

TONOPAH TOWN BOARD

MEETING MINUTES

APRIL 10, 2013

Tonopah Town Board Chairman Horace Carlyle called the meeting to order at 7:02 pm. Also present were Duane Downing, Ron Kipp, and Javier Gonzalez. There were six other people in attendance.

1. Public Comment

No action taken by the Board.

2. Review and approval of minutes, in context, from regular meeting held on March 27 2013.

Ron Kipp wanted to know if Jay Silas or Gary Davis who explained things to the Board.

Duane Downing made a motion to approve the minutes, in context, from regular meeting held on March 27, 2013. Ron Kipp seconded. Motion passed 3-0-1 (Javier Gonzalez was absent).

3. Discussion regarding the accomplishments and costs invested in the five acres ceded to the Change the World with Love Foundation by the County

Javier Gonzalez arrived at 7:07 PM.

Vincent J. Scoccia explained that the Change the World with Love Foundation was ceded 5.5 acres by the County approximately three years ago under the condition that there would be housing placed on that land. Shortly after, the Foundation received a grant for the solar panels and the solar fields. The County revised the resolution to state that the primary use should be for housing and the solar field. Unfortunately, they were not able to do as much as they could have if they had not been involved with the hanger at the airport.

Some of the area was used with good purpose. There is both a large and mini solar field. The old ambulance barn was converted into headquarters for the Foundation. There is also a generator on the property and a construction trailer. The trailer was put there in the hopes of using it while building the community. The Foundation has invested approximately \$597,000 in this property. Around \$30,000 in renovations was put into the ambulance barn in the form of paint, replacement of metal trim, interior partitions, the IT equipment, office furniture, etc. Mr. Scoccia noted that the Foundation is asking for the Board's support for a 36 month extension. He explained that now that the air ambulance hanger is almost completely finished, the Foundation is able to concentrate on the ceded land.

Duane Downing noted that they were supposed to have construction done within three years. He clarified that the Foundation is asking for the Board's support in requesting an extension to that three years for an additional three years to do the construction. He wanted to know if three years would be enough time to accommodate that construction. Vincent Scoccia explained that in three years they can get at least the infrastructure in. He feels that it would be a terrace type community and they are looking at stick-built housing. All structures will also be handicap accessible and on one floor. It would already be built in that assisted living could be granted. He explained that at this time they are not looking at an Extended Care Facility. This will be for independent handicap families and for seniors who may or will need assistance. He noted that it would be enough time to get a few houses up and the infrastructure. Duane Downing noted that it would be enough time to satisfy the County's terms in deeding the property to the Foundation.

Horace Carlyle noted that he and James Eason attended a meeting at the hospital on March 29, 2013. He feels this is a question of support of the hospital. He noted that there is a plane housed at the hanger. Vincent Scoccia explained that the plane belongs to LifeGuard who leases the facility from the Foundation. Horace Carlyle wanted to know what the Foundation invested in the hanger. Vincent Scoccia explained that the hanger cost approximately \$275,000. The County leased the land at the airport to the Foundation for 20 years at \$1.00 per year with an extension for another 20 years and possibly another extension after that.

Horace Carlyle wanted to know what date the contract was issued. Vincent Scoccia explained that the resolution was adopted in May 2010 but the deed was not conveyed to the Foundation until March 2011. Horace Carlyle wanted to know what percentage of development was to be completed. Vincent Scoccia explained that there was no percentage stated.

Duane Downing made a motion to issue a letter to the Board of County Commissioners in support of the hospital and the Change the World with Love Foundation for their request for an extension on the five acres that was ceded to them next to the hospital property. Based on the timing, James Eason suggested approving a Board member to go and speak on behalf of the Board. Duane Downing amended his motion to issue the letter of support or by authorizing the Chairman of the Board to appear before the BOCC and express our feelings in person. Javier Gonzalez seconded. Motion passed 4-0.

The Tonopah Town Board recessed to the Tonopah Library Board of Trustees at 7:31 pm.
The Tonopah Town Board returned at 7:44 pm.

4. Review, discussion and possible decision to approve the engagement letter from Daniel McArthur, LTD for Fiscal Year 12/13

Chris Mulkerns explained that the Town's audit is a little more complicated than the Library. For FY 12/13, there will also be a single audit, which is done separately because the Town received federal funds over \$500,000. She noted that there will also be a single audit in FY 13/14. In the past it has been around \$5,000 but that was several years ago. The letter does not give a specific dollar amount for the audit. The FY 10/11 audit cost about \$18,000. James Eason explained that it will be split among three different departments.

Duane Downing made a motion to approve the engagement letter form Daniel McArthur, LTD for Fiscal Year 12/13. Javier Gonzalez seconded. Motion passed 4-0.

5. Approval of tentative budget for Town of Tonopah/Tonopah Public Utilities for Fiscal Year 2013/2014

Chris Mulkerns explained that the Town tentative budget is basically exactly what was discussed at the budget workshop. She noted that there was supposed to be a meeting today regarding the ideas the Board and Staff have for future projects but that meeting had to be postponed to tomorrow at 3:00 pm. She explained that the recommendation is to approve the budget contingent upon the meeting tomorrow. James Eason explained that after the meeting tomorrow, the goal is to come up with a ballpark dollar figure and a list of ideas or things to be accomplished. Chris Mulkerns explained that this would be fine-tuned under the Capital Improvement Plan. The Board agreed to approve the budget as is.

Duane Downing made a motion to approve the tentative budget for Town of Tonopah/Tonopah Public Utilities for Fiscal Year 2013/2014 as presented. Javier Gonzalez seconded. Motion passed 4-0.

6. Review, discussion and possible decision to approve BEC Environmental Contract Change Order 1 – Request for Additional Funding for Tonopah Economic Contract for Housing Development Facilitation

James Eason explained that when the Town signed the contract with BEC back in September, it was for economic development in the Town of Tonopah. The initial contract was for \$10,000 and they would come back to the Board once they reached that point. The vendor and housing forums were all put together by BEC. The meetings in regards to bringing in developers to look at the housing opportunities in Tonopah were all put together by BEC. Staff recommends moving forward with the developers. He noted that the Senior Center was just approved by the State of Nevada to be a satellite facility that can be rented out and utilized by the vendors. Javier Gonzalez wanted to know how much the change order is for. James Eason explained that it is for \$10,000 and will last through the end of the contract year.

Duane Downing explained that housing is one of the top problems here. He foresees a problem with Butler Days as there is nowhere to stay. Ron Kipp explained that the Elks looked at revitalizing the King of the Hill Baseball Tournament but had to cancel because there is no way to guarantee hotel rooms for the weekend.

James Eason noted that housing is not the only thing BEC will be working on. Indec has submitted a request to terminate their contract at the airport because of all of the issues with PPAs with NV Energy and some other issues. He and BEC have been working with other developers to pick up that site. BEC helped extensively with Solaro.

Javier Gonzalez made a motion to approve BEC Environmental Contract Change Order #1 in the amount of \$10,000. Duane Downing seconded. Motion passed 4-0.

7. Discussion and possible action to develop a process to address Bill Draft Requests during the 2013 Legislative process

James Eason explained that there are bills the Town is watching and tracking. There are a few different ways to address this. One way is to give a member of the Board or Staff the ability to testify or speak on behalf of the different bills when they are before Committee and follow them. This is the process used in the past. The Town is informed in an informal way on some of these bills. He explained that he is asking for direction.

Horace Carlyle suggested authorizing at least two individuals in case one is not available.

Javier Gonzalez made a motion to allow for the Town Manager or any Board member who might be available to go ahead and speak on the Town's behalf for Bill Draft Requests during the Legislative process. Duane Downing seconded. James Eason explained that if there are any issues that come back that need a letter of support or need a vote, it would be put on the agenda. Motion passed 4-0.

8. Tonopah Department Budget Reports

James Eason explained that last year the bill for Booster 1 was about \$1,800. This year the bill is \$144.00 with the changes of the new project. Chris Mulkerns explained that it will continue to go down. James Eason explained that the savings will go to debt.

Horace Carlyle wanted to know where the \$738,585 under Charges for Service Rescue/Transfer is reflected in the projected budget. Chris Mulkerns explained that when the Town did the budget augmentations, the \$725,000 was approved to go to the Belvada/Convention Center Project. Horace Carlyle wanted to know where it was moved for the current budget year. Chris Mulkerns explained that it stays in the Ending Fund Balance. Duane Downing noted that both National 9 and Joyland have no room tax listed.

No action taken by the Board.

9. Tonopah Development Corporation Report

No action taken by the Board.

10. Public Comment

No action taken by the Board.

11. Town Board Member's/Department Manager's/Nye County Commissioner's Comments

James Eason explained that the archaeologist is doing the work right now for Phase II. The geotechnical individual was out last week and he laid out the test pits. There are close to sixty test pits and once the permit is signed, that process can move forward. The terrain will be very

unique and very rocky. The Town is still working on the Water Project. There are some areas that are being refined, including making sure the wells are passing certain tests. As soon as the wells pass, Scada will be here to hook them up. By next month, the O & M report should be back. There are some Scada issues there before it can be hooked up and utilized.

James Eason explained that he and Chris Mulkerns had a meeting scheduled with the roofing contractor to discuss finalization on the Convention Center. The gutters and downspouts are in. Next week, he, Heather Ingalls, and Mariah Rivero will attend Rural Round Up. He noted that Heather Ingalls is on the Silver Trails Board, which promotes Tonopah and the area.

The Town is doing some work at the Mining Park to get ready for individuals from News Channel 4. They will be touring the Town and Mining Park. It is part of a three part series of exploring Rural Nevada. It is in conjunction with the Governor's Office, Lieutenant Governor, and Nevada Division of Wildlife. Tonopah is featured along with Austin, Hawthorne, and Virginia City. Goldfield, Beatty, Pahrump, and the Alien Highway is on the next segment. Eastern Nevada is on the last segment.

The exercise equipment has come in. Maintenance will be turning the water on to the parks at the end of this week.

Horace Carlyle wanted to know which wells had to be retested. James Eason explained that it was Wells 6, 7 and 8. When the tests were initially taken, they were done under the old AWWA specs and they all passed under those specs. Under the new specs, Well 5 passed but Wells 6-8 did not pass. They will be retested. Chris Mulkerns noted that they are not online right now and it is just Wells 9 and 10 that are on line.

James Eason explained that *Tailings* is published by the Tonopah Historic Mining Park Foundation. The Foundation is in charge of the gift shop and it uses the revenue from the gift shop to promote the Park. The Park has also been featured in *Nevada in the West Magazine*. It is sold at the John Livermore Visitor Center.

12. Closure of Meeting, Pursuant to NRS 288.220 for purposes of conferring with Town's Management Representative regarding labor negotiation issues, and other personnel issues.

This item was tabled.

13. Closed meeting, pursuant to NRS 288.220 for purposes of conferring with Town's Management Representative regarding labor negotiation issues, and other personnel issues

This item was tabled.

14. Discussion deliberation, and possible decision on labor negotiations, issues and other personnel matters presented in the closed meeting

This item was tabled.

15. Correspondence

Letter from Nevada Department of Environmental Protection – 03/22/2013

EM News Flash: On Your Mark, Get Set...TORTOISE! – 03/28/2013

Utilities, Inc. Rate Increase Hearing Held – 03/28/2013

USDA News Release – 04/02/2013

Nye County Board of Commissioners Regular Meeting – 04/02/2013

Email from Lorinda Wichman – 04/05/2013

Duane Downing noted that Lorinda Wichman started to address things brought up at the last meeting very quickly.

Letter to Nye County District Attorney Regarding Legal Opinion – 04/05/2013

Nye County Airports March 2013 Status Report – 04/05/2013

Beatty Town Advisory Board Meeting – 04/08/2013

Pahrump Town Board Meeting Agenda – 04/09/2013

Round Mountain Town Board Regular Meeting Agenda – 04/09/2013

Horace Carlyle noted that the Western Community Foundation did supply more backup information on how Town funds are being invested.

16. Approval of Vouchers for Payment

The vouchers were reviewed and all were signed by Board members. Duane Downing made a motion to approve the vouchers as presented for payment. Javier Gonzalez seconded. Motion passed 4-0.

17. Adjourn

Meeting was adjourned at 8:33 pm.

Minutes transcribed by:

Mariah Rivero

Approved:

Horace Carlyle, Chairman

Duane Downing, Vice Chairman

Ron Kipp, Clerk

Javier Gonzalez, Member

Vacant, Member