED AND UNBUDGETED BEGINNING FUND BALANCE IN THE AMOUNT OF \$86,000 TO COVER THE ESTIMATED COSTS OF THE AIR RACE EVENT**

Director Frances cited the correspondence from Airport Manager Lance Gale on this. There's much work that needs to be done, as this event is coming up in the Summer; she noted she can augment from the beginning fund balance, or wait until the revenues come in and then augment. She would prefer not to wait, due to the possibility of some kind of violation that could occur with that, she cautioned. The Dept. of Taxation was consulted on this and they also felt augmenting this ahead of the revenues coming in would be prudent. During the discussion, she noted that we are awaiting the insurance documentation, and Manager Gale is working on this. District Attorney Mike Wheable asked that the insurance be placed on the next agenda. Chairman Richard Howe entertained a motion for approval. Commissioner Carol McKenzie made a motion to approve Resolution 2018-13 to augment the General Fund in the amount of \$86,000 to cover the estimated costs of the Air Race Event. Commissioner Shane Bybee 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**

Chairman Richard Howe entertained a motion for approval. 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 OF THE APPLICATION TO THE OFFICE OF THE ATTORNEY GENERAL FOR THE VIOLENCE AGAINST WOMEN ACT (VAWA) FOR FEDERAL FISCAL YEAR 2018 FOR PROSECUTORS (STOP) FOR THE VICTIM/WITNESS SERVICES PROGRAM**

Victim/Witness Services Program Director Maxine Lantz advised this is a recurring, annual grant. We are requesting the State to come up with an amount to cover their needs; the match is used for support of their office rent, phone, and volunteer staff. She advised that D.A. Wheable will be administering this, as he has been doing, and there have been no problems with late payment or reimbursement. Chairman Richard Howe entertained a motion for approval. Commissioner Steve Stork made a motion to approve submitting the grant application to the Office of the Attorney General for the VAWA for FY 2018 for Prosecutors (STOP) for the Victim/Witness Services Program. Commissioner Shane Bybee seconded. Motion carried.

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

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Nichole Baldwin, Ex-Officio Clerk of the Board

White Pine County  
Board of County Commissioners

wpcclerk@whitepinecountynv.gov

Resolution Number 2018-13

Resolution to Augment the White Pine County General Fund from Unanticipated and Unbudgeted Beginning Fund Balance in the Amount of \$86,000 to Cover the Estimated Costs of the Air Race Event

Whereas, the White Pine County Airport is moving forward with holding an air race event in June 2018; and

Whereas, White Pine County did not budget for this event during the FY2018 budget process; and

Whereas, the airport manager has estimated the pre, during and post-race expenditures to be \$86,000; 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 SH 74 fund, \$40,500 was appropriated for park well pumps, \$12,935 was appropriated for State of Nevada assessments for adult probation presentence investigation, \$15,000 was appropriated for judicial related costs- attorney and investigation and \$2,700 was appropriated for justice court contract services leaving \$1,630,974 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 \$86,000 (001-000-29905-000) and increase the Airport Operating Contract Services-Air Race Event line item (001-420-52915-016) 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 28th day of March, 2018.

Ayes: 5  
Nays: 0  
Absent: 0

ATTEST:

Nichole Baldwin, Clerk of the Board

Richard Howe, Chairman of the Board

**DISCUSSION/ACTION/APPROVAL OF THE FEBRUARY 28, 2018 COUNTY COMMISSION MEETING MINUTES**

Chairman Richard Howe entertained a motion for approval. Commissioner Steve Stork made a motion to approve the February 28 Commission meeting minutes with corrections noted. Commissioner Carol McKenzie seconded. Motion carried.

**RECOMMENDATIONS FOR ITEMS FOR FUTURE AGENDAS**

- Insurance for the Air Races Event this Summer
- A POOL/PACT agent to present to the Board re: County Manager

**PUBLIC COMMENT**

There was none.

**ADJOURNMENT**

Chairman Richard Howe entertained a motion to adjourn at 3:15 p.m. Commissioner Shane Bybee made the motion; Commissioner Steve Stork seconded. Motion carried.



BOARD OF COUNTY COMMISSIONERS  
COUNTY OF WHITE PINE  
STATE OF NEVADA

BY: Richard Han  
CHAIRMAN

ATTEST:

[Signature]  
WPC CLERK OF THE BOARD