

**TONOPAH TOWN BOARD  
MEETING MINUTES  
MAY 14, 2014**

Tonopah Town Board Chairman Horace Carlyle called the meeting to order May 14, 2014 at 7:02 p.m. Also present were Ron Kipp, Tom Seley and Janet Hatch. Duane Downing was absent. Twelve others were present. Chairman Carlyle led in the Pledge of Allegiance.

The Town Board recessed to the Library Board of Trustees at 7:23 p.m. and reconvened as the Town Board at 7:47 p.m.

1. **Public Comment.** None
2. **Review and approval of minutes, in context, from the regular meeting held on April 30, 2014.**

Tom Seley motioned to approve the minutes, in context, from the regular meeting held on April 30, 2014 as presented. Janet Hatch seconded. No further discussion. Motion carried 4-0.

3. **Deliberation, discussion and possible approval of 5/8<sup>th</sup> of 1% Room Tax Grant to advertise and promote the 2014 Tonopah Speedway season.**

Gary David and Duffy Otteson were present from the Central Nevada Racing Association. They requested \$3000.00 for new signs, radio advertisements and T-shirts. Ron Kipp asked what their plans were with all the signs. They would like to put signs in other towns in the surrounding area and also to have a permanent sign in Round Mountain. Mr. Otteson also stated they would also like new roadside signs. They stated the new sign they put up at the speedway last year looks great and their attendance was almost double from the year before. Chairman Horace Carlyle asked for a written report on attendance and how the money is spent and what the benefit is to the Town of Tonopah. James Eason asked them to please turn in a report after each race to the Town of Tonopah on what attendance is for each race. Ron Kipp asked them to notify them of where the signs are placed.

Ron Kipp motioned to approve the 5/8ths of 1% Room Tax Grant in the amount of \$3000.00 to advertise and promote the 2014 Tonopah Speedway Season. Tom Seley seconded. Motioned carried 4-0.

4. **Deliberation, discussion and possible action regarding Town Capital Projects expenditures prior to June 30, 2014 and during FY 2014/2015; direct staff to amend FY 14/15 budget documents if necessary prior to Public Hearing scheduled for May 16, 2014.**

Town Manager James Eason explained they had a meeting last week to strategize what they were going to do going forward with their existing Capital Projects Funding. He stated they were going to carry everything over and were not going to spend anything else except for the existing

projects they have already approved, such as, the painting of the outside of the Convention Center, the old Firehouse and the Mining Park building. He stated the revenue would be carried over into next year's FY 2014/2015 budget which would be approved on Friday, May 16, 2014. Once the budget is approved they will send it to the Department of Taxation as their final. He said in June they will approve all of their other major expenditures. Chris Mulkerns explained the plan is due August 1, 2014 but they usually have it done by June or July. She stated after they approve their final budget and then when they approve the five year Capital Improvement Plan that's when they will decide which categories the funds will go into depending on where they want to spend it.

James Eason gave an overview on what is needed, such as painting the interior of the Convention Center and upgrades needed at the parks and whether or not a new building will be purchased for the Town Office.

Ron Kipp motioned to accept Town Capital Projects expenditures prior to June 30, 2014 and during FY 2014/2015; direct staff to amend FY 14/15 budget documents if necessary prior to Public Hearing scheduled for May 16, 2014. Tom Seley seconded. Motion carried 4-0.

5. **Deliberation, discussion and possible action Tonopah Town Board request DA Brian Kunzi review for approval or revision of all relevant documents submitted by Nye County Public Works for the "right of ways" to remediate the "foreseeable menace" posed by serious erosion at location known as "Slime Wash" off Hwy 95 within Township of Tonopah, NV. The above request would include any legal assistance by your Office that would support the remediation of the "imminent threat" to "public health, safety & welfare" posed by the erosion hazard created by current drainage system adjacent to Hwy 95 and uncontrolled waters from the storm water drainage running on two adjacent private properties. The above hazards created by water runoff in this area creates a serious liability for Nye County.**

Horace Carlyle stated that Slime Wash has been an issue for a long time. James Eason has been working on it and trying to get something done for 8 years. The Nye County BOCC has the funding which was approved July 1, 2013, so the project must be started by July 1, 2014 or the funding will be lost. Mr. Carlyle stated the money is available to remediate this problem and all they need is the legal work and for all parties to support it. Ron Kipp asked why this is being brought forth in the eleventh hour if the funding has been there for the past year. He wanted to know why they didn't bring it up months ago. Mr. Carlyle explained that he has spoke to Mr. Fanning, but he feels nothing is being done and he doesn't want the money to be lost because he doesn't know when or if it will get approved again. Mr. Kipp stated he didn't know if Mr. Kunzi could get it done within the time limit. Mr. Carlyle stated Mr. Kunzi has had the paperwork since last summer so he has had plenty of time to act on it. Mr. Seley stated that the BOCC has the last meeting in May and the first meeting in June to act on this and he assumed their action would be to obligate those funds and carry them into the future so they could work on the project in the new fiscal year. Mr. Carlyle apologized that he did not bring up the matter earlier but said he had a reasonable belief that it was being addressed. The real issues are the right of way documents and liability if something were to happen.

Tom Seley motioned to send a letter to District Attorney for review of relevant documents submitted by Nye County Public Works for Rights of Way to remediate the foreseeable menace

pose by serious erosion of location known as Slime Wash. And to request any legal assistance that may be necessary to protect the Town and Nye County from potential litigation. Ron Kipp seconded. Motion carried 4-0.

6. **Deliberation, discussion and possible action Tonopah Town Board request the Town Staff send a follow up letter expressing our interest in government surplus property specified as follows:**

**Re: Tonopah Building 102 and 103**

**Tonopah, NV 89049**

**GSA Control No 9-1-NV-514 AK**

**Also, Town Staff send a letter to Congressman Horsford, Senator Heller & Senator Reid asking for their support in the acquisition of the above properties for Tonopah Town usage.**

Chairman Carlyle stated he had submitted this to the Board almost two years ago. He said the GSA has surplus property and Town Manager James Eason thought it would be beneficial for the Town to own these two pieces of property. He explained the government hemmed and hawed but the property is still available. They would like to use it for Town storage. Mr. Carlyle said it would only take a little bit of paperwork to move it forward to try to nudge the GSA to legitimately consider what they said was surplus property and that it appears there were no other applicants for the property so he didn't know why they couldn't qualify to get it. He said the property would be a value to the Town. Tom Seley stated the School Board had some people come down to inspect it and there were some asbestos and lead paint issues. He said they had to jump through too many hoops so they turned it back over to the GSA. Janet Hatch wanted to know what the expense would be to fix the asbestos and lead paint issues. James Eason said that they would not be correcting those problems at this time as they just want to use the buildings for storage and it would be safe for that purpose.

Janet Hatch motioned to have Town staff send a follow up letter to expressing their interest in government surplus property specified as follows: Re: Tonopah Building 102 and 103 Tonopah, NV 89049, GSA Control No 9-1-NV-514 AK. Also, Town Staff to send a letter to Congressman Horsford, Senator Heller & Senator Reid asking for their support in the acquisition of the above properties for Tonopah Town usage. Ron Kipp seconded. Motion carried 4-0.

7. **Deliberation, discussion and possible action by Nye Community Coalition for use of Jim Butler Park with electricity provided and restrooms for Summer Early Learning Education Program, free for ages 3-5.**

There was discussion as to which park they should use to allow them the best fit for their program. Most agreed that Joe Friel park would provide less intrusions and a better experience as well. They would have electricity, restrooms, shelter, concession stand (for use of refrigerator) and it would be easier for them to get their bus in and out. James Eason asked them to provide a copy of the schedule when it gets finalized. Janet Hatch motioned to approve Nye Community Coalition for use of either Jim Butler Park or Joe Friel Sports Complex with electricity provided and restrooms for Summer Early Learning Education Program, free for ages 3-5. Tom Seley seconded. Motion carried 4-0.

8. **Department Budget Reports**

Horace Carlyle asked about the Sewer Fund stating on the Capital Projects revenue and expenditures it gives the same amount for both. Chris Mulkerns explained when the Sewer Capital Projects revenue comes in, they transfer it into the Sewer Capital Projects expenditure fund. She stated they do not spend those funds but they show it as a possible expenditure.

9. Tonopah Development Corporation Report None.

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

James Eason announced that he has been appointed to the Hospital Board. He also stated all the pipe is in the ground on the water project, except for two areas they have terminations on. They are still testing the pipes and are working on the pump house. They are looking at changing out the VFD's (variable frequency drives), he said there may be some additional room in the contract that they can add more equipment to. He said they are important and have a life of ten to twenty years. Ron Kipp asked about the water project. James Eason stated the craftsmanship looks good, but said the timeline will be close. He is just not sure right now if it will be done early or goes past the deadline.

They are also getting ready for Jim Butler Days which they expect to be a lot bigger this year. They are having blacksmithing classes in addition to the State Mining Championship. They set up a new blacksmithing area and have done a lot of work to the park to clean it up and make it more attractive. The bleachers and road blocks are ready to go for the street dance. The Convention Center is getting cleaned up outside. Street sweeper is cleaning the main areas and weeds are being pulled. They have people working on the new and old firehouses to be cleaned up as well as the parks and the Library.

Janet Hatch was concerned about the Senior Center getting cleaned up and watering of plants, weeds need to be pulled. She was told that they would need to contact Nye County Buildings and Grounds.

Mr. Eason stated there would be adjustments on line items in the budget as they are recommending a modification in the Convention Center Budget. It will increase by \$10,000.00 to hire an employee to do the work they had discussed in the outline. There is also a modification on the Library for hiring a part-time person to work on the grounds a couple hours a week and maintenance at the Mining Park. He said they have already hired four young people to do maintenance at the parks including mowing, trimming, sprinklers and painting. They will also be painting the interior of the Convention Center.

Horace Carlyle stated that he has heard comments and asked James Eason now that he is on the Hospital Board what kind of agreements have been made with Round Mountain, Solar Reserve or the Tonopah Test Site on maintaining a hospital in this area. He wanted to know if they had made commitments based on their economic development plans or business agreements. Mr. Eason told him that there are no current agreements that he is aware of. Mr. Carlyle stated we need the hospital but he is very concerned about the financial structure and how they can as a small town they can sustain or recreate this viable entity. He stated it goes back to the original contract on the sale of the hospital and the responsibility of all parties primarily the Mina unlimited partnership or any assignees and the responsibilities of Nye County and their failure to

maybe perform due diligence or oversight and he thought that should be one of the considerations in negotiating with Nye County or how they structure any reorganization of the hospital.

Ron Kipp also asked about the swimming lesson sign ups. James Eason stated they went very well. They have nine people employed at the pool. Three are certified lifeguards per shift so they have six total certified lifeguards, three pool attendants and the manager. The pool attendants will collect the money. The manager will have an assistant that will act as a pool attendant to help with the grounds, chemicals and having the pool ready for private rentals. They will be meeting with the pool employees on May 20, 2014 at 3:00 p.m. to go over the rules, pre orientation and schedules. On June 9, 2014 they will be hosting Achieving a Harassment-Free Workplace and Achieving a Drug- and Alcohol-Free Workplace, Mr. Eason passed around a flyer.

Mr. Kipp also wanted to know what was happening with the movies for Kids Night Out. Chris Mulkerns stated she needed to meet with Christy to determine a schedule. Mr. Eason explained that it probably wouldn't start until August or September of this year as Christy has a very full schedule this summer. He thought it would be a good fall and spring activity. It is also cold in the theatre in the winter and hot in the summer.

Ron Kipp welcomed Tom Seley to the board. They also welcomed Janet Hatch back.

James Eason explained there would be a new line item in the new Library Budget for the Early Summer Reading Program.

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.** No action taken by the Board.

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** No action taken by the Board

13. **Deliberation, discussion and possible decision on labor negotiations, issues and other personnel matters presented in the closed meeting** No action taken by the Board.

14. **Correspondence**

Nye County Airports – April 2014 Status Report, April 30, 2014

Beatty Town Advisory Board Agenda, May 12, 2014

Nye County BOCC Meeting Minutes, May 6, 2014

Letter/Statement from Community Foundation of Western Nevada, April 30, 2014

Pahrump Town Board Agenda, May 13, 2014

Round Mountain Town Board Agenda, May 13, 2014

Nye County Water District Governing Board Agenda, May 15, 2014

James Eason asked the Board to please review the Nevada Rural Housing Report and to contact Chris Mulkerns or himself for any questions or comments.

15. Public Comment

Chairman Carlyle stated he went to the Nye County BOCC Meeting on May 6, 2014 and the sidewalk project was approved for \$83,000.00.

16. Approval of vouchers for payment

The Board reviewed and signed the vouchers. Ron Kipp motioned to approve the vouchers as presented for payment. Janet Hatch seconded. No further discussion. Motion carried 4-0.

17. Adjourn The meeting adjourned at 8:54 p.m.

Minutes transcribed by:

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Arlene Neiderman, Deputy Town Clerk

Approved:

  
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Horace Carlyle, Chairman

  
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Duane Downing, Vice Chairman

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Ron Kipp, Clerk

  
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Tom Seley, Member

  
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Janet Hatch, Member