

IN A REGULAR MEETING WITH THE COUNTY COMMISSION & FIRE COMMISSION HELD ON JUNE 9, 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:

Brett North, WPC Fire Chief
Michael Johnson, IT
James S. Beecher District Attorney
Ross Smillie, Deputy DA
Tim Bunch, Director Human Resource

Also Present:

Amanda Hilton, GM KGHM
George Chachas
Bill Wolf
Holly Gatzke, UNR Coop. Extension
Frederick Partey, KGHM

Present via Zoom:

Geri Wopschall, James Franklin (Western Oil), JOIN Ely, Desiree Barnson (Social Services Director), Elanie Eldridge (Finance), Klynch Rozich (Aquatic Center), Hilton Burton (Assessor), Marietta Henry, Tabitha Hamilton (Finance), Jennifer Lee (City of Ely), Caroline McIntosh, Mary Kerner, C. Bakaric (Treasure), Michelle Beecher (City of Ely) and others

Chairman Richard Howe called the meeting to order at 9:00 am. Commissioner Laurie L. Carson led the Pledge of Allegiance.

MOMENT OF SILENCE/SILENT INVOCATION

This was duly observed.

PUBLIC COMMENT

Amanda Hilton, General Manager for KGHM, addressed the Board. She provided an update on AB495 and how it will be a positive outcome for the community. There will be a new tax on gold and silver sales. This was a great compromise for KGHM due to cooper not being included in any of the tax. This will go into the mining education funding with an increase of about \$500 million per year for the State and it will be a small impact for KGHM. The net proceeds for the County will be secure for at least another two years. Mrs. Hilton expressed her gratitude for any assistance the mine received from the County.

George Chachas addressed the Board. The safety guard railing from the Murry Creek over flow ditch was removed and needs to be replaced as this is a safety issue. The Traveling Veterans Memorial Wall is coming to Ely and the large crowds will follow with a greater

liability of danger in the area which is a safety issue. He demanded to know if the White Pine Productions had a liquor license not only for the County, but for the City as well. His building was broken into again and he still has not received any information on the victims fund and wants equal protection under the law. Public safety needs to be addressed.

The Chairman temporarily recessed the regular County Commission Meeting for the White Pine County Fire Commission.

The Chairman adjourned the meeting of the White Pine County Fire Commission to reconvene the Regular County Commission meeting.

C. 9:30 A.M. PROPOSED ORDINANCE 518 AND 519

***1) PUBLIC HEARING/Discussion/For Possible Action: The White Pine County Board of Commissioners will take public comment and consider approval of proposed ordinance 518, bill number 05.26.2021a, an ordinance amending Title 10 to allow for the execution of the fictitious business certificate in the presence of the County Clerk or a Deputy County Clerk by an authorized person displaying official identification as an alternative to requiring notarization of the filing of a fictitious business certificate. Nichole Baldwin, County Clerk**

County Clerk, Nichole Baldwin advised about this during the last meeting. This will give permission for herself or her staff to check the ID and sign on behalf of a notary for a Fictitious Firm Name certificate. Vice Chairman Godon made the motion to approve. Commissioner Bullis seconded the motion. Motion passed.

***2) PUBLIC HEARING/Discussion/For Possible Action: The White Pine County Board of Commissioners will take public comment and consider approval of proposed ordinance 519, bill number 05.26.2021b, an ordinance amending Title 4 to allow for the execution of the fictitious business certificate in the presence of the County Clerk or a Deputy County Clerk by an authorized person displaying official identification as an alternative to requiring notarization of the filing of a fictitious business certificate. Nichole Baldwin, County Clerk**

County Clerk Baldwin stated this is the same as the first and is duplicated due to being in two separate titles in the County Code. District Attorney James S. Beecher advised the Board the 1st (item 1) is for marijuana businesses and the 2nd is for all other businesses. Commissioner Carson made the motion to approve. Commissioner Bybee seconded the motion. Motion passed.

E. 9:50 A.M. CLOSED SESSION FOR COLLECTIVE BARGAINING AGREEMENT

***1) Discussion/For Possible Action: Possible Motion to close the open meeting for discussion with the Board related to Collective Bargaining pursuant to NRS 288.220. Elizabeth France Director, James Beecher, District Attorney and Tim Bunch, Human Resource Director**

Commissioner Bybee made the motion to close the regular commission meeting at 9:50am. Commissioner Bullis seconded the motion. Motion passed. Meeting came back into open session at 10:25am.

F. 10:00 A.M. COLLECTIVE BARGAINING AGREEMENT

***1) PUBLIC HEARING/Discussion/For Possible Action: Approval of the collective bargaining agreement after a public hearing on the proposed agreement between White Pine County, Nevada and the International Union of Operating Engineers, Local Union #3, AFL-CIO for the period of July 1, 2021 through June 30, 2024. Finance Director, Elizabeth Frances; District Attorney, James Beecher; Human Resources Director, Timothy Bunch**

District Attorney James S. Beecher addressed the Board. He gave a summary of the proposed agreement. The Cost of Living increases over the next 3 years, HSA contributions increase, an agreement for gym reimbursement for 8 times a month, the sick leave bank will be up to the discretion of the committee, bereavement was changed, and a new leave schedule for new employees were included. Vice Chairman Godon made the motion to approve. Commissioner Carson seconded the motion. Motion passed.

G. 10:15 A.M. NATURAL RESOURCES

1) Discussion/Information only: regarding the White Pine County Natural Resource and Public Land Issues Tracking List. Jeremy Drew, RCI

Jeremy Drew of RCI addressed the Board via Zoom. RCI will review and possibly approve a cooperative agency MOU for the Bald Mountain Mine amendment for the Juniper Project. RCI had not heard from the BLM in Utah for several months and an estimated time for the draft EIS will be June 2021. They provided comments for the KGHM expansion back in January. The baseline studies are underway for the White Pine Pumped Storage Project. The SHPO consultation letter came out May 14th and is attached and goes through the cultural process and will run throughout the NEPA process. BLM does plan on moving forward with a state wide resource management plan and RCI does not have a timeframe on when this will happen.

***2) Discussion/For Possible Action: Approval of a Draft Memorandum of Understanding between the Bureau of Land Management, Ely District and the County for Cooperating Agency Status on the Bald Mountain Mine Plan of Operations Amendment Juniper Project Environmental Impact Statement and to designate Jeremy Drew as the County's point-of-contact. Jeremy Drew, RCI**

Chairman Howe opened Items 2 and 3. Jeremy Drew of RCI addressed the Board. The language is pretty standard for the MOU. The final MOU does not have Commissioner Carson listed as the Point of Contact. Vice Chairman Godon made the motion to approve. Commissioner Bullis seconded the motion. Motion passed.

***3) Discussion/For Possible Action: Approval of a Draft Memorandum of Understanding between the Bureau of Land Management, Ely District and the County for Cooperating Agency Status on the White Pine Waterpower Borehole Project Environmental Assessment and to designate Jeremy Drew as the County's point-of-contact. Jeremy Drew, RCI**

Vice Chairman Godon made his disclosure and he will vote on this item. Jeremy Drew of RCI addressed the Board. They are looking for a temporary authorization to drill the bore holes. This is not the authorization for the larger project. This is standard for a MOU and Mr. Drew

would recommend approval. Vice Chairman Godon made the motion to approve. Commissioner Carson seconded the motion. Motion passed.

H. 10:30 A.M. UPDATE FROM KGHM

1) Discussion/Update from KGHM Robinson Mine on a drilling project in Lane City. Frederick Partey, Senior Manager, Environmental Resources

Frederick Partey, Senior Manager of KGHM, addressed the Board. The EIS is complete for Robinson and is currently sitting at the Department of Interior. KGHM is looking at expansion into Lane City. The drilling will be 8 holes and will start end of June or early July. They found copper over there and they don't know how much. KGHM will be drilling 700 feet and 1300 feet in another hole. 8,550 feet in all will be drilled. There is no private land involved. They might have to ask for more land from BLM. So far it is all KGHM land. There is a lot of cultural land and there has been a report that cannot be shared at this time. They know where all the cultural land is and will not touch it until the mitigation is done, if needed, with appropriate personnel and/or agency. They will just be exploring. Vice Chairman Godon expressed his gratitude to the mine. Chairman Howe asked how far back off the road will KGHM be drilling. Mr. Partey stated some of the holes will be close to the roads and people will be able to see them. For the most part, it will be a mile or a mile and a half passed Lane City.

2. ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS:

A. COUNTY COMMISSION

1) Commissioner Ian Bullis

a) Discussion only: regarding the Ely Conservation Camp

Bill Wolf addressed the Board. He is concerned with the Conservation Camp and how COVID has affected Ely State Prison. He would like to know what the plan is on getting the camp fully staffed as the camp is a great asset to the community. One of the biggest issues is housing. There is not enough housing for anyone to move here for work. There was discussion about staffing being an issue and confirming the rumors are false regarding Ely State Prison going to a minimum prison.

B. ELECTED OFFICIALS

1) Nichole Baldwin, County Clerk

***a) Discussion/For Possible action: Approval for the resignation of Richard Barber from the Airport Advisory Board**

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

C. DEPARTMENT HEADS

1) Lori Romero, Library Director/Senior Program Administer

***a) Discussion/For Possible action: Approval to Accept the 2020 LSTA Statewide Evolving Needs Grant in the Amount of \$4,500 for Database Access and Printer with no County match required**

Library Director, Lori Romero addressed the Board. The grant is for 2 different data bases. One is for careers and the second is for job skill base. These classes will be offered to the community to assist them in finding a better job or new career. Vice Chairman Godon made the motion to approve. Commissioner Carson seconded the motion. Motion passed.

***b) Discussion/For Possible action: Approval of the Aging and Disability Services Division grant application in the amount of \$31,876 for Congregate Meals with a \$4,781 match**

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

***c) Discussion/For Possible Action: Approval of the Aging and Disability Services Division grant application in the amount of \$51,136 for Homebound Meals with a \$7,670 match**

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

***d) Discussion/For Possible Action: Approval of a letter of support to the Division of Aging for a grant application for the Senior Center**

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

2) Elizabeth Frances, Finance Director

***a) Discussion/For Possible Action: Approval of monthly financial reports for May 2021**

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

***b) Discussion/For Possible action: Direction on utilization of the American Rescue Plan coronavirus state and Local Fiscal Recovery Funds in the amount of \$1,860,803**

Finance Director Frances addressed the Board. There are different ways to spend the funds and she needs to know which way to go. She went through past material and reminded the Board of the housing issues, broadband for the communities, water and sewer structures, and a fiber line that can service McGill, the airport and the EOC. She advised the Board the funds cannot be used to fund other federal matching projects. There was discussion on where the housing would be built or if there was the ability to build out further from the City limits to build in the County. There has to be a plan submitted by Aug. 2021, then they have up to Dec. 2026 to implement and complete the plan. Chairman Howe asked for a list of projects that the Board can prioritize and have that at the 1st meeting in July.

***c) Discussion/For Possible Actions: Update and direction on FY2021 projected ending fund balance**

Finance Director Frances addressed the Board stating the ending fund balance will be about \$2 million higher than what was projected. There was a discussion about what the funds could be used for. Director Frances suggested a backup for 911 for when the phones go down again. Vice Chairman Godon advised the 911 system should come first and the Courthouse should be 2nd. Chairman Howe recommended the 911 service, the asbestos survey, and some towards the Courthouse. Sheriff Henriod stated he is just waiting on the pricing to come through for the 911 system. Vice Chairman Godon made the motion to approve the augmentations on the budget up to the legal amount for this fiscal for the 911 redundancy system, \$11,500 for the lead and asbestos survey, and the Courthouse renovations, also to allow Finance Director France to augment the budget for this fiscal year up to the allowable amount of \$750 thousand. Commission Bybee seconded the motion. Motion passed.

***d) Discussion/For Possible Action: Direction on proposed amendments to the FY2022 budget based on legislative action**

15 different things have changed that will have an impact on the County. Director Frances will bring back on the 26th the changes she believes will need to occur. Everything will be listed and outlined for the next meeting.

***e) Discussion/For Possible Action: Approval To Award Construction On SNPLMA WP-11-Nevada Northern Railway Brick Sidewalk and ADA Access Project in an Amount Not To Exceed \$43,000 Based On Recommendations From The Evaluation Committee After Bid Opening On 6/3/2021**

Director Frances advised the Board that the price for this project came in higher and this will need to be moved to the next agenda.

***f) Discussion/For Possible Action: Approval to award the bid to Reck Brothers, LLC in the amount of \$45,000 for the Old Canyon sheds demolition utilizing funds from the community development block grant**

Finance Director Elizabeth Frances addressed the Board. Deputy District Attorney Ross Smillie put the contract together so the old sheds can be demolished and a parking lot can be put in. Vice Chairman Godon made the motion to approve. Commissioner Carson seconded the motion. 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 made the motion to approve. Commissioner Bullis seconded the motion. Motion passed.

4. NOTICE OF UNTIMED ITEMS

***a) Discussion/For Possible Action: Approval of minutes from the County Commission Meeting held May 12, 2021**

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

PUBLIC COMMENT

Human Resource Director, Tim Bunch submitted his resignation and advised that his last day will June 18, 2021. The Board thanked him for his service to the County.

ADJOURNMENT

Vice Chairman Godon made the motion to adjourn the meeting at 10:55 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