

TONOPAH TOWN BOARD

MEETING MINUTES

AUGUST 08, 2012

Tonopah Town Board Chairman Jon Zane called the meeting to order at 7:00 pm. Also present were Horace Carlyle, Javier Gonzalez, Duane Downing, and Ron Kipp. There were seven other people in attendance.

1. Public Comment

No action taken by the Board.

2(a) Review and approval of minutes, in context, from regular meeting held on July 25, 2012.

Horace Carlyle made a motion to approve the minutes, in context, from special meeting held on July 25, 2012. Duane Downing seconded. Motion passed 5-0.

(b) Review and approval of minutes, in context, from special meeting for the Transmission Main Arsenic Project bid opening held on July 31, 2012.

Horace Carlyle made a motion to approve the minutes, in context, from special meeting for the Transmission Main Arsenic Project bid opening held on July 31, 2012. Javier Gonzalez seconded. Motion passed 4-1 (Duane Downing abstained).

(c) Review and approval of minutes, in context, from special meeting for the Reclaimed Water Treatment Facilities bid opening held on July 31, 2012.

Horace Carlyle made a motion to approve the minutes, in context, from special meeting for the Reclaimed Water Treatment Facilities bid opening held on July 31, 2012. Javier Gonzalez seconded. Motion passed 4-1 (Duane Downing abstained).

3. Discussion, decision, and possible approval of 5/8ths of 1% Room Tax Grant to advertise and promote the 2012 Nevada State Horseshoe Pitching Championships

Ken Jose explained that Tonopah is again hosting the State Horseshoe Pitching Championships. They purchase visors and t-shirts that get used throughout the year at different events. Jon Zane wanted to know what they were awarded last year. Mariah Rivero noted that they were awarded \$700.00 last year.

Javier Gonzalez made a motion to approve the 5/8<sup>th</sup> of 1% Room Tax Grant not to exceed the \$600.00 to advertise and promote the 2012 Nevada State Horseshoe Pitching Championships. Horace Carlyle seconded. Motion passed 5-0.

4. Review, discussion and possible approval to accept Nye County Parks and Recreation Grant in the amount of \$6,000 to purchase a 10-Station Fitness Trail for Highland Park

Horace Carlyle wanted to know if this will be supplemented out of the Parks budget. James Eason explained that the Town will need to supplement the concrete costs, the cost for the material to go around the equipment, and the shipping cost. He noted that tonight the Town is just asking the Board to accept the grant. Ron Kipp clarified that this money is just for equipment.

Duane Downing made a motion to accept the Nye County Parks and Recreation Grant in the amount of \$6,000 to purchase a 10-Station Fitness Trail for Highland Park. Horace Carlyle seconded. Motion passed 5-0.

5. Approval of proposed amendments to Town of Tonopah Personnel Policy as recommended by POOL/PACT Human Resources in their annual update to personnel policies.

Jon Zane wanted to know why the Town Manager and Chairman were highlighted. James Eason explained that this was done because of the Town's past history. At one time the Town of Tonopah did not have a Town Manager. By NRS, when there is no Town Manager, the Chairman of the Board becomes the de facto manager of the Town of Tonopah. He explained that there is a chain of command. He explained that, for example, if a lifeguard had a problem, they would go straight to their manager or supervisor. If they had an issue with the manager, they would go straight to the Town Manager. If the Town Manager position was vacant, the lifeguard would go to the Chairman of the Board. He noted that this is a recommendation from Pool/Pact.

Chris Mulkerns explained that Pool/Pact has sent a list of other recommendations for the Personnel Policy so there will be other changes on future agendas.

Javier Gonzalez made a motion to approve the proposed amendments to the Town of Tonopah Personnel Policy as recommended by Pool/Pact Human Resources to update the Personnel Policies. Horace Carlyle seconded. Motion passed 5-0.

Chris Mulkerns explained that on October 9<sup>th</sup> Pool/Pact will be doing a workshop at the Convention Center about Social Media.

The Tonopah Town Board recessed to the Tonopah Library Board of Trustees meeting at 7:15. The Tonopah Town Board returned at 7:22.

6. Review, discussion and possible decision and approval to award bid for the construction of Town of Tonopah – Tonopah Public Utilities Wells and Transmission Main Arsenic Mitigation Project.

Paul Winkelman explained that there were six bids. He noted that they were worried that there would be very few bids and the prices would be high. He explained that they had a lot of

questions after the meeting. After asking questions and checking references, he noted that everything looks good with the bid. The recommendation is to award the bid to Harbor Company as the lowest, responsive, responsible bidder. They have received concurrence from USDA.

Horace Carlyle wanted to know if the bidder would automatically get a change order if there was in fact an omission that could later increase the cost. Paul Winkelman explained that this would not happen. They have signed a contract and have agreed to furnish what is in the plans and specs and they will be held to that.

Duane Downing made a motion to award the bid for the Tonopah Wells and Transmission Main Arsenic Mitigation Project to Harbor Company, Inc. in the amount of \$3,493,472. Horace Carlyle seconded. Motion passed 5-0.

7. Review, discussion, and possible decision to approve to award bid for the construction of Town of Tonopah – Tonopah Public Utilities Reclaimed Water Treatment and Distribution Facilities Project.

Paul Winkelman explained that seven bids were received for this project and they were all very close to each other. He noted that they were all over the engineer's estimate. The low bidder is J.A. Tiberti. Shaw Engineering is very comfortable with the contractor, their project manager, and the subcontractors. The recommendation is to award them the bid.

Paul Winkelman explained that they have shuffled numbers around because of the overbid. The entire package is over by about \$165,000. They have reduced the contingency from \$90,000 to \$55,000 allowing an additional \$36,000 toward the overage. The Town has agreed to spend \$25,000 from the Sewer Capital Projects. James Eason explained that if the bid is awarded tonight, there is sufficient funding to cover the difference. It is already within the budget so no transfer is required. It is in the beginning/ending fund balance and is already in the current budget. The Board agreed to budget \$25,000 in Sewer Capital Projects for this year. Chris Mulkerns explained that the Board also budgeted \$40,000 for Equipment and Vehicle and \$5,000 for mapping. Staff will revise the Sewer Capital Projects to cover the overage and still be able to cover the previously identified items. Paul Winkelman explained that they will also evaluate and try to reduce some of the project costs.

Horace Carlyle explained that he is hesitant to compromise on the design unless it is really essential. Paul Winkelman explained that the revisions will be little things.

Jon Zane explained that the overall project is a cost saving project. It will give the Town the ability to sell water to companies for road work rather than having to pump that water to Town. He noted that further down the road, the Town may be able to water the parks with it. James Eason explained that the design gives the Town the ability to treat up to 33,000 gallons per day. If the Town can sell that much every day, that is a reduction of 12,045,000 that would not have to be pumped to Town per year. He noted that the Town has received over \$1,000,000 from State Revolving Loan Fund for this project. Javier Gonzalez noted that the bid will be awarded for one

amount and wanted to clarify that the \$105,000 is an internal thing that will be taken care of later. James Eason clarified that this would be taken care of at the next meeting.

Javier Gonzalez made a motion to award the bid for the construction of the Town of Tonopah – Tonopah Public Utilities Reclaimed Water Treatment and Distribution Facilities Project to J.A. Tiberti Construction for the amount of \$1,087,448. Horace Carlyle seconded. Motion passed 5-0.

8. Review, discussion and possible decision to award the bid for the Tonopah Convention Center and State Bank and Trust Co. (Belvada) Renovations.

James Eason explained that there were two bidders for the project. The lowest bid came in at around \$2.4 million. The Town asked for an extension on awarding the bid so it could explore some other funding mechanisms. The Town worked with USDA and SHPO to look at other options. He noted that the bids are \$1,000,000 over the estimated budget. The recommendation is to not award the bid.

Duane Downing made a motion to not award any bid for the Tonopah Convention Center and State Bank and Trust renovations. Horace Carlyle seconded. Motion passed 5-0.

9. Discussion and possible decision to direct Tonopah Staff to investigate the possibilities and options for how to address the repairs/rehabilitation needed on the Belvada including approaching CDBG regarding the continued use of the grant funds.

James Eason explained that Town Staff has requested this item to be able to move forward with the next phase of the project. The Town still has the \$250,000 from CDBG. Staff needs the Board's approval to sit down with CDBG and discuss what has happened since the bid opening and discuss the options. He explained that the Town still needs to continue with the phasing work from EPA for the remediation on the building.

James Eason explained that the Town has been awarded the \$250,000 from CDBG but it has not been given to the Town yet because the Town needs to have a plan. The original plan was to go out to bid. The Town now has to come up with a new plan. The Town will vet all options because there may be certain restrictions.

Horace Carlyle suggested scheduling a workshop once all of the options come back.

Horace Carlyle made a motion to direct Tonopah Town Staff to investigate the possibilities and options for how to address the repairs/rehabilitation needed on the Belvada including approaching CDBG regarding the continued use of the grant funds; this would include not only the specified things but any alternative staff may come up with. Javier Gonzalez seconded. Motion passed 5-0.

10. Discussion and possible decision to begin advertising a bid for replacing the roof on the Tonopah Convention Center.

James Eason explained that the Town is moving into Plan B. Staff is requesting permission to move forward to begin looking at the roof replacement of the Convention Center. It will be funded out of the Beginning/Ending Fund balance that was transferred over. Jon Zane wanted to know if staff had spoken with the CPA regarding using those funds. James Eason noted that everything is fine.

Duane Downing wanted to know the possibility of the Town utilizing some of the loan funds from the combined project for the Convention Center in its separate state. James Eason explained that the Town would have to do the Belvada. That was listed as first and the Convention Center was ancillary. During the workshop periods, the Board explored various options. They sent a recommendation to Aptus to do a hybrid of two options. That was the Belvada and the Convention Center. The Belvada is where the grant dollars would be used for the library facilities. He noted that using Town funding for the roof is a better option. It falls in line with the pay-as-you go option.

James Eason explained that there are still asbestos issues with the Convention Center. If the Town is awarded any money from EPA to do the remediation on the roof, the Town is looking at an October/November time frame.

Duane Downing may a motion to authorize the Town of Tonopah to begin advertising for a bid for replacement of the roof of the Tonopah Convention Center. Horace Carlyle seconded. Motion passed 5-0.

11. Approve and sign budget transfers for Town of Tonopah and Tonopah Public Utilities FY 11/12 budget

This item was tabled.

12. Tonopah Department Budget Reports

Chris Mulkerns explained that there are two reports, the almost complete one for FY 11/12 and the first one for FY 12/13.

Duane Downing noted that Convention Center Operating Supplies are at \$14,857 and the budgeted amount is \$3,325. He wanted to know if this was due to the tables and chairs. Chris Mulkerns explained that at the budget workshop, the Board approved to order half of the tables and chairs needed in that budget. The other half was ordered in FY 12/13.

Ron Kipp wanted to know why the Town pays for water for the parks when the Town owns the water company. James Eason explained that TPU is an enterprise fund. It is another term for a stand-alone business unit within a governmental entity. They have to be a stand-alone and they have to charge for the services they provide. The Town pays the same rate as everyone else. He

explained that in the official USDA documents, the Board is stating that it has to treat everyone equally and fairly and everyone is charged the same rate.

James Eason explained that the Pool expenditures ran right up to its budgeted amount.

13. Tonopah Development Corporation Report

No action taken by the Board.

14. Public Comment

No action taken by the Board.

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

The Board commended Town Staff on their hard work for the projects.

James Eason explained that the decisions the Board had to make are tough decisions. He noted that decisions about water can be fifty to one hundred year decisions. He explained that the well field started out right by Rye Patch over 100 years ago. Wells 5-8 were constructed in 1943 and Well 8 was redone in the late 90's. The Board has now moved the well field out another five miles up the valley. They have now set up the Town so it can grow to 10,000 to 15,000 people if it wants to.

James Eason explained that the Tonopah-Goldfield picnic is next weekend. There is a Hammer In at the Mining Park next weekend. There is a DAR event at the Mining Park next weekend. The last day for the pool is the 18<sup>th</sup> but it will still be open into September for the ladies to swim in the mornings.

Duane Downing noted that there has been some vandalism at the Belvada. He wanted to know the possibility of getting some external lighting around the bottom of the building. James Eason explained that he would speak with Town Maintenance staff.

16. 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.

17. 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.

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

This item was tabled.

19. 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.

20. 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.

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

This item was tabled.

22. Correspondence

Nye County Airports July 2012 Status Report – 08/02/2012

Nye County Board of Commissioners Meeting Agenda – 08/07/2012

Beatty Town Advisory Board Meeting Agenda – 08/08/2012

23. 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 5-0.

24. Adjourn

Meeting was adjourned at 8:28 pm.

Minutes transcribed by:

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Mariah Rivero

Approved:

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Jon Zane, Chairman

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Horace Carlyle, Vice Chairman

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Javier Gonzalez, Clerk

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Duane Downing, Member

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Ron Kipp, Member