

TONOPAH TOWN BOARD

MEETING MINUTES

SEPTEMBER 28, 2011

Tonopah Town Board Vice Chairman Horace Carlyle called the meeting to order at 7:01 pm. Also present were Glenn Hatch and Duane Downing. Jon Zane and Javier Gonzalez were absent. There were seven other people in attendance.

1. Review and Approval of Minutes from Regular Meeting held on September 14, 2011.

This item was tabled.

2. Adoption of Resolution Setting Industrial Water Rates and Deposit Fees Associated with Same; Approval of Amended Form of Application for Water/Sewer Service and Amended Form of Application for New or Additional Water/Sewer Service not Previously Connected to System

James Eason explained that this came up in the last year and a half with demand from the water truck companies pulling service from the existing line. The users are taking a large amount of water off the system and the usage is outside the normal allocation for the ERUs. It is a temporary service. The Town did not have a system in place for those customers who are only on the system for a finite amount of time. Whoever is assigned to this category will be shut off if the Town achieves its peak daily demand, which is based on the number of currently sold ERUs in the system.

Joe Westerlund explained that there is a finite amount of water that the Town can get over the hill. There is only so much water that each account can use and that relates to a certain number. If the Town signs the temporary users up as regular customers, it has to assume how much water they will use based on what they say. Once the Town sells those ERUs, they are gone and they cannot be assigned to someone who moves into town. James Eason explained that the Town is not dedicating ERUs with this resolution. Joe Westerlund explained that the temporary users will have a meter but they will be paying a different rate for the water they are using. It is a privilege fee for the amount of water they are using. James Eason explained that the rate is a graduated scale based on the amount of water used. The more water used the higher the rate. He explained that an ERU is calculated at an average of 11,000 gallons per month. If the temporary users use more than the average amount of water for one ERU, the rate will go up.

Horace Carlyle asked how the Town handles the large deposits? Chris Mulkerns explained that the \$800.00 for the hydrant meter is actually a fee that the Town holds until the customer returns the meter in good condition. If the meter breaks or is not returned in good condition, the deposit is cashed and goes towards buying a new meter. Horace Carlyle explained that he does not recommend the Town holding the deposits for more than thirty days without depositing them. James Eason explained that this has been a common practice for years. Chris Mulkerns explained

that the Town could put into practice the process of holding the check for thirty days and then asking for a new check after those thirty days and returning the old check. Joe Westerlund noted that the Town could also ask for a money order. James Eason noted that the Town could discuss this issue internally and then come back before the Board with a different proposal. Chris Mulkerns explained that the \$350.00 deposit is deposited and it goes toward the balance once the customer is finished.

Duane Downing asked how much longer it would be before the reclaim water system was up. James Eason explained that it would be around this time next year. Joe Westerlund explained that based on the amount of water the Town will be able to put out from the reuse and with what the Town is putting out currently, the reuse will not take care of everyone.

James Eason explained that the reclaim project should be approved through NDEP by the end of the fourth quarter. The Town will go out to bid in the first quarter of next year. Construction should begin towards the middle or the end of the second quarter.

Glenn Hatch made a motion to adopt the resolution on item 2. Chris Mulkerns explained that the Board also need to approve the amended form of application for service and the amended form of application for new or additional water or sewer connection. The amendments and applications are putting into place a check mark for hydrant meter and a new deposit for hydrant meter users. Duane Downing seconded. Horace Carlyle explained that the motion was for accepting resolution 11-06. This included the Tonopah Public Utilities application for water and sewer service. Chris Mulkerns explained that there are two applications. The first application is a customer application where the change is adding the option for hydrant meter users and industrial users. The second application is for new service to be added to the current system. It is incorporating the amendments the resolution will bring about. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

Chris Mulkerns requested that the Board put in the effective date for the resolution. Glenn Hatch amended the motion to make the effective date of the resolution October 2, 2011. Duane Downing seconded. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

The Town Board recessed to the Tonopah Library Board at 7:16 pm.

The Tonopah Town Board returned at 7:20 pm.

3. Discussion and Possible Decision to Amend the Agreement Between Day Engineering and Town of Tonopah Related to Providing Mapping Services.

James Eason explained that the Town currently has a contract with Day Engineering to provide updated maps for the TPU water and sewer system. The Town negotiated the agreement to provide updates as they come in. If there are changes in the field, the Town submits the changes to Day Engineering who then updates the maps in AutoCad and provides the drawings back to the Town. This will be the third year for this project. Chris Mulkerns noted that the Board approved a budget of \$5,000.00 out of Sewer Capital Projects for this mapping. Last year, the invoice was \$3,170.00. James Eason explained that if the Town goes over the budget, it will hold

off until the next budget year. Joe Westerlund explained that with the \$3,170.00, the Town did every page in the map and there were extensive changes in the maps.

Duane Downing made a motion to amend the agreement between Day Engineering and Town of Tonopah related to mapping services. This will extend the contract date until June 30, 2012. Glenn Hatch seconded. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

4. Tonopah Development Corporation Report

No action taken by the Board.

5. Public Comment

No action taken by the Board.

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

James Eason explained that on Tuesday September 27, 2011 he gave a presentation before the CDBG Forum for Nevada Commission on Economic Development on the status of the reuse project. The Town will look for a completion of drawings at the end of the fourth quarter 2011. The Town will go out to bid first quarter 2012, look at awarding the bid second quarter 2012, and look for completion of the project at the end of 2012.

James Eason explained that the Board received the letter from the District Attorney's Office. The first scheduled meeting with Aptus to start discussing the project will be October 3, 2011.

James Eason explained that Maintenance is working on the Visitor Center. It is being stained and has been pressure washed and cleaned up. The Town is working on winterizing the pool and will start winterizing the parks next month.

James Eason explained that the DOE has approved the Solar Reserve project for \$737,000,000.

Duane Downing asked about the parking situation at the Pocket Park. James Eason explained that the Town has received the first of the signs ordered and once the rest of the signs and the poles have come in, they will be put up.

James Eason explained that the Town does have a resolution to the reader board.

7. 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.

8. 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.

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

This item was tabled.

10. Closure of meeting pursuant to NRS 241.015(2)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation

This item was tabled.

11. Closed meeting, pursuant to NRS 241.015(2)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation

This item was tabled.

12. Discussion, deliberation and possible decision on conference with legal counsel regarding potential or current litigation presented in the closed meeting

This item was tabled.

13. Correspondence

Round Mountain Town Board Meeting Minutes – 09/13/2011

Thank You Letter to Jim Medici – 09/14/2011

Annual Environmental Monitoring Report Released – 09/19/2011

Letter from the Nye County District Attorney – 09/19/2011

Horace Carlyle feels that the opinion from the District Attorney is straight forward.

Duane Downing noted that there is nothing holding the Town back from proceeding with the project. Horace Carlyle noted that it is just a policy decision.

Economic Issues, Future Growth, Social Media Among Topics at Governor's Conference on Tourism – 09/21/2011

Nye County Water District Governing Board Meeting Agenda – 09/26/2011

Pahrump Town Board Meeting Agenda – 09/27/2011

NNSS Wraps Up RA Works with a List of Major Achievements – 09/26/2011

Round Mountain Town Board Meeting Agenda – 09/27/2011

Beatty Town Advisory Board Meeting Agenda – 09/28/2011

Pahrump Town Board Retreat Meeting Agenda – 10/04/2011

14. Approval of Vouchers for Payment

James Eason explained that on Friday September 23, 2011, he, Heather Ingalls and Chris Mulkerns had a conference call with Bud Hickey, Ed Lawson, and Tom Sutherland from YESCO. They are aware of the problems with the sign. The latest problem with the sign is the crashing of the computer in it. The AC unit in the sign went out, stopped cooling off the unit, and fried the motherboard. He explained that the Board will sign another invoice for \$2,378.00 to bring the sign back online. When the Town received the sign, it opted at that time to not go under a maintenance program but the warranty on the sign has expired. The solution is to not put in anymore AC units but rather fans. He explained that YESCO has submitted two maintenance proposals. One is for \$275 a month and the other is for \$195 a month. The Board will be presented with the two proposals at the next meeting. The agreements do cover parts and labor. Chris Mulkerns explained that the biggest part of current invoices has been travel time because they charge the Town to travel from Reno. James Eason explained that the Town has also asked for an indicator light to notify when the system goes down.

The vouchers were reviewed and all were signed by Board members. Duane Downing made a motion to approve the vouchers as presented for payment. Glenn Hatch seconded. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

15. Adjourn

Meeting was adjourned at 7:51 pm.

Minutes transcribed by:

Approved:

Mariah Rivero

Jon Zane, Chairman

Horace Carlyle, Vice Chairman

Javier Gonzalez, Clerk

Glenn Hatch, Member

Duane Downing, Member