

IN A REGULAR MEETING OF THE WHITE PINE COUNTY COMMISSION HELD ON APRIL 22, 2020 IN THE COUNTY LIBRARY CONFERENCE ROOM IN ELY, NEVADA

The Following Were Present:

County Commission

- Richard Howe, Chairman
- Travis Godon, Vice-Chairman
- Ian Bullis, Commissioner
- Shane Bybee, Commissioner
- Laurie L. Carson, Commissioner
- Nichole Baldwin, Clerk of the Board

County Officials

- Elizabeth Frances, Finance Director
- Mike Johnson, IT Specialist
- Tim Bunch, Human Resources Director (Zoom)
- Bill Calderwood, Public Works Director (Zoom)
- Kristi Rozich, Aquatic Center Director (Zoom)
- Brad Christiansen, Building Inspector (Zoom)
- Mike Wheable, District Attorney (Zoom)
- Lori Romero, Library/Sr.Ctr. Director
- Lance Gale, Airport Manager

Also Present

- George Chachas, George Town Media
- Caroline McIntosh, Main St. Com. (Zoom)
- Geri Wopschall (Zoom)
- Lacey Balch (Zoom)
- Don Southworth
- Mark Bassett, NNRR (Zoom)
- Laura Oslund
- Marietta Henry (Zoom)
- Jim Alworth, Ely City Council
- Jeremy Drew (Zoom)
- Jim Alworth

Chairman Richard Howe called the meeting to order at 9:02 a.m. Commissioner Laurie Carson led the Pledge of Allegiance.

MOMENT OF SILENCE/SILENT INVOCATION

This was duly observed.

PUBLIC COMMENT:

Mr. Jim Alworth commented as a City Councilman and as a private citizen. Regarding SNPLMA, he thinks playgrounds and parks located near truck stops aren't a good mix, and can be dangerous to kids crossing Veterans Blvd. and Great Basin Blvd. He also feels it's taking prime property away from development. He noted that we depend on tourism from the Railroad, which needs improvements to be made. He advised potholes are in the roads near the Little League Fields, we need working scoreboards, updated bathrooms, upgraded concession stands, and also Field 1 has poor soil. As a City Councilman he complained that the SNPLMA issue wasn't brought before the City; he felt we need to make things more transparent, thereby getting people involved, as opposed to listening to only a "core" of people. He noted other things are also needed, such as parking, volleyball, etc. Time was called.

Mr. Mark Bassett, NNRR, asked for support for the Railroad Project for SNPLMA. He noted that closure due to COVID-19 has had a negative impact on the railroad and on tourism in general. For the past 32 years, he continued, tourists spent \$50 million in White Pine County. The railroad was believed to be developed into a tourist attraction by Kennecott; and it has been. Its success can be attributed to SNPLMA improvement grants, which allow

the railroad to provide basic services to tourists. He noted that the first SNPLMA grant they received was 8 years ago, and their revenues have been increasing ever since. Mr. Bassett is requesting the Board rank the Railroad Project #1, as their revenues will greatly assist in the economic recovery of White Pine County. This project will also add from 2-3 permanent positions and 4-6 seasonal positions, besides being a benefit to the Renaissance Village. Time was called.

Mr. George Chachas cited the agenda item pertaining to a letter to be sent to the Governor; the County needs to follow the State's lead. He felt we should only reopen when the COVID-19 curve flattens. He added these directives were put into place to protect us. As to the agenda item on the Airport Fee Structure, he would like clarification on who that applies to. He continued that the Building Inspector selectively enforces the law. He next addressed the SNPLMA item and suggested Broadbent Park should be the first choice, and the Railroad Project second. He added that if we bring in a newspaper that's fair and balanced, we can see how people react. He brought up about the missing track rentals from S&S Railroad, and that person should resign. Time was called during his comments.

Ms. Lacey Balch, present via Zoom, asked about an agenda item pertaining to the public health; she wanted to know if we've hired a private epidemiologist other than Dr. David Byun. Commissioner Ian Bullis advised that we don't have dialogue during Public Comment. She thanked the Board.

Human Resources Director Tim Bunch addressed the Board via Zoom. He cited the letter of resignation that was submitted to the Ely Times in reply to a comment from Mr. Chachas, and noted that he could receive a copy from them. Chairman Richard Howe directed Director Bunch to provide a copy of that letter to Mr. Chachas.

9:00 A.M. - GEORGE CHACHAS' AGENDA ITEMS

Discussion/For Possible Action: Approval to waive property taxes and building permits for taxpayers over age 70. George Chachas

Chairman Richard Howe asked for a motion to approve. Commissioner Shane Bybee made a motion to waive property taxes and building permits for taxpayers over age 70 as requested. At this point, Mr. Chachas approached the Board and clarified he's only requesting a waiver of the County taxes. He continued that the Building Inspector won't approve a permit for him, yet he pays taxes and expects equal protection under the law. Since the County officials won't do their jobs, he's asking for this waiver "since the Chairman gave favors to his buddies." Chairman Howe requested a second to the motion. Motion died for lack of a second.

Discussion/For Possible Action: Approval to refund business license fees to George Chachas in light of the Ordinance repealing the business license requirement in 2019. George Chachas

Chairman Richard Howe advised he had placed these items on the agenda; he addressed this item. He noted the action to repeal was effective from that day forward, and prior fees were non-refundable, with all fees collected after that time were waived. Mr. Chachas suggested creating an Ordinance that applies to everyone, not only for a short time. He noted that failure to collect is mismanagement, and listed mal, mis, and non-feasance. He wants his money back, as well as for others that have paid into it. Chairman Richard Howe repeated

the facts; Commissioner Travis godon added that the 2 Board members who established that Business License Ordinance weren't on the Board when it was repealed. District Attorney Mike Wheable asked for a motion from the Board. Commissioner Laurie Carson abstained as she was not a Commission at that time; D.A. Wheable advised she could still vote on this. Commissioner Travis Godon was against this Ordinance "from Day One" and since SNWA didn't have to pay he wasn't happy; so he makes a motion to refund everyone, including Mr. George Chachas. Commissioner Shane Bybee seconded. WPC Clerk Nicole Baldwin advised that the Business Licenses cost \$75 each, and we had roughly 150 businesses on file, for an approximate cost of \$8,000. Finance Director Elizabeth Frances added there's also an administrative fee to set up the refund checks. D.A. Wheable added that someone would have to request a refund; while we could only refund Mr. Chachas for his fees today, we could place something on a future agenda to address refunding the other licensees, including how and when. We would also need to provide a public notice and put a cap on the timeframe to request said refund. Commissioner Godon amended his motion to refund Mr. George Chachas and place on the next agenda to do the same for the rest of the others that paid in, with proper notice and deadline. Commissioner Shane Bybee amended his second. Motion carried 4:1, with Commissioner Shane Bybee voting in opposition.

Discussion/For Possible Action: Approval to compensate George Chachas for damage done to his property at the old Ely Grade School on High Street. George Chachas

Chairman Richard Howe stated that the damage done occurred within the City limits, and he's free to submit his claim to the Victims' Relief Fund, not to the County. Mr. Chachas wants equal protection under the law: He reported this to the Sheriff's Dept., which is a County entity. He's asking for the damages incurred, and provided a picture of the kids who were there. Another kid turned himself in, but nothing was forthcoming from law enforcement. Per Chairman Howe, the property is still in the City and the County has no jurisdiction over his request. Commissioner Shane Bybee wants to know how much he is seeking in damages; Mr. Chachas replied the costs were \$200 for the windows and approximately \$150 for the Plexiglass. District Attorney Mike Wheable advised that the County and City governments aren't liable to compensate victims of property damage. When the case can be proved, we can get a judge to order restitution to repay the victims. If it can't be proven, those cases aren't submitted to the agencies correctly and can't move forward to capture the restitution. D.A. Wheable doesn't recommend the Board approve this request because then they would have to pay everyone who suffers property damages in the County. Mr. Chachas just wants someone to do their job to get this case prosecuted and taken to court to get the restitution ordered. Chairman Richard Howe asked for a motion to approve. Commissioner Shane Bybee made a motion to approve this as requested. Motion died for lack of a second.

Discussion Only about the Northern Nevada Railroad and the Historical railroad Foundation board having to follow open meeting law and being under the jurisdiction of the County. George Chachas

Chairman Richard Howe stated the Northern Nevada Railroad and the Historical Railroad Foundation are owned by the City of Ely, not by White Pine County. They are used as a tourism tool. Mr. Chachas is concerned that they receive monies from room taxes, and that tens of thousands of dollars were embezzled. He asked flatly if that was a rumor, or not; and if there was embezzlement going on we need to get to the bottom of it. If they do have the funds then they have an obligation to show where those monies are being spent. District Attorney Mike Wheable stated that we have no authority over this issue; this Commission appoints 2 members to the Tourism & Recreation Board, and Mr. Chachas is asking for accountability from them to hold the Railroad accountable, to be transparent. He continued that the Commission would have to remove those members if we aren't satisfied with them; the removal process is complicated, as it applies only if the members lack qualifications. Once they are appointed, he added, "our hands are tied." Outside of malfeasance of office, he continued, we can't remove them. In the absence of that malfeasance, the members would need to be removed through the Attorney General's office. Chairman Richard Howe recalled only having 1 applicant at a time, so we don't have a choice anyway. It was clarified that the Tourism & Recreation Board is an independent public body.

Discussion Only about the Building Inspector and allegations about a trip taken in a County-owned vehicle. George Chachas

Chairman Richard Howe advised this had been investigated; there was no proof, nor was there anyone else in the vehicle with him. He was in a restaurant with his family, but there is no proof anyone was in the vehicle besides the Building Inspector. Mr. Chachas didn't believe that the relative got there by any other way; he added the person who took the photo he cited can prove this. Commissioner Shane Bybee asked if the Building Inspector is near Eureka doing his work and he's about to take a lunch break, can he cross County lines to get something to eat? District Attorney Mike Wheable clarified that while Inspector Christiansen falls under the City of Ely's Personnel Policy, his truck is owned by the County. Mr. Chachas stated he's waiting for Inspector Christiansen's resignation. D.A. Wheable advised that the City reported he was in Eureka for a meal. He continued that the Board made a change since this was brought up to prohibit relatives or non-employees in County owned vehicles used for County business; furthermore, he was thanked for bringing positive changes to the County. Chairman Howe noted that every Department Head is evaluated, and this one will be evaluated, too. The Board thanked Mr. Chachas for "opening our eyes."

Discussion Only about the Centennial Building and its temporary roof. George Chachas

Chairman Richard Howe stated that the Centennial Building is privately owned, and the tarp is on top is to protect the insides until they can raise funds to put on a new roof. Mr. Chachas is all for that, and he understands the financial situation they're in, but he stated it isn't privately owned, "it's a club that's used by the public." Commissioner Ian Bullis doesn't know if it's been operating recently, but the Tumble Bugs do use the basement of the building. Building Inspector Brad Christiansen noted that Mr. Chachas has property that has a tarp on the roof, so he doesn't understand why he doesn't get this; the tarp doesn't violate code. District Attorney Mike Wheable noted that Mr. Chachas' complaints about this building need to be lodged with the City Council. He is hearing that Mr. Chachas wants to evict the Tumble Bugs; he needs to address that to the City. Mr. Chachas maintained that the Centennial Building gets money from the Tourism & Recreation Board as a private club.

Discussion Only about the critical housing shortage and the County's actions to move the development of "affordable housing" forward. George Chachas

Chairman Richard Howe noted that the housing isn't under the Affordable Housing Act. He noted the process the County took to notify the public about the steps taken were to advise them about the critical housing shortage. The houses are going forward and will cost between \$230,000-250,000. This will also free up inventory locally that is needed, it was added by D.A. Wheable. Mr. Chachas didn't like the Board's response.

Discussion Only about the sound system in the Library Conference Room used for Commission Meetings. George Chachas

Chairman Richard Howe stated we have microphones and speakers, and are doing the best we can to address the need. Commissioner Ian Bullis advised he had spent an hour with our IT people to order the right equipment to integrate the recording mikes and all of the microphones into the speaker and recording device to ensure everything gets picked up. He will continue working with IT to ensure it works well. Mr. Chachas felt we don't have people who are qualified for this though, because at the last Regional Planning Commission meeting he couldn't hear. He added that we can't use mikes geared for a recording system, in a PA system. District Attorney Mike Wheable stated this is adequate for the ADA, it's reasonable, and we are in compliance with the law. Chairman Howe advised that Mr. Chachas can't bring these items back up, now that they've been officially addressed. He is welcome to bring any new concerns to the Board, but these old and repetitious ones will be quashed. He noted per advice of D.A. Wheable that Mr. Chachas will always be entitled to his 3 minutes of Public Comment, but if any of these items are brought up the Board can't address them, and they will be determined as inflammatory. Commissioner Shane Bybee noted a law on Elections that allows all candidates a chance to be heard; he will reach out to other candidates to invite them to put 8 items on the agenda as well, in order to make it equal for all the challenging candidates.

9:30 A.M. NATURAL RESOURCES

Discussion/For Possible Action: Approval regarding two Work Order Amendments for Project Coordination, Meetings, Minor Work Requests and Project Management and for Development of a Comment Letter to the BLM's Pinyon Juniper Categorical Exclusion - Jeremy Drew

Mr. Jeremy Drew, via Zoom, thanked the Board for allowing him to appear remotely, and also the Clerk and District Attorney who assisted him with this today. He and his wife are expecting a baby in May, so he might be absent then, but he assured that RCI is open and operating to meet our needs. He also noted that in March the Commission approved the contract, and these are amendments for the budget and deliverables. Commissioner Travis Godon made a motion to approve the two amendments to the contract as requested. Commissioner Shane Bybee seconded. Motion carried.

Discussion/Update regarding a data call for Raven Information by the US Fish and Wildlife Service. Attached information was submitted on March 31, 2020 to meet the request deadline - Jeremy Drew

Mr. Drew noted the deadline was March 31st, prior to when our contract with them started. He wanted to make sure the County has something put in on this process. He felt it was important to get general information on, and to keep an eye on things. Commissioner Laurie Carson commented that both she and Mr. Drew have worked with NACO and their Public Lands Committee and the District Attorney on this, as a collaborative effort.

Discussion/For Possible Action to ratify prepared comments on the Pinyon-Juniper Categorical Exclusion for the BLM, which comments were signed by Chairman Richard Howe and submitted Tuesday, April 14 because of pending deadline. -Jeremy Drew

Commissioner Ian Bullis made a motion to ratify the prepared comments as requested. Mr. Drew pointed out and complimented the Ely BLM Office, the USDA Forest Service, and the Nv. Department of Wildlife, as they have done a lot of good work, in terms of managing the pinyon-juniper areas. Commissioner Travis Godon seconded. Motion carried.

Discussion/For Possible Action to discuss draft comments and approve submission of comments on County letterhead on the Greater Sage Grouse issue for the BLM. -Jeremy Drew

Mr. Jeremy Drew noted he had a short turnaround, despite being granted an extension. This was completed under Work Order #1 and was easy to compile; it's intended to address an Idaho lawsuit that stayed the implementation of a prior plan. He continued that he used a template and applied everything to White Pine County, to ensure its consistency with previous letters. Commissioner Shane Bybee made a motion to approve the submission of comments on the Greater Sage Grouse issue for the BLM, on County letterhead. Commissioner Laurie Carson seconded. Motion carried 4:0, as Commissioner Bullis had stepped out of the room for a moment.

At 10:15 a.m., Chairman Richard Howe recessed the meeting for a short break. The meeting was reconvened at 10:20 a.m.

ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS

COUNTY COMMISSION

Travis Godon, Vice Chairman

Discussion/For Possible Action: To send a letter to the Governor requesting that White Pine County be exempt from any further statewide orders regarding shutdowns, quarantines, etc that relates to COVID-19 after April 30th, 2020. White Pine County will continue to do what's best for the citizenry in regards to COVID-19 but believes we can have a fully opened economy (gaming, restaurants, bars, and all other currently closed businesses to be opened back up) while encouraging businesses to maintain best practices to help mitigate the risk to the elderly and those with pre-existing conditions like so many are already doing

Commissioner Travis Godon clarified that this was reviewed by the District Attorney and through the proper channels. After President Trump came out with Phase One, he changed the letter, it was noted. Commissioner Shane Bybee disclosed that he owns gaming, restaurants, and bars as noted in the letter as a principal in M.M. Bybee, Inc. Commissioner Godon read the letter in the Open Meeting. This letter will be accompanied by Dr. David Byun's letter regarding a soft reopening and a handout from Commissioner Travis Godon, entitled "COVID-19 Policy and Data Perspective." If White Pine County was a State, it would be larger in area than New Jersey, Connecticut, Delaware and Rhode Island combined. His point is, that New York City data shouldn't drive our rural regions as the data is not similar. As we sit, we qualify for Phase One and we just need to have a respectful conversation with the Governor and have him review our situation. Commissioner Ian Bullis wanted to reword the section about "experiencing an uptick in cases" differently, because we will likely be seeing that uptick. He felt it is vague and the word "significant" should be added because a slight uptick is inevitable. If everyone in the County needed hospitalization, the capacity is 14%. He wants to avoid the confusion of business owners and the public not knowing what's going on. Chairman Richard Howe read Dr. Byun's response to this issue, namely, that places of worship, restaurants, swimming pools, beauty and barber shops (by appointment only), the Golf Course, public parks and walking trails are to be reopened with limited occupancy and operation. If there is a significant peak, we would return to self-isolation immediately. Commissioner Shane Bybee advised he was contacted by a KGHM Mine representative who expressed that White Pine County has been "off the radar" and this letter may bring us onto the radar; we could actually be asking for a retaliatory strike from the Governor, who might shut down the Mine, and therefore a huge impact would be experienced by the County. Commissioner Bybee compared this to "hitting a beehive with a baseball bat." Commissioner Bullis agreed with that stance, but felt we're already on the radar because entities such as the Reno Gazette-Journal have been pitting us against the Governor. He also felt like the Republican Party's Recall Petition targeted us as well. He felt the letter is professional, as the problem we're facing is that the Governor is overstepping his bounds to shut down businesses and impede the economy. Allowing the Governor to keep the State shut down will result inevitably in nothing good coming from it. Life is still operating as normal with the shopping and eating and checking the mail. There have only been 3 cases in one family

and he thinks we're in big trouble if we don't reopen. Commissioner Shane Bybee wants to form a coalition with other counties who feel the same, which would give us better standing and would eliminate the focus on us. Commissioner Laurie Carson stated that during the President's Press Conference on the reopening of America on April 16th, President Trump had stated some States could reopen as early as the next day. She wants to incorporate words from his speech, Dr. Byun's response, and information on our ability to respond. She had a conversation with the Mine, who is doing more than the Governor has recommended. There was a concern that we are diluting the recommendations made to keep us safe. She wants to wait until the three people who are currently in quarantine are retested and come back as negative, before we proceed. Commissioner Bullis asked what recourse the Governor would have; District Attorney Mike Wheable stated we have taken the Governor's directives very seriously and he, along with local leaders, have been meeting to ensure they are being enforced. The D.A. and the Sheriff are bound to enforce the directives by law, he added; while the Governor is being supported out here, we want him to know the other harms that are occurring in our County as a result of the directives. He noted our Public Health Officer took more stringent steps than the Governor's recently, because the community's health and well-being are top priority. Whatever direction this Board takes will result in consequences, it was noted. We receive State funding, and there are other tools related to malfeasance that can be used against us. The D.A. doesn't have the ability to usurp the Governor's directives. A civil claim may exist if some are treated differently than others, but we aren't at that point yet. If the D.A. fails to act, he continued, then the Governor can remove him from office. He noted the letter is not demanding; he will counsel the Board if they desire to take more aggressive action in a Closed Litigation Session. Commissioner Laurie Carson doesn't want to approve any action that would put the D.A. or Sheriff in opposition in any way; the D.A. took an oath to defend the Constitution. She added there's no harm in looking at the smaller counties. She's never been opposed to the Governor's directives and agrees with Commissioner Bybee's suggestion to align with other counties. She would like to see more in the letter. Chairman Howe has reached out to JobConnect regarding unemployment; Pershing 52%, Storey 77%, Mineral 66%, Lander 72%, Humboldt 86%, and other counties, which add up to a whopping 71% overall in the State. He wants to send a letter that looks at the big picture. District Attorney Mike Wheable advised that each case of COVID-19 can't be labeled as equal because we have an advantage in our rural community. He is discouraged, however, with the Governor's press conferences because the Governor is relying on the doctors, who are only concerned with preventing the spread of the disease. He stated we need to hold a meeting next week to discuss if we will continue with our Declaration of Emergency or make changes. If this County wanted to release our restrictions, the City of Ely may disagree; we are reminded that we are a political subdivision of the State of Nevada. There was some discussion during which it was decided to hold a Special Commission meeting next Thursday at 9:00 a.m. Commissioner Laurie Carson made a motion to table this item until that meeting. Commissioner Shane Bybee seconded. Motion carried.

ELECTED OFFICIALS

Mike Wheable, District Attorney

Discussion Only: on the collection or suspension of the County Gaming Fee pursuant to NRS 463.323 during the Statewide gaming shutdown of the COVID-19 emergency

Commissioner Shane Bybee disclosed that he is a County Gaming License owner, and he will be abstaining. It was advised that WPC Sheriff Scott Henriod collects gaming fees for the County and no license money paid to the Sheriff or Licensing Dept. may be refunded for any reason. It was reported that gaming establishments are still having to pay fees despite having to be closed. District Attorney Mike Wheable wants an Ordinance to change this and put a moratorium on the collection of these fees while the gaming industry is shut down. The Board can send direction to the Sheriff to not collect those fees on behalf of the County, if they so wish. The Sheriff would respond that the NRS tells him he shall collect; the Board can also refuse the revenues and offer them as a refund. Commissioner Ian Bullis is open to the suggestion that the D.A. find a creative solution for this. Sheriff Henriod advised the Board that the statute doesn't give him discretion to NOT collect the fees. He asked the Board to make a Resolution to return the fees once they are collected. Commissioner Travis Godon thought that the Emergency Order seems to make the Constitution unenforceable; it could be construed to change this law as well. It was suggested that the County donate money back to businesses from the stimulus funding. We would collect those fees and track them, and figure out later how to make them reimburseable back to the payors.

Discussion/For Possible Action to Approve actions resulting from the approval of Resolution 2020-27 to extend declaration of County Emergency until April 30th, consistent with the State of Nevada's extension of Emergency

Commissioner Ian Bullis made a motion to approve the actions resulting from the approval of Resolution 2020-27 to extend the Declaration of County Emergency until April 30th as requested. Commissioner Laurie Carson seconded. Motion carried.

Scott Henriod, Sheriff

Discussion/For Possible Action: Approval of the White Pine County Sheriff's in-custody death report as required by NRS 211.020

WPC Sheriff Scott Henriod, via Zoom, presented this In-Custody Death Report as required per NRS. Commissioner Ian Bullis made a motion to approve the report as presented. Commissioner Travis Godon seconded. Motion carried.

Catherine Bakaric, Treasurer

Discussion/For Possible Action: Approval of an Affidavit for Delinquent Tax Mailing

Commissioner Laurie Carson made a motion to approve the Affidavit for Delinquent Tax Mailing as requested. Commissioner Ian Bullis seconded. Motion carried.

DEPARTMENT HEADS

Lance Gale, Airport Manager

Discussion/For Possible Action: Approval to rent Hangar 2 for aircraft storage at Yelland Field on a month-to-month basis at a rate comparable to the Navy Hangar 1. The renters for the shared hangar space will be determined on a first come, first serve basis. The number of aircraft to be stored in Hangar 2 will be determined by the size of aircraft and space available to the renters

Airport Manager Lance Gale is here at the request of the Board from the last meeting; he has since reworded the policy. MedX AirOne has officially moved into their new hangar yesterday, and Hangar 2 is now available for renters. He felt from 2-3 aircraft could fit, w quite comfortably. Commissioner Travis Godon made a motion to approve rental of Hangar 2 for aircraft storage at Yelland Field on a month-to-month basis comparable to the Navy Hangar 1, as presented and discussed. Commissioner Shane Bybee seconded. Motion carried.

Discussion/For Possible Action: Approval to rent the Navy Hangar 1 and Hangar 2 for overnight aircraft storage when space is available and with approval from current renters at a rate based on the Airport Fee Schedule to be collected by the Ely Jet Center (Airport FBO)

It was explained this allows for transient customers who seek overnight rentals. Commissioner Shane Bybee has heartburn with the landlord getting permission from the current renters; he felt this should be at the discretion of the Airport Manager, if space is available. Airport Manager Lance Gale clarified that making contact with the current renters is in order to accommodate them, if they are flying the next day. He agreed that could be done to eliminate the appearance of personal preferences. Commissioner Shane Bybee made a motion to approve rental of Navy Hangars 1 and 2 for overnight aircraft storage when space is available and with approval from the current renters as presented and discussed, with fees to be collected by the Ely Jet Center. Commissioner Travis Godon seconded. Motion carried.

Discussion/For Possible Action: Approval of changes and amendments to the current Ely Airport Fee Structure previously approved June 24, 2015 and to amend the fee structure for Hangar 2 to a monthly shared rental rate comparable to the Navy Hangar 1

Airport Manager Lance Gale cited the backup materials and noted this is being brought to the Board this year to ensure we are keeping up economically with the other airports. He contacted 5 other similar airports in Nevada and provided a general picture. He also cited changes to the fee schedule; he felt any large changes may be detrimental to the industry since the hit it's taken since COVID-19. He advised that MedX AirOne has offered to pay for rental fees for 1 year for the occupants of Hangar 2. Commission Ian Bullis asked if Hangars 1 and 2 are comparable; Manager Gale responded to this, and then Commissioner Bullis suggested charging \$55 for each hangar. Manager Gale felt that would be fine, but then it should be re-evaluated in 6 months. A power utilization chart illustrated how Hangar 2 uses \$69/month. Commissioner Shane Bybee felt the fees should remain the same and then we could review them in 6 months. Commissioner Travis Godon made a motion to leave all the fees the same, and for Hangar 2 to share the same fee structure as Hangar 1. Commissioner Ian Bullis seconded. Motion carried.

Discussion only: Update the Board on the COVID 19 Airport CARES Act Program released on April 14th

Airport Manager Lance Gale thanked WPC Clerk Nichole Baldwin for putting this on the agenda at the last minute. He noted \$10 billion is available for Airports right now: National airspace traffic has dropped by 80% and airlines are only getting from 4-7% capacity on flights. The funding starting going out yesterday; he gave the application to Finance Director Elizabeth Frances and advised we will be getting a check in 2 weeks. Manager Gale is working to ensure the Airport is clean and sanitized as per Mr. Schaefer's recommendation. Mr. Craven provided an update to Manager Gale that our portion of this \$10 billion can't be utilized for improvements, but rather for Payroll, Operations, etc. We will also receive \$20,000 in relief funding through the CARES Act. He did note a loss of potential revenue from the gliders not coming in. He noted he can bring this application back for ratification next week. The Board thanked Manager Gale.

Kristi Rozich, Aquatic Center Director

Discussion Only: To discuss and notify the commission of a possible delay in opening McGill Pool due to COVID -19 and the inability to hold trainings and hire summer staff

Aquatic Center Director Kristi Rozich, appearing by Zoom, stated that with current distancing rules, she can't hold trainings. Until this is lifted, since she can't train, she can't hire. She is working with other facilities to determine the best way to handle this. Commissioner Travis Godon expressed the County is stuck as well with the budget; if we don't see funds from the government, we won't be able to open non-essential Departments.

Lori Romero, Senior Program Administrator

Discussion/For Possible Action to Accept NSIP Funding in the Amount of \$10,019 to be used for Commodities with no County match

Commissioner Shane Bybee made a motion to accept NSIP funding for \$10,019 to be used for Commodities, with no County match. Commissioner Ian Bullis seconded. Motion carried.

Tim Bunch, Human Resources Director

Discussion/For Possible Action: approval to accept updated White Pine County Personnel Policies Manual, from Table of Contents to Section 2.9.9 page 25. Continued updates and revisions will consist of 25 page submissions until completed

Human Resources Director Tim Bunch, via Zoom, noted POOL/PACT had provided a template to assist him in updating the Personnel Policies here, which he noted haven't been changed since 2008. He advised he's made some changes since he began working for the County; he's making changes 25 pages at a time, to make it more digestible. He noted we could get through the entire Manual in 7 meetings and then make changes as needed, which would be an easier way. Commissioner Ian Bullis made a motion to approve the updated White Pine County Personnel Policies Manual, as presented and discussed. Commissioner Travis Godon seconded. Commissioner Laurie Carson wants to see what changes have been made to the 2008 policy highlighted in order to compare the changes; Director Bunch noted he will attempt to comply. He did note there are no major changes at this point. Motion carried.



Discussion/For Possible Action to ratify approval of Pool Pact Risk Management Educational Grant in the amount of \$999.00 for Human Resources Director IPMA Certification

Commissioner Ian Bullis made a motion to ratify approval of the POOL/PACT Risk Management Education Grant for \$999.00 for Human Resources Director's IPMA Certification as requested. Commissioner Laurie Carson seconded. Motion carried.

Elizabeth Frances, Finance Director

Discussion/For Possible Action: Approval of the Quarterly Grant Reports

Commissioner Laurie Carson made a motion to approve the Quarterly Grant Reports as requested. Commissioner Shane Bybee seconded. Motion carried.

Discussion/For Possible Action: Direction on and/or Approval of Changes to the FY2021 Tentative Budget Revenues and Expenses for all funds & departments including: Commission, Clerk, Recorder including special revenue budgets, Assessor including special revenue budget, Treasurer, Elections, Information Technology, Finance, Human Resources, District Attorney including Victim Witness Services, 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 including Gift Fund, Airport Operating, Natural Resources, Transfers, Contingency, Agricultural District, Emergency Medical Services, Agricultural Extension, Social Services including donations fund, Road Department including Public Transit and RTC, Airport Capital Improvement, Capital Improvements, SB74 tax fund, Towns of Lund, McGill & Ruth, Senior Center, Industrial Park, 911 Fund, Tri-County Weed, Building & Planning, Golf Course, Aquatic Center including special revenue fund, China Springs, and Camp Success

Finance Director Elizabeth Frances advised there are more changes coming into the tentative budget: PACT is going up 13%, Property Liability is going up by 10.5%, and she felt Health Insurance may increase 5%. She is working on our revenue streams and has more work to do, due to projected losses. Commissioner Travis Godon advised he has a budget stripped of everything non-essential, set aside in case we need it. He wants it made clear that we are being forced to make these changes. Commissioner Shane Bybee felt that "if we keep printing fake money to bail us out", we will end up worse off. Director Frances will put some numbers together for our next meeting. Chairman Richard Howe requested a list of non-essential services that would go away, in order to look at what is the most valuable. He noted that we need to be prepared, and we want to protect our employees. Commissioner Ian Bullis is thankful we are still at the point where we can consider these things thoughtfully, where other places have been forced to make drastic decisions. For the sake of argument, Director Frances will use a reopening date of September for the documentation she will provide next week. Commissioner Laurie Carson felt we should consider letting go our pay raises as Elected Officials, since the taxpayers pay our wages. Chairman Howe noted regular employees being in the same boat, and they are also waiting to see what comes down the

road. Commissioner Ian Bullis made a motion to approve changes to the Tentative FY2021 Budget as discussed. Commissioner Travis Godon seconded. Motion carried.

Discussion/For Possible Action: Approval to redefine the Round 18 Southern Nevada Public Lands Management Act (SNPLMA) nomination related to the Cultural Corridor as either the county or city park project component presented under original proposal

Finance Director Elizabeth Frances clarified that this doesn't impact the Fairgrounds or the Railroad, as those are the Number 2 and 3 projects. The issue is the Park Projects that must be broken out; they need to be decided upon. There are many things to consider, it was noted. Chairman Richard Howe asked that if we chose to do a land acquisition, could we use that land for something else down the road? The answer was negative, in that the funds could only be utilized for Parks and Trails. With the selling of the old Ely Ford building, it makes the Downtown Project less attractive to Chairman Howe. Commissioner Laurie Carson noted the proposed uses of that building downtown, and also the danger of having a Park near a truck stop and on busy streets. She further advised that our Maintenance people are pretty slim right now, and they may find it difficult to care for this Park. Commissioner Ian Bullis recalled that the Tribe was interested in participating with the Upper Park, but he can't recall to what extent. Commissioner Shane Bybee felt we need more time to consider this and bring back recommendations to the Board for development. Commissioner Laurie Carson stated that the Regional Planning Commission was never involved in the past; the counties make the decisions. She felt there wasn't a rush to make a judgment at this point in time. Commissioner Travis Godon, however, felt they might be able to make an informed decision on this now. Commissioner Ian Bullis suggested the Board should "climb out of the foxhole" and address the issues that need to be addressed. He has high expectations that things will be back to normal soon, and this community needs to grow. He continued that we don't have enough people or commerce to justify building a shopping center, so we need to make this community something people want to live in. He supports the Cultural Corridor Park that will be easily seen by people coming into town. He wants to make this decision today. Chairman Richard Howe noted the property is valuable and could be purchase for development in the future; he likes projects that generate revenue and bring in tourism. District Attorney Mike Wheable rejoined the meeting at this time and advised that the City of Ely wants the Main Street Project, which is good and supported. He is advocating for something different; this isn't an immediate economic driver, but it will change the appearance of our community to newcomers, and that will bring long-term positive change. Commissioner Travis Godon made a motion to keep the Park by Loves. Commissioner Laurie Carson seconded. Commissioner Godon added that if anyone feels differently, it will be brought back for discussion and reconsideration. Motion passed.

Discussion/For Possible Action: Approval of Resolution 2020-28 authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving,

and/or extending its White Pine County Justice Center Facility to serve an area lawfully within its jurisdiction to serve in an amount not to exceed \$9,161,000

Commissioner Laurie Carson made a motion to approve Resolution 2020-28, authorizing and providing for the incurrence of indebtedness for the purpose of providing a portion of the cost of acquiring, constructing, enlarging, improving, and/or extending the White Pine County Justice Center Facility to serve an area lawfully within its jurisdiction to serve in an amount not to exceed \$9,161,000. Commissioner Shane Bybee seconded. Motion carried.

WHITE PINE COUNTY
RESOLUTION NUMBER 2020-28

USDA
Form RD 1942-47
(Rev. 12-97)

LOAN RESOLUTION
(Public Bodies)

FORM APPROVED
OMB NO. 0575-0015

A RESOLUTION OF THE Board of County Commissioners
OF THE White Pine County
AUTHORIZING AND PROVIDING FOR THE INCURRENCE OF INDEBTEDNESS FOR THE PURPOSE OF PROVIDING
A PORTION OF THE COST OF ACQUIRING, CONSTRUCTING, ENLARGING, IMPROVING, AND/OR EXTENDING ITS
White Pine County Justice Center
FACILITY TO SERVE AN AREA LAWFULLY WITHIN ITS JURISDICTION TO SERVE

WHEREAS, it is necessary for the White Pine County
(Public Body)
(herein after called Association) to raise a portion of the cost of such undertaking by issuance of its bonds in the principal amount of
\$9,161,000.00

pursuant to the provisions of NRS 244 A, and
WHEREAS, the Association intends to obtain assistance from the Rural Housing Service, Rural Business - Cooperative Service, Rural Utilities Service, or their successor Agencies with the United States Department of Agriculture, (herein called the Government) acting under the provisions of the Consolidated Farm and Rural Development Act (7 U.S.C. 1921 et seq.) in the planning, financing, and supervision of such undertaking and the purchasing of bonds lawfully issued, in the event that no other acceptable purchaser for such bonds is found by the Association;

NOW THEREFORE in consideration of the premises the Association hereby resolves:

1. To have prepared on its behalf and to adopt an ordinance or resolution for the issuance of its bonds containing such items and in such forms as are required by State statutes and as are agreeable and acceptable to the Government
2. To refinance the unpaid balance, in whole or in part, of its bonds upon the request of the Government if at any time it shall appear to the Government that the Association is able to refinance its bonds by obtaining a loan for such purposes from responsible cooperative or private sources at reasonable rates and terms for loans for similar purposes and periods of time as required by section 333(c) of said Consolidated Farm and Rural Development Act (7 U.S.C. 1983 (c)).
3. To provide for, execute, and comply with Form RD 400-4, "Assurance Agreement," and Form RD 400-1, "Equal Opportunity Agreement," including an "Equal Opportunity Clause," which clause is to be incorporated in, or attached as a rider to, each construction contract and subcontract involving in excess of \$ 10,000.
4. To indemnify the Government for any payments made or losses suffered by the Government on behalf of the Association. Such indemnification shall be payable from the same source of funds pledged to pay the bonds or any other legal permissible source.
5. That upon default in the payments of any principal and accrued interest on the bonds or in the performance of any covenant or agreement contained herein or in the instruments incident to making or insuring the loan, the Government at its option may (a) declare the entire principal amount then outstanding and accrued interest immediately due and payable, (b) for the account of the Association (payable from the source of funds pledged to pay the bonds or any other legally permissible source), incur and pay reasonable expenses for repair, maintenance, and operation of the facility and such other reasonable expenses as may be necessary to cure the cause of default, and/or (c) take possession of the facility, repair, maintain, and operate or rent it. Default under the provisions of this resolution or any instrument incident to the making or insuring of the loan may be construed by the Government to constitute default under any other instrument held by the Government and executed or assumed by the Association, and default under any such instrument may be construed by the Government to constitute default hereunder.
6. Not to sell, transfer, lease, or otherwise encumber the facility or any portion thereof, or interest therein, or permit others to do so without the prior written consent of the Government.
7. Not to defease the bonds, or to borrow money, enter into any contract or agreement, or otherwise incur any liabilities for any purpose in connection with the facility (exclusive of normal maintenance) without the prior written consent of the Government if such undertaking would involve the source of funds pledged to pay the bonds.
8. To place the proceeds of the bonds on deposit in an account and in a manner approved by the Government. Funds may be deposited in institutions insured by the State or Federal Government or invested in readily marketable securities backed by the full faith and credit of the United States. Any income from these accounts will be considered as revenues of the system.
9. To comply with all applicable State and Federal laws and regulations and to continually operate and maintain the facility in good condition.
10. To provide for the receipt of adequate revenues to meet the requirements of debt service, operation and maintenance, and the establishment of adequate reserves. Revenue accumulated over and above that needed to pay operating and maintenance, debt service and reserves may only be retained or used to make prepayments on the loan. Revenue cannot be used to pay any expenses which are not directly incurred for the facility financed by the Government. No free service or use of the facility will be permitted.

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0575-0015. The time required to complete this information collection is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

***d)Discussion/For Possible Action: Approval of budget transfers within and between functions or programs within a fund that do not increase the total appropriation of the fund.**

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

UNTIMED ITEMS

Discussion/For Possible Action: Approval of minutes from the County Commission Meetings held:

- **Special Emergency County Commission Meeting March 20, 2020**
- **County Commission Meeting March 25, 2020**
- **Special County Commission/Budget Workshop April 1, 2020**
- **County Commission/Budget Workshop April 8, 2020**

Commissioner Shane Bybee abstained from the March 20th minutes. Commissioner Laurie Carson noted spelling issues under the discussion with Mr. Jeremy Drew where she is listed as a “he” instead of a “she.” Also, “exuberant” was misspelled in another set of minutes, although she felt the intent was captured. Commissioner Ian Bullis moved to approve the sets of meeting minutes pending another run-through looking for typos. Commissioner Shane Bybee seconded. Motion carried, with Commissioner Shane Bybee abstaining from the March 20th set of minutes.

PUBLIC COMMENT:

Human Resources Director Tim Bunch welcomed anyone in the community who wants copies of County Policies to come to his office and request those.

Commissioner Travis Godon thanked the District Attorney’s Office and staff for everything they’ve done for us lately.

Commissioner Laurie Carson thanked this Board for the good dialogue and discussion in regard to the letter to the Governor.

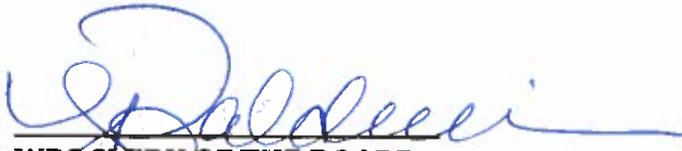
ADJOURNMENT

At 12:23 p.m., Commissioner Shane Bybee made a motion to adjourn. Commissioner Ian Bullis seconded. Motion carried.

**BOARD OF COUNTY COMMISSIONERS
WHITE PINE COUNTY
STATE OF NEVADA**

BY: Richard Han
CHAIRMAN

ATTEST:


WPC CLERK OF THE BOARD

APRIL 22, 2020