

IN A REGULAR MEETING OF THE WHITE PINE COUNTY COMMISSION HELD ON AUGUST 22, 2018  
IN THE COUNTY LIBRARY CONFERENCE ROOM IN ELY, NEVADA

The Following Were Present:

County Commission

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

The Following Was Absent:

Shane Bybee, Vice-Chairman

County Officials

Timothy Bunch, Human Resources Director  
Bryan Pyle, Deputy District Attorney  
William Ward, Interim Fire District Chief  
Jennifer Farnworth, IT Technician  
Elizabeth Frances, Finance Director  
Juan Carlos Cervantes, UNR Coop Ext. Coord'r.  
Mike Wheable, District Attorney  
Lori Romero, Library/Sr. Center Admin't'r.  
Burton Hilton, WPC Assessor  
Lance Gale, Airport Manager  
Catherine Bakaric, WPC Treasurer

Also Present

Assemblyman John Ellison  
Caroline McIntosh  
Cozette Eldridge, RSVP  
Kay McMurray, Ely Times  
George Chachas, KGTV-10  
Becky Sommervold, Toys for Tots  
Mindy Seal, BLM  
Brandon Whipple, CORE Construction  
Donna Bath, Senator Dean Heller  
B.J. Almberg, Basin Engineering  
Anthony Gilbert, WPC Fire District  
Chris Collis  
Charles Odgers  
Travis Godon

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

PUBLIC COMMENT

Ms. Mindy Seal, BLM provided an update to the Board: The EA for public comment on the BLM's oil/-gas lease sale closes on September 4<sup>th</sup>, and the lease sale will be held the first week in December. She noted it includes over 300,000 acres, consisting of 190 parcels. Also, the wild horses are in a state of emergency; there's forage but not enough water, and they're dying at the water sources for lack of moisture. An emergency gather was done at Pancake, and crews are working on gathers when they can. The fire in the Goshute Wilderness is over 1,000 acres and is on steep terrain; it's being managed, there are no structures in the area and maybe not even grazing issues there right now. Regarding an agenda item pertaining to the special land sale legislation, the BLM is very supportive and have been working on a 5-year plan with White Pine County on that.

Ms. Caroline McIntosh thanked the Board for agreeing to meet with the City to hear a presentation from Mr. Matt Moore, Deputy Director of GOED. He was the former Rural Coordinator for GOED, and he will introduce the new Coordinator this evening. Ms. McIntosh continued that the Main Street America Project needs a more coordinated effort from the City/County; the project is gaining momentum, and its goal is to have an improved quality of life and appearance for our downtown area. She added the Tourism & Recreation Board is working on recreation/economy in the County, and the Main Street America Project can certainly help with that. She added that the Main Street America Committee, comprised of volunteers, has been working together on this since last October. Ms. McIntosh also noted that NDOT, GOED and the USDA are all assisting with this, and we need to give them the credit they are due.

Ms. Cozette Eldridge, RSVP Field Representative, cited a letter from Ms. Susan Haas pertaining to the RSVP's accomplishments over the years due to the County's assistance by providing them office space and funding for the program. The Board thanked her for the information.

Mr. George Chachas asked about the Liquor Board license being requested for the event in McGill. He wanted to know if they have a Federal tax stamp for the liquor. He also asked about the antenna installed at the Airport, wondering if the Planning Commission didn't have to approve it first. He continued about the 4 lanes going down to 2 lanes in downtown Ely, reiterating that with no traffic there's be no business, and commented that we're slowly hacking the downtown area. Next was the T.V. District; they have over \$1 million in the bank and are still wanting to assess \$36 for T.V.'s in our hotels/motels; he felt charging that on top of the room fees is wrong. He continued that the T.V. District's mission isn't to collect, but to provide service. He also addressed Commissioner McKenzie's cement issue, but Chairman Richard Howe noted his time was up.

Commissioner Gary Perea advised that the State Water Engineer had denied the SNWA water applications; while it's not over yet, it is a victory for us. In the ruling, however, he has stated that his hands were tied due to the current State Water Law; Commissioner Perea advised that during the next legislative session SNWA will again try to change the Nevada Water Law. Still, this is a huge victory, and he noted that the Engineer's decision added another 5-10 years to the pipeline project.

#### 9:05 A.M. - UPDATE FROM ASSEMBLYMAN ELLISON

##### DISCUSSION/UPDATE FROM ASSEMBLYMAN JOHN ELLISON

Chairman Richard Howe thanked Assemblyman John Ellison for coming here; Assemblyman Ellison was equally grateful for the opportunity to come down from Elko to present today. First, he addressed the traffic speed issue between Lund/Preston; he agreed it's dangerous, and felt we should either request NDOT to provide passing lanes by the truck stop or else drop the speed limit, from 70 mph to at least 60 mph. He added there's also heavy traffic between Twin Falls, Idaho and going across to California. He recommended the Commission send a letter to NDOT regarding providing turnouts or slowing traffic. Commissioner Gary Perea noted that a letter had been drafted to NDOT and it was also commented upon during their May visit; he advised we could send another letter. He added that NDOT should really look at the turnouts and speed limits on Highways 93/318. Chairman Howe advised that Mr. B.J. Almberg is our White Pine County representative for NDOT. Assemblyman Ellison offered that both he and Senator Pete Goicoechea will hand deliver the letters to NDOT and that we need to address all of these concerns. Commissioner Steve Stork felt it would be beneficial for NDOT to look at the history of accidents between Wells and McGill, prior to them treating the road shoulders; there's been a huge improvement since turnouts and wider shoulders were installed in there. Assemblyman Ellison cited that when Chairman Howe came to the recent Elko meeting, he represented White Pine County very well. He added that the route between Twin Falls/Wells/Ely is a designated State Emergency Route. Assemblyman Ellison continued that he's been working on a bill, which got through the Committee and the Assembly, regarding a study to be done on our NDOT employees and the Nevada Highway Patrol; 50 people testified in favor of it, but it was killed. He explained that we're training them and keeping them where we need them to be, on the road; but as soon as they get their CDLs or go through POST, they go elsewhere. It's costing the State millions every year, and we keeping losing them. He felt that it should be mandatory that once they are trained, they need to stay in the County for a specific number of years; the taxpayers shouldn't have to suffer for that. He continued that there are many water bills out there as well, and some of those have died. He felt the water needs to go to municipalities and get off the wells, to help the problems. All the rural counties are affected, and they need to come out and address this. Commissioner Perea had a concern that our water basins have been overappropriated already; the State Water Law does work, if it is followed. We need to have better data/information in order to more accurately reflect what's going on in these basins. Chairman Howe advised that since we're getting ready to build the new Courthouse, and with the assistance of Assemblyman Ellison and Senator Goicoechea regarding this, that should be priority one for the Legislature. He recalled we didn't receive any help from the Legislature for this last time; Assemblyman Ellison suggested bringing NACO in on this. District Attorney Mike Wheable advised that NACO had supported us last time; furthermore, NACO had recognized that we are dealing with inmates and our currently facility does not address security issues adequately. Assemblyman Ellison asked about the Courthouse failing at the Ways & Means Committee; D.A. Wheable

advised that they just gave us a hearing in order to satisfy us at the time, and Commissioner Perea agreed with that assessment. Assemblyman Ellison added that he hopes our Airport, keeping our air service in here, is on top of our priority list as well. Commissioner Gary Perea thanked Assemblyman Ellison for his support, adding he's been a good friend to the County. During the discussion, Assemblyman Ellison also cited the PILT issue, in that Clark County will keep trying to take it; and as to firefighting in the WSAs, by the time the County gets the approval to get in there and fight the fires, the damage is already done. Continuing with the Courthouse facility discussion, it was noted that we've significantly reduced the budget due to the \$29 million needed to construct it, but we need to reduce the budget even further to accommodate that need. The Board thanked Assemblyman Ellison for coming here and sharing his information and expertise with us.

At 9:45 a.m., Chairman Richard Howe recessed the regular Commission meeting and opened the Special Fire Commission meeting. At 10:00 a.m., Chairman Richard Howe adjourned the Special Fire Commission meeting and opened the Road Commission meeting. At 10:17 a.m., Chairman Richard Howe adjourned the Road Commission meeting and opened the Liquor Board meeting. At 10:20 a.m., Chairman Richard Howe adjourned the Liquor Board meeting and reconvened the regular Commission meeting.

#### 10:00 A.M. – WHITE PINE COUNTY BUSINESS LICENSES

##### DISCUSSION WITH LOCAL RANCHERS AND FARMERS CONCERNING THE NEW BUSINESS LICENSE REQUIREMENT IN WHITE PINE COUNTY

Chairman Richard Howe invited the people wishing to comment to approach the Board and do so.

Mr. Dave Eldridge appreciated the opportunity for the Commission to listen to his complaints. He's been out at Sacramento Pass for 77 years, and owns a small livestock operation. He advised that the Business License fee won't break them, but they've been incorporated since 1969 and the State Business License went up from \$75 to \$500 just due to their incorporation. He's afraid that's what will happen with our County Business License. The livestock business is a market-based industry; he's hoping that livestock producers will be able to get an exemption. Mr. Eldridge added that it takes from 13-15 calves per year just to pay his licenses, taxes, and fees before he can go forward financially.

Mr. Charles Odgers advised that he and his family own 160 acres on the McGill flats. He noted that generally, agriculture is exempt from being licensed by the State; therefore, if the State doesn't require it, are we exempted from the County? Deputy District Attorney Bryan Pyle agreed with that assessment. Mr. Odgers continued that based on that interpretation, we should be exempt from the Business License requirement. He added that large farms are commercial; they put LLCs (Limited Liability Corporation) in place to protect themselves, but an agricultural farmer isn't required to be licensed in Nevada, unless it is a commercial property. Commissioner Steve Stork asked if Mr. Odgers is an LLC; the reply was affirmative, because that was a requirement of a business loan. He added that they also have a State Business License, which isn't required by the State, but the bank required him to have an LLC since it protects the assets of the company—which is the land—for the loan. Commissioner Steve Stork addressed the ranchers, noting that the County didn't need this fee for revenue, but rather so we could track businesses in the County. We're trying to implement these fees so we can collect the taxes for the County, but if we don't have a tool in place to collect fees for people coming from out of town, eventually we will be hit with the increases. Mr. Odgers felt we could collect the data and still be compliant in the Ordinance; if its purpose is to collect personal tax information for the Assessor's Office, then we should exempt the tax from the farmers/ranchers. While the data collection is important, he agreed, we shouldn't have to charge a fee as per State law it isn't required. Commissioner Stork continued that Mr. Eldridge's concern is that the fee will be escalated; he reiterated that he couldn't see that happening. He assured the assemblage that he would not support an increase, since the reason for the fee was not meant for revenue. District Attorney Mike Wheable will research this and by request of the Board, will provide a legal opinion. He clarified that the purpose is not to seek exemption from having a Business License, rather to exempt the fee; Commissioner Stork confirmed.

Mr. Travis Godon had a concern regarding infringement upon personal liberties. If someone doesn't comply with obtaining a Business License within 6 months, will they be put in jail? WPC Clerk Nichole Baldwin informed him that is not what the Ordinance states. D.A. Wheable noted that in the language, though,

prosecution is a possibility. Mr. Godon recommended that this should be appealed, noting it's hard enough trying to make businesses work in this County. It was his personal opinion that our State Legislature has a good chance of going Socialist, and in the future he felt it could get worse. He felt we should see where this might possibly lead, if not checked.

Mr. Chris Collis, White Pine County farmer/rancher, had no problem with either the license or the fee. However, he is asking what services are provided; he continued that they don't get their roads plowed, and yet they voluntarily provide water to the County to help maintain the roads, for example. He wanted to know what services they receive for their tax dollars. Chairman Richard Howe advised this is just to establish where our businesses are. He noted everyone is treated the same; if this is repealed, fine, and if we charge, then everyone should be charged.

Chairman Howe advised that we've heard from Mr. Odgers, on the legal aspect, and also from D.A. Wheable. He's asking if we want to keep this in effect, and if we do, then we're doing it for the farmers/ranchers too. Commissioner Gary Perea advised we need to figure out the legalities of the agricultural aspects, and whether they would need to pay the fee or not. He cited his own business; he's paid the Millard County License of \$50 for years. He wanted to know if we're keeping the money separate, so we can track it? He would like this Board to commit the \$6,000+ received from the Business License fees to be spent on local businesses, so the monies would be going back to help the people getting taxed from it. He emphasized that we aren't making money with this as a revenue generator, but he would like to see it be put into a fund to help local businesses. D.A. Wheable felt that was a good point, and reiterated the question that if the farmers/ranchers do need to pay the fee, what services would they receive. He emphasized that it's the Commission's decision, not his. He continued that the Assessor could accurately appraise the personal property under the law for taxes and better capture the missing revenues that the County isn't collecting; at least, he added, that's the government's theory. He added that the governmental relationship is not one-on-one, laws and Ordinances must be passed that apply to everyone equally, even without taking into consideration the water you provide to us, for example. He stated that "we want to be good partners." He provided a brief scenario about each side needing to walk in each others' shoes. He thanked Mr. Collis for bringing up good points. Commissioner Stork added that the intent of this license is to collect from those people who are not paying now, and not to penalize the farmers/ranchers, thus avoiding having to increase their taxes in the future.

Mr. Collis noted that the City maintains the City streets; so with the County Business License, would they receive the same services? Commissioner Carol McKenzie replied that's what the Road Dept. is for, to keep the roads in good shape. Mr. Collis asked about secondary roads; there's some that are taken care of, and some that aren't. Commissioner Stork advised the County has been trying to pick up some of the secondary roads, and Public Works Director Bill Calderwood has begun a process to where this can be done. During the ensuing conversation, Mr. Cody Odgers felt that instead of the Business License fees going to the General Fund, they should be put into the Road Dept. He cited their own business is conducted in the County, where his farm is, and other than ¼ mile of road to their farm the rest of the road isn't maintained. He finished by stating he'd like to see the fee they are paying do something for them. Chairman Howe noted that once our D.A. researches the issue, the Commission would either implement the fee or not. D.A. Wheable verified that the State does exempt small ranching operations from business license fees. So would we still want to charge them, or go with the State's assessment of being exempt? We could also reduce the fee for the second year, etc. He also cited the comments from the public, and that it needs to be determined where we would be going with the fees that are collected as well. Hopefully, he continued that with the information gathered we can also assess those who are not paying the taxes, and therefore can help provide better services for those who are paying the fees.

Mr. Godon asked if the Commission can reject a Business License, and state someone can't do business in the County? Mr. George Chachas noted the City does that. D.A. Wheable noted that special findings must be noted, such as if the business isn't in compliance or they're doing something illegal; it is a challengeable situation in that event.

Chairman Howe advised that we've heard some good points today, and the Board will come back and review the information once it's provided from our legal counsel. D.A. noted that he will recommend some policy ideas as to what the State is doing to help this Board make a decision; however, the Board does have the power to do what they're doing, he pointed out. Chairman Howe added that there is one Commissioner not

present for today's meeting, who also needs to provide some input on this matter. The Board appreciated the farmers/ranchers for coming in today and making their comments known.

ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS

ELECTED OFFICIALS:

CATHERINE BAKARIC, TREASURER

DISCUSSION/ACTION/APPROVAL OF RESOLUTION 2018-56 TO FORM A COMMITTEE TO UPDATE THE WHITE PINE COUNTY COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY AS REQUIRED BY THE U.S. DEPT. OF COMMERCE IN ORDER TO CONTINUE ELIGIBILITY FOR VARIOUS GRANTS

WPC Treasurer Catherine Bakaric advised the CEDS update was last done in 2013, and they expire every 5 years so it's time to do a new one. She noted this is required for many grants that the County applies for. She received an offer from someone to assist her with doing this, at no cost to the County. She continued that this authorizes her to form a committee to be a representative of our government's business; this Resolution will just start things moving forward. Finance Director Elizabeth Frances noted that Treasurer Bakaric is a good candidate, and she would do a good job. Chairman Richard Howe entertained a motion for approval. Commissioner Steve Stork made a motion to approve Resolution 2018-56 to form a Committee to update the White Pine County CEDS as required in order to continue eligibility for various grants. Commissioner Gary Perea seconded. Motion carried.

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

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Nichole Baldwin, Ex-officio Clerk of the Board

White Pine County  
Board of County Commissioners

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**RESOLUTION 2018-56  
DIRECTING THE WHITE PINE COUNTY TREASURER TO FORM A WHITE PINE  
COUNTY COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY COMMITTEE**

WHEREAS, the U.S. Department of Commerce, Economic Development Authority (E.D.A.) requires the County's Comprehensive Economic Development Strategy (C.E.D.S.) be updated at least every five years as a condition of eligibility for E.D.A. grants for all entities within White Pine County, and

WHEREAS, the current C.E.D.S. dated 2013 has expired

WHEREAS, the C.E.D.S. process generates valuable discussion on the need and opportunities for economic and community development projects and

WHEREAS, the C.E.D.S. provides a community based needs assessment and priorities that can be used to support a variety of grant applications, and

WHEREAS, the E.D.A. requires that the C.E.D.S. process be supported by a committee that is representative of the County's population and economic interests.

NOW, THEREFORE, BE IT RESOLVED, that the White Pine County Board of County Commissioner's directs the White Pine County Treasurer to establish the 2018 Comprehensive Economic Development Strategy Committee as an ad hoc committee and

BE IT FURTHER RESOLVED, THAT THE 2018 White Pine County Comprehensive Economic Development strategy (C.E.D.S.) Committee is established with the following conditions:

- 1) The purpose of the 2018 C.E.D.S. Committee is to provide input, perspective, and expertise in the full range of the County's interests including geographic representation, population groups, economic activity, and community services in the discussions regarding the County's economic and community development projects.
- 2) The duties of the 2018 C.E.D.S. Committee are to meet on a regular basis throughout the 2018 C.E.D.S. process, to review the County's economic development and community development needs and priorities, and prepare a report for the White Pine County Commission identifying and prioritizing the County's economic and community development projects.
- 3) The 2018 C.E.D.S. shall be reviewed and adopted by the White Pine County Board of County Commissioners and submitted to the Economic Development Administration.

PASSED AND ADOPTED THIS 22<sup>ND</sup> DAY OF AUGUST, 2018

BY A VOTE OF:

4 AYES

— NAYS

1 ABSENT

Richard Howe, Chairman  
Board of County Commissioners

Attest:

  
Nichole Baldwin, County Clerk



DISCUSSION/UPDATE ON THE SNPLMA EXECUTIVE COMMITTEE VISIT AND MEETING INCLUDING INFORMATION ON LAND SALES SHARED BY BLM PERSONNEL

WPC Treasurer Catherine Bakaric provided a brief overview of the SNPLMA Executive Committee visit on August 8-10 to the Board. She advised that we're still waiting for our Round 17 nominations to be approved; however, that round is still sitting in Washington, D.C. She did note that we normally know by now if we have been awarded the grants, and things are moving a bit slower this time. The Executive Committee recommended that the non-Federal partners—in other words, not the BLM, but us—could draft a letter and send it to Washington to help expedite the process. She continued that the Committee members visited the McGill Railroad Depot and the Avenue K projects. Finance Director Elizabeth Frances strongly recommended this letter be sent, otherwise the awards could come in as a bunch rather than as usual. This could mean projects might be running simultaneously, which would be a burden not only to her office but to Maintenance as well. She noted that Round 18 will open on September 10<sup>th</sup> and will run for 60 days. During the discussion, Treasurer Bakaric recalled the projects for the Board for Round 17 would be the Duck Pond, the Ruth Park, and the Park across from the Railroad Station in Ely. She added that cost escalation would also affect our project costs by the time we get them completed. Ms. Donna Bath, representing Senator Dean Heller, noted that SNPLMA is pushing the 2017 projects as well; she will send another update request letter, and will advise this Board when updates are received. She added that they're already working on this, but we can still send the letters.

BURTON HILTON, ASSESSOR

DISCUSSION/ACTION/APPROVAL TO ALLOW THE LAND SALES COMMITTEE TO WORK DIRECTLY WITH THE BLM TO PRIORITIZE LAND DISPOSALS, PREVIOUSLY REQUESTED BY THE WPC BOCC ON 11/8/17, AND CREATE A 5-YEAR DISPOSAL PLAN

WP Assessor Burton Hilton noted that the Commission approved the list of land disposals during their meeting of November 8, 2017; the total acreage proposed are just shy of 17,000 acres. Less than 300 acres have been disposed so far; things are moving very slowly. He advised that Recorder Martha Rivera Sindelar, Treasurer Bakaric, and he met with Ms. Susan Grande from the local BLM office; she is recommending that we create a 5-year plan and look at smaller chunks to sell instead. Assessor Hilton continued that the Land Sales Committee consists of WPC Clerk Nichole Baldwin, Public Works Director Bill Calderwood, Recorder Martha Rivera Sindelar and himself. They're trying to jump-start this and get things moving; he advised they're open to any input from the Board. Commissioner Steve Stork understood why the BLM felt breaking up into smaller parcels would facilitate more sales, but he wondered what if someone wished to build a development? Assessor Hilton agreed. Ms. Donna Bath advised that there has been a minimum amount of acreage of our lands from 2006-2018 that has been identified for land disposal. It's frustrating, since the County must go through SNPLMA guidelines in order to get projects ready for disposal. She noted that if something is in the RMP (Resource Management Plan) and also in the Lands Bill for disposal, the process is much easier. If it hasn't been identified, at the current rate we're going, "it will take forever." Therefore, in order to speed up the process, our legislators are trying to get some of the language retroactively changed; they're being met with resistance, not surprisingly. The issue is the same for Lincoln County as well, she reported. She added that they've already spent 19 years on this, and they aren't very happy about the 5-Year Plan. Assessor Hilton advised that his priority is to move on this and see if there's something the BLM would like to do; Commissioner Gary Perea would rather see the County driving this process instead of the BLM, in his opinion. Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to allow the Land Sales Committee to work directly with the BLM to prioritize land disposals previously requested by this Board. Commissioner Carol McKenzie seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL TO CONTRACT WITH SIDWELL TO MIGRATE THE ASSESSOR'S OFFICE GIS TO THE PARCEL FABRIC PLATFORM

Assessor Hilton advised that this is where all the GIS' are moving towards. It's ESRI-based, and moving things forward. He noted that we need to ensure most of everything is in order before doing this, however, the time to move forward is now. He explained that this will allow for all the underlying layers; it will be a "seamless integration." He continued that this has already been approved from his Technology Fund for this fiscal year.

Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to approve the contract with Sidwell to migrate the Assessor's office GIS to the Parcel Fabric Platform as requested. Commissioner Gary Perea seconded. Motion carried. In reply to a query from Commissioner Perea, Assessor Hilton clarified that the optional services noted in the contract are not included, since he didn't feel they would be necessary at this time.

**MIKE WHEABLE, DISTRICT ATTORNEY**

DISCUSSION/ACTION/APPROVAL TO RENEW THE MINISTERIAL ASSOCIATION LEASE OF THE AQUATIC CENTER CONFERENCE ROOM WHEN HIGH SCHOOL IS IN SESSION, DURING THE HOURS OF 8AM-12PM, MONDAY THROUGH THURSDAY, FOR AN ADDITIONAL YEAR, OTHERWISE ON THE SAME TERMS AND CONDITIONS, STARTING AUGUST 27, 2018

District Attorney Mike Wheable advised that this is the current lease the Ministerial Association has been using; the updated time for using the conference room will be from 8 AM to 11 AM, and this is indicated in the backup material. It was agreed this is a nice revenue source, and the kids do use the room. Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to renew the Ministerial Association lease of the Aquatic Center Conference Room when High School is in session for an additional year and with the time change as noted. Commissioner Carol McKenzie seconded. Motion carried.

**NICHOLE BALDWIN, COUNTY CLERK**

DISCUSSION/UPDATE OF THE WHITE PINE COUNTY BUSINESS LICENSES

WPC Clerk Nichole Baldwin cited the costs involved with implementing the County Business Licenses, and many discussions with the District Attorney prior to its commencement. She also utilized the Assessor's Office, the Yellow Pages, and other sources, but she still receives calls from people as to why some have received these applications and others haven't. Clerk Baldwin felt the public was properly noticed for these, for the Board's information. Commissioner Gary Perea asked where the funds collected would be going; Finance Director Elizabeth Frances advised they would go to a specified line item in the General Fund, for tracking purposes. There followed some discussion as to if someone grows hay, sells it, and pays their taxes, for example, why aren't they required to have to have a State Business License? It was felt there were different regulations pertaining to farming as opposed to retail sales. Clerk Baldwin advised that the direction she had received from both the Commission and the District Attorney was, that this needs to be kept simple. She continued that we're not here to regulate, we're just here to conduct business; we just want to know who has a business. We don't require proof of State licensing; sometimes it's provided to us, sometimes it isn't. During the discussion, District Attorney Mike Wheable offered that we could consider discussing to amend the license so that if someone already has a City license they may be exempted from the County license. He added that most all the Nevada counties require both City/County business licenses. Even if a business isn't making any money, it's still a business. Some of the complaints we received pertained to the fee, and the Commission could consider that, he noted.

**STEVE L. DOBRESCU, SENIOR DISTRICT COURT JUDGE**

DISCUSSION/ACTION/APPROVAL OF THE COOPERATIVE AGREEMENT WITH THE TRI-COUNTY SEVENTH JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA FOR FY 2018/2019

Finance Director Elizabeth Frances advised that White Pine shares expenses with Lincoln and Eureka counties for the Seventh Judicial Court District. This agreement covers items such as salaries for the Administrative Assistants, Law Clerks, benefits for employees, supplies, and also a stipend for the Chief Juvenile Probation Officer. She noted the allocation of expenses is based on population; 60% for White Pine County, 11% for Eureka, and 29% for Lincoln County. Chairman Richard Howe entertained a motion for approval. Commissioner Carol McKenzie made a motion to approve the Tri-County Seventh Judicial District Court cooperative agreement for 2018-2019 as requested. Commissioner Steve Stork seconded. Motion carried.

At 11:50 a.m., Chairman Richard Howe recessed the Commission meeting for a break. The meeting was reconvened at 12:00 noon.

DEPARTMENT HEADS:

LANCE GALE, AIRPORT MANAGER

DISCUSSION/UPDATE ON AIRPORT AIP GRANTS 3-32-0006-020-2016 AND 32-0006-019-2015

Airport Manager Lance Gale advised these grant projects are for the North and South ends of the runways. One of the grants has been closed; he noted closure letters were just mailed out. He added that we should be receiving another closure letter shortly, and then the grants will be completed. Finance Director Elizabeth Frances clarified that this update should have been under her name for the Quarterly Grant Reports.

DISCUSSION/UPDATE ON HANGAR 1

Manager Gale recalled when Mr. Richard Barber brought some issues forward concerning some of the construction and codes at Hangar 1. Manager Gale discussed the matter with Building Inspector Brad Christiansen, who inspected the hangar and noted that even though it's over 100 years old, it's in fantastic shape. He felt that all that would be required would be to remove the old conduit, upgrade the fire extinguishers, and install an emergency access out the back of the hangar. Manager Gale continued that Hangar 1 currently houses 4 tenants, and they share 1,450 sq ft of space. The County charges them \$55/month rental for that space; the County pays for water, power, and snow removal.

DISCUSSION/ACTION/APPROVAL OF FAA ANTENNAE AND EQUIPMENT SPACE LEASE AT THE AIRPORT

Manager Gale noted the equipment space lease at the Airport is for 10 years, which will be expiring shortly; he cited the information in the backup materials. District Attorney Mike Wheable noted there's nothing bad in the contract; the \$300/monthly rent will remain the same, and the new contract commences October 1<sup>st</sup>. Manager Gale noted the antennae on the south end is the FAA's; they also rent the equipment space from the County. D.A. Wheable is fine with this contract. Commissioner Gary Perea made a motion to approve the FAA antennae and equipment space lease at the Airport as requested. Commissioner Carol McKenzie seconded. Motion carried.

DISCUSSION/UPDATE ON MEDX AIRONE HANGAR LOCATION LAND SPACE LEASE LOCATION

Manager Gale cited a map of the Airport Layout Plan in the backup; he advised of specific points on the map. #1 is the Ely Jet Center and the ramp area in front; #3 is the USDA building. The space set aside is all the sections on the left, comprising 10,000 sq ft for which the Board has already advertised, he noted. MedX AirOne is requesting a 60x60 hangar with an office complex; he noted they have this at the Elko Airport. The fee structure is 25 cents per sq ft, on an annual basis for Ely, and he noted they charge 28 cents per sq ft. The FAA will be considering this for approval; other airports in our region are doing the same thing. He continued that everything is all lined up for our Airport development.

DISCUSSION/UPDATE ON AIRPORT RUNWAY CONSTRUCTION ON RUNWAY 18-36 AND DATES OF CLOSURE

Airport Manager Lance Gale cited weekly inspection reports from Armstrong Consultants in the backup; he noted we are actually ahead of schedule on this project. There are certain specs for compaction, he added, and we are exceeding that requirement. He continued that the electrical workers are required to work inside the safety zone; when they are working, there must be no activities going on at the Airport. It was felt initially that 10 days would be needed to close the Airport, starting on October 1<sup>st</sup>; but it was amended so that it wouldn't be a full closure, but rather closing would occur at 5:00 PM when the contractors could do their work. He added that MedX AirOne will have a helicopter; it's being discussed that it would fly from here to Eureka with a patient, they would be loaded onto a plane, and then fly out from there to Reno, for example.



DISCUSSION/UPDATE ON PHASES 3 AND 4 OF THE AIRPORT GRANT FOR TAXIWAY WITH DISCRETIONARY FUNDING

Manager Gale advised that Phases 1 and 2 of the taxiway are being done now. Phases 3 and 4 were bid out as a whole, but the FAA only awarded the first two phases at this time. He noted that President Trump was successful with the FAA funding of \$1 billion for Airport infrastructure in the United States; Chairman Richard Howe sent off our request for some of that funding. Since we already have everything in place, we have a good chance of receiving some of that; meetings are being held in Washington, D.C. today and tomorrow concerning who would be the recipients of those funds. He added there's a good chance we could be one of the top 5 to be selected in the United States. Should the funding be awarded to us, we would have brand new taxiways constructed at \$ -0- cost to White Pine County.

DISCUSSION/UPDATE ON THE BLM MODULAR OFFICE PROJECT

Manager Gale cited some maps in the backup materials for this. He advised that it normally takes from 60-90 days to hear back, but we got our request back in just 10 days. Our infrastructure was already approved, he noted, and Mt. Wheeler Power will be putting in an upgrade. Basin Engineering will hold a bidders meeting on August 29<sup>th</sup> as the cost is under \$50,000, as he explained. This is a project that Basin Engineering already has a contract for with us; we are reimbursed for the work we've done. The timetable is the bid to be awarded the first week of September, the work will be done, and the water/sewer/power will all be in place for the building when it comes in during mid-September. The Board commended Manager Gale on his good work.

DISCUSSION ON MEDX AIRONE TO LEASE THE OLD TERMINAL BUILDING CURRENTLY OCCUPIED BY RSVP

District Attorney Mike Wheable requested a motion to table this agenda item. Chairman Richard Howe entertained a motion to table. Commissioner Steve Stork made a motion to table; Commissioner Carol McKenzie seconded. Motion carried.

TIMOTHY BUNCH, HUMAN RESOURCES DIRECTOR

DISCUSSION/ACTION/APPROVAL TO POST EXTERNALLY FOR DISTRICT FIRE CHIEF/-DIRECTOR OF EMERGENCY MANAGEMENT

Chairman Richard Howe noted both this agenda item and the next were in the Fire Commission meeting agenda; this is the Commission portion. Commissioner Carol McKenzie made a motion to post externally for the District Fire Chief/Director of Emergency Management. Commissioner Steve Stork seconded. Motion carried. Following brief discussion, Deputy District Attorney Bryan Pyle advised that the Fire Chief portion shouldn't be included in this item, and a motion should be made to clarify. Commissioner Steve Stork made a motion to clarify that this is for approval to post externally for the Director of Emergency Management. Commissioner Carol McKenzie seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF COMPENSATION RATE FOR DISTRICT FIRE CHIEF/DIRECTOR OF EMERGENCY MANAGEMENT FOR RECRUITMENT POSTINGS

Finance Director Elizabeth Frances clarified this agenda item is also just for Emergency Management. Commissioner Gary Perea made a motion to approve the compensation rate for the Director of Emergency Management, as listed on our full range based on experience. Commissioner Steve Stork seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL TO POST EXTERNALLY FOR FT DIRECTOR OF EMERGENCY MANAGEMENT; and

**DISCUSSION/ACTION/APPROVAL TO POST EXTERNALLY FOR PT EMERGENCY MANAGEMENT DIRECTOR**

Director Frances asked if the Commission could open both of these agenda items at once; the Board acquiesced. She then asked if we should advertise for full-time or part-time on this position; she encouraged the Board to go full-time, as she didn't really feel we would find a qualified Director of Emergency Management only working part-time. She added that there will need to be an augmentation in order to achieve this, which she will bring to the Board next time, if this is approved. Commissioner Steve Stork made a motion to post externally for a full-time Emergency Management Director. Commissioner Gary Perea seconded. Motion carried.

**ELIZABETH FRANCES, FINANCE DIRECTOR**

**DISCUSSION/ACTION/APPROVAL OF SIDWELL CONTRACT FOR GIS SERVICES TO DEVELOP AN INTEGRATED GIS LAYER TO TRACK WELL LOCATIONS IN WHITE PINE COUNTY AND THE RELATED ANNUAL DATA IN THE AMOUNT OF \$7,500 FOR THE FIRST YEAR AND \$1,200 ANNUAL SUPPORT THEREAFTER**

Finance Director Elizabeth Frances recalled at the last Commission meeting that the Water Advisory Committee had requested this approval. She was given authority by the Board to do the contract, which is included in the backup materials. If the Board approves the contract, she will bring back a resolution, noting the funding will be coming out of the Contingency fund. Chairman Richard Howe entertained a motion for approval. Commissioner Gary Perea made a motion to approve the Sidwell contract for GIS services to develop an integrated GIS layer to track well locations in White Pine County for \$7,500 for the first year and \$1,200 annually thereafter. Commissioner Steve Stork seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF THE QUARTERLY GRANT REPORTS**

Director Frances noted the reports are in the backup materials; the Airport report had been included earlier in Airport Manager Lance Gale's agenda item. Chairman Richard Howe entertained a motion for approval. Commissioner Steve Stork made a motion to approve the quarterly grant reports as presented. Commissioner Carol McKenzie seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF APPROVAL OF THE MONTHLY FINANCIAL REPORTS FOR JULY 2018**

Director Frances indicated the backup is included in the packets. Chairman Richard Howe entertained a motion to approve. Commissioner Carol McKenzie made a motion to approve the monthly financial reports for July 2018 as requested. Commissioner Steve Stork seconded. Motion carried.

**DISCUSSION/ACTION/APPROVAL OF CONTRACT FOR CONSTRUCTION MANAGER AT RISK FOR THE JUSTICE CENTER PROJECT WITH CORE CONSTRUCTION SERVICES OF NEVADA, INC. IN THE AMOUNT OF \$95,000 FOR PRECONSTRUCTION SERVICES AND CONSTRUCTION MANAGER'S FEE AT 3.75% OF GUARANTEED MAXIMUM PRICE SUBJECT TO CONTRACT APPROVAL BY USDA**

Director Frances noted a few amendments had been made and are subject to USDA approval on this contract; one was on Page 10 of the contract, concerning the percentage of split savings on the CMAR. The contract requested 50/50 Owner/CMAR. However, Consultant Gustavo Nunez felt it should be 80% Owner/-20% CMAR. The other item was a clause that requires CORE to work with the Assessor to assure the property tax is being assessed properly. District Attorney Mike Wheable noted the main contract had some problems with projects in White Pine County as to equipment, etc., so we will require our CMAR to facilitate that process. That means either they or their subcontractors must provide a list, in order to get this done properly. Chairman Richard Howe entertained a motion for approval of the contract. Commissioner Gary Perea made a motion to approve the contract for CMAR for the Justice Center with CORE Construction Services of Nevada, Inc. for \$95,000 for preconstruction services and the Construction Manager's fee at 3.75% of the guaranteed maximum price subject to contract approval by USDA, with the changes noted. Commissioner Steve Stork seconded. Motion carried.

CONSENT AGENDA: DISCUSSION/ACTION/RATIFICATION OF CORRESPONDENCE SENT ON BEHALF OF THE WHITE PINE COUNTY COMMISSION; APPROVAL OF PAYROLL FOR COUNTY ELECTED OFFICIALS; APPROVAL OF HR TRANSMITTAL FOR PAYROLL CHANGES; APPROVAL OF BUDGET TRANSFERS WITHIN/BETWEEN FUNCTIONS/PROGRAMS WITHIN A FUND THAT DO NOT INCREASE THE TOTAL APPROPRIATION OF THE FUND

Chairman Richard Howe entertained a motion to approve the Consent Agenda. Commissioner Carol McKenzie made a motion to approve the Consent Agenda as presented. Commissioner Steve Stork seconded. Motion carried.

NOTICE OF UNTIMED ITEMS

DISCUSSION/ACTION/APPROVAL TO WAIVE FEES AND USE OF MARICH FIELD ON SATURDAY, OCTOBER 6, 2018 FOR A CO-ED TOYS FOR TOTS SOFTBALL TOURNAMENT

Ms. Becky Sommervold advised that they are requesting to waive the fees for March Field for this One-Pitch Softball event; she noted it's during the daytime, so no lights will be needed. Chairman Richard Howe noted that the Commission has turned down waiving fees in the past mainly because they didn't wish to set a precedent. However, this is for charity, and it's a good event, so he would suggest not waiving the fee but for the Board to pay the fees themselves out-of-pocket. It was advised the fee would be \$125 for the use of Marich Field; the Commission will pay for it, rather than waiving the fee. Ms. Sommervold asked if the restrooms would remain open, as in October the weather turns colder. Public Works Director Bill Calderwood assured that the heat would remain on until the conclusion of the tournament. Also, for the concessions at Marich Field, Ms. Sommervold will talk to the Elytes to see if they can go forward with utilizing the parents to do that for the event as well. The Board thanked her for the information and hoped the event will be successful.

DISCUSSION/ACTION/APPROVAL OF COUNTY COMMISSION MINUTES:

Special July 3

July 25

Commissioner Carol McKenzie noted a correction for the Special July 3 minutes. Chairman Richard Howe entertained a motion for approval. Commissioner Carol McKenzie made a motion to approve the Special July 3 and July 25 sets of Commission minutes with correction noted. Commissioner Gary Perea seconded. Motion carried.

PUBLIC COMMENT

Commissioner Richard Howe recalled for the assemblage that there is a special joint meeting tonight with the City at 6:00 p.m. at the Convention Center for an update from GOED and also to form a Regional Transportation Commission.

ADJOURNMENT

At 12:30 p.m., Chairman Richard Howe entertained a motion to adjourn. Commissioner Steve Stork made the motion; Commissioner Carol McKenzie seconded. Motion carried.

BOARD OF COUNTY COMMISSIONERS  
COUNTY OF WHITE PINE  
STATE OF NEVADA

BY:

  
CHAIRMAN

ATTEST:

  
WPC CLERK OF THE BOARD