

TONOPAH TOWN BOARD

MEETING MINUTES

MARCH 14, 2012

Tonopah Town Board Chairman Jon Zane called the meeting to order at 7:02 pm. Also present were Horace Carlyle and Duane Downing. Glenn Hatch was present via telephone. Javier Gonzalez was absent. There were seven other people in attendance.

1 (a). Review and approval of minutes from regular meeting held on February 08, 2012.

This item was tabled.

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

This item was tabled.

(c). Review and approval of minutes from public workshop held on February 29, 2012.

Duane Downing made a motion to approve the minutes, in context, from public workshop held on February 29, 2012. Horace Carlyle seconded. Motion passed 3-0-1-1 (Javier Gonzalez was absent and Glenn Hatch abstained).

(d). Review and approval of minutes from special meeting held on February 29, 2012.

Duane Downing made a motion to approve the minutes, in context, from special meeting held on February 29, 2012. Horace Carlyle seconded. Motion passed 3-0-1-1 (Javier Gonzalez was absent and Glenn Hatch abstained).

(e). Review and approval of minutes from special meeting held on March 07, 2012.

Duane Downing made a motion to approve the minutes, in context, from special meeting held on March 07, 2012. Horace Carlyle seconded. Motion passed 4-0-1 (Javier Gonzalez was absent).

2. Public Comment

No action taken by the Board.

3. Appointment of independent auditor for Fiscal Year 2012/2013.

Chris Mulkerns explained that this is to appoint Dan McArthur as the auditor for FY 11/12. James Eason explained that the auditor is appointed for the period we are in right now. The audit process will begin in and end in FY 12/13.

Duane Downing made a motion to appoint Dan McArthur, LTD. as independent auditor for Fiscal Year 2012/2013. Horace Carlyle seconded. Motion passed 4-0-1 (Javier Gonzalez was absent). Horace Carlyle explained that the letter specifies that the audit the Board is approving is from July 1st to June 30th. James Eason explained that he will audit 2011/2012 but he will start auditing it for the period of 2012/2013. Motion passed 4-0-1 (Javier Gonzalez was absent).

Duane Downing amended his motion to appoint the independent auditor Dan McArthur, LTD. for Fiscal Year 2011/2012 with the audit to be conducted during Fiscal Year 2012/2013. Horace Carlyle seconded. Motion passed 4-0-1 (Javier Gonzalez was absent).

4. Discussion and possible decision to grant permission to Nye County School District to use the Joe Friel Sports Complex for the Spring sports season.

Al Eiseman explained that he comes before the Board around this time each year to use the fields for the softball and baseball teams. He noted that they have been practicing on them since about the 25th of February. James Eason explained that the contract has not changed. He and Javier Gonzalez will meet to go through the fields tomorrow. There is currently no water turned on because of the possibility of freezing the backflow preventer. He noted that the Town is aware of the issues with the gophers. Al Eiseman noted that the baseball field is not as bad as the softball fields.

Horace Carlyle made a motion to grant permission to Nye County School District to use the Joe Friel Sports Complex for the spring sports season for the cost of \$2,000.00. Duane Downing seconded. Al Eiseman noted that this will go from the 25th of February to the 21st of May. James Eason requested a schedule for the Town and noted that this is for the entire complex. Motion passed 4-0-1 (Javier Gonzalez was absent). Al Eiseman noted that he has a call in to Pahump to get proof of insurance.

The Tonopah Town Board recessed to the Tonopah Library Board at 7:19 pm.
The Tonopah Town Board returned at 7:35 pm.
The Board returned to Item 3.

5. Tonopah Department Budget Reports

Chris Mulkerns noted that it is about 2/3rd of the way through the fiscal year. Horace Carlyle wanted to know why the sewer revenue was always lower than the water revenue. Chris Mulkerns explained that it is showing lower because of the rate change the Board approved for the industrial and hydrant meter users. Those users are using water and not sewer. The revenue is still above what was budgeted.

James Eason explained that TPU tracks all of the pumpage and usage rates and the pumpage rates have to be turned into the State. TPU also tracks what it reintroduces into the basin through the ribs. He noted that the flow rates from the sewer standpoint are not changing.

Horace Carlyle asked about the propane line item for Transmissions. Chris Mulkerns explained that this is for the propane heater at the Rye Patch Pump House as well as the caretaker. She explained that in the past this has been budgeted for but he came in mid budget year this year.

No action taken by the Board.

6. Tonopah Development Corporation Report

James Eason noted that TDC may be calling a meeting to discuss the upcoming events for Jim Butler Days. The Mining Competition is moving forward and there is great news coming in for the arm wrestling. The parade is up in the air at the moment.

No action taken by the Board.

7. Public Comment

No action taken by the Board.

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

James Eason explained that he attended the meeting on the Open Meeting Law. The new updated manual will be coming out in April. There are some changes. On Friday March 16, 2011 there is a budget workshop at 9:00 am in the Convention Center. He explained that the plan is for Friday to be the long session. All the suggestions that everyone has had through the course of the year will be discussed.

James Eason explained that he will be meeting with Aptus on Monday. They will be going through the Convention Center and the Belvada. He noted that he spoke to Wayne Carlson. Mr. Carlson has reviewed what was submitted by Aptus for the office space and he is fine with it as long as the existing seismic upgrades are included. It has actually increased the Town's time in the building.

James Eason explained that the Town will start its pigeon removal project at the Mining Park. It needs to be in an enclosed area. Duane Downing noted that there are a lot of people around Town who feed the pigeons. He explained that there are Town Boards around the country that have made it illegal to feed them.

James Eason explained that the Town needs to discuss a timeline for taking ownership of the Belvada. The Board will sign a voucher for the fees for the transfer. He explained that it is just a matter of when the Town wants to submit the papers. The Town has been trying to push this back because of the costs for the final estimates and the final bid. Chris Mulkerns explained that the Town cannot go to bid unless it has ownership of the building. James Eason explained that with the approval of the funds for the taxes, he will speak with the Deputy Treasurer to set out a schedule.

Horace Carlyle explained that he went to the Fire Department business meeting. He noted that there is a group of firefighters that have not taken their physicals yet. He feels that the Town Board is going to have to look at paying for physicals. Chris Mulkerns directed the Board to the fire department budget. The first line item is set aside specifically for physicals. Jon Zane noted that he pointed out to the Fire Chief that he would like the volunteers at the Town Board meetings so they can participate and the Town can know what they are doing. James Eason explained that he received Mr. Carlyle's email. He explained that the at the last budget year the Town knew it was going to have to pay for physicals and budgeted for it. The list of those whose physicals are due is sent to the Fire Chief. The paperwork for setting up physicals is routed through Nye County Emergency Services. Once the physical is complete, the bill is sent to Nye County Emergency Services who then back-bills the Town.

James Eason explained that the Town is not going to move the compressor itself. Until L. N. Curtis comes in and installs it so it is set up and certified it will stay at the old firehouse so it is still in operation.

James Eason explained that the Fire Department also has truck issues and needs to decide what to do with the inventory. There are more trucks than necessary. He will be proposing to the fire chief, the contract maintenance individual, and other fireman about what to do.

James Eason explained that the Town has been working on the construction defects with the New Firehouse from day one but there is a legal process that has to be followed.

Jon Zane noted that the MOU is between Nye County Emergency Services and Town of Tonopah. James Eason explained that the Town Board signed the MOU two years ago and neither the Board or Nye County have dissolved that.

9. 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.

10. 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.

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

This item was tabled.

12. 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.

13. 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.

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

This item was tabled.

James Eason explained that the packet he provided for the Board on the Open Meeting Law discusses items 9-12. He noted that these are very rarely used but feels it is good for the Board to familiarize themselves with them.

15. Correspondence

State of Nevada: Report to Our Citizens

Round Mountain Town Board Meeting Minutes – 02/14/2012

Tonopah Town Board CEDS Workshop Minutes – 02/22/2012

Pahrump Town Board Meeting Agenda – 02/28/2012

Round Mountain Town Board Regular Meeting Agenda – 02/28/2012

Round Mountain Town Board Meeting Minutes 02/28/2012

Nye County Board of Commissioners Meeting Agenda – 03/06/2012

Round Mountain Town Board Special Meeting Agenda – 03/06/2012

Round Mountain Town Board Notice of Possible Quorum – 03/07/2012

Nye County Airports February 2012 Status Report – 03/07/2012

Nye County Board of Commissioners Teleconference Meeting Agenda – 03/12/2012

Round Mountain Town Board Regular Meeting Agenda – 03/13/2012

Pahrump Town Board Regular Meeting Agenda – 03/13/2012

Beatty Town Advisory Board Meeting Agenda – 03/14/2012

2012 Open Meeting Law and Legislative Amendments – 03/28/2012

Open Meeting Law 2011 Legislative Changes

Conflict of Interest Disclosure Fact Sheet

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. Horace Carlyle seconded. Motion passed 3-0-2 (Javier Gonzalez and Glenn Hatch were absent).

17. Adjourn

Meeting was adjourned at 8:22 pm.

Minutes transcribed by:

Approved:

Mariah Rivero

Jon Zane, Chairman

Horace Carlyle, Vice Chairman

Javier Gonzalez, Clerk

Glenn Hatch, Member

Duane Downing, Member