

TONOPAH TOWN BOARD

MEETING MINUTES

APRIL 25, 2012

Tonopah Town Board Vice Chairman Horace Carlyle called the meeting to order at 7:08 pm. Also present were Javier Gonzalez and Duane Downing. Glenn Hatch was present via teleconference. Jon Zane phoned in at 7:37 pm. There were six other people in attendance.

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

Javier Gonzalez made a motion to approve the minutes, in context, from regular meeting held on February 08, 2012. Horace Carlyle seconded. Motion passed 3-0-1-1 (Jon Zane was absent and Duane Downing abstained).

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

Duane Downing made a motion to approve the minutes, in context, from regular meeting held on February 22, 2012. Javier Gonzalez seconded. Motion passed 3-0-1-1 (Jon Zane was absent and Glenn Hatch abstained).

(c) Review and approval of summary from regular meeting held on April 11, 2012.

Duane Downing made a motion to approve the summary, in context, from regular meeting held on April 11, 2012. Horace Carlyle seconded. Motion passed 3-0-1-1 (Jon Zane was absent and Javier Gonzalez abstained).

2. Public Comment

No action taken by the Board.

3. Discussion and possible decision to grant request for Tonopah Little League to use Joe Friel Sports Complex and Highland Park for the 2012 season.

James Eason explained that there are no changes from the previous year's agreement.

Dana Friel wanted to know if the maintenance of the restrooms and the garbage pick-up was included. James Eason noted that it was discussed that Little League would compensate the Town for the maintenance.

Javier Gonzalez made a motion to grant the request to Tonopah Little League to use Joe Friel Sports Complex and Highland Park for the 2012 season. Duane Downing seconded. Motion passed 4-0-1 (Jon Zane was absent).

The Tonopah Town Board recessed to the Tonopah Library Board of Trustees at 7:14 pm. The Tonopah Town Board returned at 7:24 pm.

4. Review, discussion and possible decision and approval to advertise for bid on the Tonopah Convention Center and State Bank and Trust Co. (Belvada) Renovations.

Susan Dudley explained that on March 7, 2012, the Board approved to go forward with the project. At that time the project costs were \$1,933,621. Of that, \$1,579,236 was for construction costs. Of the construction costs, the Board agreed to go forward with \$1,196,633 from the obligated amount from USDA of \$1,453,000. There is also a grant of \$96,966 from USDA and a CDBG grant of \$250,000. Since the March 7, 2012 meeting, Aptus has been putting together the contract documents, the plans, and the specs. They are done and have been sent to CDBG and USDA. Both funders have to give notice to proceed to go to bid. CDBG has given notice to proceed to go to bid but USDA has not yet finished with their review.

Susan Dudley explained that she has sent the bid schedule and the Board's intentions to USDA. The meeting tonight would be to consider the advertisement to bid for the project based on the probable costs presented by Aptus. If the Board approves to go forward to bid, it will be subject to USDA concurrence with all plans, specs, and contract documents. If the Board goes to bid, May 7, 2012 will be the date the Town starts the 30 day bidding process by Aptus providing the plans and specifications to the plan holder houses. It will be advertised in the Las Vegas Review-Journal and Reno Gazette on May 9, 2012 and in the Tonopah Times on May 10, 2012. The bids will be opened at a special meeting on June 6, 2012. The bids will be awarded at the regularly scheduled meeting on June 13, 2012. She noted that the Town has to be under contract by June 30, 2012. If the bids are awarded at the June 13, 2012 Meeting, on June 14, 2012 the contract documents will be sent by mail and email to the contractor with instructions that the contract has to be returned along with his payment bond, performance bond, and certificate of insurance. This gets reviewed by the DA and they have to be to USDA by 9:00 on June 25, 2012. USDA has to sign the final contract document before it is considered under contract.

Susan Dudley explained that the Town has to be sure the funding is in place to go to bid. She noted that the Board did put in the budget that the Town will loan itself \$725,000 from the general fund into the Capital Projects Fund. There will be a notice in the paper on May 10, 2012 stating the Board's intention to authorize an interfund loan. This money will be paid back when the revenue bond for up to \$1,453,000 is issued to USDA. It is to defray the construction costs until the Town is ready to issue the bond. On June 13, 2012 the resolution will be adopted and the transfer will be made on July 1, 2012.

Horace Carlyle explained that if the Board chooses to go forward with the bidding process and the bids come back too high, the Town is not obligated to go any further. Susan Dudley explained that the Town does have the money from USDA loan and grant, CDBG grant, and the funds contributed by the Town to go to bid. She reiterated that if the Town goes to bid and the bids come back higher than the budgeted amount, the Board can stop the project. She noted that the Board also has the option of going up to the \$1,453,000 that has been obligated by USDA. There has to be enough money to go to bid and enough money to award the bid.

Susan Dudley explained that since the last meeting, the Board asked Aptus how comfortable they felt with the number. Since that time, they have finished the design. They have looked at every aspect of the design and have confirmed the numbers.

Brandon Sprague explained that after the Board approved the current scope of work, Aptus felt it would be important to internally hire another estimator to conduct an independent estimate. They would look at the final drawings and provide more information. He noted that this led to a lot of questions and investigations. They explored finishes to see what would fit the historic character and what would fit with the budget. He noted that once they vetted the number with the engineers, they shared the numbers with both estimators and received more information. For the roof on the Convention Center, RLB was able to have discussions with some of the vendors so Aptus feels comfortable with those numbers. He noted that the probable cost included a lot of historic work, including reusing the sashes. He explained that Aptus is looking at sealing up the building and looking at safety while still keeping the aesthetic of the building but not reusing the old sashes. The mechanical system was another big cost. After the 60% review, Aptus searched for an economical system that will work and be integrated for the ground floor but be implementable for going up to other floors in the future. He noted that Aptus is very comfortable with RLB's number and recommends taking that number and proceeding with the bid. He noted that the variable that they cannot control is that they cannot get a good market estimate with other similar projects.

James Eason explained that the market for this project is different from the market when the New Firehouse was built. He noted that the cost per square foot has increased. Brandon Sprague noted that a lot of the increase is in materials. James Eason noted that this project also includes historic parameters that the Town and contractors need to work within.

Susan Dudley explained that she asked Mr. Sprague to list the both estimates and add in the 10% contingency. She noted that the RLB number is just under the budget and the OCM estimate is over budget. She noted that Aptus has been up twice since the March 7, 2012 meeting to do some more reevaluation of the Belvada so they could get better drawings and get a better idea of possible unexpected issues. She noted that the USDA engineer John Nelson has also been through the building. Brandon Sprague noted that there are two areas Aptus is still concerned with and both deal with the brick. Until the roof comes off, it is unknown how much of the parapet has deteriorated back. He noted that they have asked the contractor for unit prices in case they have to dig deeper. He noted that on the west side of the building where it has been draining, they think it is just the face brick. He noted that they will not know if it is into the structure brick until it comes off. He explained that there have been three different teams that have evaluated that area and all feel it is just the surface brick.

Horace Carlyle feels that if the Town can do the building, it may save the Town from having to invest in a new building for the Town/TPU offices. He feels that going to bid is the only real way to get a true answer. James Eason noted that until the Town goes to bid, it will not know the actual estimates.

Duane Downing wanted to know if the Town owns the building. Susan Dudley noted that the Town has not taken title yet and will not do so until USDA had given authorization to go to bid. She noted that it is all set up to happen as soon as notice is given. The Town has to have title before going to bid. Duane Downing noted that if the numbers come back bad, the Town owns the building. Susan Dudley explained that the Town has the CDBG money. If the bids come in really high and the Board decides not to go through with the project, the Town will still have the CDBG money. She noted that there is the possibility that the Town can continue using that money to secure the building. Horace Carlyle explained that there is a public health and safety issue currently with the building. Susan Dudley explained that on March 7, 2012, the Town received a confirmed commitment from the EPA to do the clean up in the building. That is now out to bid. They have already come in and done the specs. They will take care of the asbestos, the lead based paint, the furnace spill in the basement, and the bird clean up. James Eason explained that they are also including all of the plywood to board up the building to keep the birds out.

Glenn Hatch made a motion to approve to advertise for bids for the Tonopah Convention Center and Belvada renovations project subject to USDA Rural Development issue of an authorization to bid. Horace Carlyle seconded. Motion passed 5-0.

Susan Dudley explained that on May 22, 2012 at 1:00 pm USDA and the State Historical Preservation Office will be at the parking lot with refreshments to honor the Town and Town Board for all of their due diligence.

Duane Downing explained that though he voted nay to the increase in project funds, he voted yes to this portion because the Town needs to know what the final bid numbers are to know if this is a viable project.

5. Discussion and possible decision regarding the exchange/transfer of three Town of Tonopah fire trucks to Nye County Emergency Services for the Nye County Pierce Truck.

James Eason explained that there is a Pierce Fire Truck that was going to be traded by Nye County Emergency Services for some other apparatus. The Town requested that it come to the Town. He suggested that Nye County use the extra inventory of vehicles for trading stock. There is an item on the BOCC agenda to move forward with this. Brent Jones of Nye County Emergency Services and Rob Elliot, the fire chief, have both agreed with this. The SCBAs, the apparatuses that hook into the truck, have to be upgraded for the new truck. This increases the water capacity from 500 to 1,500 gallons for a fire. This also gives the Town a newer fleet and a fleet that is common from a mechanical and training standpoint.

Duane Downing made a motion to authorize the exchange/transfer of three Town of Tonopah fire trucks, specifically the 1978 Ford Rescue, the 1982 Chevrolet Fire Truck and the 1991 E-1 Engine to Nye County Emergency Services for the Nye County Pierce Truck. Javier Gonzalez seconded. Motion passed 5-0.

6. Discussion and possible action by the Tonopah Town Board to seek to install safety lighting on or near the entrance to the Tonopah Studio/Tonopah Apartments.

Duane Downing noted that he brought this up at the last meeting and feels it behooves the Town to look into getting a light there for safety purposes for people crossing the street. Horace Carlyle feels the Town needs to seek information from NV Energy. He feels the Town needs to try and work with NDOT and Nye County. Duane Downing noted that by passing this, the Town is not committing to any specific project. The Board is just authorizing the Town to investigate and look into what it will take for this.

Duane Downing made a motion to approve the Town of Tonopah to seek information to install the safety lighting on or near the entrance to the Tonopah Studio/Tonopah Apartments off Highway 95 near the Burger King/Chevron business located on the north side of Tonopah. Jon Zane seconded. Motion passed 5-0.

7. Discussion and possible action by the Tonopah Town Board to get current interest earned on deposited funds with Nye County disbursed and credited to appropriate Town accounts on a timely basis.

Horace Carlyle noted that the Board is obligated to protect the interests of the Town. He feels that Board should authorize the Town Manager to send a letter to the Nye County Treasurer and the Nye County District Attorney for their input and advice. James Eason explained that if the Town cannot receive a response from any of the County officials, he recommends going to the next step and contacting the Department of Taxation. He noted that this is not just a Town of Tonopah issue but a county wide issue.

Duane Downing made a motion to authorize the Town of Tonopah, specifically the Town Manager to draft the letter to Nye County requesting information on current interest earned on deposited funds with Nye County disbursed and credited to appropriate Town accounts on a timely basis. Javier Gonzalez seconded. Motion passed 5-0.

8. Tonopah Development Corporation Report

Jon Zane explained that he spoke with Joni Eastley regarding the mural money. He noted that the TDC feels the money should remain with the Town and the TDC is open to suggestions that the Town may have to assist or aid in any way. He noted that they want to be able to keep the doors open in an effective manner and would like the Town to see if there is something that can be done to help the TDC. He reiterated that the money should stay with the Town for the benefit of the insurance and maintenance of the murals and monuments it has taken ownership of.

No action taken by the Board.

9. Public Comment

No action taken by the Board.

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

James Eason noted that last week he, Heather Ingalls, and Mariah Rivero attended the Rural Roundup in Incline. It helps promote tourism in rural Nevada. He noted that Elko County did a video production that was in regards to economic development in their community. It covered Wells, Carlin, Elko, West Wendover, and Jackpot. He feels that the Town needs to look at doing a video that addresses the highlights in the community for someone who is looking to relocate, where that information is available on the website, and what projects are going on in the community. He noted that the cost was estimated to be about \$2,500. It would go in conjunction with the CEDS document and CEDS workshop. This would also be something that needs to be updated every three to five years.

James Eason explained that he and Chris Mulkerns are going to the Pool/Pact Board Meeting Thursday and Friday. The water has been turned on at all of the parks. The Town is getting ready for Jim Butler Days and for the pool season. He noted that there are 8 applicants for the pool and hopefully the Town will end up with 4 certified lifeguards.

11. 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.

12. 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.

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

This item was tabled.

14. 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.

15. 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.

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

This item was tabled.

17. Correspondence

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

Nye County Board of Commissioners Meeting Agenda – 04/17/2012

Nye County Water District Governing Board Teleconference Agenda – 04/16/2012

Nye County Water District Governing Board Meeting Agenda – 04/23/2012

Round Mountain Town Board Meeting Agenda – 04/24/2012

Pahrump Town Board Meeting Agenda – 04/24/2012

Beatty Town Advisory Board Meeting Agenda – 04/25/2012

Nye County Animal Advisory Committee – 05/03/2012

18. Approval of Vouchers for Payment

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

19. Adjourn

Meeting was adjourned at 8:35 pm.

Minutes transcribed by:

Approved:

Mariah Rivero

Jon Zane, Chairman

Horace Carlyle, Vice Chairman

Javier Gonzalez, Clerk

Glenn Hatch, Member

Duane Downing, Member