

White Pine County Board of County Commissioners

WHITE PINE COUNTY COMMISSION MEETING AGENDA



DATE: Wednesday, October 28, 2020
TIME: 9:00 a.m.
PLACE: White Pine County Library Conference Room
950 Campton Street, Ely, Nevada

ASTERISK () DENOTES POSSIBLE ACTION ITEM

In light of Governor Sisolak's directive of limiting gatherings to 50 or fewer, this Commission Meeting is going to be available via Zoom meeting. Please enter the following link in your web browser, or access it from this agenda at whitepinecounty.net. If you plan on attending in person, the meeting will still be held at 9:00 am in the Library and we will be adhering to the 6 foot social distancing rule and the directive to wear masks or face coverings. Thank you for your patience as we abide by the directives.

Nichole Baldwin, County Clerk

Join Zoom Meeting

<https://us02web.zoom.us/j/86434459219?pwd=TjNMYSthSzMsaWlYaUJzRUhCU0lZZz09>

Dial: 1 408 638 0968

Meeting ID: 864 3445 9219

Passcode: 560801

Note: All times are approximate except for bid openings, public hearings, and any other items agendized at a specific time. Action may be taken on all items except where otherwise indicated. Items not scheduled for a specific time may be considered at any time and in any order to promote efficiency. The Commission may combine two or more agenda items for consideration, and may remove an item from the agenda or delay discussion at any time. Sponsorship of an Agenda Item by a member of the County Commission or Fire Commission may not signify agreement with the requested action. The White Pine County Board of Commissioners may take a short break every 1 ½ hours. The Commission will recess for a one-hour lunch break at approximately 12:00.

Public Comment: Public Comment during the County Commission Meeting on October 28, 2020, will be for all matters, both on and off the agenda and will be limited to three (3) minutes per person. The Commissions reserve the right to reduce the time or limit the total time allowed for public comment. **Comments during Discussion Items may not be accepted from the General Public.** The Commissions may prohibit comment if the content of the comments are willfully disruptive of the meetings by being slanderous, offensive, inflammatory, irrational, or amounting to personal attacks or interfering with the rights of other speakers. Persons are invited to submit comments in writing on the agenda items and/or attend and make comment on the item at the Commission meeting.

ATTENTION: Cell phone use, text messaging and conversation that are unrelated to the specific agenda item that is being discussed are prohibited while the meeting is in session.

9:00 A.M. PLEDGE OF ALLEGIANCE

MOMENT OF SILENCE/SILENT INVOCATION

PUBLIC COMMENT: A period devoted to comments by the general public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken (N.R.S. 241.020(2)(c)(3)).

1. NOTICE OF TIMED AGENDA ITEMS:

A. 9:00 A.M. UPDATE FROM THE NEVADA DEPARTMENT OF TRANSPORTATION

- 1) **Discussion Only:** Nevada Department of Transportation's Annual Presentation including the 2021 White Pine County Report. Kristina Swallow, Director
- *2) **Discussion/For Possible Action:** Acceptance of the NDOT Reports and Presentation and/or approval of additional comments or edits as requested by the Commission

B. 9:00 A.M. PUBLIC HEARING

- 1) **PUBLIC HEARING/Discussion Only:** Notice of the White Pine County Board of County Commissioners' intent to lease the following described County-owned real property to HOTEL NEVADA AND GAMBLING HALL, LTD. for a duration of three years with an option for an extension of two additional years for \$725.00 per year pursuant to NRS 244.2833:
Billboard Lease Area #1, more particularly described as:

Beginning at a point in the NE 1/4 SW 1/4 of Section 11, T. 16 N., R. 63 E., M.D.B. & M., whence the South 1/4 Corner of said Section 11 (a sandstone monument), bears S.36°25'00"E., 1,768.04 feet distant,

Thence S. 17°44'22"W. 30.00 feet
parallel to the East Right-of-way line of U.S. Highway No. 93,

thence N. 72°15'38"W. 50.00 feet
perpendicular to and to the East Right-of-way line of U.S. Highway No. 93,

thence N. 17°44'22"E. 30.00 feet
along the East Right-of-way line of U.S. Highway No. 93,

thence S. 72°15'38"E. 50.00 feet

to the point of beginning and containing 1,500 sq. ft. more or less of the NE 1/4 SW 1/4 of said

Section 11, T.16N., R.63 E., M.D.B. & M. The basis of bearing for this legal is S.89°51'48"W.

along the South line of the NE 1/4 SW 1/4 of Section 11, T.16N., R.63E., M.D.B. & M., as stated

in a deed filed in Book 67, Page 128 in the White Pine County Recorder's Office on August 1st, 1983. Bryan Pyle, Deputy DA

- *2) **Discussion/For Possible Action:** Approval of Resolution No. 2020-68, A Resolution Of The White Pine County Board Of County Commissioners Declaring Its Intent To Lease Certain County-Owned Real Property Known As Billboard Lease Area #1, Pursuant To NRS 244.2833
- *3) **Discussion/For Possible Action:** Approval of a lease agreement between White Pine County and HOTEL NEVADA AND GAMBLING HALL, LTD. for the lease of Billboard Lease Area #1 for a duration of three years with an option for an extension of two additional years for \$725.00 per year pursuant to NRS 244.2833

C. 9:30 A.M. UNR COOPERATIVE EXTENSION

- 1) **Discussion Only:** Update from Ivory Lyles, Ph.D, Director of Extension on Extension Services in White Pine County
- *2) **Discussion/For Possible Action:** Approval of a request from UNR Cooperative Extension for the Board of Commissioners to reconsider their decision made September 9, 2020 to vacate office space in the Library used for Extension and 4-H Services. Ivory Lyles, Ph.D Director of Extension

D. 10:00 A.M. ROAD COMMISSION

- 1) **Discussion/Update** 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 Supervisor
- *2) **Discussion/For Possible Action:** Approval of minutes from the Road Commission Meeting held October 14, 2020

E. 10:15 A.M. NATURAL RESOURCES

- *1) **Discussion/For Possible Action:** Approval of a draft written comment regarding the Nevada Division of Water Resources' proposal to designate groundwater basins in White Pine County. Jeremy Drew, RCI
- *2) **Discussion/For Possible Action:** Approval of a draft written comment regarding the White Pine Pumped Storage Project Pre-Application Document. Jeremy Drew, RCI

F. 11:00 A.M. MCGILL TOWN COUNCIL

- *1) **Discussion/For Possible Action:** Approval to designate highways and/or portions of highways within McGill, Nevada for the purpose of allowing operation of off-highway vehicles. Danielle Jensen, McGill Town Council & Bryan Pyle, Deputy DA

- *2) **Discussion/For Possible Action:** Approval of a letter to NDOT requesting approval of designation of highways and/or portions of highways within McGill, Nevada designated by the Board of County Commissioners for the purpose of allowing operation of off-highway vehicles. Danielle Jensen, McGill Town Council & Bryan Pyle, Deputy DA
- 3) **FIRST READING/Discussion Only:** On proposed Ordinance 516, Bill No. 10.28.2020, an Ordinance creating White Pine County Code Chapter 11.60 entitled “Off Highway Vehicles,” establishing rules for operation of OHVs within the County, the routes authorized for use as ingress and egress from certain areas within the County, specifically including the township of McGill, to public and private lands where off highway usage is authorized and setting the penalties for violations of this Ordinance

2. ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS:

A. COUNTY COMMISSION

1. Richard Howe, Commission Chairman

- *a) **Discussion/For Possible Action:** Approval of a Proclamation Declaring the week of January 24 – 30, 2021 as National School Choice Week in White Pine County
- *b) **Discussion/For Possible Action:** Approval of a Proclamation Recognizing the White Pine War Memorial Committee for Their Donation of a New Sign for Veteran’s Park
- c) Discussion/Update on the GridFlex Pumped Storage project

2. Laurie L. Carson, Commissioner

- *a) **Discussion/For Possible Action:** Approval to appoint an alternate to attend the SNPLMA/ENLRP (Eastern Nevada Landscape Restoration Project) meeting on November 19, 2020

B. ELECTED OFFICIALS

1. Burton Hilton, Assessor

- *a) **Discussion/For Possible Action:** Approval of a presentation to Board of County Commission of the Assessor's Log Roll of Changes made to the Secure Tax Roll, per NRS 361.310(4)

2. Mike Wheable, District Attorney

- a) **Discussion Only:** regarding an expiring lease agreement with Aeronautical Radio, Inc. (ARINC) for lease of space at Yelland Field for operation of ARINC’s VHF Air-Ground Data Enroute Radio Station

- *b) **Discussion/For Possible Action:** Approval of an Attorney Fee Agreement with Marquis Aurbach Coffing to participate in the Mineral Rights Litigation initiated by Lander County under the terms and rates disclosed in the agreement
- *c) **Discussion/For Possible Action:** The White Pine County Board of Commissioners took public comment on 10/14/2020 regarding the receipt of a notice from the State Engineer of the Division of Water Resources that Bema Gold (U.S.), Inc., through its agents, Hydrotech Consulting Services, LLC and Dixon Hydrologic, PLLC, of an application 89953T filed on July 27, 2020. This application proposes to change the point of diversion of existing Permit 26239 from an underground source in White Pine County to a well site located within Nye County. The Board of Commissioners may approve a course of action to recommend to the State Engineer. Bryan Pyle, Deputy DA

C. DEPARTMENT HEADS

1. Lori Romero, Library Director/Senior Program Administrator

- *a) **Discussion/For Possible Action** to Approve Plan to Provide In-Person Programming at the County Library
- *b) **Discussion/For Possible Action** to Approve Plan to Serve Congregate Meals and Provide Limited Activities at the Ely Senior Center

2. Timothy Bunch, Human Resource Director

- *a) **Discussion/ For Possible Action:** ratification of request to attend UNR virtual studies towards Certified Public Official designation and to submit for available educational grants through Pool Pact
- *b) **Discussion/For Possible Action:** Approval regarding PERS refund process for individuals seeking to cash out their contribution upon vesting period. This process requires termination of employment, re-employment 24 hours later, re-establishing new hire and effective dates and termination pay-outs, etc. that will require extensive HR and Finance attention
- *c) **Discussion/For Possible Action:** ratification of request to attend NACo High Performance Leadership Academy Jan. 11 -April 16. Classes require 3-5 hours per week and is fully funded by scholarship of \$1,995.00 w/ zero match
- *d) **Discussion/For Possible Action:** Approval to accept the newly created legal assistant job description for the District Attorney's Office. This FT position is to replace 2 PT positions within the DA's Office contingent upon BOCC approval and acceptance by the Operating Engineers Local Union #3

3. Elizabeth Frances, Finance Director

- *a) **Discussion/For Possible Action:** Approval of Quarterly Grant Reports
- *b) **Discussion/For Possible Action:** approval to proceed with negotiation with contractor(s) for the engineering services on the McGill Slag Ditch planning study based on recommendations from the evaluation committee
- *c) **Discussion/For Possible Action:** Ratification of Interlocal Contract for Cooperative Purchasing between White Pine County and H-GAC
- *d) **Discussion/for Possible Action:** Approval to amend budget for CARES Act Funds as previously approved based on changing needs and updated Treasury Guidance
- *e) **Discussion/For Possible Action:** Approval of Resolution 2020-66 to augment the General Fund from unanticipated and unbudgeted revenues from Lincoln County for reimbursable labor and travel related expense for juvenile probation in the amount of \$1,465
- *f) **Discussion/For Possible Action:** Approval of Resolution 2020-65 to augment the White Pine County Indigent Fund by \$18,404 from unanticipated and unbudgeted Beginning Fund Balance and increase Equipment Over \$5000 line item to provide for match required for new bus
- *g) **Discussion/for Possible Action:** Approval to combine two positions in the District Attorney's Office – Public Guardian at 20 hours per week and Administrative Assistant at 15 hours per week – into one 40 hour per week Legal Assistant position. Grade to be evaluated and determined based on information in backup documentation and will be contingent on Union concurrence

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.

4. UNTIMED ITEMS

***a) Discussion/For Possible Action: Approval of minutes from the County Commission Meetings held:**

- October 14, 2020
- Special October 21, 2020

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County Commission

*** Adjournment**

NOTICE TO PERSONS WITH DISABILITIES:

Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Clerk of the Board of Commissioners at 801 Clark Street #4, Ely, Nevada 89301; or by calling 775-293-6509 at least two (2) days in advance.

AFFIDAVIT:

I, Nichole Baldwin, did on the 22nd day of October, 2020 by 5:00 p.m. cause to be posted (5) five notices of the White Pine County Commission & Special Board of Public Health Meeting Agenda in the County of White Pine, to-wit: At the Courthouse, at the County Administration Building, at the Public Safety Building, the White Pine County Library, and at the Ely U.S. Post Office. The meeting notice is also posted to the White Pine County website at <http://whitepinecounty.net> and on the State of Nevada Public Notices website at <http://notice.nv.gov>. An additional copy of the Agenda along with supporting material, if any, are on display and available at the front counter of the White Pine County Clerk's Office at 801 Clark Street, Suite 4, Ely, NV 89301.

Nichole Baldwin