

TONOPAH TOWN BOARD

MEETING MINUTES

FEBRUARY 23, 2011

Town Board Vice Chairman Horace Carlyle called the meeting to order at 7:00 pm. Also present were Glenn Hatch and Duane Downing. Javier Gonzalez was present by conference call. Jon Zane was absent. There were four other people in attendance.

1. Review and Approval of Minutes from Regular Meeting held on February 23, 2011.

Glenn Hatch made a motion to approve the minutes from regular meeting held on February 9, 2011. Duane Downing seconded. Motion passed 3-0-2 (Jon Zane was absent and Javier Gonzalez abstained).

2. Permission to use Baseball and Softball Fields at Joe Friel Sports Complex for Spring Sports Season.

Horace Carlyle took corrective action for a violation of the Open Meeting Law prior to the start of the Tonopah Town Board Meeting held on February 23, 2011. He noted that he answered a question from another Board Member, Duane Downing, with a quorum present.

Duane Downing explained that he questioned past use of the softball and baseball fields by the High School and the fee involved with that use.

Al Eiseman explained that the High School comes before the board every year around this time for permission to use the fields. The Spring Sports season for baseball and softball begins on February 28, 2011 and ends on May 27, 2011. He explained that when the check is created, the certificate of insurance will be provided at the same time. James Eason requested a Spring Sports schedule be provided to the Town as well.

Javier Gonzalez disclosed that he is the assistant baseball coach for the High School and he is paid for this position. Joni Eastly explained that since he does not benefit financially, he does not have to abstain from the vote. He simply has to disclose his position.

Horace Carlyle asked for the amount Nye County School District will pay for the contract. Al Eiseman noted that the School District paid \$1,800.00 the previous year. James Eason explained that the standard contract presented is for \$2,000.00. This amount is the same as previous years. Al Eiseman said that the School District would cover the full price of the contract.

Duane Downing made a motion to approved the use of the baseball and softball fields at Joe Friel Complex by the Tonopah High School for the contracted amount of \$2,000.00. Glenn Hatch seconded. Motion passed 4-0-1 (Jon Zane absent).

3. Discussion and Possible Decision regarding Approval to amend Aptus Architecture Agreement to include additional cost in the amount of \$8,750 for structural engineer to review all three sites included in the scope of work approved at the January 26, 2011 meeting.

Duane Downing noted that this issue was discussed at the previous meeting. The Board approved one increase to the contract and was informed about the second increase.

Horace Carlyle explained the situation from the previous meeting. He noted that Susan Dudley pointed out that this is an inexpensive way to get total confirmation on the structural integrity of the Belvada, the existing Convention Center, and the Union Plaza.

Glenn Hatch made a motion to approve the amendment to the Aptus Architecture Agreement to include additional cost in the amount of \$8,750.00. Duane Downing seconded. Motion passed 4-0-1 (Jon Zane absent).

4. Tonopah Development Corporation Report

Joni Eastly noted that the Tonopah Development Corporation Board has not had any formal meetings for quite some time. They do have an employee working in the office. He has been there for about four months and is a contract employee, Randy Alexander. She explained that while no formal meetings have been held, several members are working at furthering the Century Plan downtown. Joni explained that NDOT notified her that they had set aside \$4,000,000 for the entire state to provide economic development grants for communities less than 5,000 people and Tonopah qualifies. Joni, with the help of James Eason, has developed a plan to finish the Pocket Park in front of the Fire House. She noted that this is one of the first A-Z Brownfield Redevelopment projects in Nye County. The Town acquired the property through a CDBG. The Town received money from the Nevada Division of Environmental Protection and EPA to do Phase 1 and Phase 2 hazard identification. Nye County gave the Town money to demolish the building residing on the property. PEPT and various grants Nye County received at the federal level provided the money used to build the Fire Station.

Joni Eastly noted that she and another member of the community, Chris Bramwell, are writing a grant. They want to put a pavilion on the lot. The pavilion, a rectangular building, will sit at an angle at the back of the lot. Also included in the grant are a number of period reproduction light poles. These would go around the park area and along the roadway leading up to the firehouse. Money is included for landscaping, most likely rock. Benches and trash receptacles will be worked into this as well. Some provision may be provided for a sound system in the pavilion.

Joni Eastly reiterated that the \$4,000,000 was to be split around the state and she intends to ask for about \$150,000 to complete the entire property. It will be completed at no cost to the Town or Nye County. There is a need for some kind of signaling which would stop traffic in both directions should the ambulance or fire trucks need to leave the building. This provision will be included in the grant.

James Eason explained that according to NDOT, one component of the project must promote economic development. He explained that the Tonopah Farmer's Market is held at the Pocket Park every July to October. A plan has been submitted for this to be incorporated into the pavilion. It is there to enhance the Farmer's Market. The existing shade structure will be relocated to another park. Joni Eastly noted that the Pocket Park area is a very important gateway into the downtown area. This is the first thing traffic from the north sees when entering the downtown area. This project fulfills several things. It meets some of the goals set forth in the Century Plan. It also completes a Brownfield redevelopment plan.

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 he and Joni attended a teleconference interview with NPR regarding the Solar Reserve project. Congress wants to reduce the DOE Loan Guarantee Program. Joni Eastly explained that Congress wants to eliminate this program for anyone who has not had the loan guarantee approved. James Eason explained that this could impact the Solar Reserve project because they have not been approved yet. They are on the second round of approval for their DOE. They are still moving forward with the project and have solidified the land deal. One reason the DOE has yet to be approved is because they have only just recently selected their EPC contractor, ACI Cobra. The Town is still working on promoting and supporting the project.

James Eason noted that there is an agenda item for the next Board of County Commissioners Meeting to take the remaining funding from the firehouse utility fund to add a few more items to the before opening it to general use. These items include the snow blocks on the roof, concrete in the back area not included in the original design, and the sealing of all the bay floors. He noted that on February 28, 2011 all the floors will be cleaned and waxed. Move in will probably occur during the second week in March. He brought up the wind damage to some of the lights. The contractor has fixed the lights. Duane Downing brought up the concern regarding ease of access to the roof from the ground. James Eason explained that the back parapet is designed the way it is to prevent people from climbing on the roof. He mentioned that the original design of the building included parapets on both sides. However, these were removed due to the concern over the formation of ice dams and adequate drainage.

James Eason explained that Aptus and their team of experts was in town last week to examine the Belvada, the Convention Center, and Union Plaza. They brought an electrical contractor, a mechanical contractor, a structural engineer, and a general contractor to evaluate all three sites. They determined that structurally the Belvada is fine. However, the building does not meet today's codes, particularly the seismic code. Research is being conducted to see if the building falls under the category of historic. If this occurs, then the building can stay as it is. If it does not fall under the historic category, it will have to be retrofitted for seismic activity. If retrofitting is

required, the building use of the building for this project is not feasibly possible. The structural engineer did recommend that the Town put windows in, re-point the bricks, remove the paint so the bricks can breath, replace the roof, and rix the gutters to stop the water damage. From the top down, the building is fine It is the lateral movement in the event of seismic activity that is the concern. James noted that the stone is steel reinforced. He explained that if the building is used, the electrical and HVAC would all be brand new.

James Eason moved on to the explanation of the Convention Center. The original design called for the removal of the two pillars in the back. There is an added cost with this so Aptus is going to explore the possibility of moving some of them and what that cost would be. Diane Perchetti, who works at the Convention Center, had a lot of input. She felt that the atmosphere and the tiered level is what made the Convention Center and is why people enjoyed the building. The recommendation is to keep the second level but remove part of it to increase the overall floor space. Aptus is also going to look at eliminated the solid wall back by the bar. James Eason explained that the roof needs to be repaired and the envelope of the building needs to be fixed to make it more energy efficient. He explained that Aptus has explored the possibility of reducing the size of the bar and making it a half circle. The raised floor is a false floor and the only area under the building that may cause concern is a small depression back by the kitchen. Structurally the building is in good shape.

Javier Gonzalez noted that his cell phone battery was dying so he had to leave the meeting early (7:41 pm).

James Eason explained that the engineer and contractors did not say anything about the wall at Union Plaza. The Town needs to look at the fencing, the upper tiered parking, and lighting. Joni Eastly noted that lot if a design is ready, there is still time for the Town to submit a grant to complete the parking.

James Eason explained that there was a meeting with Midway Gold Wednesday February 23, 2011. Phase 2 of the plan with Shaw Engineering, the sinking of monitoring wells, is beginning. The Town needs to look at the chemistry in the basin and find the best location for a new water source. The report from Shaw Engineering revealed that the Town might still have to treat for arsenic but if the treatment level is lower than the cost goes down. There are issues with sand dunes at some locations; however, the archaeological side of the Town land is not a concern. Unfortunately, there are some cultural concerns farther up on BLM land. The goal is to get higher up on the bench to get away from the sand dunes and to get farther away from the clay. One location is up in the gravels but is a greater distance from the well field. The monitoring well would be 2.25 miles from the highway up the Belmont road. Horace Carlyle noted that Rick Moritz from Midway Gold suggested using the right of way along the highway to avoid going through culturally sensitive land. The problem with the highway is that it has never had a cultural study conducted. James Eason noted that the Town has a transmission line from Rye Patch to Tonopah which has been in the ground for over 100 years and has been permitted. The current steel transmission line was put in place in the 1940s. There has never been a cultural study done on that line. When the Town updates the pipe, a cultural study will have to be completed.

Horace Carlyle explained that the Town received the Shaw Engineering report about two weeks ago and he encouraged the Board Members to look at it.

James Eason encouraged the Board to contact either him or Joe Westerlund to take a trip out into the field. He explained that the conditions out there are very different from what is in the reports. He felt that the water system is very elaborate for a community the size of Tonopah. The Town is one of the first communities in the state that has an inter basin transfer which transports water from one basin to another. He also explained that there are issues with transmission, with the wells, with treatment, and a variety of other issues. He explained that the decisions the Board makes regarding the water system are fifty to one hundred year decisions.

Horace Carlyle felt that when it comes time to drill the test wells, a more detailed topographic map that contains GIS positions that show where the wells actually are may be necessary. He explained that Rick Moritz pointed out how sensitive the BLM is regarding the issues with the sand dunes.

James Eason noted that everything the Town does is presented to the BLM and the Town works very closely with them. The Town has property rights. He noted that he has an issue with the connectivity clause because connectivity can be shown between everything the Town does.

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

Tonopah Town Board Workshop Minutes – 02/09/2011
Obama Administration Proposes 7 ½ % Cut to CDBG Program – 02/09/2011
Nye County Comprehensive Plan Update Meeting – 02/15/2011
Nye County Board of Commissioners Meeting Agenda – 02/15/2011
Nye County Local Emergency Planning Committee Meeting Agenda – 02/17/2011
Pahrump Town Board Meeting Agenda – 02/22/2011
Round Mountain Town Board Meeting Agenda – 02/22/2011
Beatty Town Advisory Board Meeting Agenda – 02/23/2011

Joni Eastly explained she had sent a letter regarding the cuts to the CDBG Program.

James Eason noted that the Town currently has an application for a grant with CDBG for the Belvada. The grant is written to account for the stabilization of the building and eliminate the public nuisance. The Town would take ownership of the building but if the Town does not take ownership, Nye County will take it on back taxes.

14. 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. Glenn Hatch seconded. Motion passed 3-0-2 (Javier Gonzalez and Jon Zane were absent).

15. Adjourn

Meeting was adjourned at 8:26 pm.

Tonopah Town Board Meeting

January 26, 2011

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Minutes transcribed by:

Mariah Rivero

Mariah Rivero

Approved:

Jon Zane, Chairman

[Signature]

Horace Carlyle, Vice Chairman

[Signature]

Javier Gonzalez, Clerk

Glenn Hatch, Member

[Signature]

Duane Downing, Member