

IN A REGULAR MEETING WITH THE WHITE PINE COUNTY COMMISSION HELD ON SEPTEMBER 8, 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

County Officials:

- Mike Johnson, IT Specialist
- James S. Beecher, District Attorney
- Elizabeth Frances, Finance Director
- Brett North, WPC Fire Chief
- Sheriff Scott Henriod
- Tabatha Hamilton, Finance Office
- Bill Calderwood, Public Works Director

Also Present:

- Pat Stork, Ely City Fire Chief
- Timothy Vidrine, Vidrine LLC
- Maggie Whitehead, Troy Whitehead LLC
- Troy Whitehead, Troy Whitehead LLC
- Rob Weyher, Baker GID

Present via Zoom:

Geri Wopschall, Laura Oslund (PACE Coalition), Marietta Henry (WPC Tourism & Recreation Board), Mary Kerner (NRHA), Burton Hilton (Assessor), B. Goffinet, Elanie Eldridge (Finance Office), Mark Wlaschin (NV Secretary of State’s Office), Michelle Beecher, Steve L. Dobrescu (District Court Judge), Sean Golonka, Tabatha Hamilton (Finance Office), K. Ross, Bethany Wheable (Finance Office), Joey Gilbert, Esq., Ely Mayor, 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

Tim Vidrine is trying to open a mobile home dealership in White Pine County and is here to find out what he needs to do to accomplish that. Commissioner Ian Bullis offered to talk to him after the meeting.

Maggie Whitehead owns Troy Whitehead, LLC with her husband, which is a mobile home installation company. They are working with Tim Vidrine to get him set up and they are working with an investment group to bring homes into Ely and White Pine County. She knows there is a problem with a lack of housing causing professionals coming into the community to leave. She’s been working with KGHM to bring housing into Ruth and in areas closer to mines for their

employees. She wants to discuss this further with the Board to bring housing and expand businesses locally. The Board thanked her for being here.

Ward Winters lives in Ruth and he reported 3 homes that are open with windows broken, kids playing in and around the structures, and he is worried a fire will start that will endanger other homes. He asked what could be done about 20 Sunshine, 21 Keystone, and 4 Second Street in Ruth? He has addressed Ruth Town Council to no avail. Chairman Richard Howe directed him to talk to the District Attorney's Office and he will make an appointment. Commissioner Shane Bybee gave him his name and phone number.

Chairman Howe advised the room that George Giannopolis resubmitted the same letter from last week in regards to the Kennecott sheds in McGill and that is available to the public.

1. NOTICE OF TIMED ITEMS

The Chairman recessed the regular County Commission Meeting to convene a regular meeting with 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 at 9:28 am.

B. 9:30 A.M. NEVADA SECRETARY OF STATE

1) Discussion Only: regarding voter education outreach in White Pine County. Deputy of Elections, Mark Wlaschin

Via Zoom, Mark Wlaschin from the Secretary of State's Office was here to discuss the plan for the voter outreach campaign and ask for support. He intends to spend the next 18-24 months to provide facts to voters about how elections are conducted and administered. Voters are discussing elections more and more, plus, many changes took place over this last Legislative Session that effect the voting process. He will schedule similar meetings with statewide elected officials, school boards, and others. Commissioner Bullis is thankful that in this County, our votes count and are counted correctly. Commissioner Carson asked when the face to face would take place? Mr. Wlaschin desired to come to White Pine County early next year. Chairman Howe directed Mr. Wlaschin to get with the Clerk and schedule something in January. The Board thanked Mr. Wlaschin for his time and update.

C. 10:00 A.M. COMMUNITY DEVELOPMENT BLOCK GRANT PUBLIC HEARING #2

1) CDBG PUBLIC HEARING #2-Discussion and public input on possible activities to be included in applications for funding under next fiscal year's (July 1, 2022 to June 30, 2023) State Community Development Block Grant Program. Elizabeth Frances, Finance Director

At 10:26 am, Finance Director Frances advised that this is the 2nd hearing for FY 2023 CDBG Grant idea submissions. Tabatha Hamilton from the Finance Office advised the Board about this hearing. She described eligible activity, program requirements, and noted 4 previously submitted projects including the McGill Phase 2 sewer relining project, the McGill Slag Ditch, the Baker GID project, and the Ruth Slum & Blight projects. She noted the New Ruth Club could be demolished with the Ruth Slum & Blight funds. She received another project last week from Jobs for Nevada Graduates, but it will not meet the national objectives for income. She asked the public for

additional ideas. Burton Hilton, via Zoom, expressed support for the Slum & Blight projects in Ruth. Commissioner Carson wants to look at building a lift station to facilitate building and growth. A new lift station is required to add more housing in White Pine County and Ely. Chairman Howe wanted to get property in Baker to put housing on and stated that Baker is in need of help with infrastructure. Public Works Director Bill Calderwood voiced support for the Slag Ditch project, which belongs to the County and is a huge liability.

Tabatha Hamilton added that eligibility is due 10/15/21 and she will submit those projects, they will get back to her a week or 2 later and the 3rd hearing will take place 10/27/21. Chairman Howe suggested asking the City to apply for a lift station through CDBG.

2. ITEMS FROM ELECTED OFFICIALS AND DEPARTMENT HEADS:

A. COUNTY COMMISSION

1. Ian Bullis, Commissioner

***a) Discussion/For Possible Action: Approval to engage with Joey Gilbert's law firm to explore options to protect the rights of White Pine County residents and businesses against outside entities**

At 9:36 am, Commissioner Bullis advised that they may need to come back to this when Mr. Gilbert is available.

Back at 10:02 am following a break, Commissioner Bullis advised that he was contacted by Mr. Joey Gilbert to ask for local support to set Nevada free and lift mandates that have been implemented illegally. Via Zoom, Joey Gilbert, Esq. explained we are approximately 580 days into an emergency put in place by Governor Sisolak. All data found shows that no permanent health emergency exists and nothing supports this continued state of emergency. He's done work with Dr. Robb who wrote a 54 page report that examines every known metric and finds that we are not in a state of emergency. He felt this has been used as a power grab to control the State. People are getting fed up. Nevada is 1 of 12 states forcing children to wear masks. He'd love to go to court in this County with some tired or suffering businesses or with White Pine County as being tired of the mandates. Its time to push back as things have gotten out of control. He noted college students that attend UNR that will be mandated to get a vaccine to stay enrolled in the spring. A lawsuit will need to take place in Carson City. He has information and data with experts to back up the claim that no state of emergency exists and this has gone way too far. The CDC's own data supports this, he asserted.

Commissioner Vice Chairman Godon supports this and noted funds set aside to help businesses who face strict enforcement of mandates. He asked what the next thing is going to be that will fail to go through the Constitution and proper channels? Our government was never meant to be ran by one person and this County owes it to our constituents to stand up in a court of law to try to do something to avoid losing our freedoms.

Commissioner Bybee is on board with Commissioner Godon's comments. Legislature did nothing to stop this over the summer. If this is going to be made into something real, it would've been undertaken by our legislators, but it was not. Mr. Gilbert agreed and noted an article in the Federalist that found issues with Governor Sisolak and his alleged abuse of power. He felt it was important that treatment for the Coronavirus exists and he wants it to become available to

smaller communities. People who decided to not get the vaccine have to test weekly and are getting treated differently. Pfizer has not been approved by the FDA and the media is lying to us, Mr. Gilbert asserted. He noted all neighboring states, except for California, are back to normal and do not mandate masks.

Chairman Howe interrupted Mr. Gilbert to say that he does not feel like White Pine County needs to employ a law firm to join a political fire storm. District Attorney Beecher advised that he was going to ask that the motion be made with any retainer being approved by his office and prior to commencing any civil action, that be approved by this Board. Mr. Gilbert just wanted to encourage the County to stand up to stop the current state of emergency before another lockdown occurs.

Commissioner Vice Chairman Godon disagreed with Chairman Howe and stated that it is our job to uphold the Constitution for our citizens. Commissioner Godon felt that Mr. Gilbert has a "pair of cajones" to stand up and fight for Nevadans that others do not.

Commissioner Bullis moved to approve the item as written with all agreements to go through the DA's Office and they be allowed to come up with something appropriate to move forward with cautiously and with wisdom. It was clarified that the County will engage with Mr. Gilbert's law firm who will come up with options to take. There is funding already lined up to pay for this, it was reported. Commissioner Vice Chairman Godon seconded the motion. Motion passed 4:1 with Chairman Howe voting in the opposition.

2. Travis Godon, Vice Chairman

***a) Discussion/For Possible Action: Approval to give direction in regards to County Building and Planning Services in light of the recent resignation from the Building Official**

Commissioner Godon noted the Building Inspector resigned and he put this on to see if we needed to change course. Finance Director reported that she has not made significant progress on this as she has not been able to access data requested by one company. She expressed the need to explore all avenues as the County's current circumstance is concerning. Chairman Howe felt it was critical given the stage of the Justice Center that we find an independent inspector to get someone on board to sign off on the building. The Finance Director checked with CORE and Brad Christiansen is still on board to see the Justice Center to completion, she advised. Chairman Howe is worried about any gaps without a Building Official that may occur. Assessor Burton Hilton, via Zoom, felt it would be good to talk to Jennifer Drew, Building Department Secretary, to get her input to understand the process in the Building Department. Chairman Howe asked the Finance Director to take the lead on this issue to ensure progress is made. This item was left as discussion only.

B. ELECTED OFFICIALS

1. Burton Hilton, Assessor

***a) Discussion/For Possible Action: Approval to record a deed reverting Lots 1 and 18 of Block 22, New Ruth Town site, Assessor's Parcel Number 003-044-01, commonly known as the New Ruth Club, back to White Pine County due to non-compliance of Simplistic Solutions, LLC**

to obtain certificate of Occupancy in the time set in the Recorder's Office Document Number 0375590, filed on 9/15/2017

Via Zoom, Assessor Burton Hilton advised that 4 years ago this Board granted this parcel to Simplistic Solutions for a community investment project. There was a condition set forth in the deed that John Dishong and Simplistic Solutions obtain a certificate of occupancy within 4 years, but that has not been complied with so this reverts the property back to the County. Commissioner Vice Chairman Godon made the motion that effective 9/15/21, if no occupancy permit has been obtained, this item be approved. Commissioner Bybee made the second. Motion passed 4:0 due to Commissioner Bullis having stepped out of the room.

2. Nichole Baldwin, County Clerk

***a) Discussion/For Possible Action: Approval to accept the resignation of Ramona Maestes from her seat on the Wildlife Management Advisory Board**

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

***b) Discussion/For Possible Action: Approval to accept the resignation of Brad Simpson from his seat on the Regional Planning Commission**

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

C. DEPARTMENT HEADS

1. Elizabeth Frances, Finance Director

***a) Discussion/For Possible Action: Approval of Information Technology Engineer job description**

Finance Director Elizabeth Frances reported that she failed to provide this backup to the Clerk and asked to table items A, B and C. Commissioner Vice Chairman Godon made the motion to table items A, B, and C. Commissioner Carson seconded the motion and the items were tabled.

***b) Discussion/For Possible Action: Approval of Information Technology Engineer Pay Scale**
See item A.

***c) Discussion/For Possible Action: Approval to begin recruiting efforts for Information Technology Engineer**
See item A.

***d) Discussion/For Possible Action: Approval of monthly financial reports for August 2021**
Finance Director Frances reminded the Board that the balance sheet may change the beginning equity of all of the funds until we close and finalize the prior fiscal year. Commissioner Vice Chairman Godon made the motion to approve and Commissioner Bullis made the second. Motion passed.

***e) Discussion/For Possible Action: Approval of Resolution 2021-54 to augment the Fiscal Year (FY) 2022 General Fund budget from unanticipated and unbudgeted beginning fund**

balance by \$1,000,000 to transfer to the Capital Improvements Fund (081) in anticipation of renovation of the historic courthouse

The Finance Director advised the Board that this can be deferred until later in the year if this Board desires. Commissioner Bullis made the motion to approve and Commissioner Bybee seconded the motion, which passed.

***f) Discussion/For Possible Action: Approval of Resolution 2021-79 to augment the Agricultural District #13 Fund budget from unanticipated and unbudgeted Fiscal Year (FY) 2022 beginning fund balance in the amount of \$38,000 to assist in covering the costs of sponsored events to be held at the fairgrounds**

The Finance Director advised the Board that Ag 13 decided to approve utilization of \$38,000 for events, which they do have the fund balance to cover. Commissioner Bullis moved to approve and Commissioner Carson seconded the motion, which passed.

***g) Discussion/For Possible Action: Approval of Resolution 2021-80 to augment the SB74 Fund budget from unanticipated and unbudgeted Fiscal Year (FY) 2022 beginning fund balance in the amount of \$1,650,000 to correct the FY2022 budget for the Justice Center Project based on final FY2021 progress billings from various contractors**

The Finance Director advised that she does not know what the final numbers will be when she creates the budgets and this correction is needed due to supply chain issues that caused the need to re-appropriate this money into the new fiscal year. Commissioner Carson moved for approval and Commissioner Bybee seconded the motion, which passed.

***h) Discussion/For Possible Action: Approval of Resolution 2021-81 to utilize \$320 from General Fund Contingency to cover the costs of commission postage for notices to businesses in White Pine County**

The Finance Director advised that this is for letters that were sent out to local business owners as authorized by the Commission on 8/11/21, which was unbudgeted for. The amount was an estimate from the Clerk to cover postage fees. Commissioner Bullis noted that he was contacted by a few businesses that were thankful for receiving that notice and he and Commissioner Vice Chairman Godon thanked Clerk Nichole Baldwin for getting that done. Commissioner Bullis moved to approve this item and Commissioner Godon made the second. Motion passed.

Chairman Richard Howe called for a break at 9:54 am.

***i) Discussion/For Possible Action: Approval of Resolution 2021-78 to augment the General Fund budget from unanticipated and unbudgeted Fiscal Year (FY) 2022 beginning fund balance in the amount of \$1,931 to pay for safety railings on the ends of the grandstands at the McGill Ballfield authorized in FY2021 but completed in FY2022**

At 10:39 am, Commissioner Vice Chairman Godon moved to approve this item and Commissioner Bybee made the second. The motion passed 4:0 with Commissioner Bullis having stepped out of the room.

***j) Discussion/For Possible Action: Approval of Resolution 2021-77 to augment the General Fund budget from unanticipated and unbudgeted Fiscal Year (FY) 2022 beginning fund balance in the amount of \$11,585 to pay for an asbestos survey of the historic courthouse authorized in FY2021 but completed in FY2022**

Commissioner Bybee moved to approve and Commissioner Carson made the second. Motion passed 4:0 with Commissioner Bullis having been absent from the room.

***k) Discussion/For Possible Action: Approval of Resolution 2021-55 to augment the General Fund budget from unanticipated and unbudgeted Fiscal Year (FY) 2022 beginning fund balance in the amount of \$24,425 to purchase a repeater required to facilitate effective emergency communications within White Pine County**

Commissioner Carson made the motion to approve and Commission Vice Chairman Godon made the second. Motion passed 4:0 with Commissioner Bullis having been absent.

***l) Discussion/For Possible Action: Approval to Ratify the Grant Application To The Nevada State Parks Recreational Trails Program For Funding of a Planning Phase In The Amount Of \$8,000. The Required County Match Amount Is \$2,000**

The Finance Director explained that this expands trails to the Ward Charcoal Ovens on a multi-use trail system through a program for recreational trails. Commissioner Vice Chairman Godon made the motion to approve and Commissioner Bybee seconded the motion, which passed with a vote of 4:0 with Commissioner Bullis having been absent.

***m) Discussion/For Possible Action: Approval to ratify the Grant Application To The American Rescue Plan Airport Improvement Program For Funds That Will Assist Airport Sponsors To Address The COVID-19 Public Health Emergency In The Amount Of \$22,000. The Required County Match Amount Is \$0**

The Finance Director reported that this is the 2nd grant program through the American Rescue Plan similar to the CARES Act funding the County previously received. Commissioner Vice Chairman Godon moved to approve this item and Commissioner Carson seconded the motion. The motion passed 4:0 with Commissioner Bullis having been absent.

***n) Discussion/For Possible Action: approval of extension #5 to the agreement with the Community Development Block Grant for the White Pine County slum /blight property abatement project 18/ACQ/09 to provide a time extension through December 31, 2021**

Commissioner Vice Chairman Godon moved to approve this item and Commissioner Bybee seconded the motion, which passed.

***o) Discussion/For Possible Action: Approval of a grant agreement with CDBG for \$7,470 for the purchase of equipment for the Office of Public Health with no County match**

This item was duplicated from 8/25/21.

***p) Discussion/For Possible Action: Approval to post internally and externally for the vacant Deputy Clerk position in accordance with the process outlined in the negotiated agreement**

between White Pine County and the International Union of Operating Engineers Local Union No. 3, AFL-CIO

Commissioner Bybee moved to approve this item and 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.

At 9:28 am, Commissioner Bullis moved to approve the Consent Agenda and Commissioner Bybee made the second. Motion passed.

4. NOTICE OF UNTIMED ITEMS

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

- August 11, 2021

Commissioner Carson moved to approve the minutes and Commissioner Bullis seconded the motion, which passed.


PUBLIC COMMENT

There was none.

ADJOURNMENT

Commissioner Vice Chairman Godon moved to adjourn the regular Commission meeting and Commissioner Bullis seconded the motion. The meeting was adjourned at 10:48 am.

BOARD OF COUNTY COMMISSIONERS

WHITE PINE COUNTY
STATE OF NEVADA
BY: 
CHAIRMAN

ATTEST:


WPC CLERK OF THE BOARD