

IN A REGULAR MEETING OF THE WHITE PINE COUNTY COMMISSION HELD ON SEPTEMBER 11, 2019 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
Susan Lujan, Deputy Clerk

County Officials

Brett North, WPCFD Chief
Tim Bunch, Human Resources Director
Elizabeth Frances, Finance Director
Jennifer Farnworth, IT Specialist
Bill Calderwood, Public Works Director
Scott Henriod, WPC Sheriff
Bryan Pyle, Deputy District Attorney

Also Present

Becky Sommervold
Carol McKenzie
Dean Day, Day Engineering
Nathan Robertson, Ely Mayor

Chairman Richard Howe called the meeting to order at 9:06 a.m. Finance Director Elizabeth Frances led the Pledge of Allegiance.

MOMENT OF SILENCE/SILENT INVOCATION

This was duly observed; special mention was made of today being Patriots Day, the 18th anniversary of 9/11.

PUBLIC COMMENT

There was none.

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

9:15 A.M.

DISCUSSION/FOR POSSIBLE ACTION/APPROVAL TO USE MARICH FIELD ON OCTOBER 5, 2019 FOR A CO-ED SOFTBALL TOURNAMENT. Becky Sommervold or Tricia Hernandez

This agenda item was pulled by request of the author.

9:20 A.M. – RED RIBBON WEEK PROCLAMATION

DISCUSSION/FOR POSSIBLE ACTION/APPROVAL OF PROCLAMATION FOR NATIONAL RED RIBBON WEEK. Mary Kerner

This agenda item was also pulled by request of the author.

9:25 A.M.

DISCUSSION/FOR POSSIBLE ACTION/APPROVAL OF AN INTERLOCAL AGREEMENT BETWEEN WHITE PINE COUNTY (SHERIFF'S OFFICE) AND THE BOARD OF REGENTS OF THE NEVADA SYSTEM OF HIGHER EDUCATION (UNR POLICE SERVICES). Sheriff Scott Henriod

WPC Sheriff Scott Henriod advised that we have Great Basin College here in White Pine County, and the University of Nevada-Reno is over that jurisdiction. He explained that by entering into a Memorandum of Understanding with the Sheriff's Office, they will have the authority to take over the law enforcement in that area if necessary. He continued that they will also provide services to us, if needed, i.e. the K-9 patrols (canines) will be available for suspected bomb threats, etc., free of charge. It was noted the District Attorney's office has reviewed this; Sheriff Henriod felt it was important that this move forward. Deputy District Attorney Bryan Pyle advised the D.A. is good with the agreement. Commissioner Shane Bybee made a motion to approve the interlocal agreement between

White Pine County and the Board of Regents of the Nevada System of Higher Education (UNR Police Services) as requested. Commissioner Laurie Carson seconded. Motion carried.

At 10:08 a.m., Chairman Richard Howe recessed the Commission meeting for a break, due to the meeting running ahead of schedule. The meeting was reconvened at 10:35 a.m.

10:30 A.M. – PROPOSED ORDINANCE 502

DISCUSSION/FIRST READING OF ORDINANCE 502: AN ORDINANCE AMENDING CHAPTER 2.32 OF THE WHITE PINE COUNTY CODE TO CREATE, IN COLLABORATION WITH THE ELY CITY COUNCIL, A REGIONAL PLANNING COMMISSION PURSUANT TO CHAPTER 278 OF THE NEVADA REVISED STATUTES

Deputy District Attorney Bryan Pyle advised this Ordinance is a reflection of what this Board and the Ely City Council did at their meeting last year, i.e., voting in favor of the Regional Planning Commission. It was felt that this board should be granted actual authority, and this is included in the language so it would be binding on both entities. Therefore, he continued, the County Commission and the Ely City Council will give up the authority to make the planning and zoning determinations, and that charge will be given to this new Regional Planning Commission instead. As noted during the discussion, having a board to give a final decision would be great as that would alleviate having to appeal to the courts. There followed some discussion regarding the membership and terms of service; Mrs. Carol McKenzie noted when she served on that board there were 6 members. Ely Mayor Nathan Robertson was asked for his opinion on this; as there was some concern about a tie breaker on an even-numbered board, he suggested out that could come from the District Attorney's office. Deputy D.A. Pyle felt there wouldn't be an issue with the even number when this Ordinance was drafted; however, the D.A.'s Office might be uncomfortable being the tie breaker. Commissioner Laurie Carson felt we should keep the membership at 6 like it was before, and we could always amend it if it proved a problem. Mrs. McKenzie recalled that the RPC never had a problem with tie breakers in the past. Mayor Robertson pointed out that it would be serving those who wish to come into the community for development purposes better, if they only had to present before one board. The six people could serve on the board irregardless of where they might live, in the City or the County, he added. Chairman Richard Howe noted this is just the first reading of the Ordinance, we discussed some ideas, and the D.A.'s Office can meet with the City and address some possible revisions. Those revisions can be brought back at a meeting in the near future.

10:45 A.M. – PROPOSED ORDINANCE 503

DISCUSSION/FIRST READING OF ORDINANCE 503: AN ORDINANCE AMENDING CHAPTER 3.08 OF THE WHITE PINE COUNTY CODE TO IMPOSE A FIVE (5) CENT PER GALLON TAX ON SPECIAL FUEL THAT CONSISTS OF DIESEL FUEL SOLD WITHIN WHITE PINE COUNTY; EXEMPTING CERTAIN DIESEL FUEL FROM TAXATION; ADDING A SEVERABILITY CLAUSE

Chairman Richard Howe noted that this Board had voted to impose a five cent tax; this is the first reading on that vote. The second reading and vote will be done at the September 25th Commission meeting. Deputy District Attorney Bryan Pyle noted there is a change in the law, effective October 1st, requiring financial statements for certain items that will affect businesses within the County. He will meet with Finance Director Elizabeth Frances to discuss this; while this particular tax should be an exception to the new rule, we need to verify that and see what would be required. He added that the financial statements must be done 10 days prior to passage of the bill; hopefully we won't have to have that done. Commissioner Laurie Carson suggested NACO might be able to assist us in the bill's interpretation; Deputy D.A. Pyle advised he will contact them regarding this.

ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS

COUNTY COMMISSION

There were none.

ELECTED OFFICIALS

There were none.

DEPARTMENT HEADS

LANCE GALE, AIRPORT MANAGER

DISCUSSION/FOR POSSIBLE ACTION/APPROVAL FOR THE AIRPORT ADVISORY BOARD TO HOST AN AVIATION EVENT FOR THE YOUNG EAGLES CHAPTER 932 FROM ST. GEORGE, UTAH TO

PROVIDE AIRPLANE RIDES FOR YOUTH, AGES 8-17, AT THE ELY AIRPORT ON SEPTEMBER 28, 2019. FIFTY (50) RIDES WILL BE PROVIDED

Chairman Richard Howe advised Airport Manager Lance Gale isn't here today, but this was read into the record. Finance Director Elizabeth Frances has a concern for insurance/liability issues, since the County will be sponsoring this event. Deputy D.A. Bryan Pyle assured the Board that the FAA has noted the County as additional insured, the same as was done for the Day At The Airport event. Director Frances noted that with us listed as additional insured and with an adequate amount of insurance prior to the event, she wouldn't have a problem with it. Commissioner Travis Godon made a motion to approve the Airport Advisory Board to host the aviation event for the Young Eagles out of St. George, Utah, to provide airplane rides for youth aged 8-17 at the Ely Airport on September 28, 2019 as requested, contingent upon sufficient insurance and review by the District Attorney's Office. Commissioner Ian Bullis seconded. There was brief discussion on what would be considered "sufficient insurance;" Commissioner Laurie Carson suggested amending the motion to include review by the Finance Director and POOL/PACT, with the amount of insurance to be based on the POOL/PACT recommendation. Commissioner Travis Godon amended his motion to include those reviews and recommendations as suggested; Commissioner Ian Bullis amended his second. Amended motion carried.

TIM BUNCH, HUMAN RESOURCES DIRECTOR

DISCUSSION/FOR POSSIBLE ACTION/APPROVAL TO RATIFY INTERNAL POSTING FOR THE SENIOR CENTER ASSISTANT COOK POSITION DUE TO RETIREMENT OF STAFF MEMBER JANET NORTON ON SEPTEMBER 27TH, 2019

Human Resources Director Tim Bunch talked with Sr. Center Administrator Lori Romero regarding this request; she explained that there are more meals coming out of their kitchen now and they're losing a cook, which means more work with fewer people. Senior Program Supervisor Chris Ricci has been spending 6 of her 8 hours at the Center working in the kitchen, and that's with Assistant Cook Janet Norton's being there. They are working on a proposal to be presented at a later date, as they are having to deal with time constraints and getting someone in there as soon as possible. Director Bunch advised they will be having interviews this Friday. They served from 30-40 people a year ago, and are serving from 60-80 people currently. Chairman Richard Howe entertained a motion to approve. Commissioner Ian Bullis made a motion to ratify the internal posting for the Sr. Center Assistant Cook position due to retirement of staff member Janet Norton on September 27th. Commissioner Laurie Carson seconded.

ELIZABETH FRANCES, FINANCE DIRECTOR

DISCUSSION/FOR POSSIBLE ACTION/APPROVAL TO LEASE TWO NEW COPIERS (ONE FOR THE DISTRICT ATTORNEY'S OFFICE AND ONE FOR THE SHERIFF'S OFFICE) FOR A BASE AMOUNT OF \$193.76 EACH PER MONTH FOR A TERM OF 48 MONTHS OR PURCHASE FOR THE AMOUNT OF \$8,234 EACH WITH THE FUNDS TO COME FROM UNBUDGETED BEGINNING FUND BALANCE

Finance Director Elizabeth Frances cited the backup materials for this agenda item, noting these were authorized last year but she didn't have time to get these leases completed prior to the end of the fiscal year. She noted there is some cost savings involved with respect to buying/leasing; there's more to leasing, but she explained that we pay as we use it, rather than paying a lump sum up front. She continued there is a need for these copiers, and other brands and/or prices could be researched; however, these models have already been integrated into our networks. During the discussion Commissioner Ian Bullis suggested leasing might be better as copiers do go obsolete, and we would have constantly upgraded equipment. Director Frances noted that frankly either purchase or lease would be fine, whatever the Board would prefer. Chairman Richard Howe disclosed that his son works for Sharp in Reno, as the Board briefly discussed going with another vendor besides Xerox. Chairman Richard Howe entertained a motion to approve. Commissioner Laurie Carson made a motion to purchase two new copiers in the amount of \$8,234 each as requested. Commissioner Ian Bullis seconded. Motion carried, with Chairman Howe abstaining from the vote.

DISCUSSION/FOR POSSIBLE ACTION/APPROVAL TO PROCEED WITH A GROUND BREAKING CEREMONY FOR THE JUSTICE CENTER PROJECT

Director Frances advised that the Justice Center Project contract has been approved, they're starting to do some of the work; this is a big event for White Pine County, and we should hold this ceremony. The proposal is to have the ground-breaking ceremony on September 24th; invitations to the Governor and Legislators who assisted White Pine County with obtaining the \$5 million to make this happen will be sent. Our Judges and attorneys will also be present; the ceremony will be held with a small gathering afterwards. This would also be a notice to the public that this project is going forward, it was noted. The time was set for 1:00 p.m. to allow for various dignitaries to travel to Ely. It was noted other people could be invited as appropriate. Commissioner Ian Bullis made a motion to proceed with the official

ground-breaking ceremony for the Justice Center Project, set for 1:00 p.m. on Tuesday, September 24th, 2019 at the Justice Center Site. Commissioner Laurie Carson seconded. Motion carried. Chairman Richard Howe added that advertising via newspaper, radio, etc. will make it a great public event.

DISCUSSION/FOR POSSIBLE ACTION/APPROVAL OF CHANGE ORDER NUMBER 3 ON CONTRACT WITH RECK BROTHERS LLC FOR THE SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT NEVADA NORTHERN RAILWAY IMPROVEMENTS-WP11 PROJECT FOR TIME EXTENSION ONLY TO ALLOW PROJECT COMPLETION CONTINGENT ON GRANTING AGENCY APPROVAL IF REQUIRED

Finance Director Elizabeth Frances advised this Change Order #3 would be at no-cost; Reck Brothers, LLC just needs some additional time to get permission to move the sign back onto State land, which requires State approval. This also includes obtaining light fixtures to replicate the historic fixtures in the area. Commissioner Laurie Carson asked if SNPLMA had any issues regarding this; Public Works Director Bill Calderwood advised they had no concerns. Also, there is a built-in contingency, which he explained to the Board. Director Frances assured that the grant will still be completed in a timely manner; this extension request doesn't affect the timeframe. Commissioner Laurie Carson made a motion to approve Change Order #3 on the contract with Reck Brothers LLC for the SNPLMA Nevada Northern Railway Improvements-WP-11 project to allow for a time extension as requested. Commissioner Ian Bullis seconded. Motion carried.

DISCUSSION/FOR POSSIBLE ACTION/APPROVAL TO DIRECT ELIZABETH FRANCES, FINANCE DIRECTOR TO ASSEMBLE A TEAM TO NEGOTIATE A NEW INTERLOCAL AGREEMENT TO POSSIBLY CHANGE THE DISTRIBUTION OF TAX REVENUES INCLUDING THE BCCRT (BASIC CITY/COUNTY RELIEF TAX), SCCRT (SUPPLEMENTAL CITY/COUNTY RELIEF TAX), CIGARETTE TAX, RPPT (REAL PROPERTY TRANSFER TAX) AND MVPT (MOTOR VEHICLE PRIVILEGE TAX) BETWEEN WHITE PINE COUNTY, THE CITY OF ELY AND THE WHITE PINE COUNTY HOSPITAL DISTRICT FOR THE PERIOD OF JULY 1, 2020 AND JUNE 30, 2022

Director Frances provided some history to the Board, noting this was a biyearly renewal until 2016, when the last contract ended. The reason we did not renegotiate was because the State had advised we didn't need to, if we were keeping the same rates as we had previously. She explained that this will ensure the City will be getting their additional CTX monies, as opposed to their limited revenue base; this isn't required unless we are changing the CTX rate. However, she continued, the base calculation has been changed; she's requesting to work with our State representative, Ms. Penny Hampton as to how this would be allocated based on the revised base. This wouldn't be effective until July 1, 2020, but the agreement needs to be submitted to the Nv. Dept. of Taxation by December 31, 2019. The main concern for taking this action would be to make things fair and equitable between the County/City/Hospital District. Chairman Richard Howe entertained a motion to approve. Commissioner Ian Bullis made a motion to direct our Finance Director to assemble a team to negotiate a new interlocal agreement that could possibly change the CTX between White Pine County, the City of Ely, and the White Pine County Hospital District for the period of July 1, 2020 through June 30, 2022 as requested. Commissioner Travis Godon seconded. Motion carried.

CONSENT AGENDA: DISCUSSION/FOR POSSIBLE 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. Commissioner Ian Bullis made a motion to approve the Consent Agenda as presented. Commissioner Laurie Carson seconded. Motion carried.

UNTIMED ITEMS

There were none.

PUBLIC COMMENT

Commissioner Travis Godon advised he will be unable to attend the next Commission meeting, but there will be a quorum present as the other Board members will be present.

ADJOURNMENT

At 11:06 a.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:



CHAIRMAN

ATTEST:



WPC CLERK OF THE BOARD