

**TONOPAH TOWN BOARD  
MEETING MINUTES  
March 11, 2015  
TONOPAH CONVENTION CENTER  
301 Brougher Avenue, Tonopah, NV 89049**

Tonopah Town Board Chairman Horace Carlyle called the meeting to order March 11, 2015 at 7:03 p.m. Also present were Duane Downing, Tom Seley, Janet Hatch and Doug Farinholt. Eight others were in attendance. Chairman Carlyle led in the Pledge of Allegiance.

The Town Board recessed to the Library Board of Trustees at 7:24 p.m. and reconvened as the Town Board at 7:31 p.m.

Item 8 was revisited after item 13 because Town Manager James Eason was not present for the entire meeting.

**1. Public Comment**

Joseph Sidman expressed concerns as a tax payer about the cuts made in Tonopah by the Nye County Board of County Commissioners (BOCC). He was of the opinion that everything goes to Pahrump and Tonopah gets nothing even though it is the County Seat. He pointed out that dispatch has already been taken from Tonopah and that the jail and the Senior Nutrition Program are being taken now. He added that Pahrump has a new duck pond that is cleaned by a County employee.

Chairman Horace Carlyle noted that the BOCC decided this and that Tonopah is not represented equally as the Northern District lost a seat on the BOCC based on the census. He pointed out that Amargosa Valley, Pahrump, and Beatty were also affected by the cuts, and that he would like to divide the County. Vice-Chairman Duane Downing stated that he believes the people should be able to vote for all five Commissioners, not just for the one in their district. Mr. Carlyle mentioned that the Town has limited resources and invited Mr. Sidman and his wife to look into the Town's budget to see how the Town is spending its money. He added that the Board has sent a letter to the Department of Taxation regarding the Use and Sales Tax Act. Mr. Carlyle noted that the BOCC has already borrowed money from their trust funds and that their revenue is dropping. He stated that he agrees with Mr. Sidman as an individual person, and that the Board has already taken all actions they can possibly take. Duane Downing pointed out that everybody has a right to appear in front of the BOCC and express their concerns. Mr. Sidman explained that he is currently writing a complaint to be submitted to the BOCC and that he knows of a lot of people who are planning to attend future meetings. Tom Seley noted that the next BOCC meeting is Tuesday, March 17, 2015 at 10 a.m.

Kelly Sidman stated that she feels Commissioner Lorinda Wichman is supposed to be Tonopah's representative and that she is failing Tonopah. She pointed out that Ms. Wichman votes with Pahrump and that Tonopah has therefore lost its voice. She asked the Board to do what they can in their capacity. Ms. Sidman added that she is afraid of what will happen in the future with the loss of jobs, public safety, health and welfare. Horace Carlyle emphasized that Town Manager James Eason is in constant contact with the BOCC. Duane Downing stressed that the jail is not closed yet and that the Sheriff is doing everything she can to rectify the situation. He noted that the Town Board has no authority over the BOCC and that Town staff is doing everything they can in their capacity.

Horace Carlyle noted that he has spoken before the BOCC during public comment to voice his concerns. He recommended changing the NVPERS (Public Employees' Retirement System of Nevada) as it is too expensive in his opinion. Ms. Sidman pointed out that NVPERS is very viable and nothing to be concerned about. Mr. Carlyle emphasized that zero interest rates are

unsustainable and that one is lucky to get 2 to 3% return on their money. He added that the Town gets billed for the deficiency in interest income. Tom Seley pointed out that Mr. and Ms. Sidman should get a number of people to voice their opinion at the BOCC meetings. Ms. Sidman noted that she was hoping for the Board's support.

Michael Lach emphasized that James Eason and Joni Eastley, Assistant County Manager, do everything they can. He explained that the per capita tax collection in the North is higher than in the South. He suggested using a picture to prove the point to the BOCC. Mr. Lach added that simple arguing is essential and that the BOCC should be asked why they take all the funding even though the North brings in the most money. He proposed having the newspapers report about it and put the picture in their publications. Duane Downing stressed that the reason that Pahrump is not an incorporated town is that they get County funding. Mr. Lach explained that Round Mountain Gold pays most of the tax revenues in the County and that they depend on Tonopah because a lot of their employees live there and both towns use Nye Regional Medical Center.

**2. Review and approval of minutes, in context, from regular meeting held February 11, 2015.**

Duane Downing motioned to approve the minutes, in context, from the regular meeting held February 11, 2015. Tom Seley seconded. No further discussion. Motion carried 5-0.

**3. Review and approval of minutes, in context, from regular meeting held February 25, 2015.**

Duane Downing motioned to approve the minutes, in context, from the regular meeting held February 25, 2015. Tom Seley seconded. No further discussion. Motion carried 5-0.

**4. Discussion, deliberation, and possible action to appoint Independent Auditor for Fiscal Year 2014-2015.**

Chris Mulkerns explained that Daniel McArthur had not included an actual amount for the audit as the Town's audit is more complex than that of the Library. Horace Carlyle inquired how much the audit cost last year. Chris Mulkerns pointed out that this year's audit would be simpler and would probably be around \$15,000 to \$16,000.

Duane Downing motioned to appoint Daniel C. McArthur, Ltd. as an Independent Auditor for Fiscal Year 2014-2015. Tom Seley seconded. No further discussion. Motion carried 5-0.

5. **Deliberation, discussion that the Tonopah Town Board authorize the Town Staff write a letter of thanks and appreciation to recognize US Senator Reid and Staff for the assistance given the Town of Tonopah in connection with our interest in the surplus government properties (Tonopah Buildings 102-103, GSA Control No. 9-1-NV-14AK). Also, for Senator Reid's letter dated October 3, 2014 in which Senator Reid clearly expressed interest in the outcome of the bankruptcy of Prime Care/Nye Regional. Senator Reid clearly understood the importance of the continued existence of medical facilities in Northern Nye County.**

Chairman Horace Carlyle explained that he put this item on the agenda. He thinks that the Board should thank Senator Reid for what has happened in the past, regardless of opinion about the Senator. He added that Senator Reid's reply to Chairman Carlyle's letter stated "I look forward to hearing from you in the near future". Mr. Carlyle noted that sending a letter is a gesture of good will and costs the Town nothing but postage. He pointed out that he has a sample letter of recognition and handed it to the Board to read. Chris Mulkerns explained that a letter was sent in September 2014 thanking Senator Reid for his participation in the surplus government properties matter. Therefore this topic will not be included in this letter.

Duane Downing proposed to approve the Town Board to authorize a letter of thanks and appreciation to US Senator Reid and his staff for his assistance given to the Town of Tonopah in regards to the Primecare/Nye Regional situation. Janet Hatch seconded. No further discussion. Motion carried 5-0.

6. **Department Budget Reports**

Horace Carlyle pointed out that the details of the Budget Report will be discussed in the budget workshop on April 1, 2015. He added that he is glad the State has no say in how the Town of Tonopah spends its money.

7. **Tonopah Development Corporation Report**

No action taken by the Board.

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

Tom Seley stated that he will not be able to attend the next Board meeting March 25, 2015. He noted that Commissioner Wichman e-mailed to apologize for not attending the budget workshop on March 4, 2015. Ms. Wichman was in Gabbs at the time.

Duane Downing explained that Public Works was reviewing the request to reduce the speed limit around the parks in Tonopah. He noted that all accident information has been requested and that a traffic count took place over a few weeks. Tom Seley stated that he was curious as to where the Nye County Road Department got with their traffic study on Knapp Street for possible ingress/egress for West Kirkland Mining. Horace Carlyle suggested contacting David Fanning, Public Works Director, about this. Mr. Fanning had mailed out right-aways to three parties that own the properties in the slime wash area. Paperwork had to be modified because of different owners. Mr. Carlyle requested the staff to ask Mr. Morales, owner of primary right-aways, to give consent to David Fanning.

Town Manager James Eason explained that a filming company had requested to film at the Tonopah Historic Mining Park to market the park on the internet. The film would be produced for Marlboro and would be publicized on a tourism related website. Tom Seley asked how many people would be coming for the filming to which Mr. Eason replied that it would be around three to four people. The crew would interview staff to find out what the park offers. Doug Farinholt asked whether they have a certificate of insurance liability. James Eason said he could ask for that. Mr. Farinholt inquired whether the crew is paying for filming. Mr. Eason explained that they agreed to make a donation to the park. He added that they should be covered under the park's insurance like any other visitor. Michael Lach pointed out that any legitimate filming company would have at least a \$1 million insurance policy. He suggested asking for it to protect the Town.

Horace Carlyle referred to the letter from John McCormick, General Manager of the Mizpah Hotel, and asked James Eason to clarify why the Mizpah Hotel has interest in the Union Plaza parking lot. Mr. Eason explained that Donna Otteson had contacted him about using the property for the Kyle Petty Charity Ride. He had told her that they can use the parking lot if they request it before the Town Board. He told her that they need to clean it up after the event and accept all liability. He noted that the Town purchased the property from Jackie Gaughan and that it was originally part of the Mizpah. Mr. Eason added that he suggested to Ms. Otteson that the owners of the Mizpah Hotel, Fred and Nancy Cline, come before the Board if they wish to purchase the parking lot. Horace Carlyle stated that he would like to direct staff to get a proposal. Duane Downing pointed out that the property is used for Jim Butler Days and that he does not want the Town to have to ask somebody else to use their property. Doug Farinholt noted that the Pocket Park could be used for events such as Jim Butler Days. Duane Downing declared that he thinks the Clines should come before the Board if they wish to purchase the property. Tom Seley asked whether the Town could trade the property for another asset.

Horace Carlyle asked about the building code modifications on the BOCC agenda. James Eason pointed out that the item was tabled. He added that the BOCC and Planning Department have not notified any towns about the planned changes. He noted that Commissioner Wichman emphasized that the changes will not affect the residents of Nye County. The proposed changes are for the County to have control in certain areas. Mr. Eason noted that the ordinances in Nye County would have to be changed.

James Eason explained that Nye Regional Medical Center is still in tough shape and that it is still working through the bankruptcy. He added that the only way to keep the Medical Center going is with a hospital district. He pointed out that the hospital would have been successful in the past had there been a hospital district. Mr. Eason emphasized that hospitals will only sustain with the changes in the insurance system if there is a hospital district. Mr. Eason explained that 82% of every tax dollar spent in the State of Nevada goes to towards education and health care. He pointed out that the "bleeding" of Nye County started years ago. The voting at large was shut down because the South did not allow it. Mr. Eason added that the School District only has one representative from the North and that most of the revenue is distributed in the South. Terry Rivero brought a report about this matter to the County in 2005, but it was "buried" by the Assemblymen as to not look at splitting the County. He emphasized that the South would not survive without the North. Michael Lach stated that he will make sure those facts will be placed in the newspaper if someone presents them at the BOCC meeting. James Eason explained that a similar proposal was made recently by Senator Pete Goicoechea to abolish the city of Ely. He added that there is a proposal for a bill to allow school districts to split. James Eason noted that the tax rate is in limbo and that the North's cap is open.

Michael Lach referred to the possibility of changing the building code. He pointed out that travel cost will be tremendous if an inspector has to travel all over the County. He added that the same is applicable for the jail closing. Deputies will have to drive back and forth to Pahrump. Mr. Lach emphasized that people will not want to build in Tonopah because the building process will be delayed by waiting for an inspector to come while highly paid contractors wait around. James Eason pointed out that Commissioner Carbone feels that what is good for one is good for all and that the Commissioners want to be in control of everything. Michael Lach stated that this does not make sense as the state agencies can handle everything. James Eason explained that he does not agree with the regulations as there is no need for them. He emphasized that if the hospital closes, the North of Nye County will lose Round Mountain Gold Corporation and Solar Reserve and families will move away. He added that the student count at the local schools is already low. Horace Carlyle pointed out that the BOCC filled positions at their last meeting and that he thinks they can "take a hit" if it is negotiated with them. Kelly Sidman clarified that the BOCC only filled existing positions. Mr. Carlyle noted that zero equals zero.

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

Room Tax Collections FY 1998/99 through FY 14/15(January), March 2015  
Nye County BOCC Meeting Agenda, March 3, 2015  
Nye County Airports- February 2015 Status Report, March 2015  
E-mail from Susan Riolo regarding Nevada State Fire Marshal Licensing, February 26, 2015  
E-mail from Kelly Clark regarding Americorps NCCC webinar follow-up, February 26, 2015  
Nye County Agenda Information Form, March 3, 2015  
Tonopah Room Tax Report for the Month of January 2015, Collected February 2015  
Letter to Terry Rubald regarding Nye County Sales and Use Tax Act of 2007, March 2, 2015  
Convention Center Report, March 2, 2015  
E-mail from Kari Frilot regarding SET Conference, March 4, 2015  
Beatty Town Advisory Board Meeting Agenda, March 9, 2015  
Round Mountain Town Board Meeting Agenda, March 10, 2015  
USDA New Release: Agencies Offer Free Tourism Workshop March 23 in Tonopah  
Nye County BOCC Meeting Summary, March 3, 2015  
Letter from the Department of Conservation and Natural Resources, State Historic Preservation Office, February 26, 2015  
Flyer USDA Tourism Workshop  
Round Mountain Town Board Notice of Possible Quorum, March 12, 2015  
NyE Communities Coalition Newsletter, March 2015  
Letter from Leona M. Koch to Hoss Disposal, March 6, 2015  
Nevada Rural Housing Authority 2014 Annual Report  
Letter from John McCormick to James Eason, March 10, 2015

Horace Carlyle referred to the letter from John McCormick, General Manager of the Mizpah Hotel, and noted that he would like to direct staff to negotiate with the owners of the Mizpah Hotel about selling the Union Plaza Parking lot. Duane Downing inquired why the Town would sell the property. Tom Seley asked if there was any potential real estate that could be exchanged for the property. Chris Mulkerns explained that the parking lot was purchased for \$40,000 in 2006.

Horace Carlyle referenced the Nye County Airport Status Report and noted that he wishes the Town had some control over the economic development at the airport. Tom Seley explained that Yerington had a thriving avionics business at their airport about 25 to 30 years ago. He pointed out that planes got fixed quickly in Yerington to get back in the air to direct air tankers. He added that he thinks the Tonopah airport could get that type of small business as Tonopah is in a prime location in the middle of the State. Mr. Seley noted that it is a matter of presenting the airport properly.

Horace Carlyle pointed out that planning recommendations were on the BOCC agenda and that the item was pulled from the agenda. He added that another item on the BOCC agenda was a development by the hospital for low income housing. Chris Mulkerns stated that she believes the item was pertaining to refurbishing the Air Force housing. Tom Seley pointed out that building codes for Nye County are on the agenda for the BOCC meeting. Mr. Carlyle explained that he thinks the Board needs to get involved in the restructuring process of Nye Regional Medical Center. He added that he is concerned with the intent of the BOCC and that the hospital needs a commitment for funding. He emphasized that a hospital district is needed and that the restructuring of Nye Regional cannot be postponed. Tom Seley inquired when the hospital district was dispended. Mr. Carlyle explained that that was in 2009. He stated that he is concerned about the bankruptcy and court cost. Doug Farinholt noted that the Town needs to know what is going on with the hospital if they are to inherit any liability for it. Duane Downing pointed out that he is sure the BOCC will try to make the Town responsible for different things they used to take care of. Tom Seley noted that the County had already passed on certain liabilities to other parties in the past. He emphasized that Tonopah cannot draw people in without a hospital in the region. Horace Carlyle noted that he has no faith in the BOCC. He added that the Town Board needs information so they can act before the disaster.

### **13. Approval of vouchers for payment**

The Board reviewed and signed the vouchers. Duane Downing motioned to approve the vouchers as presented for payment. Janet Hatch seconded. No further discussion. Motion carried 5-0.


### **14. Public Comment**

None.

### **15. Adjourn**

The meeting adjourned at 8:43 p.m.

Minutes transcribed by:

  
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Kat Galli, Deputy Town Clerk

Approved:

  
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Horace Carlyle, Chairman

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Duane Downing, Vice-Chairman

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Tom Seley, Clerk

  
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Janet Hatch, Member

  
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Doug Farinoli, Member

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**TONOPAH LIBRARY BOARD OF TRUSTEES  
MEETING MINUTES  
MARCH 11, 2015  
TONOPAH CONVENTION CENTER  
301 Brougher Avenue, Tonopah, NV 89049**

The Tonopah Library Board of Trustees meeting was called to order March 11, 2015 at 7:24 p.m. by Tom Seley. Also present were board members Horace Carlyle, Duane Downing, Janet Hatch, and Doug Farinholt. Eight others were present.

**1. Public Comment**

None.

**2. Review and approval of minutes, in context, from regular meeting held February 25, 2015.**

Horace Carlyle motioned to approve the minutes, in context, from the regular meeting held February 25, 2015. Janet Hatch seconded. No further discussion. Motion carried 5-0.

**3. Discussion, deliberation, and possible action to appoint Independent Auditor for Fiscal Year 2014-2015.**

Chairman Tom Seley asked whether all members have read the proposal from Daniel McArthur which the Board members affirmed. Horace Carlyle asked how much the anticipated cost would be to which Administrative Supervisor Chris Mulkerns replied that it is not to exceed \$3,000.00.

Horace Carlyle motioned to appoint Daniel McArthur, CPA, the Independent Auditor, per Fiscal Year 2014-2015 contractual not \$3,000.00. Duane Downing seconded. No further discussion. Motion carried 5-0.

**4. Library Budget Reports**

Horace Carlyle inquired whether there is an estimate of the personal property tax that will be collected. Chris Mulkerns noted that there are no official numbers yet, but that it will not be as high as anticipated. Mr. Carlyle asked whether this is a result of adjustments made by the administration in Pahrump. Ms. Mulkerns explained that this is a consequence of the State's abatement on green projects like Solar Reserve. Tom Seley asked whether the Board will have a better idea at the next budget workshop. Chris Mulkerns affirmed this and added that the Library will not collect what was expected. Tom Seley noted that budget adjustments might have to be made.

**5. Library Board Member's/Department Manager's Comments**

Horace Carlyle pointed out that work on the old Library building will begin the following Friday.

**6. Correspondence**

None.

**7. Approval of vouchers for payment**

The Board reviewed and signed the vouchers for payment. Duane Downing motioned to approve the vouchers as presented for payment. Horace Carlyle seconded. No further discussion. Motion carried 5-0.

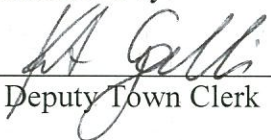
**8. Public Comment**

None.

**9. Adjourn**

Meeting adjourned at 7:31 p.m.

Minutes transcribed by:

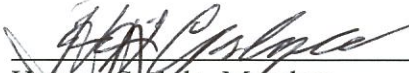
  
\_\_\_\_\_  
Kat Galli, Deputy Town Clerk

Approved:

\_\_\_\_\_  
Tom Seley, Chairman

  
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Janet Hatch, Vice-Chairman

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Duane Downing, Clerk

  
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Horace Carlyle, Member

  
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Doug Farnholt, Member