

TONOPAH TOWN BOARD

MEETING MINUTES

APRIL 13, 2011

Town Board Vice Chairman Horace Carlyle called the meeting to order at 7:03pm. Also present were Javier Gonzalez, Glenn Hatch, and Duane Downing. Jon Zane was absent. There were thirteen other people in attendance.

Horace Carlyle requested that item five be moved to item three. The Board had no objection.

1. Review and Approval of Minutes from Regular Meeting held on March 9, 2011.

Duane Downing made a motion to approve the minutes, in context, from regular meeting held on March 9, 2011. Glenn Hatch seconded. Motion passed 4-0-1 (Jon Zane was absent).

Review and Approval of Minutes from Regular Meeting held on March 23, 2011.

Duane Downing made a motion to approve the minutes, in context, from regular meeting held on March 23, 2011. Glenn Hatch seconded. Motion passed 3-0-2 (Jon Zane was absent and Javier Gonzalez abstained).

Review and Approval of Minutes from Workshop held on April 1, 2011.

Duane Downing made a motion to approve the minutes, in context, from workshop held on April 1, 2011. Glenn Hatch seconded. Motion passed 3-0-2 (Jon Zane was absent and Javier Gonzalez abstained).

2. Approval of Town of Tonopah/Tonopah Public Utilities Tentative Budget for Fiscal Year 2011/2012.

Chris Mulkerns explained that after the workshop on April 1, 2011, the Town received feedback from Warner Ambrose from the Nevada Department of Taxation about the inter-fund loan. He provided suggestions about how to report it in the budget documents. She noted that the budget totals did not change. She explained that Form 15 and Form 23C are both new. The new forms are just recording changes. James Eason explained that Nye County and the Town of Tonopah are looking into why the property taxes have decreased as much as they have.

Glenn Hatch made a motion to approve Town of Tonopah/Tonopah Public Utilities Tentative Budget for Fiscal Year 2011/2012. Duane Downing seconded. Motion passed 3-0-2 (Jon Zane was absent and Javier Gonzalez abstained).

5. Discussion and possible approval, pursuant to BOCC meeting on March 15, 2011, to accept Nye County Board of Commissioners appointment as the Tonopah Library Board of Trustees.

Irene Carlyle and Sandy Baldwin were present to represent the library. Irene Carlyle noted that Sandy Baldwin is the acting director for the library. She explained the overview she provided for the library and read the library's mission statement into the minutes. She noted that the library adheres to the Library Bill of Rights. Currently there are no filters on the public access computers. However, if the children's computers get hooked up to the internet, filters will be put in place. She explained that the library has four major attributes. Customer service refers to professional service. The staff needs to be knowledgeable about what is in the library. The POLARIS circulation system is an integrated catalog and circulation application. It lists what is in the collection as well as what is in the collections for other libraries. The library performs collection development, cataloging, and weeding. The library is continuously adding and updating its collection. Irene Carlyle explained that periodically the library has to take out of date materials and deteriorated items off the shelves and replace them with more up to date items. The final attribute of the library is community outreach.

Irene Carlyle explained that the library has its own taxing district which brings in about \$65,000 per year. Consolidated taxes bring in another \$2,000 per year. The LSTA grants are federal grants that help fund the summer reading program and reimburse postage for interlibrary loan. A smaller source of revenue is the Friends of the Library. They are a group of volunteers and have donated about \$1,000 for the library acquired through book sales over the past year. The final source of revenue is donations, fines and fees. The library asks for but does not require a fee for the interlibrary loan.

Irene Carlyle explained the organizations with which the library is affiliated. CLAN is the Cooperative Libraries Automated Network, which the library pays about \$2,500 per year for, provides the circulation system and all the technical support necessary for that system. CLAN also provides grants. It offers a large number of online seminars for professional growth for librarians for free. The other organization the library is associated with is the State Library and Archives (NSLA). This provides support in terms of professional education.

Irene Carlyle explained the Minimum Public Library Standards for Nevada. They include specifications for the minimum number of hours the library must operate per week, the minimum amount to be spent on collection development, and other elements. She noted that currently the library meets all but three of these specifications. The library needs a written five year plan, ten percent of the operating budget must be spent on collection development and the library needs a director who is certified as a credentialed librarian in Nevada. This can be waived as long as the director receives certification within three years.

Horace Carlyle disclosed that Irene Carlyle is his wife. She was on the Library Board for about a year and a half. He explained that Irene Carlyle has been working closely with the library staff. He noted that he receives no compensation for supporting her.

Duane Downing noted that Javier Gonzalez's term on the Tonopah Town Board expires in 2013 but the Nye County Commissioners have it set up so he will take a library board position until January 2015. He suggested that the library board terms should mirror the Town Board terms.

James Eason explained that the District Attorney has already ruled on this issue stating that the Board can take over this responsibility. He noted that if the Board approved taking over the library board, it can make the suggestion that the terms mirror the Town Board terms. He explained how the library board meetings will be handled. The library board will be part of the main agenda and the Board will recess to the library board. At the first meeting, the Board will conduct elections for positions. When the Board has finished with this agenda, it will return to the regular meeting agenda. The minutes will be included with the Town Board minutes. James Eason noted that the Board will be taking responsibility of the library board beginning July 1, 2011.

Irene Carlyle questioned whether vouchers for the library will be signed once or twice a month once the Board takes over.

Javier Gonzalez questioned how the library director is appointed. Irene Carlyle explained that the appointment is made by the Board based on support and information provided by Town staff. James Eason explained that the Board needs to think about the longevity of the library when appointing the director.

Duane Downing made a motion that the Board accept the Nye County Board of Commissioners appointment of the Tonopah Town Board to the library board for specified terms. Glenn Hatch seconded. Motion passed 4-0-1 (Jon Zane was absent).

Duane Downing noted that the Board has to get sworn in as the library board. James Eason explained that the Board may have to file the same financial disclosure forms they did for the Town.

3. Review, discussion and possible decision regarding approval of the revisions to the Convention Center Project.

Susan Dudley noted that she felt it was a good idea to explain to the Board how the Town has reached the point it has with this project. The project began when the Town went out to bid to put a roof on the Convention Center. At the pre-bid conference there were eight contractors and it appeared that the cost of putting the roof on would be much more than anticipated so the roof bid was canceled. The bid went out in April 2009 and was canceled in June 2009. The Board decided to hire an architect to look at the feasibility of the Convention Center, to determine its condition, to look at the feasibility of continuing with it, and to look at the sustainability of the building. While the architects were looking at the Convention Center, they were directed to look at three other sites to make improvements to the Convention Center facility so the Town could attract more events. The Town is in the middle of the state and it is hoping to attract events where people have to travel from the north to the south and vice versa. This is to promote economic development and increase the room tax revenue. In November 2009, the Town began

an extensive selection process to choose an architect and by February 2010, the Town had selected Aptus Architecture out of Las Vegas. Aptus started looking at different sites and ran into several obstacles. The final draft of the PER was presented September 22, 2010. The PER identified the feasibility if the Convention Center and the other sites. Out of all the sites, Aptus recommended going forward with the Belvada and a surrounding building. There were a lot of factors for why that recommendation was made including the state and deterioration of the building.

Starting in September 2009, there were several meetings where the Board addressed the public health and safety nuisances and issues of the Belvada. It appeared to be a good idea to rehab the Belvada and accomplish the goals of the Convention Center at the same time. The Belvada is in the Historic District as identified in the Century Plan. The Century Plan also identified trying to rehab the historical buildings to bring more economic development to Tonopah. Because the Belvada is listed on the National Register of Historic Places, it is eligible for grants that some of the other locations would not be eligible for. Given the condition of the Convention Center, it would cost a comparable amount to bring the Convention Center up as it would to rehab the Belvada.

In August 2010, USDA notified the Town that if it wanted to come to them for funding, it had to do so quickly to be eligible for the ARRA (American Resource Recovery Act) funding. The Town went forward with an application for loans and grants to USDA starting with a public hearing in August 2010. The final application and the obligating documents were signed on September 28, 2011, a few days after the Board was presented with the final draft of the PAR recommending the Belvada. The final application to USDA named the Belvada as the site and USDA started conducting an environmental assessment of the building. They were presented with an issue by SHPO (State Historic Preservation Office) on one of the buildings surrounding the Belvada. The Town spent some time looking at that issue and determined that it was not economically feasible to mitigate it. On the December 8, 2010 meeting, the Board approved to have Aptus go back to the drawing board to look at combining the Belvada and the Convention Center, Tab E. Tab E was presented to the Board on January 26, 2011. It was approved and Aptus was directed to go forward under the contract they had already been awarded to do a pre-design. There were a lot of questions with both buildings but those questions could not be answered until the pre-design was completed. After the Board approved Aptus to go forward, they brought in structural, mechanical, plumbing, and electrical engineers. The pre-design and the cost estimates for the pre-design were presented to the Board on March 9, 2011 and they were approved. The Town had gone to the Nye County Commissioners to ask that Tonopah be eligible to go to forward to the Community Development Block Grant Program. The advisory committee for that was on March 23, 2011. The Town needed to know the Board's decision before that meeting so the Town could go to Carson City and say that the pre-design and cost estimate had been approved.

Susan Dudley explained that the Town had applied for a Brownsfield grant to complete a Phase 1 on the Belvada. This is where the hazardous conditions of the building are identified. In the Belvada, the conditions identified included the potential for fuel on the ground in the basement from an oil-burning furnace. Lead based paint and the possibility of asbestos were also

identified. The Town applied for a Phase 2 Brownsfield grant and was awarded the funding. The group has not yet come in to complete the evaluation, which will tell how to mitigate the issues identified. The Town applied for \$250,000 to the Cultural Affairs program. The program has been suspended because of the State's financial situation but the application is still sitting there. The Town was recommended for the full \$250,000 from CDBG. The presentation to CDBG dealt with mitigating the hazardous conditions of the Belvada. Those funds have to be designated for the issues on the Belvada.

Susan Dudley explained that because of what is occurring in Congress, The CDBG program may be cut some. She asked CDBG for clarification and they reported that they may be faced with cutting about 16% but they do not know how that is going to happen. The Town had to cut the cost of the loan the Board approved on March 9, 2011 back to the current amount of funding the Town has. She explained that she and James Eason met with the architects after the CDBG meeting and figured out the project costs, taking into consideration the funding from USDA, CDBG, and money from the Town. They determined that the Town has \$1,829,378 worth of just construction dollars. This does not include the architect fees, bond council fees, and other closing costs. The architects have cut back on the costs the Board approved on March 9, 2011 to come in line with the \$1.8 million. Susan Dudley explained that she wants the Board to consider approving the new costs and it is her recommendation that the Board goes forward with the approval with some contingencies, including the cost of the insurance and CDBG money.

Susan Dudley explained that the Board considered loaning itself an amount of money to put into the project. This will be repaid when the Town closes on the revenue bond with USDA. The Town will not go out and do an interim closing with a bank and pay them interest. The interest will be saved and go into construction costs. The contractor has to be paid upfront and once the Town closes on the USDA loan, they reimburse for what was paid to the contractor. She noted that the inter-fund loan is in the budget. She explained that while in Carson City, she, James Eason and Chris Mulkerns met with USDA. USDA will allow the Town to close on the revenue bond when the money from the loan runs out. This allows the Town to close on the revenue bond and pay the money back so when the Board does the budget next year, the money is in the ending fund balance. To be able to do this, the Town has to start construction as soon as it can. She explained that if the Board decides to go forward with this project and these buildings, the next thing the Board has to do is hire the architects to complete the second part of the project, including completing the final design, doing the construction documents, and going out to bid. She noted that when dealing with a USDA project, going out to bid is a longer process than normal; it takes about two months. Because it is a federal project, the Town has to bid it for thirty days. The bids are opened, the architects review the bids, and they make the recommendation for the lowest, most responsible bidder. This has to be approved by USDA. Then the contract is awarded. If the Board approves for the architects to move forward, the best case scenario is that a contractor would begin in mid September to early October.

Susan Dudley noted that each Board member has the revised cost estimates and the last page shows what was cut to bring the costs down. She explained that USDA will not allow the project to go out to bid if the project costs exceed the funding. She explained that the funding available for construction is \$1,829,378. The revised costs for the Convention Center are \$938,362 and the

revised costs for the Belvada are \$846,016. There is still a little more to cut out. The cost estimates for each building includes a 15% contingency.

Duane Downing clarified that the costs for the Belvada will cover the first floor and the exterior. Susan Dudley noted that fire protection will be placed in the upper floors and some of the stabilization on the inside will continue to the second floor. All of the outside will be re-pointed, the roof put on, and the windows put back in historically correct. James Eason explained that there will be a sheer factor for safety. Duane Downing noted that this leaves the option for future expansion.

James Eason explained that there will be a live sprinkler system in the basement and on the first floor. Above that it will be a dry system. The Town will not have to worry about heating the upper portion and will not have to worry about flooding from broken pipes. Susan Dudley explained that the first floor will have the sprinklers, the fire alarms, and the illuminated lighting. James Eason explained that the plans show a gate across the stairs on the first floor to block access except for maintenance purposes.

Horace Carlyle felt the Town should add at least \$20,000 to the existing cost estimate to upgrade the sound system or add a visual communication system in the Convention Center. Duane Downing agreed with Horace and noted that other convention centers around the country are fully integrated, with internet, wireless systems, and flat screen televisions. Susan Dudley explained that current funding for the Convention Center will be mostly devoted to making the building more energy efficient. She noted that the Town wants to make the building equipped for upgraded systems but the current funding is just for the building. James Eason explained that all the infrastructure for a full kitchen will be put in place leaving the Town with the option to go after funding for that in the future.

Horace Carlyle questioned whether Aptus has consulted with Diane Perchetti regarding possible health violations on the kitchen. Susan Dudley explained that Aptus has been instructed to do all fire and health codes. They are responsible for making sure all permits are in place.

Duane Downing made a motion to approve the revisions to the Convention Center Project and the cost estimates related to the revisions where the existing Convention Center is now at \$983,362, the Belvada costs at \$846,016, the subtotal of \$1,829,378, parking lot at \$87,673, Union Plaza at \$287,997 for a total estimated project costs of \$2,25,048. Javier Gonzalez seconded. Motion passed 4-0-1 (Jon Zane was absent).

4. Review, discussion and possible approval of entering into an agreement with Aptus Architecture for the design and construction phase of the Convention Center Project, with funding to come from the Special Capital Projects Fund.

Susan Dudley explained that the Town went through a very competitive selection process for the architect and Aptus was selected. The Town entered into an agreement with Aptus to do the Preliminary Architecture Report and the pre-design. Tasks A through G of their proposal have been completed. The Town is requesting the Board to enter into an agreement with Aptus for

tasks H through J. This will include the final design and the final cost estimates. The final estimates will be where the Town addresses adjusting the cost estimates to fit the funding. Then Aptus will prepare the contract documents requested by USDA. They have to prepare the documents just as USDA requires them. These have to be approved by USDA before going out to bid. Aptus will handle the whole bidding process. After opening the bids, Aptus will make a recommendation for a contractor. The Town will then enter into a contract with the contractor and construction will begin. The architect is required to come up at least once a month but a resident inspector has to be on site. Aptus has to monitor things as the stages go through. The architect then has to go through the final construction inspection to make sure that everything was done per their requirements. There are normal reimbursable expenses and travel expenses for a total of \$175,225. She explained that all the architect fees that have already been paid are in the Town's match for funds. What was spent last year and what the Town anticipated spending this year comes from Special Capital Projects. The Board approved to take the fees for the various engineers to come from professional fees. The additional \$249,000 approved from Capital Projects completes the Town's match. The match will fund entirely what has been paid to Aptus, what will be paid to Aptus, and the closing costs. Susan Dudley explained that if the Board approves to go forward with Aptus, the motion needs to specify that Aptus is to complete Tasks H through J for a subtotal of \$175,225, the resident inspection for \$20,000, normal reimbursables for \$6,000, and travel reimbursables for \$6,410.

Duane Downing wanted to know when the Town was going to secure ownership of the Belvada. Susan Dudley explained that the Town did not want to accept ownership until all the funding is in place and the issues resolved. The Town is close enough that it has turned the entire matter over to Todd Levinthal to help secure the title. She noted that the Town did not want the liability of the Belvada unless the Board decides to go forward with it. James Eason explained that the Belvada is contingent upon funding from CDBG, the insurance, and the title. He noted that Todd Levinthal was hired because the Town has to have the review of contract documents regardless of whether the Board decides to go with the Convention Center project as a standalone or everything as a whole. Susan Dudley explained that this is part of the legal fees listed.

Duane Downing wanted to know if the building has to be brought up to current seismic codes. Susan Dudley explained that the building does not have to be brought up to current seismic codes because it is an historic building. James Eason explained that the Town is waiting on Pool/Pact to see how much the insurance on the Belvada will be.

Susan Dudley explained that there is a process the Town will go through before actually issuing the Notice to Proceed to start the design. She explained that there are things the Town is still moving forward with and if it encounters an obstacle it will be back in front of the Board. She noted that issues with the insurance, the title and losing CDBG funding would be reasons the Town would back out of the Belvada. James Eason explained that CDBG funding allows the Town to re-point the bricks, fix the downspout, fix the roof, put the windows in, and make the building so it is not a hazard to the walking public. He noted that if the Town does not receive the funding the building will stay as is and the Town will move on to another building.

Horace Carlyle noted that he really did not want to be at the meeting. He explained that in 2008 he filed a sheriff's complaint on the building and he supported a nuisance complaint with the prior Board. He explained that it was approved by the Board but never submitted. He supported a new roof on the Convention Center in 2008 rather than looking for a new building. He noted that he would personally love nothing better than to take the Belvada and put a plaque on it with his big name on it. He explained that he spent time looking at the alternative of just doing the Convention Center, mainly what the monetary outlay would be. He noted that with the current budget the Town is experiencing increasing expenses and decreasing income. Based on his figures, just spending the money on the Convention Center, using the \$35,000 from Special Capital Projects, the general fund cash outlay would be \$28,855. This would be \$27,000 less per year than if the Town did both buildings. He noted that over thirty years that would be \$800,000. He explained that if he was just representing himself, he could be quiet on this issue but he is representing the Town. He explained that he does not believe the Belvada is a sound building. He does not believe it will be a sound building unless the Town spend a substantial amount of money, several million dollars, to bring it up to seismic standards. He felt that if the Town just used the Convention Center, it would cost about \$80,000 in architectural design and study and felt it would save about \$75,000. He felt that if the Town put the money into the Convention Center it will function for many years and if the technological system is upgraded, it will be something that will sufficiently furnish the needs of the town. He explained that as an individual, his recommendation is to let the County take it July 1, 2011 and if the County wants to partner with the Town on some sort of rehab, then the Town can look at it.

Horace Carlyle felt that the Town staff and the prior Town Boards have done a wonderful job. He explained that based on the budget he has concerns. He explained that depending on what happens down the road, the surplus the Town has build up can soon perish. He noted that for a number of years, the Town and TPU operated at a deficit and in 2008, under staff leadership, the Board created a rate increase. He explained that because of the work of Town staff, the Town has made huge strides and is now in a position where it will be able to go out and rectify the problems with the water system. He noted that the water system was in crisis in 1993. He explained that there were choices made in the past that he was not aware of until he started doing his due diligence on the water project. He felt that even with the best effort the Town was only going to be able to do part of what it wants to do on the water project because of funding. He noted that what he is trying to do is make a point. He wanted to disclose that he has doubts and individually he does not support taking the Belvada. He explained that the Town is in a situation it is loaning money to the Convention Center Project and it needs to recycle that money to the water project for next year. He felt that however the Board does this, he does not want to be the one that obstructs the water project. He explained that when it comes to a vote, he will vote no on the Belvada. He explained that these are his perspectives; they are individual and he has no way to know what the Board thinks because they do not communicate because of the Open Meeting Law. He noted that they have not discussed this issue and he has no way of knowing what the feelings of the other Board members are.

Duane Downing noted that he shares a lot of the same concerns as Horace Carlyle. He does not feel that the Belvada is the most secure building in the Town. It has a lot of problems. He wanted to know if there was a chance for the Board to table this item until the next meeting so there is a

chance to look at what the project would cost if the Belvada was separated out. He wants to know what it would do to the USDA approval. Susan Dudley explained that she has already broached the subject with USDA. She noted that the Board made the decision to go forward with the Belvada so when the Town applied for the loan, Sarah Adler, the state director, advertised it as the Belvada. They made the decision to go forward with the Belvada. Susan Dudley explained that if the Board decided not to go forward with the Belvada, the Town would not want to take title to the building. She also explained that if the Town did receive CDBG funding, it would not be able to use that funding if the Town did not take title to the building. She explained that if the Board just went with the Convention Center, the Town would be saving money out of the general fund and this would be a reduction in the monthly and annual payments. She noted that the Board would not be able to go forward with Cultural Affairs grants because the Convention Center is not currently listed. It is not eligible for Cultural Affairs grants. She noted that the Convention Center will be a green building and as a result there will be a reduction in payments for electrical and propane of between \$10,000 and \$15,000 per year.

James Eason explained that those savings are applicable to either the Convention Center by itself or both buildings together. He explained that the other number not included in the estimates, because it is an unknown, is the revenue potential gained by redoing the Convention Center as a standalone or adding square footage with the Belvada. He noted that with the addition of the Belvada the Town can expand the services it provides from a Convention Center side. Horace Carlyle explained that the other issue not factored in with the Belvada, is the cost of operating two sites as opposed to one. Susan Dudley explained that with the budget, this issue was addressed. The Town did not reduce the cost of the Convention Center budget for propane and electrical. They were left intact as it is now so it could accommodate both buildings. She explained that the Town would not be running both buildings all the time. If the Board decided to go with the Belvada, the game plan is to keep that one open and leave the Convention Center for larger events. According to the mechanical engineer, the estimate for running both buildings would still not be the same amount as what is being paid now. It will be at least not more but probably less to operate both buildings than just the Convention Center. Horace Carlyle noted that he was primarily concerned with the staffing cost. James Eason questioned how the staff would increase. Horace Carlyle explained that when there is an event at the Convention Center, Diane Perchetti is there before the events to help prepare, she is there during the event, and she is there after the event. He explained that if there were two buildings the Town would have to determine how to operate both. He explained that from a realistic point of view, Diane Perchetti cannot be in two places at once so the Town will have to have at least some part time help to operate the Belvada.

Susan Dudley explained that the Board could delay the decision until the April 27, 2011 meeting. She felt that at least by then the Town will know for sure about CDBG and the insurance costs. She questioned what else the Board would like her to look at. Duane Downing explained that the more information the Board has regarding the bottom line costs would be great. Susan Dudley explained that if the Board approves the proposal Aptus does not start on the construction documents until the Board gives them a Notice to Proceed. She explained that the Board cannot give them a Notice to Proceed until USDA approves their agreement. She explained that USDA is not paying for Aptus's costs but in order for the Town to count their costs as a match for the

project, then USDA has to approve the agreements. USDA has approved all of the amendments the Board has approved so far.

James Eason explained that the overall project costs include the parking lot and the Union Plaza parking lot. These are also contingent upon receiving the funding. He explained that the Town is not proceeding with those until the funding is in place. He noted that if all the funding mechanisms, fail, the Town knows what it has for sure: \$930,000 for the Convention Center. He clarified the Town cannot do a Notice to Proceed without the Board's approval. Susan Dudley explained that if the Board approved the item at this meeting, the Town could get approval from USDA and go forward with that and then this item can come back before the Board at the next meeting where they will be updated on the insurance issue, CDBG, and the Board can say whether or not to proceed. Susan Dudley questioned whether the Board wanted her to begin discussing with USDA the possibilities of removing the Belvada from the project and get their views. Horace Carlyle stated that as the Board was going forward and making all the agreements, his understanding is that in case the Board got to the point where it did not want to do the Belvada, based on the way Tab E was structured, the Board would have the option of changing the primary. Susan Dudley explained that until the Board approved Tab E on January 26, 2011, they had that option but in her opinion, once the Board approved Tab E they gave Town staff direction to go to CDBG and it was a part of the project. James Eason and Susan Dudley explained that the Board's approval of Tab E allowed the Town to go to NDOT to apply for the Union Plaza upgrades, the CDBG request, and the pre-design and cost estimates of the Belvada. She explained that approving Tab E and the item on the same agenda to increase the cost to Aptus to have the engineers look at both buildings was part of the project. She stated that her impression was that the Board was moving forward with the Belvada once the Board approved Tab E. James Eason explained that the approval of Tab E allowed the Town to apply for the grants it has. Horace Carlyle explained that he would personally like to see the Board approve agenda item five with the provision that no action will be taken without a notice to proceed.

Duane Downing made a motion to approve action item five entering into an agreement with Aptus Architecture for the design and construction phase of the Convention Center Project, with funding to come from the Special Capital Projects Fund in the amount of \$207,635 with the condition that nothing will go forward without a Notice to Proceed approved by the Board. Glenn Hatch seconded. Motion passed 4-0-1 (Jon Zane was absent).

6. Tonopah Department Budget Reports

Chris Mulkerns asked if there were any questions about the budget report.

7. Tonopah Development Corporation Report

No action taken by the Board.

8. Public Comment

No action taken by the Board.

Susan Dudley explained that the Board recently held a workshop on the arsenic project. She laid out the timeframe, which dictated that the drilling will be done by mid-May, the hydrologist would get his report on the drilling to the engineer by the end of May, and the engineer will prepare what his recommendation will be for that project by June 1, 2011 to be before the Board for their decision at the June 22, 2011 meeting. She noted that Paul Winkleman made the suggestion that he should come down before that June 22, 2011 meeting to meet with the Board, wither at the June 8, 2011 meeting or at a workshop to lay out his recommendations to give the Board time to think about the recommendations and ask questions. She asked the Board to consider Paul Winkleman's request and let her know so she can let Paul know. The Board felt he should come down.

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

James Eason explained that he, Heather Ingalls, and Mariah Rivero attended the Rural Roundup in Mesquite, NV the previous week. He explained that room tax in Tonopah is the largest contributor to the Town and NCOT (Nevada Commission on Tourism) has played a large part in that role. The Town receives a lot of grants from NCOT to promote the Town. He noted that the new walking maps of downtown Tonopah will be hitting the streets soon. He noted that there were a lot of announcements that the Mizpah will be reopening in July.

James Eason explained that the Loan Guarantee Program supported by DOE has been funded for projects that are already in the que. It was not been cut. He noted that he will be meeting with Rob Howe from Solar Reserve, Pam Webster, Rick Osborne, Brent Jones, and other County officials to go through the development agreement. He explained that he has a letter that will go to the State Water Engineer stating that Solar Reserve has permission to move forward with their project and drill. He noted that one particular item was added granting the Town the first right of refusal on those water rights after that project is decommissioned.

James Eason explained that the Town is preparing for the spring and summer and is preparing the pool and the parks for special events.

Horace Carlyle wanted to know if there was some way to restructure the TDC, assuming they still had nonprofit status, like the Board did with the library so they could at least have a quorum and conduct business.

James Eason noted that the new Tailings, done by the Mining Park Foundation is out. He suggested that the Board members go to the Park to get it and check out what is happening up there.

James Eason explained that he did speak to the local Masonic lodge to request they do a dedication for the New Firehouse. He wants the Board to consider that for sometime this summer.

10. 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.

11. 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.

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

This item was tabled.

13. 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.

14. 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.

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

This item was tabled.

16. Correspondence

Discuss Management and Disposal of West Valley Demonstration Project – 03/23/2011
Beatty Town Advisory Board Budget Workshop Agenda – 03/30/2011
Nye County Board of Commissioners Teleconference Meeting Agenda – 03/31/2011
Green Funding at Risk for State – 04/03/2011
Nye County Board of Commissioners Workshop Agenda – 04/04/2011
Nye County Board of Commissioners Meeting Agenda – 04/05/2011
Nye County Board of Commissioners Teleconference Meeting Agenda – 04/08/2011

Nye County Airports – 04/08/2011

PIMCO – 04/11/2011

Round Mountain Town Board Meeting Agenda – 04/12/2011

Pahrump Town Board Meeting Agenda – 04/12/2011

Beatty Town Advisory Board Meeting – 04/13/2011

Nye County Water District Governing Boards Regular Meeting Agenda – 04/18/2011

Nye County Board of Commissioner/Town of Pahrump Board Joint Meeting Agenda –
04/18/2011

17. Approval of Vouchers for Payment

Note: The microphones were accidentally switched off at 9:11:52 pm. They were turned back on at 9:20:46 pm once it was discovered what happened.

The vouchers were reviewed and all were signed by Board members. Duane Downing made a motion to approve the vouchers as presented for payment. Glenn Hatch seconded. Motion passed 4-0-1 (Jon Zane was absent).

18. Adjourn

Meeting was adjourned at 9:21 pm.

Minutes transcribed by:

Approved:

Mariah Rivero
Mariah Rivero

Jon Zane, Chairman

Horace Carlyle, Vice Chairman

Javier Gonzalez, Clerk

Glenn Hatch, Member

Duane Downing, Member