

IN A REGULAR MEETING OF THE WHITE PINE COUNTY COMMISSION & SPECIAL JOINT MEETING WITH THE FIRE COMMISSION HELD ON APRIL 28, 2021 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
Jill Perez, Deputy County Clerk

County Officials:

Bill Calderwood, Public Works Director
Elizabeth Frances, Finance Director
Mike Johnson, IT Specialist
Tim Bunch, Human Resources Director
Sherriff Scott Henriod
Burton Hilton, Assessor
James S. Beecher, District Attorney

Also Present:

George Chachas, George Town Media
Caleb Sumrall, Sumrall Construction
Brandi Sumrall, Sumrall Construction
Lindsey Wahlass, DLA

Present via Zoom:

Geri Wopschall, Jeremy Drew (RCI), Art Olson, WP Juvenile Probation Officer Charisa Halsey, Tabitha Hamilton (Finance Office), Kristi Rozich (Aquatic Director), Lori Romero, Mary Kerner, Marietta Henry, Jennifer Drew (City of Ely), Eldridge, Caroline McIntosh, Gary Perea and others.

Chairman Richard Howe called the meeting to order at 9:04 am. Commissioner Ian Bullis led the Pledge of Allegiance.

MOMENT OF SILENCE/SILENT INVOCATION

This was duly observed.

PUBLIC COMMENT

George Town Media, George Chachas addressed the Board. Once again he reminded the Board about masks. In regards to agenda item 1a4, the Board is to consider the approval of land sale to the highest bidder. The last time this was on the agenda the Board rejected the offer. He would like to know if the Board was opening the bidding process again. He accused the Board of not being clear with the agenda and following the Open Meeting Laws according to NRS. He reminded the Board he was the highest cash offer last year and Mr. Chachas felt he was denied based on discriminatory comments made by Commissioner Shane Bybee that the property was worth more and he would like to know why the Board is not following the Federal law. He demanded the Board stop the discrimination. In

regards to agenda item 1c5, the Board is to consider the approval related to revenues and departments. Once again he did not see a victims fund on the list. He claims to pay thousands of dollars in taxes to support all the departments and wants equal protection under the law. He wants compensation from the harm he has suffered. In regards to agenda item 2A1a, the Board is to consider approval providing notice to the City of Ely that the County is to renew the lease of the property for the Golf Course. In Mr. Chachas' opinion, if the Golf Course has not paid the water bill in full, there should be no lease and no discrimination. He stated the Golf Course is a luxury, not a necessity. He stated the Board refuses to use the sound system that the County paid for. He claims no one can hear in the back of the room due to everyone wearing a mask and the Board needs to use the sound system. Time was called. Mr. Chachas continued. On agenda item 2A2 and 2A3a the Board is to consider adopting resolutions that states the County will now enforce certain mandates. He reminded the Board that under the Constitution and State law, you cannot select to enforce the law under color of law.

1. NOTICE OF TIMED AGENDA ITEMS:

A. 9:30 A.M. PUBLIC HEARING ON THE FAIR MARKET VALUE OF COUNTY-OWNED PROPERTY

1) Public Hearing/Discussion Only: The White Pine County Board of Commissioners will take public comment on the fair market value of the following property:

**APN 002-271-20, Parcel 3A of Document # 388480, Park Addition, City of Ely
APN 002-161-21, Parcel 4A of Document # 388480, Park Addition, City of Ely
Burton Hilton, Assessor**

District Attorney James S. Beecher addressed the Board. The reason this is being done again is due to the fact that White Pine County had messed up the boundaries that were given to them last time. This time the deed has been corrected. Assessor Burton Hilton also stated the appraisal of the land had to be completed before transfer of land could be done and this is a mistake from a year ago.

George Chachas addressed the Board and stated this was very confusing. He stated he was very concerned, the County should not be competing with the private sector, nor did the Commission authorize the splitting up the land of 3A and 4A. He reminded the Board he tried to do a cash offer when no one else was bidding on it and he was passed over and stated the County is devaluing the property. District Attorney Beecher interjected stating this public comment is based on face value, not something Mr. Chachas is angry about. DA Beecher asked Mr. Chachas to stick with the topic at hand. Mr. Chachas stated he felt he was being forced into a corner and he did not like that. Once again he asked the Board if they had a problem with ethnics, senior citizens, or minorities. District Attorney Beecher interjected again stating if Mr. Chachas continue to be disruptive he would be removed and asked to please stick with the topic of the property appraisals. Mr. Chachas stated the County should not continue to compete with the private sector. The property should be sold at the appraised value. Chairman Howe informed Mr. Chachas that the only thing that the Board is doing is correcting a mistake that was made a year ago. It was a public hearing

and everything was done correctly. Chairman Howe continued stating the property was not devalued. It was sold citing economic development due to the housing shortage.

Commissioner Bybee commented once the homes are built and sold, it will help the property owners in that area. Assessor Hilton agreed that it would bring in around \$3,000 a year in property taxes.

***2) Discussion/For Possible Action: Approval of Resolution 2021- 30 of the White Pine County Board of County Commissioners that it is in the best interest of the County to sell certain Real Property for less than fair market value**

Assessor Hilton addressed the Board. This is basically the same resolution that was done a year ago for the same area. It states the Board has to do this in order to use the economic development NRS to transfer the land. Commissioner Bybee made the motion to approve. Commissioner Bullis seconded the motion. Motion passed.

***3) Discussion/For Possible Action: Approval of Corrective Deed for APN 002-271-20 and 002-271-21**

Assessor Hilton stated this is the corrective deed that had a couple of mistakes in it a year ago. The correct legal terms are attached and they are the exact same terms they were a year ago with JCR. Vice Chairman Travis Godon made the motion to approve. Commissioner Bullis seconded the motion. Motion passed.

Commissioner Laurie L. Carson wanted to clarify for the public that this property has already been sold and the Board is now taking corrective measures for the deed.

***4) Discussion/For Possible Action: Approval to award land sale to highest Responsive/Responsible bidder of APN's 002-161-05, 002-161-06, 002-161-07, 002-161-08, Block 35 Park Addition, City of Ely with restrictions placed upon the parcels and payment due within one week of awarding**

Chairman Howe addressed the Board. Since the last meeting, there were some questions regarding fire hydrants and street lights. He stated he went to the building inspector and Basin Engineering and found out there will be no fire hydrants and no lighting requirements. The rest of the provisions will remain in place.

Caleb Sumrall of Sumrall Construction addressed the Board. He would like the Board to reconsider the last bid from the last meeting of \$6,000. District Attorney Beecher confirmed the last bid was \$6,000 and he confirmed Mr. Sumrall was resubmitting his bid of \$6,000. Chairman Howe addressed the Board stating he did contact the previous bidders letting them all know this would be on the agenda. There were no other bidders on the phone or in the room. Vice Chairman Godon moved to approve the sale to Sumrall Construction for \$6,000. Commissioner Bybee seconded the motion. Motion passed.

B. 10:00 A.M. NATURAL RESOURCES

***1) Discussion/For Possible Action: Approval of Addendum #1 to the Master Services Agreement for Resource Concepts, Inc. for on-call natural resource and public lands services consistent with Resolution 2021-28 passed during the April 14 Commission Meeting to increase the “not to exceed” amount from \$25,000 to \$33,000. Jeremy Drew, RCI**

Jeremy Drew, RCI, addressed the Board via Zoom. He reminded the Board of the passing of Resolution 2021-28, which added \$8,000 to the contract to carry to the end of the year. This addendum simply executes the resolution by adding the amount to the contract. Vice Chairman Godon made the motion to approve. District Attorney Beecher reviewed and had no problems with the contract. Commissioner Bullis seconded the motion. Motion passed.

***2) Discussion/For Possible Action: Approval of Amendment #2 to the RCI Task Order Amendment 1 for Coordination, Communications, Minor Work Requests, and Project Management to increase the “Not to Exceed” amount to \$24,000. Jeremy Drew, RCI**

Jeremy Drew, RCI, addressed the Board via Zoom. The \$8,000 from the contract will be used to attend the PLUAC and Water Advisory Meetings. District Attorney Beecher reviewed and had no problems with the contract. Commissioner Carson made the motion to approve. Commissioner Bybee seconded the motion. Motion passed.

***3) Discussion/For Possible Action: Approval of RCI Task Order Amendment 5 for work related to the White Pine Pumped Storage Project Study Plan Review and Comment in an amount “Not to Exceed” \$1,250. Jeremy Drew, RCI**

Jeremy Drew, RCI, addressed the Board via Zoom. This work is being completed but it did take more to cover the work under Task Order 1. We set up the Task Order 5 not to exceed \$1,250. He stated this work is already completed; just more book keeping than anything. Commissioner Carson made the motion to approve. Commissioner Bullis seconded the motion. Motion passed.

Chairman Howe granted a brief recess at 10:11 am.

The Chairman temporarily recessed the regular County Commission Meeting for a special joint meeting with the White Pine County Fire Commission.

The Chairman adjourned the special joint meeting with the White Pine County Fire Commission to reconvene the Regular County Commission meeting at 11:36 am.

D. 11:30 A.M. ROAD COMMISSION

1) Discussion Only: on primary and secondary roads within White Pine County and county facilities, completed and future projects, communications with corporations and governmental agencies. Bill Calderwood, Public Works Director

Public Works Director Bill Calderwood addressed the Board. Road maintenance dates are March 12th thru April 15th. Roads receiving maintenance are Big Springs, Spring Valley, First West Lund, Snake Creek, Fish Hatchery, Ruby Valley, Newark Valley, Antelope Valley, and Railroad Pass. There was some snow plowing on Shellbourne Pass. They did some hauling for the Department of Transportation and in return, they will chip the whole road of Preston Loop for us and do all the striping on Ruth Hwy. They received the new sweeper and were able to use it. The SNWA has been using the roads and stated they were in poor shape. SNWA supplied some gravel from their pit, a haul truck, and a water truck to get the roads in good shape. They received the new sweeper truck which was a joint purchase. They received the transport truck and that was a Road Department purchase. No change to hours between the City and County at 49.5 hours.

***2) Discussion/For Possible Action: Approval to direct the Road Department to maintain County Road 809 and have it changed to a standard 24 foot road with stop signs. Tim Vidrine**

Public Works Director Calderwood addressed the Board in place of Tim Vidrine. This road is behind the IML building that is on the McGill Hwy. The road on the South end of the building is County road. The road in question comes off of this road and ties into the Industrial Road. His request is for us to upgrade the road because he has plans to do a business and would like to the road fixed. Director Calderwood will meet with Tim and get more information.

***3) Discussion/For Possible Action: Approval of minutes from the Road Commission Meeting held March 24, 2021**

Commissioner Bybee made the motion to approve. Commissioner Bullis seconded the motion. Motion passed.

2. ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS:

A. COUNTY COMMISSION

1. Commission Chairman, Richard Howe

***a) Discussion/For Possible Action: Approve providing notice to the City of Ely that White Pine County intends to renew Lease of Real Property (Golf Course) for an additional Thirty (30) year period, as provided in the Lease**

Chairman Howe addressed the Board. The lease is ending on May 31st and he thinks it would be in the best interest of the County to renew the lease for another 30 years. District Attorney Beecher clarified that if the lease gets approved, it would be as is for another 30 years. This would just extend the current lease for the next 30 years. It is a required extension and if the city wants the golf course back, the city can reject the notice of intent to renew. If the city rejects the extension, the County will have 30 days to get the county property off. The 1st step is to see if the Commission wants to extend the lease for 30 more years. Commissioner Carson would not be opposed to an extension, but would like to see the lease first. District Attorney Beecher stated the County does have a copy of the lease and this can be put on the May 12th meeting agenda. District Attorney Beecher suggested a

tentative notice pending review of the lease. Vice Chairman Godon moved to send a tentative approval and to follow up with a formal notice on May 12th with any modifications. Commissioner Bullis seconded the motion. Motion passed.

2. Commission Vice Chairman, Travis Godon

***a) Discussion/For Possible Action: Adoption of Resolution 2021-32 Affirming that White Pine County Will Not Require, Nor Will It Enforce Any Mandate that Requires Persons to Wear Masks or Face Coverings**

Vice Chairman Godon addressed the Board. He stated he received the formal email to allow White Pine County to open up 100%. This will follow the same track as our previous resolutions. The County will not enforce anything and the notices will be removed from bulletin boards and doors. This will also keep the \$50,000 fund to assist businesses going forward. Chairman Howe stated the CDC and the President stated masks in open spaces are not required unless there is a larger gathering. District Attorney Beecher speaks on NRS 414 stating the Governor has power under this bill to take back all control. Vice Chairman Godon stated the Governor can keep this going for as long as he wants. Commissioner Bullis made the motion to approve. Vice Chairman Godon seconded the motion. Motion passed.

3. Commissioner Ian Bullis

***a) Discussion/For Possible action: Approval of Resolution 2021-31 Prohibiting any Entity from Establishing a Vaccine Requirement or Proof of Vaccine Requirement to Enjoy Any Benefit or Exercise Any Right Held by Citizens of White Pine County**

Commissioner Bullis addressed the Board. He feels blessed to live in a community where this is not an issue. He wanted to put businesses and outside companies on notice that they will not be permitted to impose this on anyone in White Pine County. District Attorney Beecher stated we are trying to respect people's privacy when it comes to their medical care. No one should have to show proof of vaccination before entering any establishment. Commissioner Carson would like to know if this will affect some of the local business. District Attorney Beecher stated this is different from the mask mandates. The only exception to this would be with the schools that have to abide by a specific statute. Schools must require proof of vaccination unless the families have opted out and there are forms to fill out. The County is just trying to reaffirm privacy when it comes to medical records. Commissioner Carson made the motion to approve. Vice Chairman Godon seconded the motion. Motion passed.

B. ELECTED OFFICIALS

1. Sheriff Scott Henriod

***a) Discussion/for possible action: Approval of White Pine County Sheriff's Office in custody death report for reporting period of January 1, 2021 through March 31, 2021**

Vice Chairman Godon made the motion to approve. Commissioner Bybee seconded the motion. Motion passed.

***b) Discussion/for possible action: Approval for the White Pine County Sheriff's Office to accept a 2011 Chevy Tahoe K150 at no cost to White Pine County. The vehicle is being donated by the Lincoln County Sheriff's Office. This vehicle is to be used by the Eastern Nevada Narcotics Task Force**

Sheriff Scott Henriod addressed the Board stating the vehicle will be registered to White Pine County. Commissioner Carson inquired about the condition of the vehicle. Sheriff Henriod replied the vehicle is in pretty good shape with about 120,000 miles on it and it will be perfect use for the task force. Commissioner Carson made the motion to approve. Commission Bullis seconded the motion. Motion passed.

2. Catherine Bakaric, Treasurer

a) Discussion Only: Regarding the Treasurer's Monthly Reports for February and March 2021

Finance Director Frances advised the Board that everything is in the back up material and if there are any questions, Director Frances will take them back to Catherine Bakaric, Treasurer and she will have answers at the next meeting.

***b) Discussion/For Possible Action: Approval of the request to close Clark Street and 8th Street from Friday, August 6th at 7am to Sunday, August 8th at 4pm for the Annual Arts in the Park**

Commissioner Carson made the motion to approve. Commissioner Bullis seconded the motion. Motion passed.

C. DEPARTMENT HEADS

1. Brett North, Emergency Management Director

***a) Discussion/For Possible Action: Ratification Of Grant Application Being Made By Brett North/Tabatha Hamilton To The Emergency Management Performance Grant (EMPG)- FY2021 Program From The Department Of Public Safety's Division Of Emergency Management For Emergency Management Supplies And Equipment in the amount of \$25,925.00. The Required County Match Amount Is \$25,925.00 and Will Be Provided Through In-Kind Emergency Management General Fund Wages**

Tabitha Hamilton, Finance Office, addressed the Board via Zoom. They will be applying for training equipment and Zoom equipment so we can host LEPC meetings. Commissioner Bullis made the motion to approve. Commissioner Bybee seconded the motion. Motion passed.

***b) Discussion/For Possible Action: Ratification of the United We Stand grant application to the State Emergency Response Commission (SERC) made by the Local Emergency Planning Committee (LEPC) in the amount of \$31,998.00 for equipment to combat terrorism with a required County match amount of \$0**

Finance Office Hamilton addressed the Board via Zoom. They applied for various items for the Ely Fire Department, White Pine County Fire Department, and the Sheriff's Department. Items will include but not limited to PPE, radios, batteries, and turnouts. Commissioner Bybee made the motion to approve. Commissioner Carson seconded the motion. Motion passed.

***c) Discussion/For Possible Action: Ratification of the Operation, Planning, Training and Equipment (OPTE) grant application made by the Local Emergency Planning Committee (LEPC) to the State Emergency Response Commission (SERC) in the amount of \$28,965 for operation, equipment and supplies for the LEPC, for the period of July, 1st, 2021 through June 30th, 2022 with a required County match amount of \$0**

Commission Bullis made the motion to approve. Vice Chairman Godon seconded the motion. Motion passed.

2. Bill Calderwood, Public Works Director

***a) Discussion/For Possible Action: Approval to award the lease of Field #3 Little League and Marich Field for the 2021, 2022 and 2023 Baseball and Softball seasons**

Public Works Director Calderwood addressed the Board and explained the difference between the old contract and the new contract. The old contract gave the impression the High School team could use the field anytime they wanted. The new contract will give specific time frames so other teams will be able to use the field. Commissioner Bullis made the motion to approve. Vice Chairman Godon seconded the motion. Motion passed.

3. Tim Bunch, Human Resources Director

***a) Discussion/For Possible Action: Approval to post job vacancy concurrently (internally & externally) for Road Equipment Operator Sr. as discussed with Operating Engineers Local Union #3 AFL-CIO representative Phillip Herring**

Human Resources Director, Tim Bunch addressed the Board stating he reached out to the Union to make sure he would not be in any violation for posting both internally and externally at the same time. The County is supposed to post internally first and then externally. Vice Chairman Godon made the motion to approve. Commissioner Carson seconded the motion. Motion passed.

4. Elizabeth Frances, Finance Director

a) Discussion Only: Direction on proceeding with developing project ideas submitted for round 19 SNPLMA to then be presented and ranked at a later date

Finance Director Frances addressed the Board stating in the backup material will show any updates on any new project ideas for round 19 projects. In the backup material, she provided some information on how the work is progressing and how the projects have been advertised. She will continue to work with the different entities to develop projects

that will work with SNPLMA. One of the things that has changed is the department of interior properties. There was a renovation request in Ruth, however, SNPLMA is not designed for renovations of historical buildings. SNPLMA is for parks, trails, and natural areas and she is working with Ruth Town Council to see if they can find alternative funding.

***b) Discussion/For Possible Action: Approval of Quarterly Grant Reports**

Finance Director Frances addressed the Board stating the reports are in the back up material. Commissioner Carson made the motion to approve. Commission Bullis seconded the motion. Motion passed.

***c) Discussion/For Possible Action: Approval of an Interlocal Contract Between the State of Nevada Acting By and Through Its Department of Health and Human Services Division of Public and Behavioral Health Community Health Services and White Pine County for Community Health Services as Outlined in the Contract Extending the Period from June 30, 2021 through June 30, 2023 for a Total Amount Not to Exceed \$85,626.58 for the Contract Period**

Finance Director Frances informed the Board this is the contract entered into every other year with the State of NV for the Public Health Nurse. Commissioner Bullis made the motion to approve. Vice Chairman Godon seconded the motion. Motion passed.

d) Discussion/Update: Progress of White Pine County Treasurer's Office related to outstanding reconciliations of the County's various bank accounts

Finance Director Frances addressed the Board. She reminded the Board of the finding in the audit report from independent auditors. There was a material weakness over internal control over financial reporting. The bank reconciliations were behind by 18 months at the time. Part of the corrective action plan stated the Finance Director was to provide monthly updates to the County Commission for February and April. All bank statements are up to date within the 60 day period. The First National Bank of Ely account is taking more time than they thought it would due to it never being reported before. It is strongly suggested by the Treasurer and Finance Director that this account be recorded because it is a money in money out account and it has never been put on the books.

3. CONSENT AGENDA

The following are "action" items that may be considered in one motion/one vote. They are considered routine, non-public hearing items that have no protests. Any person representing an item or member of the public not in agreement with the recommendations by staff should request to have that item removed from the Consent Agenda. Any County Commissioner may remove any items from the consent Agenda and have it placed in the Action Items.

***a) Discussion/For Possible Action: to ratify Correspondence Sent on Behalf of the White Pine County Commission.**

***b) Discussion/For Possible Action: Approval of Payroll for County Elected Officials.**

***c) Discussion/For Possible Action: Approval of HR Transmittal for Payroll Changes.**

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

Commission Bybee made the motion to approve as presented. Commission Bullis seconded the motion. Motion passed.

PUBLIC COMMENT

Human Resource Director Bunch will send out an email for mask signs to be taken down off the all bulletin boards. Commissioner Bullis wondered if notices can be sent out to different businesses to make it official for no more masks.

Public Works Director Calderwood stated sometime Sunday night a transformer blew up and he is working with Mt. Wheeler on getting this fixed.

Chairman Howe was on the phone with the Senator. There will be no new Congressional seat for the state of Nevada. They will draw boundary lines for our Senate and also our Congressional seat and August 16th is when they will draw lines.

ADJOURNMENT

Commissioner Carson made the motion to adjourn the meeting at 11:50 am. Commissioner Bybee seconded the motion. Motion passed.

BOARD OF COUNTY COMMISSIONERS

**WHITE PINE COUNTY
STATE OF NEVADA**

BY: _____
CHAIRMAN

ATTEST:

WPC CLERK OF THE BOARD