

TONOPAH TOWN BOARD

MEETING MINUTES

APRIL 11, 2012

Tonopah Town Board Vice Chairman Horace Carlyle called the meeting to order at 7:03 pm. Also present was Duane Downing. Glenn Hatch was present via telephone. Jon Zane and Javier Gonzalez were absent. There were five other people in attendance.

- 1 (a). Review and approval of minutes, in context, from regular meeting held on February 8, 2012.

This item was tabled.

- (b) Review and approval of minutes, in context, from regular meeting held on February 22, 2012.

This item was tabled.

- (c) Review and approval of minutes, in context, from regular meeting held on March 28, 2012.

Duane Downing made a motion to approve the minutes, in context, from regular meeting held on March 28, 2012. Horace Carlyle seconded. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

- (d) Review and approval of minutes, in context, from budget workshop held on March 30, 2012.

Duane Downing made a motion to approve the minutes, in context, from budget workshop held on March 30, 2012. Horace Carlyle seconded. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

2. Public Comment

No action taken by the Board.

3. Approval of Tentative Budget for Town of Tonopah/Tonopah Public Utilities for Fiscal Year 2012/2013.

Chris Mulkerns noted that the Board received some amended pages for the budget. The Town received new numbers on the abatement. It gave the Town an extra \$225.00 in property tax. The total went from \$143,426 to \$143,651. This changed several pages in the budget. The last two pages of the budget are Form 31 and Form 32. These are new and ask the Town to list any

contracts for services. The Town listed Dan McArthur as the annual service for the audit. It asks for the vendor, the effective and termination dates of the contract, and what the Town expects to spend for FY 12/13 and FY 13/14. The second page is for privatization contracts. The Town listed the company used for the temporary employment services for the Mining Park. James Eason explained that a lot of governmental entities are going to privatization. He noted that the Department of Taxation has started tracking this.

Chris Mulkerns explained that on the TPU side of the budget, the estimates for the current year changed. Water revenue was at \$610,000. It has been brought down to \$590,000. This was based on the past month's numbers coming in slightly lower. It does not change any of the budget for next year but it does bring the ending fund balance down slightly.

Chris Mulkerns noted that if the Board approves the tentative budget she will sign it and send it to the Department of Taxation.

Duane Downing made a motion to approve the tentative budget for the Town of Tonopah/Tonopah Public Utilities for Fiscal Year 2012/2013. Horace Carlyle seconded. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

4. Possible approval of 5/8ths of 1% Room Tax Grant to advertise and promote the 2012 Jim Butler Days Arm Wrestling Competition

Joe Westerlund explained that they started getting into this about two years ago. This year, they have teamed up with US Arm Wrestling Association. They will run everything. They will bring everything necessary except for a venue and speakers and microphones. He explained that there are several websites that list the event. The USAA runs the Arnold Classic, which is the most prestigious arm wrestling contest in the United States. The individual in charge of the USAA wants to make Tonopah the West Coast Qualifier for the Classic. Because it is a qualifier, there will be numerous pros there and as a result MyArmTV.com will be there to film the entire thing. He noted that the USAA is bringing up shirts that have Tonopah, Nevada and Jim Butler Days listed on them. They are expecting to have about 400 people this year. It will be called the Nevada State Pro-Am. He explained that they are requesting \$1,427.50. This will cover all of the plaques, trophies, competitor t-shirts, mailers, and flyers. There will be 1,000 flyers put out and 600 mailers sent out to professionals.

Duane Downing wanted to know what percentage the \$1,427.50 was of the entire project cost. Joe Westerlund noted that this just covers the advertising. It is \$500.00 for the mailers and flyers, including postage. It is \$927.50 for the t-shirts, plaques and trophies. Lisa Westerlund explained that the rest of the budget comes through donations.

Duane Downing made a motion to Approved the 5/8ths of 1% Room Tax Grant to advertise and promote the 2012 Jim Butler Days Arm Wrestling Competition in the amount of \$1,427.50. Horace Carlyle seconded. Lisa Westerlund explained that for every entry in the event, the group helping run the event will donate back \$10.00 for a community project. James Eason noted that Hawthorne has always been known for its arm wrestling over Armed Forces Day but this now

makes Tonopah and Jim Butler Days know for arm wrestling. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

5. Approval of amendment to Tonopah Public Utilities Water System Cross Connection Control Plan

Joe Westerlund explained that on page 4, a small change needed to be made. The section entitled Internal Distribution Protection was added. TPU wanted to be able to be versatile with regards to placement of the backflow prevention devices. TPU is working at getting a tester as well as a specialist. This will allow TPU to determine if an internal or external device is needed. This gives TPU the option of isolating the hazards rather than tearing up the main outside the building. It also gives business owners the option of being more economical.

Duane Downing made a motion to approve the amendment to the Tonopah Public Utilities Cross Connection Control Plan as listed on Page number 4. Horace Carlyle seconded. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

6. Approval to surplus a 1982 International Dump Truck, and authorize staff to advertise for sealed bids for said dump truck and various other inventory previously approved for surplus on October 26, 2011.

James Eason explained that Joe Westerlund has already put in for a new dump truck from State Purchasing. The Town is surplus the old 1982 dump truck along with the rest of the inventory surplus in October. This is just adding to that inventory. Joe Westerlund explained that Emmett Chastain looked at the truck and there is a rear main seal leak and a cam-shaft problem. There are also no seatbelts.

Duane Downing made a motion to approve to surplus the 1982 International Dump Truck and authorize staff to advertise for sealed bids for said dump truck and various other inventory previously approved for surplus on October 26, 2011. Horace Carlyle seconded. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent). James Eason explained that the bid will include the Nye County bus that says "Me and Jim Found Tonopah." The Town is working with Nye County staff and the BOCC has already approved to surplus it.

The Tonopah Town Board recessed to the Tonopah Library Board of Trustees at 7:28 pm. The Tonopah Town Board returned at 7:55 pm.

7. Discussion and possible decision regarding establishment of the Tonopah Historic Mining Park Fund within the Tonopah Community Fund, a master fund agreement with the Community Foundation of Western Nevada, and a resolution authorizing transfer of funds as budgeted from the Town General Fund to said Mining Park Fund.

James Eason explained that this is the same as for the Library. The only difference is that the transfer of funds will not take place until the FY 12/13 budget. The funding will come out of the capital after the Town has repaid the construction loan for the Convention Center/Belvada

Project. This is an initial gift of \$25,000. With establishing this fund, it will allow other entities to donate to the Mining Park and will go towards the general operations of the Mining Park as approved by the Board. The principal will stay whole and the interest will be used for funding.

Horace Carlyle explained that the Town has never established an independent fund source that can be used to supplement the Mining Park Budget should hard times ever arise. It also provides a place for other entities to donate money to.

Duane Downing feels this is a good starting point for getting the Mining Park self-sufficient.

Duane Downing made a motion to approve the establishment of the Tonopah Historical Mining Park Fund within the Tonopah Community Fund, a master fund agreement with the Community Foundation of Western Nevada. Horace Carlyle seconded. James Eason noted that the language for the agreement is exactly the same as the Library, with the exception that it is the Mining Park Fund. Chris Askins was not able to get the agreement to the Town on time as there were a few changes. Duane Downing amended his motion to establish the Tonopah Historical Mining Park Fund within the Tonopah Community Fund, a master fund agreement with the Community Foundation of Western Nevada and authorize Town Manager James Eason to sign the paperwork for the establishment of that fund. Horace Carlyle seconded. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

Duane Downing made a motion to approve the resolution authorizing transfer of funds as budgeted of \$25,000 from the Town General Fund to the said Mining Park Fund to take place during the budget year 2012/2013. Horace Carlyle seconded. James Eason explained that this will amend the tentative budget. The Board will see those changes in the final budget. Duane Downing amended his motion to approve the resolution 12-01 authorizing the transfer of funds as budgeted of \$25,000 from the Town General Fund to the said Mining Park Fund to take place during budget year 2012/2013. Horace Carlyle seconded. James Eason explained that both resolutions are the first resolutions passed this year. He explained that the first resolution is for the Tonopah Library District, which is separate from the Town of Tonopah. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

8. Approval of MOU between the Town of Tonopah and Tonopah Solar Energy LLC

James Eason explained that there were a couple of changes requested by the District Attorney. This has already been approved and was approved contingent upon his changes back in December 2011. The changes do not affect the finances.

Duane Downing made a motion to approve the Memorandum of Understanding between the Town of Tonopah and Tonopah Solar Energy noting the changes as recommended by the Nye County District Attorney providing that those changes do not make any changes to the financial side of the MOU. Horace Carlyle seconded. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

9. Tonopah Department Budget Reports

Chris Mulkerns noted that the Town is 3/4th of the way through the budget year.

Duane Downing feels there are a lot of positively reflected in the budget. He noted that both room tax and business license revenue are up.

No action taken by the Board.

10. Tonopah Development Corporation Report

No action taken by the Board.

11. Public Comment

No action taken by the Board.

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

James Eason noted that next week is the Rural Roundup. He, Heather Ingalls, and Mariah Rivero will be attending. The following week is the Pool/Pact Conference Board Meeting. Both he and Chris Mulkerns will be attending. He noted that staff will be conducting interviews for the open position at the library. There are currently ads in the newspaper for lifeguards. The water is being turned on for all the parks. He noted that the Town will be reseeding different areas of the parks and ball fields. The Convention Center Project is moving forward. Aptus is sending their information to USDA to be reviewed. The Town should have the final numbers back in the next couple of weeks. He noted that the water project is moving along. Shaw Engineering is working on the drawings. He noted that the process for firefighter physicals was included in the Board packets. There is a line item that has been funded for physicals. Horace Carlyle requested that staff find a way to send this information to the individual volunteers.

Duane Downing noted that the backdoor to the Belvada has been boarded up. James Eason explained that it has been open off and on as there have been individuals in and out of the building to check on mitigating issues inside. Duane Downing explained that there are a lot of organizations that would consider Tonopah as a central location for tournaments if the infields at the ball fields were grass. He suggested looking at the potential of putting grass in the infields.

Duane Downing noted that there is a potential safety hazard at the entrance to the Tonopah Apartments. There are a lot of individuals who walk across the street after dark. He feels that the Town should look at the cost and the legality of putting a streetlight there. He noted that the County is talking to NDOT about putting in a crosswalk there.

13. 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.

14. 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.

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

This item was tabled.

16. 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.

17. 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.

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

This item was tabled.

19. Correspondence

Email from Tina Landsberry regarding Firefighter Physicals – 03/21/2012

Round Mountain Town Board Meeting Minutes – 03/27/2012

Nye County Board of Commissioners Meeting Agenda – 04/03/2012

Nye County Airports: March 2012 – 04/04/2012

Pahrump Town Board Meeting Agenda – 04/10/2012

Round Mountain Town Board Meeting Agenda – 04/10/2012

Policy of Non-Discrimination Section 504 Public Notice – 04/10/2012

20. 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. Horace Carlyle seconded. Motion passed 3-0-2 (Jon Zane and Javier Gonzalez were absent).

21. Adjourn

Meeting was adjourned at 8:34 pm.

Minutes transcribed by:

Approved:

Mariah Rivero

Jon Zane, Chairman

Horace Carlyle, Vice Chairman

Javier Gonzalez, Clerk

Glenn Hatch, Member

Duane Downing, Member