

REGIONAL TRANSPORTATION COMMISSION

A meeting of the Regional Transportation Commission was held on May 17, 2018, at 8:00 a.m. in White Pine County Library Conference Room, 950 Campton Street, Ely, Nevada.

THE FOLLOWING MEMBERS WERE PRESENT:

Wayne Cameron, Chairman
Richard Howe, WPC Commission

ALSO PRESENT:

Bill Calderwood, WPC Public Works Director
Martin Troutt, WPC Road Department 8:03
Dave Berky, City of Ely
BJ Almberg, Basin Engineering
George Chachas
Naomi Harris, Recording Secretary

ABSENT WERE:

Jolene Gardner, City of Ely
Desiree Barnson, Representing Ely Bus
Steve Baer, NDOT Representative

Wayne Cameron called the meeting to order at 8:00 a.m.

***COMMENTS FROM THE PUBLIC (3 Minute Time Limit):**

George Chachas is still waiting on information he has asked for numerous times.

George has yet to see anything on the agenda in regards to paving out where he and Tom Oxborrow have homes on McGill Highway since 1974. He said they are squandering money and it needs to stop.

George went on to say that to date there has been nothing reported on road access concerns regarding Park Avenue, Campton Street, Avenue I, Avenue K and Avenue L where they intersect onto Great Basin Boulevard. He said it is very important. The City sued George when he put in new curb and gutter on Avenue G and Great Basin. They told him to follow the State corner and he did that. That road is wider than most of those other roads, if not all of them. And yet they put him on fire for 5 years. You cannot discriminate. In particular on Great Basin and Campton Street. That has been narrowed without going to public hearing. It needs to go back to the minimum street widths in accordance with the City code.

Nothing has been mentioned in regards to an overhead pedestrian walk-way in the area of Great Basin Blvd. and Veteran's Blvd. There is still a lack of signage noting the locations of schools and children traffic. It's the heaviest congested area in the community and they are going to make

it worse. Now is the time to address it. When a child gets hurt they are going to be hearing it for a long time.

BJ Almborg asked if George is talking about a bridge when he says overhead walk-way. George responded yes. George went on to say that there is no signage saying there is a school there.

He also wants to reiterate again that he wants 4 lanes on Aultman. If there is no traffic, there is no business and they are slowing down downtown.

He said The Board has failed to collect \$19,000 back from the Tour and Rec Board. That money needs to come back. It can be better spent, used on Central Ely roads or at least slurry sealing Avenue C, which is like going over a rumble strip for 3 blocks. It's terrible. They did a good job patching but it isn't even half smooth.

The Board has yet to have Keith Carson live up to his agreement to finish the valley gutter at Ruby and Orson. That was a contract with RTC. He hasn't completed it. He hasn't finished putting in curb and gutter. The City has rules and regulations and no one can just look the other way.

They have yet to put in ADA access on the corners of 11th Street and Avenue C. They have yet to put in ADA access on Avenue M and 13th Street as you're going out towards Magic Carpet.

DISCUSSION -- UPDATES FROM NDOT -- none

DISCUSSION – CURRENT CITY OF ELY PROJECTS – Dave Berky said they are in the process of cleaning up the Canyon area and getting it ready for the slurry seal, which will be here the week of Memorial Day. They got most of the patching done. They are just doing some clean-up work right now. He found out that they had 2 water digs that they didn't know about so they are trying to push those to get them done so he can patch them and get the street ready.

DISCUSSION/ACTION/POSSIBLE APPROVAL – TO INCREASE FY2019 PUBLIC TRANSIT BUDGET FOR THE CITY OF ELY ROAD EXPENDITURE FROM \$125,000 TO \$163,779 – Bill Calderwood pointed out that there is an email from Elizabeth stating her opinion and the NRS stating it is legal to do in the back-up material.

Dave Berky said since the City is not doing too well right now, he believes that the money would be better spent on the roads than on the lights.

Richard Howe asked which roads they are planning to spend the money on. Dave said just the roads in general but it will be next fiscal year.

Richard Howe said if they are going to approve the money, he'd like to know which roads they are going to do.

Bill Calderwood explained that it is the difference between \$125,000 and \$163,779, which is around \$38,000. It is to take \$38,000 from Public Transit to repair street lights. It is his understanding that the City has not done any repairs to street lights for a few years because of

budget constraints. Dave Berky said yes, that is correct. They want to increase the Public Transit to take care of the lights that they have problems with all over town. He thinks that year after year of spending that \$38,000 is an absorbent amount of money to spend on street lights. Maybe now the dollar amount is substantial because they have not done anything with the street lights in years but he still believes that money would be better spent on road repairs. He asked if the Board decides to approve it for the one year only and then they can re-examine it again down the road.

Richard Howe made a motion to approve to increase FY2019 Public Transit budget for the City of Ely Road Expenditures from \$125,000 to \$163,779. Wayne Cameron seconded the motion. A vote was taken and the motion was approved.

Wayne Cameron added that he is glad to see that it is finally pointed out. For years when he was on the RTC board, people said they could not use RTC funds for lighting and the District Attorney at that time said the same thing. Wayne told them that it is in the NRS. He is happy to see someone researched it. Bill Calderwood corrected Wayne and said it is Public Transit funds, not RTC.

DISCUSSION/ACTION/POSSIBLE APPROVAL – FOR THE CITY OF ELY TO PURCHASE A 1,000 GALLON HOLDING TANK FOR THE DURAPATCHER FROM THE FY2018 APPROVED RTC BUDGET IN AN AMOUNT NOT TO EXCEED \$35,000 –

Dave Berky said right now they are sending plastic totes to Salt Lake City to get the oil. Their Durapatcher is working very well. They are getting 250 gallons at a time, which is 4 totes. If they don't get it in their holding tank in a certain time frame then they lose some of the product. This holding tank is actually heated with a recirculation pump in it to keep the oil hot. All they will have to do is hook it up to a truck and drive it to Salt Lake City to get it filled up and then drive it back.

Martin Troutt backed Dave Berky, stating that it is a good idea. The County took a semi-trailer with 8 totes (4 for the County; 4 for the City) to Salt Lake City to get the oil. The totes are hard to come by and the refinery in Salt Lake City does not like filling totes. They thought they had good totes going up there but when it was filling it was leaking so they had to discard that one. The refinery was able to find them another tote so it all worked out but it could have been worse.

Dave Berky said no one is giving away free totes anymore because they found out they can make money on them. Now they want to charge for totes.

Martin continued on saying the life of the oil, because it is an emulsions with water, it starts breaking down so you have to use it within a certain amount of time. But with the tank, it is heated and agitated so it will last longer. Martin believes it is a good deal for both the City and County.

BJ AlMBERG said the totes are only refillable for a certain number of times. Dave Berky agreed, stating you can only get 2 uses out of each because the emulsions settle at the bottom and it starts building up a layer at the bottom and then you cannot get the emulsions out. There is no way of agitating it while it's in the tote and obviously you cannot heat it up because it is made of plastic.

Richard Howe asked how they are planning on transporting the holding tank back and forth. Do they use a County or City vehicle? Martin Troutt said he sent a County transport truck last time.

Dave Berky said it will be a centralized tank for both the County and the City. They will share the tank and the responsibility of filling the tank. Richard Howe said he likes that cooperative work.

Richard Howe made a motion to approve the City of Ely to purchase a 1,000 gallon holding tank for the Durapatcher from the FY2018 approved RTC budget in an amount not to exceed \$35,000. Wayne Cameron seconded the motion. A vote was taken and the motion was approved.

DISCUSSION/ACTION/POSSIBLE APPROVAL – FOR THE CITY OF ELY TO CONTINUE MICROSEALING STREETS IN AN AMOUNT NOT TO EXCEED \$290,000 – Dave Berky said this is the slurry project he was talking about in the Canyon. He did get a bid back from American Pavement Preservation out of Las Vegas so they are looking at \$180,000, not the \$290,000, which is a big savings.

Wayne Cameron asked if this project will fall in the next fiscal year. Dave Berky said he is looking at completion before July 1, 2018, which falls into this fiscal year. Bill Calderwood said the reason they did the agenda items the way they did showing \$290,000 was because if the Board approves the tank and the other projects, if everyone stays below that dollar amount, which was super high for the microsealing, it keeps everyone within budget. Obviously now it looks like they are going to come in \$100,000 less on that particular item. Wayne Cameron said that's quite a savings. BJ Almberg agreed and said they have no desire to spend that money this year because of the plan to purchase the distribution truck next year. That will leave more money in the budget for next year to do more projects.

Richard Howe said everything that has been approved so far has been for the City. He hopes to see something for the County next.

Richard Howe made a motion to approve the City of Ely to continue microsealing streets in an amount not to exceed \$290,000. Wayne Cameron seconded the motion. A vote was taken and the motion was approved.

DISCUSSION – CURRENT COUNTY PROJECTS – Bill Calderwood said this is a standing agenda item so if Wayne Cameron wants to jump to the next items they will cover the current County projects.

DISCUSSION/ACTION/POSSIBLE APPROVAL – TO REALLOCATE FY2018 APPROVED RTC FUNDING OF THE FAIRGROUNDS ROAD RECONSTRUCTION PROJECT FOR THE FOLLOWING PROJECTS (ATTACHED) IN AN AMOUNT NOT TO EXCEED \$125,000 (\$182,465) – Bill Calderwood said the Board approved the reconstruction of the Fairgrounds Road in the amount of \$182,465 so what he is asking to do is reallocate that money. He believes the dollar amount for reconstructing the Fairgrounds Road is a lot for the amount of use the road gets so they are asking for less than the \$182,465 that was budgeted for and asking up to \$125,000. The projects are listed in the backup material. The project list shows \$117,000 but they are requesting \$125,000 just to make sure they stay within that dollar amount. The projects Martin Troutt put together to get to that dollar amount are: Baker/Baker Cutoff – Martin said it includes all of the paved roads in the town of Baker itself and the cutoff road with a QSRE rejuvenating oil. Bill Calderwood listed the other roads on the worksheet:

Georgetown Ranch Road, Poleline Road, 212 North, 283rd North, Oxborrow, Mitchell and Cave Valley Road.

George Chachas asked where Mitchell Road is located and Bill Calderwood said it is right off of Oxborrow Road. George said he hears from him all the time that's why George keeps bringing up his road. He was hoping to get part of one and move on to the next but since they are planning on doing both that is great. Bill Calderwood asked Martin Troutt how far beyond Mitchell Road into Oxborrow Road are they planning to do. Martin said he plans on going all the way down Oxborrow Road, just below Oxborrow's house, which is the end of the County maintained road. Then it goes on into Odger's place. The road actually ends just past Oxborrow's second driveway, so end-to-end. So Mitchell Road is going to go from Oxborrow to the end of that, which is a gated access to an alfalfa field. George Chachas said thank you.

Bill Calderwood said it will be the same process they did on Georgetown Ranch Road. They add the oil into the road and mix it and top coat. It is a 3-part process then a chipseal so it will be identical to what they're seeing on Georgetown. George Chachas said it is a good start and thanked them again. Martin Troutt said that is what they are shooting for but does not know if it can all get done before July 1st. He had plans for oil in Lund yesterday and it got rained out last week and he had to cancel so now he's a week in to that so the schedules are weather permitting.

Bill Calderwood concluded, stating that is the breakdown of the reallocation of the funds in the amount of \$182,465 that the County would like to do before the end of this fiscal year in lieu of the Fairgrounds Road project previously approved.

Wayne Cameron asked what the Fairgrounds Road project entailed.

BJ Alberg answered, stating it went from the gate where you first come in where the Fairgrounds Host lives and went down around the grandstands so it wasn't all the way to the highway. It was just inside the fence to the Fairgrounds.

Bill Calderwood said the Road Shop still has plans to do some repairs at the Fairgrounds. It's not like they are just letting that project go. But the RTC Board budget is \$400,000-\$500,000 for the distributor truck and for materials for both entities to use so they will be able to use that money to do these kinds of projects with their own distributor truck. They will be able to address a lot of these projects in-house at approximately 1/3rd of the cost.

Martin Troutt said when they started the process on Georgetown Ranch Road, he put the numbers together for that. Of course numbers change because oil costs change year to year. In figuring out labor costs and equipment costs: they already own the equipment and regarding the labor cost – the employees get paid regardless if they are working on that project or somewhere else. But the end process of getting to the point of having Georgetown Ranch Road chipsealed will cost somewhere in the neighborhood of \$160,000-\$180,000 and you have a paved road. If you were to go down there and actually pave that road with hot mix asphalt, you're looking in the neighborhood of \$500,000. That's the difference. If we don't start doing stuff like this, rather than contracting everything out, he doesn't see ever getting ahead of the game.

Wayne Cameron said the reason he was asking about the Fairgrounds was because he spoke to Gail this morning and they are going to be starting that SNPLMA funded project starting this month. Bill Calderwood said yes that project has been awarded. Wayne said Gail asked if the Fairgrounds Road project was going to be done this year. Bill Calderwood said there will be work done next fiscal year.

Richard Howe made a motion to approve to reallocate FY2018 approved RTC funding of the Fairgrounds Road Reconstruction Project for the above mentioned projects in an amount not to exceed \$125,000. Wayne Cameron seconded the motion. A vote was taken and the motion was approved.

DISCUSSION/ACTION/POSSIBLE APPROVAL – TO MODIFY THE SCOPE OF WORK FROM THE LUND MICROSEAL PROJECT TO THE FOLLOWING:

- a. QSRE ASPHALT REJUVENATOR IN LUND AND PRESTON
 - b. QSE SOIL STABILIZATION OIL ON 1ST WEST IN LUND
- IN AN AMOUNT NOT TO EXCEED \$45,000 (\$186,700)**

– Bill Calderwood said the original budget of \$186,700 was for a microseal in Lund. What they believe at this point in time is that they can do the rejuvenating process like Georgetown on 1st West (which is the one the Lund Town Council expressed they would like to have done) and a rejuvenating oil in Lund and Preston for \$45,000. Reiterating what Martin said, that is the difference in the microseal process. They will be able to rejuvenate it and next year chip it with that money they asked for. It's just so much cheaper. They are getting more asphalt done for \$140,000 less.

Richard Howe asked if this is the project the Lund Town Council brought to the County Commission about. Bill Calderwood said yes. He believes there were some commitments for some work to get done in Lund that fell through. This is a change of scope that they are asking for.

Richard Howe made a motion to approve to modify the scope of work from the Lund Microseal Project to the following:

- a. QSRE asphalt rejuvenator in Lund and Preston
- b. QSE soil stabilization oil on 1st West in Lund

In an amount not to exceed \$45,000. Wayne Cameron seconded the motion. A vote was taken and the motion was approved.

DISCUSSION – SET DATE FOR NEXT MEETING – The next meeting is scheduled for Thursday, June 21, 2018 at 8:00 a.m. in the White Pine County Library conference room.

***APPROVAL OF RTC MINUTES (03/22/18)** – Richard Howe made a motion to approve the 03/22/18 meeting minutes. Wayne Cameron seconded the motion. A vote was taken and the motion was approved.

COMMENTS FROM THE PUBLIC (3 Minute Time Limit) –

George Chachas said the City had a huge holding tank on the property out by the Administration Building. He asked Dave Berky if he remembered the tank and what happened to it. Dave responded affirmatively and said he believes Rick Stork sold it. George said that was a heated tank and expressed his disappointment.

George Chachas reiterated that he wants 4 lanes downtown.

The City is having financial problems. Because of those financial problems, they are bleeding into the County by raising the landfill fees for different entities. It has got to stop.

The thing with the lighting bothers George. He didn't realize it was that bad. He has noticed a lot of lights that are out but he just assumed that the City did not have a chance to go back and check whether it was the light or the sensor.

Wayne Cameron adjourned the meeting at 8:28 a.m.

DRAFT

Bill Calderwood

From: Elizabeth Frances
Sent: Friday, April 06, 2018 4:33 PM
To: Dave Berky
Cc: Bill Calderwood
Subject: Public Transit

Hi Dave,

Here is what I found:

NRS 377A-Taxes for Miscellaneous Special Purposes covers Public Transit Funds. These funds are under the authority of the Regional Transportation Commission. They may be used for "The construction, maintenance and repair of public roads;":

NRS 377A.080 Tax for public transit system, construction, maintenance and repair of public roads, improvement of air quality or any combination thereof: Creation and authority of regional transportation commission.

1. In any county in which a tax for a public transit system, for the construction, maintenance and repair of public roads, for the improvement of air quality or for any combination of those purposes has been imposed, the board shall by ordinance create a regional transportation commission pursuant to chapter 277A of NRS if one has not already been created under that chapter. If a regional transportation commission has already been created under that chapter, that commission may also exercise the powers conferred by this section.

2. The regional transportation commission may:

(a) Appropriate money in the public transit fund accumulated by a county to provide a public transit system for that county if the system is included in a regional transportation plan adopted by the regional transportation commission;

(b) Appropriate money to provide transportation or to support agencies which are providing transportation for the elderly and persons with disabilities, if the services are consistent with the regional transportation plan;

(c) Provide for or perform all functions incident to the administration and operation of the public transit system, including the establishment of fares for the system; and

(d) Adopt regulations for the operation of systems or services provided by the commission and for systems or services financed by the commission and provided by an agency or a private contractor.

3. The commission may draw money out of the public transit fund only for:

(a) The establishment and maintenance of a public transit system for the county and for the support of other activities, services and programs related to transportation which are included in a regional transportation plan adopted by the commission;

(b) The construction, maintenance and repair of public roads;

(c) The distribution of money to the local air pollution control agency which administers the program established in the county pursuant to NRS 445B.500, to support activities, services and programs related to the improvement of air quality;

(d) The payment of principal and interest on notes, bonds or other securities issued to provide money for the cost of projects described in paragraphs (a), (b) and (c); or

(e) Any combination of those purposes.

(Added to NRS by 1981, 1650; A 1985, 735; 1987, 1394; 1991, 40; 1993, 1237; 1997, 2073; 2003, 954)

NRS 377A.014 provides the definition of "construction, maintenance and repair" as follows:

NRS 377A.014 "Construction, maintenance and repair" defined. "Construction, maintenance and repair" includes the acquisition, operation or use of any material, equipment or facility that is used exclusively for the construction, maintenance or repair of a public road and is necessary for the safe and efficient use of the public road, including, without limitation:

1. Grades and regrades;
 2. Graveling, oiling, surfacing, macadamizing and paving;
 3. Sweeping, cleaning and sanding roads and removing snow from a public road;
 4. Crosswalks and sidewalks;
 5. Culverts, catch basins, drains, sewers and manholes;
 6. Inlets and outlets;
 7. Retaining walls, bridges, overpasses, underpasses, tunnels and approaches;
 8. Artificial lights and lighting equipment, parkways, control of vegetation and sprinkling facilities;
 9. Rights-of-way;
 10. Grade and traffic separators;
 11. Fences, cattle guards and other devices to control access to a public road;
 12. Signs and devices for the control of traffic; and
 13. Facilities for personnel and the storage of equipment used to construct, maintain or repair a public road.
- (Added to NRS by 1997, 2070)

I believe that the NRS very clearly allows the utilization of Public Transit Funds for the repair of streetlights. However, approval to use funds appears to be subject to the approval of the RTC and that discretion in spending is for the RTC to determine. In providing you with this information I want to disclaim that I am not an attorney and this is my interpretation from the perspective of a financial officer.

Perhaps the question for the City to consider is not can they but should they redirect public transit funds away from road repair to streetlight repair when the city roads are in such dire condition?

I hope this helps you out.

Have a nice weekend,

Elizabeth Frances

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**CITY OF ELY
RTC MAINTENANCE 2017-2018**

2/10/2017

Location	Activity	Units	Amount	Cost	Total
Ave M - 17th to Great Basin	Micro Seal	SY	30,000	\$2.90	\$87,000.00
Ave I - 13th to Great Basin	Micro Seal	SY	16,000	\$2.90	\$46,400.00
Center Street - Ely Ave to Bell Ave	Micro Seal	SY	6,490	\$2.90	\$18,821.00
N. Conors - JV Walker to Conors	Micro Seal	SY	2,110	\$2.90	\$6,119.00
Admin Fees		LS	1	\$6,300.00	\$6,300.00
Micro Seal Square Yards:			54,600	Micro Seal Cost:	\$164,640.00
Cannon St. - Mill St. to 4th Ave	Micro Seal	SY	6,200	\$2.90	\$17,980.00
Pine St. - Mill St. to 3rd Ave	Micro Seal	SY	4,530	\$2.90	\$13,137.00
4th Ave - Canyon St to Murry St.	Micro Seal	SY	300	\$2.90	\$870.00
3rd Ave - Pine St. to Murry St.	Micro Seal	SY	1,165	\$2.90	\$3,378.50
2nd Ave - 1st St. To Hall St.	Micro Seal	SY	1,380	\$2.90	\$4,002.00
1st Ave - 1st St. To Hall St.	Micro Seal	SY	1,510	\$2.90	\$4,379.00
Sage - 1st St. to Murry St.	Micro Seal	SY	1,510	\$2.90	\$4,379.00
Gilbert - Pine St. to Canyon St.	Micro Seal	SY	440	\$2.90	\$1,276.00
Mill Ave - 1st St. to Mill St.	Micro Seal	SY	1,850	\$2.90	\$5,365.00
Admin Fees		LS	1	\$2,100.00	\$2,100.00
Micro Seal Square Yards:			18,885	Micro Seal Cost:	\$56,866.50
PAVER 7 Software		EA	1	\$1,000.00	\$1,000.00
Windows Tablet		EA	1	\$1,000.00	\$1,000.00
				Software Cost:	\$2,000.00
Total:					\$223,600.00

2017-2018 WP County RTC Project Cost

QSRE Asphalt Rejuvenator

Road Name	SY's	Tons	Cost
Baker/Baker Cutoff	44422	18	\$ 8,000.00

QSE Soil Stabilization

George Town ranch	11,264	40	\$ 14,500.00
Pole line	14068	50	\$ 17,500.00
212 North	13094	46	\$ 16,000.00
283rd. North	17314	60	\$ 20,500.00
Oxborrow	6163	22	\$ 9,000.00
Mitchell	8621	30	\$ 11,500.00
Cave Valley	14080	49	\$ 20,000.00

Total RTC 2017/2018

\$ 117,000.00

FY2018 RTC BUDGET			
\$	186,700.00	WP COUNTY	LUND
\$	182,465.00	WP COUNTY	FAIRGROUNDS
\$	228,582.00	CITY OF ELY	MICRO SEAL PROJECTS
\$	597,747.00	ORIGINAL FY18 BUDGET	
\$	561,643.00	AUGMENTATION	MURRY STREET
\$	1,159,390.00	REVISED FY18 BUDGET	
\$	(662,266.60)	RECK BROTHERS	MURRY STREET
\$	497,123.40	REMAINING FY18 BUDGET	
\$	369,165.00	WP COUNTY	PROJECTS
\$	127,958.40	CITY OF ELY	REMAINING PROJECTS
\$	497,123.40		
			YTD EXPENSES
\$	369,165.00	WP COUNTY	WHITE PINE COUNTY
\$	(125,000.00)	ROAD PROJECTS IN LIEU OF FAIRGROUNDS	
\$	(45,000.00)	LUND PROJECT PROJECTED COSTS	
			\$ -
\$	199,165.00	WP COUNTY REMAINING BUDGET	
			YTD EXPENSES
\$	127,958.40	CITY OF ELY	CITY OF ELY
\$	(35,000.00)	TANK PURCHASE	
			\$ 662,266.60
\$	92,958.40	CITY OF ELY REMAINING BUDGETS	
\$	292,123.40	TOTAL AMOUNT REMAINING IN FY18 BUDGET	