

IN A SPECIAL MEETING OF THE WHITE PINE COUNTY COMMISSION HELD ON May 6, 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
Laurie Carson, Commissioner
Shane Bybee, Commissioner
Nichole Baldwin, Clerk of the Board

County Officials

Elizabeth Frances, Finance Director
Mike Wheable, District Attorney
Bill Calderwood, Public Works Dir.
Mike Johnson, IT Specialist
Carissa Halsey, Juve. Prob. (Zoom)
Burton Hilton, WPC Assessor (Zoom)
Scott Henriod, WPC Sheriff (Zoom)
Tim Bunch, HR Director (Zoom)
Kristi Rozich, Aquatic Ctr. Dir. (Zoom)

Also Present

George Chachas, George Town Media
Jessica Trask (Zoom)
Marietta Henry (Zoom)
Lisa Ashby (Zoom)
Lacey Balch (Zoom)
Geri Wopschall (Zoom)

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

MOMENT OF SILENCE/SILENT INVOCATION

This was duly observed.

PUBLIC COMMENT

Mr. George Chachas cited a report that a construction worker at Mt. Wheeler tested positive for COVID-19, but he's not listed in our County; he wanted to know why. Next, the stop sign at the corner of Lyons Ave. and 5th Street hasn't been replaced. He also asked about the property tax sale being put on hold, citing the prior meetings held on April 8, 15, and 30. He advised no one is answering his question: Will those who can't pay taxes be given the same protection as those who can't pay rent? He would like an answer. Commissioner Travis Godon responded that the tax sale did get delayed until August. Mr. Chachas was asked to contact the WPC Treasurer's Office for details.

COUNTY COMMISSION

Discussion/For Possible Action to consider lifting restrictions and closures affecting County Park equipment, play structures, Aquatic Center, Skate Park, Camp Success, and other County recreation facilities

District Attorney Mike Wheable advised that Public Works Director Bill Calderwood has been receiving requests to open up facilities for gatherings and events. He asked the Board what direction they would want to go, since we've closed those facilities; he noted the

Board had the power to reopen them, but asked if this was prudent. He continued that when a government, school, or private business takes steps to provide a service to the public, it is weighed against what other similar agencies/businesses are doing across the State. Right now, the Governor has issued a standard, and most businesses fall under those directives. If we open facilities against the standards and someone gets COVID-19 and dies from it, we could be liable for a wrongful death suit. He continued that the County needs to balance these concerns when considering reopening facilities. It's important for the public to understand why we're making the decisions we're making because we're in a "tight spot," given the Governor's directives. In reply to a query from Commissioner Travis Godon, D.A. Wheable advised this all depends on the steps we take; the further this emergency wanes, the more shaky ground we stand on to enforce the restrictions. Chairman Richard Howe cited a large number of cases in Winnemucca that began with a family reunion; he wants to know how Dr. David Byun feels about this. He mentioned that all 17 counties had sent in a letter as requested by Governor Steve Sisolak; the Governor has stated that once the letters are received, the counties can all enter into Phase 1 together. Phase 1 could begin tomorrow, and a "soft opening" could then begin. Commissioner Ian Bullis felt Chairman Howe has a prudent take on this; May 15th is a week from this Friday. He sees potential issues at Camp Success and the swimming pool, but he feels it was asinine to close the Parks, including the Skate Park, because the risk there is minimal. We can open the pool after the Governor clears it, it was clarified. Commissioner Bullis mentioned a waiver that could be signed when entering a facility; D.A. Wheable noted that's a possibility, but someone would need to ensure the individual understands the implications. Commissioner Laurie Carson thought that social distancing is the rule that will kill social gathering; she doesn't think it would be prudent to open our facilities at this time. D.A. Wheable agreed with Commissioner Bullis that the Parks are a low risk; he also stated that White Pine County is the leader of all the rurals right now in how to handle the crisis, but if we have an outbreak after being contrary to the Governor's directives, we will become an example of what NOT to do and further consequences would result. He is appreciative that the public is willingly complying with the directives, because neither he nor the Sheriff are excited about having to enforce these rules. Commissioner Shane Bybee talked about a waiver and its contents, and the fact the onus is put on the individual and not on the County. He added that we may still be subject to liability if we are not falling in line with State directives. Finance Director Elizabeth Frances pointed out that the next agenda item deals with the financial situation, which is an issue. If we don't follow the law as it is handed down, we may lose our insurance; if a lawsuit manifests itself, we may lose our protections.

Public Works Director Bill Calderwood displayed a sign to the Board of what he is using currently: "Playground Equipment Closed – No Trespassing – Subject to Criminal Citations." He removed the barricades on the playgrounds as instructed and put up these signs; he noted the signs are "like an invitation for people to play, and sometimes the signs are ripped off." He's asking the Board for direction on how to handle people seeking to occupy and rent the County facilities. He asked if it was worth risking anything to open things up? He mentioned that things could change in a week, so he thinks we should put it on next week's agenda. Commissioner Ian Bullis made a motion to table this agenda item; Commissioner Travis Godon seconded. Motion carried.

Discussion/For Possible Action: Approval of various measures to be taken for the balance of the current fiscal year in order to preserve the County's financial stability in response to the economic crisis and projected revenue deficits as a result of the COVID-19 pandemic which will include but are not limited to recommended expense reductions for all Departments and funds of the County

Finance Director Elizabeth Frances cited the document she handed out, which is the Declaration of Emergency Resolution that was previously passed, with three items highlighted. She is requesting the Board enforce those items, which are: Under #3, that all the County Department Heads and Offices suspend purchases and expenditures other than those necessary for operations, to be approved by the Finance Director, and with a sunset of June 30th. Under #6, that the Human Resources Director has the emergency power to hire, or delay in hiring, staff to respond to the COVID-19 public health crisis, contingent upon the budgeting approval of the Finance Director. Under #11, that all County Departments shall be allocated monies from Contingency, not to exceed \$20,000 upon request to the Finance Director and at the Finance Director's sole discretion, to purchase necessary supplies and equipment related to the COVID-19 public health crisis. Director Frances continued that the Net Proceeds of Minerals will be coming in slightly over \$800,000, which is a huge reduction. She's transferring funds from special revenue funds to cover the shortfall, and is working with the Nv. Dept. of Taxation to properly amend this. She added that we have 2/3 left of our spending still to do, and as we just lost revenues, we need to look at what we need to do as at complies with the law. She will bring forward agenda items to look at this issue further.

Commissioner Laurie Carson asked if the Secretary of State issues licensing, how can the Governor pull their license for non-compliance? District Attorney Mike Wheable responded that the Governor controls so much that even though another elected official makes a decision, the Governor has various means to use, with his hands on so much inclusive in the law, that things could go into effect even in future years. Commissioner Travis Godon asked what Mining issue had occurred to cause the reduction in Net Proceeds of Minerals, but Director Frances didn't have an answer to his question. The Board generally agreed this circumstance "doesn't smell right, given the facts," so Director Frances will reach out for more information. D.A. Wheable asked if the distribution of those funds is set by law, or does the State have the latitude to do what they want? Director Frances explained that there is a formula in place and she doesn't believe the State has the authority to do that. Further discussion followed regarding speculations about what caused the drop in revenues. Commissioner Ian Bullis made a motion to approve items #3, #6, and #11 in the Resolution, with a change that #3 is subject to the Finance Director's approval, and sunseting on June 30, 2020. Commissioner Laurie Carson seconded. Motion carried.

PUBLIC COMMENT

There was no public comment from the public.

Chairman Richard Howe cited tomorrow's Special Joint Meeting with the City of Ely at 5:00 p.m.; it was advised Commissioners Ian Bullis, Shane Bybee, and Travis Godon will be attending via Zoom.

ADJOURNMENT

At 9:39 a.m., Commissioner Ian Bullis made a motion to adjourn. Commissioner Shane Bybee seconded. Motion carried.

BOARD OF COUNTY COMMISSIONERS
COUNTY OF WHITE PINE
STATE OF NEVADA

BY: Richard Han

ATTEST:

WPC Clerk
WPC CLERK OF THE BOARD