

IN A REGULAR MEETING OF THE WHITE PINE COUNTY COMMISSION HELD ON FEBRUARY 13, 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
Steve Stork, Commissioner
Nichole Baldwin, Clerk of the Board
Susan Lujan, Deputy Clerk

County Officials

Timothy Bunch, Human Resources Director
Martin Troutt, Road Dept. Lead Supervisor
Timothy Regan, WPC District Fire Chief
Jennifer Farnworth, IT Specialist
Lori Romero, Library Dir./Sr. Center Admin.
Bryan Pyle, Deputy District Attorney
Mike Wheable, District Attorney
Scott Henriod, WPC Sheriff
Elizabeth Frances, Finance Director
Burton Hilton, WPC Assessor
Lance Gale, Airport Manager
Brad Christiansen, Building Official

Also Present

Geri Wopschall
Rod & Carol McKenzie
Eric Lawrence
George Chachas, KGTV-10
Mindy Seal, BLM
Pete McFadden, BLM Ely District Manager
Karen Wines, Ag. Dist. 13/Fair & Rodeo Adv. Bd.
Braden Saunders, YESCO Outdoor Media
Maria Munillo, USDA
Matt Wiser
Byron Smith, Lombard-Conrad Architects (LCA)
Marty Harpster, CORE Construction

* Commissioner Shane Bybee was unable to attend today.

Chairman Richard Howe called the meeting to order at 9:05 a.m. Commissioner Ian Bullis led the Pledge of Allegiance. It was noted that Commissioner Bullis must serve on Jury duty today and will need to leave early.

PUBLIC COMMENT

Ms. Mindy Seal, BLM introduced BLM Ely District Manager Pete McFadden to the Board. She provided an update on the Silver State Trail: The BLM closed out the scoping during the furlough, and they have an additional alternative to analyze based on the public comments they received. They will coordinate with Public Works Director Bill Calderwood and his team with respect to the County's participation in completing the development of the Environmental Assessment; she added their Record of Decision would probably occur this Summer. Ms. Seal continued that the Keystone Dump was approved for the Robinson Mine extension; they are moving forward with expanding their exploration. She also met with Mrs. Donna Bath, who is the County's Economic Development person; she is coordinating with the BLM on the Industrial Park and land sales. Manager McFadden also provided an update; a new, permanent State Director has settled in Reno from Montana, Mr. Jon Raby. He noted that he had worked with Mr. Raby in Montana, so there's a positive correlation there as well. Mr. Raby is expected to visit White Pine County to discuss our concerns; it was noted that horses is the foremost issue. Commissioner Steve Stork asked about the EA extension on the Silver State Trail; the reply was it is an additional 40 days. Ms. Seal added that the County's input would weigh heavily on the SST, but ultimately it's the BLM's decision. She noted that both the County roads and the BLM roads are impacted by the SST.

Mr. Eric Lawrence approached the Board to announce he is opening a business here in White Pine County as an accredited Grant Specialist, certified through UNLV. The purpose of his business is to help the underserved area of White Pine County to attain funds through grants to assist with some of our needs. He added that he has the resources necessary to obtain grant funding; he provided his business card to each of the Commissioners. He noted that he also works with any government entity that's eligible, as well as with 501-c3 organizations. The Board thanked him for the information.

Mr. Matt Wiser had two items for the Board today: The first is that the Shopko Store is closing here in Ely in May. He urged the Commission to use their connections to try to get a retail establishment here once Shopko leaves. He advised it's important to keep our retailers funded, and keep people shopping at home. The second is regarding the matter of prayer before Commission meetings; he is opposed to this. He believes in the clear separation of Church and

State, although the Supreme Court has ruled in favor of this. He felt if the Board wished to do this, they shouldn't be exclusionary; they should invite different denomination representatives to meetings and not exclude anyone. He also cautioned against proselytizing.

Commissioner Ian Bullis had to leave the meeting for Jury Duty at 9:15 a.m.

Mr. George Chachas shared several concerns: He sees kids sledding on the hill across from the Senior Center, and noted there's no barrier there. They could land in the street if they can't stop short of the rock wall. Regarding the new Justice Center, he sees the costs jumping up but we're removing ADA amenities? It's a Federal law! He wants the Commissioners to slow down and build the project properly. The downtown community still wants the new Justice Center to be built on the site of the old Annex; he commented that "we're dying downtown!" Also, that Annex site is within the designated County seat, whereas the other place out on the highway is not. Today's agenda has the horse race funding request; he asked if there is provision for those races to pay back any profits to the County? Also, the 4 lanes downtown need to remain and not be cut down to 2 lanes. For snow removal on the streets, we're on day 7 and the snow still hasn't been removed from Aultman. Then he cited both Commissioner Bybee and former Commissioner McKenzie for unpaid railroad funds and lack of enforcement on concrete, respectively, during which Chairman Richard Howe called time.

At 9:19 a.m. Chairman Richard Howe recessed the regular Commission meeting and opened the Fire Commission Meeting. At 9:30 a.m., Fire Commission Chairman Richard Howe adjourned the Fire Commission meeting and reconvened the regular Commission meeting.

9:30 A.M. – PUBLIC HEARINGS ON CERTIFICATION OF ROADS AND PASSAGE OF ORDINANCE #498

PUBLIC HEARING/DISCUSSION – THE WHITE PINE COUNTY BOARD OF COMMISSIONERS WILL RECEIVE PUBLIC COMMENT REGARDING THE APPROVAL OF CERTIFICATION OF ROADS WITHIN WHITE PINE COUNTY, NEVADA PURSUANT TO NRS 365.550

District Attorney Mike Wheable noted this agenda item is for public comment; there was none. He advised the next agenda item may also be opened at this time. Road Dept. Lead Supervisor Martin Troutt presented a map for the Board to peruse regarding the road certification. Supervisor Troutt advised that all the roads lined in blue are certified, standard County roads for which we receive fuel tax monies and are used to maintain those roads. All the roads lined in brown are non-standard roads, for which we don't receive fuel tax monies. The only maintenance the non-standard roads receive, he continued, are in the event of an emergency or a washout, etc., to ensure the road would remain passable, but not to the same degree of maintenance as the standard County roads. He added that this also applies to any roads that the Road Commission directs to be maintained or improved. Supervisor Troutt reported there are 2,326.82 centerline miles of County roads/streets as of December 31, 2018. Of that amount, 987.733 centerline miles of roads are standard County roads for which we receive fuel tax monies. Actual paved miles are 2,200; unpaved miles are 126.32 miles. Upon approval by this Commission, this report will be sent to the State to certify we maintained those roads in 2018. Chairman Richard Howe asked about certification of new roads; Supervisor Troutt clarified that these figures pertain only to 2018, for which we would be certified, not any new roads during 2019.

DISCUSSION/ACTION/APPROVAL TO CERTIFY ROADS WITHIN WHITE PINE COUNTY, NEVADA PURSUANT TO NRS 365.550

Based on these figures from Supervisor Troutt, Chairman Richard Howe asked again if there was any comment from the public; there was none. Chairman Howe entertained a motion to approve. Commissioner Travis Godon made a motion to approve certification of roads within White Pine County, Nevada, pursuant to NRS 365.550. Commissioner Steve Stork seconded. Motion carried.

PUBLIC HEARING/DISCUSSION/ACTION – WHITE PINE COUNTY BOARD OF COMMISSIONERS WILL TAKE PUBLIC COMMENT REGARDING AND CONSIDERING APPROVAL OF THE PROPOSED ORDINANCE 498, BILL NO. 01.23.2019, AN ORDINANCE AMENDING TITLE 4 AND TITLE 10 OF THE WPC CODE REPEALING ALL PROVISIONS OF WHITE PINE COUNTY'S BUSINESS LICENSING SCHEME UNRELATED TO MARIJUANA ESTABLISHMENTS AND REORGANIZING THE REMAINING PROVISIONS UNDER CHAPTER 10.62 OF THE WHITE PINE COUNTY CODE

District Attorney Mike Wheable left the meeting briefly at 9:38 a.m.; Deputy District Attorney Bryan Pyle came forward to address this in his absence. Commissioner Travis Godon disclosed that he has relatives in businesses in the County but this would have no effect on them and therefore he will vote on this. WPC Clerk Nichole Baldwin read a public comment into the record at this time, from Mr. Brent Gardner; he is requesting to repeal this Ordinance. Following the reading, Chairman Richard Howe commented that those were "toxic remarks." He recalled that the Commissioners had discussed at length what the business license was for, both new and existing businesses; and when different entities were in opposition to this, they did discuss their concerns with us, but he wished to set the record straight. One of the reasons for the business licenses was to initiate a tracking system for any and all businesses in the County, large or small. He continued that in his opinion this letter is an attack on everyone who has ever served on the County Commission, and he didn't appreciate singling out people or the Commission when making complaints known. That being said, he proceeded forward and asked if there was further public comment on this.

From: Brent Gardner
Sent: Tuesday, February 12, 2019 3:39 PM
To: commissioners@whitepinecounty.nv.gov
Cc: Brent Gardner
Subject: Dear White Pine county commissioners, my name is Brent D. Gardner and I reside in Lund Nevada. I own and operate an Alfalfa farm.
I am writing in regards to the agenda item for February 13, 2019 WPC Commissioners meeting. I strongly encourage you to repeal Ordinance 482.
I feel that this ordinance was not to find out how many businesses are in White Pine Co. but was enacted to raise revenue for spending with out getting voter approval for a Tax increase.
I will list some of the things that do not make sense of this ordinance:
1. The all inclusiveness of this ordinance. 4 01.010 Is shall be unlawful for any person or entity to engage in or carry on a business, trade, profession, industry, occupation, or calling with in White pine county
a. This includes just about everybody who is willing to work.
b. My 92 year old mother was sent a request to fill out the license form. Her only business is that she owns a home and was a trustee of Gardner Family Trust.
2. If more revenue is required to match spending either reduce spending or put a tax hike on the ballot.
I asked our local commissioner in 2018; Carol Mckenzie why they enacted such a law. She told me that is was to know who is doing business in white pine county. I'm sorry but this is blatantly false. Just Like the Franchise fee put on us with our Mt wheeler power bills, this is just another fee. (my "franchise fee will cost me about \$1000.00 more this coming year.)
If you really want to know about white pine county hire someone to take a survey.
As I read the Ordinance 482 it appears that the commission should have addressed the Marijuana establishments and let it go at that as three fourths of the ordinance deals with getting money from legal drugs, i.e. marijuana growers.
A comment on the penalties. 4 01.08D says that if you are late on your fee, you will not be issued a license. As a farm owner do think I will stop farming if WPCO does not issue me a license? I already pay thousands in real and personal property taxes.
Criminal penalty 4 01.120. Six months in county jail and @ a \$1,000.00 fine for not answering a request to "find out who is doing business in WPCo."
This sounds like something that would have been enacted in Venezuela or Cuba. I assure you that six months in jail for an honest worker would put White Pine County in the running for laughing stock of the State of Nevada.
Please repeal this poorly thought out ordinance.
Thank you for your time.
Brent D. Gardner
Sent from Mail for Windows 10

Mr. George Chachas advised he had been against this when the Commissioners first contemplated it; if there's no vehicle in place to provide refunds for this, then he charged selective enforcement was going on. People need to pay the fee like he did, or else the County needs to give it back. He continued that the County can help with establishing the marijuana business, and from those monies, we can pave our streets and pay for the new Justice Center, etc. Everyone must be in compliance for the duration or he wants his money back. On the advice of D.A. Wheable, Chairman Richard Howe entertained a motion to approval of Ordinance #498...to repeal all provisions of White Pine County's business licensing scheme unrelated to marijuana establishments and reorganizing the remaining provisions under Chapter 10.62 of the White Pine County Code. Commissioner Steve Stork made the motion; Commissioner Travis Godon seconded.

Motion carried. WPC Clerk Nichole Baldwin asked for the record what the Commissioners' intention would be regarding refunds; D.A. Wheable responded that wouldn't be legal, he could prosecute if the fee wasn't paid; but he stated that he wouldn't.

At 10:06 a.m., Chairman Richard Howe called for a recess at 10:06 a.m. The meeting was reconvened at 10:14 a.m.

10:00 A.M. – JUSTICE CENTER PRESENTATION

PRESENTATION/DISCUSSION/UPDATE – PRESENTATION OF JUSTICE CENTER PROJECT SCHEMATIC DESIGN

Mr. Byron Smith, of Lombard-Conrad Architects, led the discussion and update of the new Justice Center project schematic design. He advised that the public, staff, judges, and incarcerated individuals all need to be segregated from each other, and that's how this was set up. Public parking and access was addressed as noted, including secured access into the buildings and surrounding areas. Card-keyed gated access will be utilized. District Attorney Mike Wheable noted that there will be a retaining wall in the parking area. The larger parking area initially set aside for that purpose would have required much work and fill, and this was a more compatible and secure alternative.

Mr. Smith next addressed the Courthouse itself; public entry will include x-ray and package scanning, monitoring, etc. Staff work areas will be towards the back, which would be more convenient to their parking areas as well as being segregated from the public access. He pointed out the secured holding area, the only area where the inmates would be in the Courthouse at any time, while awaiting court appearances. That will be completely segregated from the public, staff, etc. Any moving of the inmates would also be secured with doors, cameras, etc. during isolated times of the day. D.A. Wheable noted a "positive lock system" will be in place, where only one door would operate at a time. There is also a central services/customer services area which would be controlled as well. Mr. Smith did note that the public would be walking through the Lobby to the Clerk's Office in the back; she needs the most storage, which is why her office is located back there. Each of the Departments; Clerk, Treasurer, Recorder, etc.—will have their own lockdown controls in place. Public access into the District Courtrooms will be from the Lobby; there are also separate rooms for the Jury Room, Counseling Chambers, and restroom for each Court. It was emphasized that everyone must go through security protocols when entering the building.

Mr. Smith next explained about the County Jail; the flow would begin at the sally port and there would be secure, direct access in and out of the holding/booking/processing area for inmates. There will be a kitchen, laundry room, and a small medical exam rooms included in the floor plan. The Women's and Juveniles' holding cells are also similarly provided for. The infrastructure of the existing Jail is failing, per D.A. Wheable; there will be utilization of some of those areas for general storage needs. Mr. Smith continued that the Jail cells are of a 2-tiered design; inmate housing units will be lit by skylights rather than windows, for example. The Control Room will be raised up in order to have full view of the housing units, of which there are 2; one has 34 beds and the other has 28 beds. Emergency access will take place as he noted, with inmates being escorted out in the event of an emergency. Video visitations are planned to be enabled rather than have them done in person.

The architecture of the new Courthouse was the next feature of their presentation. A simple line, devoid of ornamentation and utilizing load-bearing masonry with metal panels, skin, etc. was envisioned. The design is also carried over into the Jail building. Finance Director Elizabeth Frances noted that straight lines and low maintenance is the focus. Chairman Richard Howe commented this is really nice, a beautiful building design with a modern look, and "it's aesthetically pleasing to the eye," as well as being cost-effective. D.A. Wheable noted further updates will be provided as things go forward. Mr. Marty Harpster, of CORE Construction, advised they've been providing continuous cost updates as the design has evolved. He noted they've tried to incorporate much of the Lander County's Courthouse design; the breakdown of cost components is being done as they go forward. Director Frances noted the \$29.7 million estimate is the construction cost. D.A. Wheable added that the Lander Courthouse doesn't include a Jail component. D.A. Wheable continued that they're looking at the needs, design, and cost of the materials; they're just becoming more realistic with respect to the project costs as they go forward. CMAR per NRS requirements, is how this is being accomplished; there are three parts to the CMAR, which he explained, consisting of the contractor, CMAR, and the owner. He added that there are checks and balances all across the project, and everyone is being very transparent with us. Also, the State takes care of their projects using this method as well; that's why we brought our project consultant, Mr. Gustavo Nunez, on board for his perspective. Director Frances noted approximately \$15 million has been set aside in the County for the entire project by the end of this fiscal year; plus the USDA loan/Mt. Wheeler Power as well. She explained to the Board how the debt will be serviced as we go forward. AB151 would bring in an additional \$10 million; that has been assigned a bill number now, it's SB149, and it went to the Senate Finance Committee yesterday. She is

working with our Lobbyist on this, as well. Also, the Lobbyist is meeting with the Governor today to address this project, per D.A. Wheable. Commissioner Travis Godon asked once the project is built, what about operation costs? Director Frances noted there will be some overlap, some additional operation costs due to having more space included in the project. The people from the Administrative Building would be moved into the old Courthouse, and once the new building is opened that would be shut down. Chairman Richard Howe thanked everyone, noting the Board is very appreciative of all the work being done, including by the stakeholders included in the process. D.A. Wheable added that this County has been working to develop a new Courthouse since the 1960's.

DISCUSSION/ACTION/APPROVAL OF JUSTICE CENTER PROJECT SCHEMATIC DESIGN AS PRESENTED AND AUTHORIZATION TO PROCEED WITH DESIGN DEVELOPMENT DOCUMENTS

Chairman Richard Howe entertained a motion to approve what was just seen in the presentation. Commissioner Travis Godon advised that while he realized we have to do something, he's having a hard time with the \$35 million in costs. He wants everyone's consensus prior to going much further, and felt the real risk would be at the Hospital rather than at the Courthouse. He appreciates that they want to save on costs, but he wants to hear Commissioner Stork's input. Commissioner Stork noted that he's had the same concerns as Commissioner Godon, but he's since amassed more education on this; the price won't be getting any cheaper as we go forward. He appreciated those concerns as he had those same ones; he suggested Commissioner Godon educate himself on the plan, how it has developed, and how it's come along. District Attorney Mike Wheable commented that "we have the number crunchers on the team!" The Judges have cut the sizes of the Courtrooms, etc., in order to cut costs. Regarding the SB74 fund, which is specifically for safety infrastructure, those funds can't be utilized for the Hospital, he noted for Commissioner Godon's benefit. He understands the concerns and wants to ensure this is the correct decision and the best building to serve the community. He continued that today it is being requested the Commission approve the design so they can take the next step forward, which will be "crunching the numbers." Director Frances added that "design development" will generate the proper documentation so that as we go through the process, our CMAR will be going out to get actual estimates for us. Also, the better the estimate, the lower the Contingency, because we would have a more exact knowledge of what we would have. Mr. Harpster advised that a specific, detailed, project plan solution will be the goal and the end product; this was done for the Aquatic Center. D.A. Wheable pointed out that it's also in our best interest to get the most accurate information out to the USDA and our Legislators. There was some discussion of the timeline involved; once the design is completed, hopefully we would have a good chance to start the earthwork in the Fall. We also have to take into account the price of materials and the prevailing wage increases. As for room for expansion, when Commissioner Godon expressed concern that we wouldn't want to have empty offices spaces, it was noted that the Jail is being planned for possible future expansion. It's been trimmed down and no extra offices will remain empty, she assured the Board. It is hoped that the groundwork would commence this August-September, and once the thaw occurs in 2020 the actual construction will begin. Chairman Richard Howe clarified this is on the agenda just to approve the schematic design as presented today. Chairman Howe entertained a motion to approve. Commissioner Steve Stork made a motion for approval; Commissioner Travis Godon seconded. Motion carried.

10:30 A.M. – BUILDING AND PLANNING DEPARTMENT

PUBLIC HEARING/DISCUSSION/ACTION/CONSIDERATION FOR APPROVAL OF A PROPOSED APPLICATION FOR A VARIANCE – APPLICANT IS YESCO OUTDOOR MEDIA – OWNERS ARE CHARLES AND BESSIE GLEDHILL – THE SUBJECT PROPERTY IS T25N,R65E, SECTION 10 (LAGES JUNCTION), WHITE PINE COUNTY, NEVADA. THE APN IS 008-120-01 – APPLICANT WISHES TO INSTALL 30' TALL BILLBOARD ON THE PROPERTY

Commissioner Travis Godon disclosed that he has business relations with YESCO, after which District Attorney Mike Wheable noted that the Board no longer has a quorum in that event. No action can be taken today, and this will be placed on the next agenda.

ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS

COUNTY COMMISSIONERS:

TRAVIS GODON, COMMISSION VICE-CHAIRMAN

DISCUSSION ONLY ON FUNDING FOR THE WHITE PINE HORSE RACES

Commissioner Travis Godon advised that all expenses for the White Pine Horse Races would occur during that event in August; it was estimated that amount would be \$27,000, as cited in the backup materials. He noted he's not usually in favor of supporting these but due to much work that has been done to the Fairgrounds that the Ag. District did and weren't reimbursed for, he would like to see us make an exception for one year and assist them. He added that they will have a difficult time making this happen as it is. This event has been a success every year, and due to the many improvements that have been made to the facility, he would like to see the County consider including this in the budget for this year. Commissioner Steve Stork is also in favor of this; he noted that other counties support their Ag Districts. This is the one single event that brings in more monies than any of the others, and he'd also like to help them get on their feet this first year. District Attorney Mike Wheable advised that legally the Commission can dedicate funds, but we can't give them the monies up front; they would have to provide bills to us and then we would reimburse them, following an accounting with the Ag. District Chairman. We can budget for it, and have the reserve paid following the Horse Races. He did emphasize this did not include the purse, just the other billables. Chairman Richard Howe advised he's consistently been opposed to giving funds for any private enterprise for special events; however, this event is a vital part of White Pine County's history, and in conjunction with the County Fair, etc., he felt it would definitely be a worthwhile effort for us to try and make it work. We are in real danger of losing the Horse Races, and he felt the Commission would be wrong if we refused to help them. He is in favor of this, at least for the first year; he added that voicing our support is the right thing to do.

DISCUSSION/ACTION/APPROVAL TO DEDICATE EXTRA FUNDS OR MANPOWER TO HELP THE HORSE RACES WITH ITEMS THEY FEEL NEED TO BE ADDRESSED VIA AG. 13

District Attorney Mike Wheable noted this agenda item is just so the Horse Race Committee will know the Commission plans to put something into their budget, although it isn't necessary at this time to state how much it would be. They should get their expense information to this Board as soon as possible so we can go forward with considering this. Commissioner Travis Godon advised he had in mind just looking for our Finance Director to include this in the budget and to show our consideration. D.A. Wheable clarified that the funds would be going to the Ag. District, and not the Horse Race Committee; the Ag. District would then figure out how to run the races. Commissioner Godon pointed out that much of the monies are repair-oriented, such as hot walkers, prep, etc., which are all prior to the actual Horse Races. In reply to a query from the Board, Finance Director Elizabeth Frances advised the exact figure is unknown as to what is in their budget but she feels they would have adequate funds to cover what they're requesting. Following further discussion, D.A. Wheable recommended a meeting with Commissioner Godon, Director Frances, and the Ag. District Chairman Bill Panagopoulos, to find out how much they will need and then bring that information back to this Board. Chairman Howe agreed, noting that while the Commission supports this we need to have the figures nailed down so we can take an action with the full Board.

At this point, Ag. Dist. Members Martin Troutt and Karen Wines approached the Board. Member Troutt noted that part of this is due to that when some projects are done to prepare for the horse races, they utilize some of the County's equipment that the Ag. District doesn't have; they must reimburse the County for the use of that equipment, as he explained. For example, a grader must be used to pull the track; the money to utilize that equipment must be reimbursed to the Road Dept. If the Commission is willing to provide some funding towards the Fair Weekend—that would be everything, from the 4-H to the Ranch Rodeo to the Horse Races, etc.—then the monies that the events raise would go towards higher purses, which in turn will bring more racers in. He continued that while we have a fairly healthy fund balance, they are also putting monies aside for bigger projects in the future, such as replacing the old wood barns with new metal barns. Conversely, the more they have to spend on the Fair Weekend, the longer it will take for them to do the larger capital improvement projects. He added that most of their projects are done by volunteers.

Member Wines added that much of their budget will be spent throughout the Summer, such as replacing the 4-H barn roofs that leak, the concession stand needs repairs, etc. That also uses up a good portion of their budget. District Attorney Mike Wheable agreed that all makes sense; the meeting he suggested earlier will be important to get all of those components included for more accurate information for the Board to consider. No action is necessary on this agenda item, but per legal advice, Chairman Richard Howe asked for a motion to approve this item three times; there was no response. No action was taken.

ELECTED OFFICIALS:

BURTON HILTON, COUNTY ASSESSOR

DISCUSSION/ACTION/APPROVAL TO ACCEPT AND APPROVE THE SPECIAL ASSESSMENTS FOR FY 2019-2020 ON THE FOLLOWING STATE OF NEVADA, DIV. OF WATER RESOURCES LISTS, ACCORDING TO NRS 533.280, 533.285, 533.290 - HUMBOLDT RIVER DISTRIBUTION \$535.05, WHITE RIVER DISTRIBUTION \$3,341.26

WPC Assessor Burton Hilton advised this is done every year, per NRS requirements. This Commission needs to approve these State assessments in order to place them on the tax rolls. There were no questions from the Board. Chairman Richard Howe entertained a motion for approval. Commissioner Steve Stork made a motion to accept and approve the special assessments for the Humboldt River Assessment of \$535.05 and the White River Assessment of \$3,341.26 as requested. Commissioner Travis Godon seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL TO ACCEPT AND APPROVE THE LUND IRRIGATION COMPANY 2019-2020 SPECIAL ASSESSMENTS FOR: LUND STREAM \$1,635.50, HOME RANCH \$3,654.50, LUND FIELD STREAM \$3,349.00

Assessor Hilton noted these are also annual assessments requiring the Commission's approval; there were no questions. Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to accept and approve the Lund Stream Assessment of \$1,635.50, Home Ranch Assessment of \$3,654.50, and the Lund Field Street Assessment of \$3,349.00 as requested. Commissioner Travis Godon seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL TO ACCEPT AND APPROVE THE SPECIAL ASSESSMENTS FOR FY 2019-2020 ON THE FOLLOWING STATE OF NEVADA, DIV. OF WATER RESOURCES LISTS, ACCORDING TO NRS 534.040 - WHITE RIVER GROUNDWATER BASIN \$2,796.28, STEPTOE GROUNDWATER BASIN \$13,033.96, AND HUNTINGTON GROUNDWATER BASIN \$2,627.57

Assessor Burton advised this is also an annual occurrence requiring the Board's approval. There were no questions. Chairman Richard Howe entertained a motion to approve. Commissioner Travis Godon made a motion to accept and approve the White River Groundwater Basin Assessment of \$2,796.28, the Steptoe Groundwater Basin Assessment of \$13,033.96, and the Huntington Groundwater Basin Assessment of \$2,627.57 as requested. Commissioner Steve Stork seconded. Motion carried.

NICHOLE BALDWIN, COUNTY CLERK

DISCUSSION/ACTION/APPROVAL TO ACCEPT THE APPOINTMENT OF CAROLINE MCINTOSH TO THE GOLF ADVISORY BOARD BY THE WHITE PINE TOURISM AND RECREATION BOARD

WPC Clerk Nichole Baldwin advised that she had received a communication from Golf Advisory Board Chairman Kevin Robison that while the Tourism & Recreation Board had made this appointment, there was some confusion there. She requested the Board table this and it will be placed on a future agenda. Chairman Richard Howe entertained a motion to table. Commissioner Steve Stork made a motion to table this agenda item. Commissioner Travis Godon seconded. Motion carried.

DEPARTMENT HEADS:

LANCE GALE, AIRPORT MANAGER

DISCUSSION/ACTION/APPROVAL OF 2019 AIRPORT CAPITAL IMPROVEMENT PROJECT API 3-32-0006-023-2019 SOUTH AIRPORT PARKING APRON PROJECT

Airport Manager Lance Gale advised this project was approved by the County Commission in 2015 as part of the 2015-2016 Capital Improvement Projects; however, weather prevented its completion, and because it was such a large project it kept being pushed forward. This will be to sealcoat and crackseal the south ramp area; it is funded, however our match is \$6,609 due to the huge cost of the project. It will be going out to bid in May, and will take from 2-4 days to construct. He reiterated that it's already been approved; however, this is a new grant, which is why it is being brought before the Board today. Finance Director Elizabeth Frances noted that it's an automatic augmentation; she will research to see if there are adequate funds per NRS and bring it back to the Board. District Attorney Mike Wheable advised that the Board can approve this today, and Director Frances can seek out the funding. Manager Gale added that

this grant is due by this Friday. Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to approve the 2019 Airport Capital Improvement Project #3-32-0006-023-2019, the South Airport Parking Apron Project, as requested. Commissioner Travis Godon seconded. Motion carried.

DISCUSSION ONLY RE: LETTER OF APPRECIATION FROM THE AIRPORT ADVISORY BOARD

Manager Gale advised that at the last Airport Advisory Board meeting a letter had been prepared, and their Chairman wished to have it presented today. He cited it in the backup material; Chairman Richard Howe read it into the record. As this is just an agenda item for discussion, Chairman Howe noted the Board can accept the letter; the Board concurred.

WHITE PINE COUNTY AIRPORT ADVISORY BOARD
1470 N McGill Highway – Yelland Field
Ely, Nevada 89301

February 5, 2019

White Pine County Board of Commissioners
c/o Nichole Baldwin, White Pine County Clerk
801 Clark Street, Suite 5
Ely, NV 89301


Re: Ely Air Races, June 13 – 15, 2019

Dear Members of the Board of Commissioners,

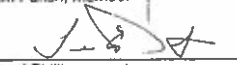
The members of the White Pine County Airport Advisory Board, acting as individuals and as the Board hereby signify their appreciation for the Board of Commissioners' support of the Ely Air Races scheduled in June of 2019

As Airport Advisory Board members we also state our ongoing support for the Ely Air Races

Thank you!



Tim Parish, member



Lloyd Phillips, member

LORI ROMERO, LIBRARY DIRECTOR/SR. PROGRAM ADMINISTRATOR

DISCUSSION/ACTION/APPROVAL TO ACCEPT LSTA NASA STARNET GRANT IN THE AMOUNT OF \$474 FOR TRAVEL TO TRAINING WITH A MATCH OF \$48 COMING FROM FRIENDS OF THE LIBRARY

Library Director Lori Romero advised that this grant is to allow the Library to send 2 employees to Carson City for a 2-day workshop, as she explained. Following brief discussion, Chairman Richard Howe entertained a motion to approve. Commissioner Travis Godon made a motion to accept the LSTA NASA STARNET grant for \$474 for travel to training, with the match of \$48 provided by Friends of the Library. Commissioner Steve Stork seconded. Motion carried.

DISCUSSION/ACTION/RATIFICATION TO ACCEPT AGING AND DISABILITY SERVICES DIV. GRANT #17-000-57-NX-19 IN THE AMOUNT OF \$9,310.00 WITH NO MATCH FOR COMMODITIES

Director Romero explained that this is for the Nutritional Supplemental Incentive Program (NSIP). We don't apply for it, and the amount tends to vary, but the County keeps receiving it for this use. Chairman Richard Howe entertained a motion for approval. Commissioner Steve Stork made a motion to accept and ratify the Nv. Aging & Disability Services Division grant #17-000-57-NX-19 for \$9,310 with no required match for commodities. Commissioner Travis Godon seconded. Motion carried.

DISCUSSION/ACTION/RATIFICATION TO ACCEPT AGING AND DISABILITY SERVICES DIV. GRANT #17-000-57-NX-19 CONFIDENTIALITY ADDENDUM

Director Romero advised this Confidentiality Addendum goes along with the NSIP funds regarding their clients. Following brief discussion, Commissioner Steve Stork approved ratification of the Nv. Aging & Disability

Services Division grant #17-000-57-NX-19 Confidentiality Addendum as requested. Commissioner Travis Godon seconded. Motion carried.

TIMOTHY BUNCH, HUMAN RESOURCES DIRECTOR

DISCUSSION/ACTION/APPROVAL/RATIFICATION OF INTERNAL POSTING FOR FULL-TIME JUSTICE COURT CLERK UPON RECEIPT OF RESIGNATION OF ANNETTE MARSHALL, EFFECTIVE FEBRUARY 6TH, 2019

Human Resources Director Timothy Bunch advised that Justice Court Clerk Annette Marshall gave her resignation notice and has relocated to Elko. Justice of the Peace Stephen Bishop requested this job be posted internally, which was done; this agenda item is to ratify that action. Director Bunch noted there has been 1 applicant for the job. Chairman Richard Howe entertained a motion to ratify. Commissioner Steve Stork made a motion to ratify the internal posting for full-time Justice Court Clerk as requested. Commissioner Travis Godon seconded. Motion carried.

DISCUSSION/UPDATE REGARDING 2018 WORKMAN'S COMPENSATION CLAIMS TO BE POSTED PER DEPT. OF LABOR GUIDELINES

Director Bunch reiterated this agenda item, which was echoed in the Fire Commission earlier; that per the Dept. of Labor timelines to get the Workman's Comp claims posted, this is being done. He reported there were 4 claims during 2018; based on the size of our County, he noted that is a very favorable amount. There was a total of 20 days lost; 3 of those were due to Hospital visits. One of those three was 1 day lost, and the other took up the remaining 17 days. The highest claim was \$4,013 for an incident at the Aquatic Center, which was the 17 days lost. There was no action needed on this agenda item.

NOTE: The Closed Session agenda items were taken at the end of today's agenda; the times noted are correct for those agenda items.

DISCUSSION/MOTION TO HOLD A CLOSED SESSION TO DISCUSS NEGOTIATIONS WITH THE WHITE PINE COUNTY SHERIFF'S EMPLOYEE'S ASSOCIATION PURSUANT TO NRS 288.220

At 11:57 a.m., Commissioner Steve Stork made a motion to go into Closed Session. Commissioner Travis Godon seconded. Motion carried. The session was duly held. At 12:16 p.m., Commissioner Steve Stork made a motion to reconvene into the regular Commission meeting. Commissioner Travis Godon seconded. Motion carried.

DISCUSSION/MOTION TO APPROVE TIM BUNCH-HR DIRECTOR, MICHAEL WHEABLE-D.A. AND ELIZABETH FRANCES-FINANCE DIRECTOR TO NEGOTIATE ON BEHALF OF WHITE PINE COUNTY WITH THE WHITE PINE COUNTY SHERIFF'S EMPLOYEE'S ASSOCIATION

District Attorney Mike Wheable is requesting to be on the negotiating team; however, he is also the Attorney of record. Therefore, he will not negotiate directly, but will sit in on the meetings and advise. He added this is a good faith effort to work with the Sheriff's Department. Finance Director Elizabeth Frances advised she will have one of her staff members take notes during those meetings. Commissioner Travis Godon made a motion to approve Directors Bunch and Frances, and D.A. Wheable, to negotiate on behalf of White Pine County with the WPC Sheriff's Employee's Association as requested. Commissioner Steve Stork seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL TO ACCEPT RESIGNATION OF EMILY WILLARD AS SECRETARY OF THE WPC PUBLIC LAND USERS ADVISORY COMMITTEE (PLUAC) AND WPC WATER ADVISORY COMMITTEE (WAC), EFFECTIVE FEBRUARY 26, 2019

HR Director Timothy Bunch advised that Ms. Emily Willard has resigned as Secretary for both PLUAC and WAC. Commissioner Steve Stork had talked with Ms. Willard last night during PLUAC; both the PLUAC and WAC are trying to finish up the White Pine County Water Plan. He provided a list of what she has accomplished for these two advisory boards as a handout, and noted that Ms. Willard didn't feel she was being fairly compensated for her time and effort working with these boards. He continued that she was even getting calls at her home, with people demanding things of her. He noted that when we find someone to take over those duties, we need to explain that their Secretary is there to assist them during business hours, and to request that they be courteous and not call them at home! Ms. Willard is paid \$10.00/day to do these meetings, but nearly every day she has worked on tasks to facilitate the function of these boards. Chairman Richard Howe agreed this needs to be addressed; Commissioner Stork added that he tried to talk Ms. Willard into remaining their Secretary, but unless we can come up with something different she is pretty set. Director

Bunch noted that she is also considering furthering her education. Chairman Howe suggested the Board accept her resignation and if she changes her mind, she can put her name in for consideration later. Chairman Richard Howe entertained a motion to accept. Commissioner Travis Godon made a motion to accept the resignation of Ms. Emily Willard as Secretary of PLUAC and WAC effective February 26, 2019. Commissioner Steve Stork seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL TO RECRUIT FOR REPLACEMENT OF PLUAC & WAC SECRETARY DUE TO RESIGNATION OF EMILY WILLARD

Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to recruit for replacement of PLUAC & WAC Secretary as requested. Commissioner Travis Godon seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF AMENDED JOB DESCRIPTION FOR APPRAISER TRAINEE AS REVIEWED BY ASSESSOR & HR

Human Resources Director Timothy Bunch advised that this and the next 4 agenda items are tied together; he noted they are not new positions, and no compensation changes are being requested. He explained that in the Assessor's Dept. the positions aren't really lined up correctly; there's no proper escalation process in place. This all represents a natural progression from Trainee up to Chief; he advised he had reviewed these with WPC Assessor Burton Hilton. As a courtesy he also supplied this information to the Union, and as no working conditions have changed they are in favor of this. He commented that it's difficult to do Performance Evaluations if no Job Descriptions exist. District Attorney Mike Wheable advised that for the Elected Officials, the Commission approves a budget; this is an important courtesy for the Board to understand what the employees' Job Descriptions are. He appreciated Director Bunch bringing this forward. In reply to a query from the Board, while this is really in Assessor Hilton's purview, Director Bunch explained that he would still like to have this approved, as the employees also wish to apprise the Commission of these. This will ensure the entire process is consistent, to make the Board aware and also holding the employees' to a more standard set of responsibilities. D.A. Wheable advised these related agenda items may be opened simultaneously, and an all-encompassing motion may be done.

DISCUSSION/ACTION/APPROVAL OF AMENDED JOB DESCRIPTION FOR APPRAISER I, AS REVIEWED BY ASSESSOR & HR;

DISCUSSION/ACTION/APPROVAL OF AMENDED JOB DESCRIPTION FOR APPRAISER II, AS REVIEWED BY ASSESSOR & HR;

DISCUSSION/ACTION/APPROVAL OF AMENDED JOB DESCRIPTION FOR SENIOR APPRAISER, AS REVIEWED BY ASSESSOR & HR; and

DISCUSSION/ACTION/APPROVAL OF JOB DESCRIPTION FOR CHIEF DEPUTY ASSESSOR, AS REVIEWED BY ASSESSOR & HR

Chairman Richard Howe, per legal advice, entertained a motion to approve these related agenda items. WPC Assessor Burton Hilton advised these have been a mess, but now this has a flow to it; it should have been done years ago. Director Bunch added that by discussing these with staff, their morale has been boosted up as well. Assessor Hilton agreed this is a team effort with his staff. Commissioner Steve Stork made a motion to approve these amended Job Descriptions as set forth and requested. Commissioner Travis Godon seconded. Motion was amended, per D.A. Wheable, to include "as items g) through k) on the agenda." Commissioners Stork and Godon amended their motion and second, respectively. Amended motion carried.

ELIZABETH FRANCES, FINANCE DIRECTOR

DISCUSSION/ACTION/APPROVAL TO SUBMIT A WAIVER TO PREVENT WPC'S REMOVAL FROM THE SUPPLEMENTAL CITY-COUNTY RELIEF TAX GUARANTEED STATUS TO THE DEPT. OF TAXATION

Finance Director Elizabeth Frances advised the notice from the Nv. Dept. of Taxation regarding this was included in the backup materials. She provided 2 handouts to the Board to familiarize the new Commissioners with the CTX and what the associated waiver means; she reviewed them briefly. She advised that the County is on guaranteed status because we had issues when we weren't collecting much in taxes, so we dropped below the required amount and

received more than what we were actually entitled to. In the past we have had a history of receiving less than what we are entitled to; the problem is, once we opt out of the guaranteed status, we wouldn't be allowed to get back on. She continued to note that history is tied to the mines, our largest contributors. Director Frances advised that the question is, whether to collect more now and risk not being able to collect in the future, or to stay on for another year and see how the economy flows. While we have some good prospects to diversify from the mining industry, there is nothing really solid we can count on at this time. Following some discussion, the Board felt perhaps we should remain status quo for one more year. Commissioner Steve Stork wanted to know during the last 5 years, how much monies could we have had? She will work with the Nv. Dept. of Taxation on this, noting it's difficult to estimate. She will also look into building a "rainy day" fund for this. Chairman Richard Howe entertained a motion to approve. Commissioner Travis Godon made a motion to submit a waiver to prevent White Pine County's removal from the supplemental City-County relief tax guaranteed status to the Nv. Dept. of Taxation. Commissioner Steve Stork seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF THE QUARTERLY GRANT REPORTS

Director Frances advised the reports are in the backup, and asked if there were any questions from the Board; there were none. Commissioner Steve Stork made a motion to approve the quarterly grant reports as presented. Commissioner Travis Godon seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF MONTHLY FINANCIAL REPORTS FOR JANUARY

2019

Director Frances noted this was also included in the backup materials. She advised that when the December reports went out there was a figure left out, but it has been included in this report now; the remainder is for the month of January. In reply to a query from the Board, she explained the Airport Flowage Fees are an annual payment. Chairman Richard Howe entertained a motion to approve. Commissioner Steve Stork made a motion to approve the monthly financial reports for January. Commissioner Travis Godon seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF JOB DESCRIPTION FOR COURT SECURITY OFFICER

Director Frances advised there have been some issues with the Bailiffs regarding absences due to health concerns; the result was that we were depleted in manpower for securing the Courthouse. HR Director Timothy Bunch has written these Job Descriptions, one of which is the Court Security officer, a new position. This is similar to a Bailiff but requires a Category 3 from POST training, rather than a Category 2 which is required for the Bailiffs. This person would fill in until someone returns to duty from their absence. Director Bunch provided copies of the Bailiffs' Job Description to the Board for comparison. Director Frances noted these were worked on along with the Judges, so the Job Descriptions are accurate. Chairman Richard Howe entertained a motion for approval. Commissioner Steve Stork made a motion to approve the Job Description for Court Security Officer as requested. Commissioner Travis Godon seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF PAY RATE FOR COURT SECURITY OFFICERS

Finance Director Elizabeth Frances advised the Judges have kept the Court Security Officers pay rate consistent with the Sheriff's Dept. Deputies' pay rates; they require POST certification, as do the Bailiffs. She explained how the pay rates would work and added there would be some extra costs involved, of which the Judges are aware. These Court Security Officers will cover absences and/or jury trials, it was clarified. Chairman Richard Howe entertained a motion to approve. Commissioner Travis Godon made a motion to approve the pay rate for Court Security Officers as requested. Commissioner Steve Stork seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL TO RECRUIT AND RETAIN TEMPORARY, ON-CALL COURT SECURITY OFFICERS AND BAILIFFS IN ORDER TO COVER UNANTICIPATED ABSENCES WITH FUNDING TO COME FROM CONTINGENCY AS NECESSARY

Director Frances advised that District Court Judge Steven Dobrescu wants to get people on board as soon as possible to facilitate security in the courts. She will work with him on this, and advised that they will be called on an as-needed basis to ensure proper coverage. Commissioner Steve Stork made a motion to approve recruiting and retaining temporary, on-call Court Security Officers and Bailiffs in order to cover unanticipated absences with funding to come from Contingency as necessary. Commissioner Travis Godon 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 for approval. Commissioner Steve Stork made a motion to approve the Consent Agenda as presented. Commissioner Travis Godon seconded. Motion carried.

UNTIMED ITEMS

DISCUSSION/ACTION/APPROVAL TO CLOSE CLARK STREET FROM 8TH STREET TO 10TH STREET AND 8TH STREET FROM AULTMAN STREET TO CLARK STREET ON FRIDAY, MAY 17, 2019 AND FRIDAY, SEPTEMBER 13, 2019 FROM 8:00 AM TO 1:00 PM FOR THE SILVER STATE CLASSIC CHALLENGE ROAD RACE

Chairman Richard Howe noted that SSCC representative Bunny Hill was unable to attend today. Chairman Howe entertained a motion for approval. Commissioner Travis Godon made a motion to close Clark Street from 8th Street to 10th Street and 8th Street from Aultman Street to Clark Street on Friday, May 17 and Friday, September 13, from 8AM to 1PM for the Silver State Classic Challenge Road Race as requested. Commissioner Steve Stork seconded. Motion carried.

DISCUSSION/ACTION/APPROVAL OF MINUTES FROM THE FOLLOWING COUNTY COMMISSION MEETINGS:

January 9, 2019

January 23, 2019

Deputy Clerk Susan Lujan pointed out 2 corrections on the January 9th set of minutes. Chairman Richard Howe entertained a motion to approve. Commissioner Travis Godon made a motion to approve with corrections noted. Commissioner Steve Stork seconded. Motion carried.

PUBLIC COMMENT

Commissioner Travis Godon advised he will have to leave at 11:00 a.m. during the next Commission meeting, and requested having the contentious agenda items be scheduled at the start of the meeting, or perhaps start the meeting sooner. District Attorney Mike Wheable advised that the meeting will start at 9:00 a.m. as usual, and items can be moved up at the discretion of the Commission Chairman.

ADJOURNMENT

At 12:19 p.m., Commissioner Steve Stork made a motion to adjourn the meeting. Commissioner Travis Godon seconded. Motion carried.

BOARD OF COUNTY COMMISSIONERS
WHITE PINE COUNTY
STATE OF NEVADA

BY:



CHAIRMAN

ATTEST:



WPC CLERK OF THE BOARD