

IN A REGULAR MEETING WITH THE COUNTY COMMISSION HELD ON AUGUST 25, 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 Clerk

County Officials:

Michael Johnson, IT
James S. Beecher, District Attorney
Sherriff Scott Henriod
Elizabeth Frances, Finance Director
Ross Smillie, Deputy Dist. Attorney
Bill Calderwood, Public Works Director
Dr. Daren Kunz, Public Health Officer
Brett North, WPC Fire Chief

Also Present:

Mary Sorenson
George Chachas, George Town Media
Richard Marshall

Present via Zoom:

Geri Wopschall, Laura Oslund (PACE Coalition), Dee, S. Barela (Ely Shoshone Tribe), Gary Perea (WAC), Shannin Pierce (WPC Health Nurse), Daisia Shedd (KGHM), Caroline McIntosh (Tour and Rec), Zach Conine (Nevada State Treasurer), Marietta Henry, Burton Hilton (Assessor), Alex Tanchek, B. Sena (Public Health), Sage, Kristi Rozich (Aquatic Center), Elanie Eldridge (Finance Office), Mary Kerner, Tabatha Hamilton (Finance Office), Michelle Beecher, Concetta Brown, Bethany Wheable (Finance Office), and others

Chairman Richard Howe called the meeting to order at 9:00 am. Commissioner Shane Bybee led the Pledge of Allegiance.

MOMENT OF SILENCE/SILENT INVOCATION

This was duly observed.

PUBLIC COMMENT

Caroline McIntosh addressed the Board via Zoom. She would like to invite the community to a free BBQ and concert at Broadbent Park tonight. This is a sponsored event from a construction company.

Marietta Henry addressed the Board via Zoom. She expressed gratitude to White Pine County, Ag 13, Bill Calderwood and his staff, and other entities for their support for the Horse Races this year.

George Chachas addressed the Board in regards to item 1A for the American Rescue Plan Act. He suggested the Board consider assisting landlords who are unable to collect rent and creating a victim's fund to reimburse them for damages. He complained about the proposed gaming ordinance citing that Mr. Perea should have built his business on the Nevada side if he wanted to be grandfathered in. He noted the road assistance agreement and reminded the Board that the County and taxpayers should not be responsible to repair damage to roads caused by businesses. He asserted that the County needs to terminate a working relationship with Brad Christiansen and the existing Building Inspector and noted unprofessional behavior that he witnessed and received. He reminded this Board that minimum standards cannot be reduced when it comes to following the Universal Building Code and added his troubles with trying to get a building permit. He complained about the Regional Planning Commission and his dissatisfaction with not getting responses to his questions from them. He advised the Board that we was told new jail cells would not be "rented out", but noted the MOU on the agenda with Eureka County to do that very thing. Time was called.

Chairman Richard Howe read portions of a letter from George Giannopolis in regards to the old Kennecott sheds in McGill. He noted the letter was quite lengthy and advised the assemblage that copies are available from the Clerk and at the back of the room for review.

Finance Director, Elizabeth Frances, addressed the Board and reminded the community of the open house for the jail taking place August 26th at the Public Safety Building between 10 am and 2 pm.

1. NOTICE OF TIMED AGENDA ITEMS:

A. 9:00 A.M. AMERICAN RESCUE PLAN ACT

1) Discussion/Update: on the American Rescue Plan Act. Nevada State Treasurer's Office

Nevada State Treasurer Zach Conine addressed the Board via Zoom and made a presentation. He spoke in regards to the Every Nevadan Recovery Framework that was designed to think through how to spend and allocate money from the government in the most appropriate and transparent way possible. He gave some history on the money and advised that it came from HR 1319 signed by the president on March 11, 2021 and totals \$2 trillion for states and territories. He explained what the money can be used for and the goal of the process. He spoke about the 4 bands of prioritization and 7 priorities for strategic enhancements through SB 461. He listed the processes they are going through to communicate with Nevadans to identify where this money should be spent by identifying problems and possible solutions. He advised the Board of the 75 events in 75 days and the purpose behind it. At nevadarecovers.com is a survey for idea collection.

B. 9:30 A.M. EUREKA COUNTY SHERIFF JESSE WATTS

***1) Discussion/Possible Action: Approval of Resolution 2021-74 in support of Eureka County Sheriff Jesse Watts in response to a petition to recall filed against him in Eureka County. Vice Chairman Travis Godon**

Vice Chairman Travis Godon addressed the Board in regards to Eureka County Sheriff Jesse Watts and the recall filed against him in that County. He noted that Sheriff Watts has been

a tremendous partner for White Pine County and he felt the County needed to show support to our local law enforcement.

District Attorney, James S. Beecher, addressed the Board. He spoke on the positive attributes that Sheriff Watts was able to do for White Pine County. This can be seen as only a Eureka County issue, however, he felt this issue is a political motivation.

Sheriff Scott Henriod addressed the Board. We like to see our Counties come together and work together. Sheriff Watts had done nothing but that and this County has nothing but support for him. There will be an MOU that Sheriff Watts is requesting later on in the agenda.

Commissioner Laurie L. Carson inquired as to if anyone has reached out to the Eureka County Commissioners and felt it is the voter's rights to be able to do a recall. There was more discussion on how everyone felt on this issue and Chairman Howe noted his disapproval of this action.

Vice Chairman Godon made the motion to approve. Commissioner Shane Bybee seconded the motion. Motion passed 4 to 1 with Chairman Howe voting in the opposition.

The Chairman temporarily recessed the regular County Commission Meeting to allow Public Health Office, Dr. Daren Kunz to convene a Special Meeting with the White Pine County Board of Public Health.

Vice Chairman Godon made the motion to adjourn the special Board of Public Health Meeting at 10:33 a.m. Commissioner Bybee seconded the motion. Motion passed. Chairman Howe reconvened the regular County Commission Meeting.

D. 10:00 A.M. PROPOSED ORDINANCES 523 & 524

1) FIRST READING/Discussion Only: regarding proposed Ordinance 523, Bill No. 08.25.2021a, a proposed amendment to Ordinances 498 and 487, amending Title 10, Chapter 10.62, Sections 10.62.010 and 10.62.040(A) of the White Pine County Code, and Title 17, Chapter 17.65, Section 17.65.050 of the White Pine County Code, changing the zoning requirement of a marijuana establishment from only operating in districts designated Industrial Park to White Pine County, pursuant to NRS Sections 244.137, 244.116 and 678B.500. James S. Beecher, District Attorney

DA Beecher advised that this changes where marijuana establishments can operate in the County. The Sheriff advised that he puts all trust in the Board on where marijuana establishments are placed.

2) FIRST READING/Discussion Only: regarding proposed Ordinance 524, Bill NO. 08.25.2021b, a proposed amendment to Ordinance 476, amending Title 4, Chapter 4.02, Section 4.02.020 and 4.02.030, by adding "establishment" to the Restrictions and Applicability regulations regarding gaming. James S. Beecher, District Attorney

DA Beecher advised that there were no restrictions in 2018. Everyone before this time was grandfathered in. He does not feel the government should not try and destroy people's wealth and explained the change to add the word "establishment." Commissioner Shane Bybee made his

disclosure that he owns and operates a gaming establishment and will not be participating in any discussion.

2. ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS:

A. COUNTY COMMISSION

1. Commission Vice Chairman, Travis Godon & Commissioner Ian Bullis

***a) Discussion/For Possible Action: Approval to hire or contract the services of an individual or company for building inspection services in White Pine County**

Commissioner Bullis felt it is time to hire someone from the outside who can do the job ethically with integrity. Vice Chairman Godon desired to hold the Building Official accountable when needed and have more oversight. Commissioner Shane Bybee made a disclosure that the existing Building Official was his son-in law and commented that running 2 separate City and County building departments creates too much overhead. Commissioner Carson thinks it ran smoother having it separated. Commissioner Bullis suggested setting out tools to hold the Building Official accountable from the start in the agreement to change the process. DA Beecher advised that renegotiating the contract is not agendaed. Commissioner Carson made the motion approve to request proposals for contract services of an individual or company for building inspection services in White Pine County. Commissioner Godon seconded the motion. Motion passed with a vote of 4 to 1 with Commissioner Bybee voting in the opposition.

***b) Discussion/For Possible Action: Approval to hire or contract the services of an individual or company to engage with homebuilders/contractors, agricultural businesses, mining businesses, industrial businesses, and the Regional Planning Commission to deregulate and streamline White Pine County’s building code. Recommendations from the aforementioned groups shall be brought forth to the County Commission for final approval and passage within 60 days of the hire/contract being made**

Commissioner Carson explained that the Northern Nevada Committee is already in place and requires a minimum fee to join. She felt this group would be sensitive to our specific needs and made the motion to approve this item. Commissioner Bullis seconded the motion. Motion passed.

***c) Discussion/For Possible Action: Approval to issue a notice of intent to terminate the Interlocal Agreement for Shared Building Official Services with the City of Ely with an effective date of 2/26/2022 to comply with the 6 month requirement for notice of termination**

Chairman Howe made this item discussion only as it was discussed during prior items.

B. ELECTED OFFICIALS

1. James S. Beecher, District Attorney

***a) Discussion/For Possible Action: Approval to allocate funds not to exceed \$11,000 for the demolition and removal of three (3) old metal Kennecott storage sheds located primarily on 8th Street (a county road) in McGill**

Deputy District Attorney Ross Smillie addressed the Board. There are 3 sheds on County property as well as on private property on 8th Street in McGill. One private property owner would like to fence his property, but cannot due to the sheds being on his property. The property owner is working with the County to move these sheds and it will be \$11,000 to move the sheds for the

County to do it. The County is looking for the owners of the sheds so they can take responsibility through the nuisance process. DA Beecher advised that there is a formal process still has to be undertaken and the owners of the sheds can still come forward to claim the sheds and move them before they get torn down. The Finance Director will come back with a resolution at the next meeting to identify the source of these funds. Commissioner Godon moved for approval of this item. Commissioner Bybee made the second and the motion passed.

2. Sheriff Scott Henriod

***a) Discussion/For Possible Action: Approval of an MOU with the Eureka County Sheriff's Office to house Eureka County inmates**

Sheriff Henriod addressed the Board. Sheriff Watts from Eureka County reached out and is requesting assistance housing inmates as he is struggling with staffing issues. Commissioner Carson moved to approve the MOU. Commissioner Godon made the second and the motion passed.

3. Nichole Baldwin, County Clerk

***a) Discussion/For Possible Action: Approval of the request to be appointed to the vacant seat on Baker Area Citizens Advisory Committee made by J. Heather Brennan**

Commissioner Shane Bybee moved to approve and Commissioner Travis Godon made the second. Motion passed.

***b) Discussion/For Possible Action: Approval of the request for resignation from Phillip Winsryg from Ruth Town Council**

Commissioner Godon moved to approve and Commissioner Carson made the second. Motion passed.

***c) Discussion/For Possible Action: Approval of a Ballot Print and Mail Services Agreement with Runbeck Election Services and the terms listed in the Agreement and Exhibits, acknowledging the fact that all ballot expenses will be fully reimbursed by the State of Nevada pursuant to AB 321**

Finance Director Elizabeth Frances addressed the Board. There is no definitive amount, but what we spend is held by the State and will be reimbursed. Commissioner Godon made the motion to approve and Commissioner Bybee made the second. Motion passed.

***d) Discussion/For Possible Action: Ratification of the appointment of Cody Odgers, chairman of Water Advisory Committee, to the Central Nevada Regional Water Authority as approved by WAC**

It was explained this was done at the last Water Advisory Committee meeting to replace Bill Butts on CNRWA. Commissioner Bybee made the motion to approve and Commissioner Carson made the second. Motion passed with a vote of 4 to 1 with Commissioner Travis Godon voting in opposition citing "personal reasons" for his vote.

***e) Discussion/For Possible Action: Approval to require agenda requests/items for the September 22, 2021 County Commission Meeting on September 10th and to post the agenda**

on September 13th (3 days earlier than normal) to allow the County Clerk to attend CFOA from September 14th through the 17th in Virginia City

Commissioner Godon made the motion to approve. Commissioner Bullis made the second and it passed.

C. DEPARTMENT HEADS

1. Brett North, Emergency Management Director

***a) Discussion/For Possible Action: Ratification of Hazardous Material Emergency Preparedness (HMEP) application made by the Local Emergency Planning Committee (LEPC) from the State Emergency Response Commission (SERC) in the amount of \$13,010.00 for and training for the period of July 1st, 2021 through September 30th, 2021 with a required County match amount of \$0**

Commissioner Carson made the motion to approve and Commissioner Bybee made the second. Motion passed.

2. Bill Calderwood, Public Works Director

a) Discussion/Update: on County Parks

Public Works Director Bill Calderwood advised that they added the lights for the playground area at Steptoe Park and fixed the issue with lights shining in people's homes. He cited the vandalism is getting worse; now tables are getting cut with hacksaws and every day there is a fire in the bathroom or more vandalism has been committed. DA Beecher stated they will be moving forward with obtaining and installing security cameras.

3. Elizabeth Frances, Finance Director

***a) Discussion/For Possible Action: Approval of the Community Development Block Grant- Corona Virus (CDBG-CV) Award From the Nevada Governor's Office of Economic Development in the Amount of \$7,470.00 for a POD Tent Set Up For The Public Health Office For The Period of July 1, 2021 Through December 31, 2022 With A Required County In-Kind Match amount of \$0**

Finance Director Elizabeth Frances advised the Board that this is for a portable tent. Commissioner Godon moved to approve and Commissioner Bullis made the second. Motion passed.

***b) Discussion/For Possible Action: ratification of amendment to agreement with the Community Development Block Grant for the White Pine County slum /blight property abatement project to provide a time extension through September 31, 2021**

Commissioner Shane Bybee moved to approve and Commissioner Carson made the second. Motion passed.

***c) Discussion/For Possible Action: Approval to accept the following grants: \$58,800 for CDBG-CVR3 20/PS/47 for Public Health Officer's wages and \$50,940 for CDBG-CVR3 20/PS/48 for Public Health Vehicle Purchase commencing 7/1/2021 and terminating on 6/30/2022 with no County match**

Commissioner Carson moved to approve and Commissioner Bullis made the second. Motion passed.

***d) Discussion/For Possible Action: Approval of the updated 911 Surcharge Five Year Master Plan**

Director Frances explained the contents of the Master Plan. Commissioner Godon moved to approve. Commissioner Bullis made the second. Motion passed.

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.**

Commissioner Carson moved to approve and Commissioner Bullis. Motion passed.

4. UNTIMED ITEMS

***a) Discussion/For Possible Action: Approval to schedule special joint meetings with the different Town Councils and Citizens Advisory Boards in White Pine County over the rest of 2021. Chairman Richard Howe**

It was explained that this Board cannot take action in these joint meetings held outside of the County seat, but they will listen to the concerns of the smaller towns. Chairman Howe will make contact with the Town Councils and Citizens Advisory Board to organize these meetings to be held Tuesdays through Thursdays in the near future. Commissioner Godon moved to approve and Commissioner Bybee seconded the motion, which passed.

***b) Discussion/For Possible Action: Approval to move forward with abatement procedures as requested by Ruth Town Council for the property at 6 Main Street in Ruth. Ruth Town Council**

Ruth Town Council Secretary Mary Sorenson advised the Board that kids have been playing in and around this building creating a great hazard. District Attorney Beecher, Commissioner Bybee and the Building Official went on a walk-around and advised that the Building Official will deem the building unsafe and will assist in the decision on how to begin. They will propose an amount for abatement and it will be approved by this Board in a Resolution in the future. Commissioner Carson made the motion to approve and Commissioner Godon made the second. Motion passed

***c) Discussion/for Possible Action: Approval for minutes of the County Commission meeting held July 28, 2021**

Commissioner Carson advised that on page 8 in the middle of first paragraph, change from “resending” to “rescinding”. Commissioner Carson made the motion to approve with the correction. Commissioner Bybee made the second and the motion passed.

PUBLIC COMMENT

Commissioner Bullis clarified that Mr. Chachas was previously referring to a discussion that he had had in a Tour and Rec Meeting yesterday and Mr. Bullis had no intention to nullify the Public Health Officer; he cleared up some confusion that others had about their event in relation to action to be taken by the PHO.

Commissioner Carson advised that NACO is holding a conference in Fallon the 28th through the 30th of September and she recommended the Commissioners attend.

ADJOURNMENT

Commissioner Shane Bybee made the motion to adjourn and Commissioner Bullis made the second. Meeting adjourned at 12:00 pm.

BOARD OF COUNTY COMMISSIONERS

**WHITE PINE COUNTY
STATE OF NEVADA**

BY:

Richard Han

CHAIRMAN

ATTEST:

[Signature]

WPC CLERK OF THE BOARD

