

TONOPAH TOWN BOARD
January 24, 2024
MEETING MINUTES
Tonopah Convention Center
301 Brougner Avenue, Tonopah, NV 89049
6:00 p.m.

Chairman Don Kaminski brought the Tonopah Town Board meeting to order on January 24, 2024 at 6:00 p.m. and led in the Pledge of Allegiance

The Tonopah Town Board recessed to the Tonopah Library District Board of Trustees meeting at 7:00 p.m. and reconvened as the Tonopah Town Board at 7:00 p.m.

Present:

Vice-Chairman Joni Eastley
Clerk Marc Grigory
Member Douglas Baker

Absent:

Member Zachary Newell

18 others were in attendance

6:00 p.m. Open and read aloud sealed bids received for the Tonopah Archery Range. No action will be taken.

Bid 1: Tech Contracting and Engineering
\$2,491,500 base bid
Bid 2: Justin Wilson Construction
\$388,430 base bid – civil work only
Bid 3: Simerson Construction
\$2,710,000 base bid

Award and certificate awarded to Becky Braska for 10 years of service

1. **Public Comment**

None.

2. **Consent Agenda:**

- a. **Approval of agenda**
- b. **Approval of minutes from the January 10, 2024 meeting**
- c. **Approval of vouchers for payment**
- d. **Review of correspondence**

Vice Chairman Eastley moved to approve the consent agenda items. Member Baker seconded. No further discussion. Motion carried 4-0.

3. **Town Board Members' and Department Managers' Comments**

Administrative Supervisor Becky Braska:

Audit update – waiting for actuary numbers from Nye County

TPU Supervisor Robert Herren:

Valve exercise program implemented

Maintenance on equipment and buildings

Town Manager Joe Westerlund:

Surveyors in town for waterlines

Carson City - PERER approval

Ioneer listening session on the 18th

NV Energy got the equipment needed for transformer testing at the Mining Park

Shaw Engineering call today – slime wash project - increase from 36 inch to 48 inch storm drain

Vice Chairman Eastley:

Fire Chief retiring. Process for designating new chief? Mr. Westerlund reaching out to John Campbell

4. **Discussion, deliberation, and possible action to authorize a Community Survey for Health Care in Tonopah and Surrounding Communities as submitted by UNR Med.**

John Packham via phone.

This is a community needs' assessment. Draft of the survey was provided to the public.

Final data results will be shared with the Board.

Clerk Grigory moved to authorize a Community Survey for Health Care in Tonopah and Surrounding Communities as submitted by UNR Med. Vice Chairman Eastley seconded.

No further discussion. Motion carried 4-0.

5. **Discussion, deliberation, and possible action to reschedule the second budget workshop from March 22, 2024 to March 29, 2024, 10:00 a.m. at the Tonopah Convention Center. (Petitioner: Becky Braska)**

Vice Chairman Eastley moved to reschedule the second budget workshop from March 22, 2024 to March 29, 2024, 10:00 a.m. at the Tonopah Convention Center.

Clerk Grigory seconded. No further discussion. Motion carried 4-0.

6. **Discussion, deliberation, and possible action to adopt, amend and adopt or reject Resolution 24-01; a resolution setting a flat rate for commercial septage dump fees for Tonopah Public Utilities.**

Vice Chairman Eastley moved to adopt Resolution 24-01; a resolution setting a flat rate for commercial septage dump fees for Tonopah Public Utilities.

Clerk Grigory seconded. No further discussion. Motion carried 4-0.

7. **Discussion, deliberation, and possible action to approve fee agreement for legal representation of Porter Simon Law Offices. Petitioner is requesting a rate increase.**

Vice Chairman Eastley: Nye County DA willing to act legal as counsel, without compensation, why use outside counsel?

Mr. Westerlund: DA doesn't reply as quickly.

Chairman Kaminski: seek counsel with DA first, if he's unavailable then utilize Porter Simon.

Clerk Grigory moved to approve fee agreement for legal representation of Porter Simon Law Offices. Clerk Grigory amended his motion to include not to exceed \$5000 per fiscal year.

Member Baker seconded. Member Baker amended his second. No further discussion motion carried 4-0.

8. **Discussion, deliberation, and possible action to approve license agreement between Town of Tonopah and Combination Seven regarding Nye County Assessor's parcel number 008-135-08.**

Clerk Grigory motioned to approve license agreement between Town of Tonopah and Combination Seven regarding Nye County Assessor's parcel number 008-135-08. Member Baker seconded. Vice Chairman Eastley added that she spoke to Nancy Cline and that once the Board approves the agreement to take it to Al at the Mizpah and he is authorized to sign on behalf of Combination Seven. No further discussion. Motion carried 4-0.

9. **Discussion, deliberation, and possible action to direct staff to draft a Tonopah Town Ordinance for future consideration and adoption by the Tonopah Town Board that will define what a nuisance is within the Town of Tonopah, and abatement policies and procedures of identified nuisances within the Town of Tonopah boundaries.**

Mr. Jeffrey and Mr. Jensen presented to the Board pictures of 7 different properties they feel are nuisances.

Vice Chairman Eastley stated she has been working with the Nye County Director of Planning on a number of issues and he has sent letters to a number of property owners alleging the existence of a nuisance and violation of Nye County codes.

Mr. Jeffrey stated he understood that according to the D.A. they are the ones that have to go to the Clerk's office but he does not agree with that.

Vice Chairman Eastley explained NRS 244 which addresses nuisances and the abatement of nuisances. It is very clear that Boards of County Commissioners are the only ones that have the authority to abate a nuisance. When a written complaint is filed by an individual with the County Clerk they notify the BoCC who will then fix a date to hear the proof of the complainant and the owner or occupant of the property.

Vice Chairman Eastley stated she would show the Planning Director Mr. Jeffrey's photographs and APN's to see if these have already been targeted.

Mr. Jensen asked if they were going to report these "violations" and Vice Chairman Eastley explained, again, they cannot, per the D.A. they are not authorized. Mr. Jeffrey stated that if they don't have the authority as a Town Board to file they do have the authority as an individual. The reply was: "So do you" from Ms. Braska and Vice Chairman Eastley. And Mr. Jeffrey quipped back again, "so do you" and Ms. Braska stated she didn't think these were nuisances. Vice Chairman Eastley stated: you went around and took all these photographs and we appreciate it but what is stopping you if you know that you can take the same information to the County Clerk and file a complaint that can be defended in front of the BoCC just like you're doing here. Mr. Jeffrey stated they started with the first and that's the Town Board. Vice Chairman Eastley explained that she just told them the Board has no authority. No action was taken.

10. **Public Comment**

Dan Eason with Nevada Division of Forestry addressed the Board about the possibility of a grant from Urban Community Forestry. This is to help improve trees in community parks. There is no match to this grant. This is a competitive grant. Money was awarded to the State of Nevada from the USDA.

Lisa Westerlund conveyed her appreciation to the Board for volunteering their time. She also stated that it's not their job to file a complaint for someone else who sees a nuisance, they can report it to the Clerk's office or the Sheriff's office.

Jerry Elliston inquired why it's not the job of the Board. Vice Chairman Eastley stated that the Board cannot determine that a nuisance exists.

11. **Adjourn**

Meeting adjourned at 7:26 p.m.

TONOPAH LIBRARY DISTRICT BOARD OF TRUSTEES
January 24, 2024
MEETING MINUTES
Tonopah Convention Center
301 Brougner Avenue, Tonopah, NV 89049
6:00 p.m.

Chairman Don Kaminski brought the Tonopah Library District Board of Trustees meeting to order on January 24, 2024 at 6:59 p.m.

Present:

Clerk Marc Grigory
Trustee Joni Eastley
Trustee Douglas Baker

Absent:

Vice-Chairman Zachary Newell

18 others were in attendance

1. **Public Comment**

None.

2. **Consent Agenda:**

- a. **Approval of agenda**
- b. **Approval of minutes from the January 10, 2024 meeting**
- c. **Approval of vouchers for payment**
- d. **Review of correspondence**

Trustee Eastley moved to approve the consent agenda items. Clerk Grigory seconded. No further discussion. Motion carried 4-0.

3. **Library Board Members' and Manager's Comments**

None.

4. **Public Comment**

None.

5. **Adjourn.**

Meeting adjourned at 7:00 p.m.

Tonopah Town Board & Tonopah Library District Board of Trustees Minutes
January 24, 2024

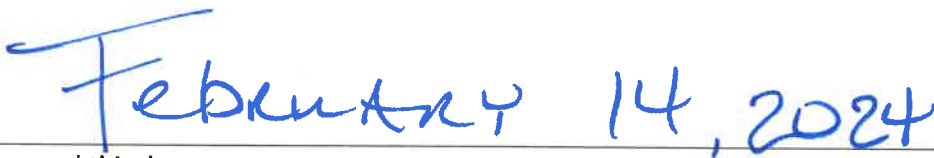

Don Kaminski Chairman/Chairman


Joni Eastley Vice Chairman/Trustee

Marc Grigory Clerk/Clerk

Zach Newell Member/Vice Chairman


Douglas Baker Member/Trustee



Approved this day:



Transcribed by: