

**ROUND MOUNTAIN TOWN BOARD
REGULAR MEETING
DONALD L. SIMPSON COMMUNITY CENTER
650 CIVIC DRIVE, HADLEY SUBDIVISION
ROUND MOUNTAIN, NEVADA
rmtownadmin@gmail.com
TUESDAY, MAY 8, 2018– 4:30 P.M.**

MINUTES

Members Present: James Swigart, Chair
Mackenzie Musselman, Clerk
Robert Spivey, Jr., Member

Members Absent: Craig Barber, Vice Chair
Lisa Davila, Member

Also Present: Rebecca Hansen, Administrative Supervisor
Anna Berg, Recreation Director

Citizens Present: Emily Hendrickson Chris Arabia
Tim Dahl Lorinda Wichman



CALL MEETING TO ORDER/ROLL CALL

James Swigart: Let's call this meeting to order it's 4:30 p.m. My name is Jim Swigart, I'm the chair person.

Mackenzie Musselman: Mackenzie Musselman, Clerk.

Robert Spivey, Jr.: Robert Spivey, Member.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

GENERAL PUBLIC COMMENT (FIRST)

Swigart: Welcome everyone and at this time we will open the meeting up for public comment, general public comment, three-minute time limit no action will be taken unless it's put on the agenda. Chris this is a good time.

Chris Arabia: Thank you. Thank you for letting me speak, for those of you who don't know me, my name is Chris Arabia I'm running for the Republican nomination for District Attorney and I realize this is a bit unusual but I was up here today. So, I thought I would take advantage of the opportunity and I'll be brief. There's really three reasons why I think I'm the best choice, the first has to do with values: I am the only one running who lives in Nye County, because I want to live here. My opponent came out for a job, she stills rents an apartment in Pahrump and has a house in Vegas and I think it's important that the District Attorney shares values of the community. And I came here because I like the lifestyle and the freedom that we have and I don't ever want this to be turned into California or even Las Vegas. And I worked as the Public Defender in Tonopah and Beatty for six years, so I've spent a lot of time up here. I used to come here once a while, not as often. There's not a lot of crime here, which is a good thing but I came up to investigate, and because of that and also because I do Federal and work so I was on the Bundy case for about a year. I understand how people feel when the BLM does what it likes to do and it's important to me that we preserve the way of life here, and that's something that would be a

priority for me if I were to become District Attorney. That's one; Two, I handed out information sheets to most of you and I think that demonstrates that I've had a lot success as a lawyer. I successfully defended someone in a murder case who had exercised his right to self-defense. He shot someone who had gone onto his property and smacked him in the head a few times; I'm very proud of that. I've had a lot of success in trials, appeals, State, Federal, the whole thing and then I also have done civil work that's part of my background. I have done some management a long time ago, and then I graduated from UCLA Law School which is a, one of the top law schools in the country and I have put that education to work. For a good portion of time I have been coming to Nye County, for about nine years now and so I have the values that I think fit with the community better than anyone else and then also the legal skills. That kind of leads into point number three, which is my opponent Angela Bello, among many other things the fact that she's keeping one foot in Vegas and one foot in Pahrump, she's never done a jury trial and whenever she talks about her skills and experience everything is very vague, and experienced lawyers can kind of tell that's a way of masking not having a lot of good experience and not being very good at the job. I on the other hand can bore you for hours with very specific stories about cases I've handled, but I'm not going to do that. So, the primary is on June 12th and I'm hoping to have your support. Thank you.

Swigart: Thank you.

Tim Dahl: Thanks Chris.

Swigart: Okay, any other public comment? Okay, we'll move on then.

APPROVAL OF THE MAY 8, 2018 AGENDA

Swigart: Approval of May 8, 2018 agenda which this thing-

Musselman: I motion to approve the agenda.

Swigart: Wait one more minute.

Musselman: Oh sorry I lied.

Swigart: Do we have any changes?

Hansen: The only change I have is that Pearl recommended possibly tabling number 9 until the 22nd when we have someone out here to take a look.

Swigart: Okay.

Hansen: That's up to you.

Musselman: Okay, then I motion to approve the minutes or the agenda.

Lorinda Wichman: Mr. Chairman? May I interrupt; he has traveled here from Pahrump for number 9.

Dahl: In the event that you have any questions for me.

Hansen: We can still definitely-

Wichman: Hear it?

Hansen: Mhmm.

Wichman: So you can ask her- Thank you.

Hansen: Except we don't have to, it was just a recommendation before we knew you were going to be here.

Wichman: They're not going to do it.

Hansen: On number nine.

Musselman: I motion to approve the agenda.

Spivey: Second.

Swigart: Having a motion and a second, all in favor say aye, opposed, hearing none. May 8th 2018 agenda has been approved.

Motion passed 3-0.

APPROVAL OF MARCH 13, 2018 REGULAR MEETINGS MINUTES

Swigart: Okay, number 5 approval of March 13th 2018 regular meeting minutes for possible action.

Musselman: I motion to approve the minutes.

Swigart: You guys read them, have any questions?

Spivey: Second.

Swigart: Having a motion and second, all in favor say aye. Opposed, hearing none. March 13th, 2018 regular meeting minutes have been approved.

Motion passed 3-0.

APPROVAL OF MARCH 27, 2018 REGULAR MEETINGS MINUTES

Swigart: Number 6, approval of March 27, 2018 regular meeting minutes.

Musselman: I motion to approve the minutes.

Spivey: I second it.

Swigart: Having a motion and a second all in favor say aye. Opposed, hearing none. March 27, 2018 regular meeting minutes have been approved.

Motion passed 3-0.

Swigart: So, are you up to date?

Hansen: We have two, we have the April meetings that are both completed by the Admin Aide and I just have not been able to get fully through them to proof them. But –

Swigart: Okay.

DISCUSSION, DELIBERATION, AND POSSIBLE DECISION TO APPROVE 1) FACILITY RENTAL INCREASE, 2) RECREATION EQUIPMENT INCREASE, 3) POOL USE RATE INCREASE, AND 4) DETERMINE EFFECTIVE DATE OF INCREASE

Anna Berg: So you guys got all those attached, right? That were on there. The increases that we, we haven't had any increases that I know of.

Swigart: And who are you?

Berg: Oh I'm Anna Berg, I'm the Recreation Director.

Swigart: Okay.

Berg: Any way we haven't had any increases that I am aware of except when we put the card reader in, and we're charging \$10 for cards and replacement cards. You know, if you have to have a card. That's the only increase that I know of since I've been here working with the Town of Round Mountain, which has been a long time, a lot of years. Any way so the first one you have there is the Facility's Rental Rates and for the most part we only raised them like \$5, a couple of them weren't changed at all just so they stay pretty even and they don't, we didn't change the gym weight room per month or the hours in the two hours. Or the \$15 for two hours in the gym, so did you guys have a chance to look over those. I just want to bring it forward to you guys and then I also have equipment check out form outside of the facility, and our tables and chairs are getting used a lot and they're getting, just because of use, they're getting really, really ratty and we don't have any way to recoup to replace our tables and chairs. So, we put a rental fee on the tables and chairs and it would be, let's see here, okay, so it would be like, tables would be \$6 a day and folding chairs would be \$1 a day. And we have picnic tables they would be \$10 a day and our stacking chairs that really aren't that great would be fifty cents a day, and then we have a weekend rate. Because we aren't here on the weekends we would just add like \$4 per day for a whole weekend, for Saturday and Sunday return them by Monday at noon. And a \$7 per day for the picnic tables and seventy-five cents for, and thirty-five cents for the chairs. And then the swimming pool the only rate change on that would be for swimming lessons would be \$20. We've been at \$10 for swimming lessons. I've been an instructor for twenty three years and we haven't had a swimming lessons increase in that many years. So \$20 per swimming lessons is relatively cheap considering, but the next cheapest one is \$30 and I think that's an outdoor pool in Fallon. So, I mean you don't have to vote on it now, just take a look at it. And the tables and chairs, I just kind of threw it together really fast, so if you have any ideas you want to kick something around.

Swigart: Is that for each chair and each table, that price? Or-

Berg: Mhmm. And I actually got kind of a price idea from Louie's Ace Hardware in Fallon. And their tables and chairs are a little bit more than ours, but they'll deliver them and pick them up from you also. And then I just kind of lowered it down a little bit so that we could kind of have an idea. I mean, it's just kind of an idea.

Hansen: And this is just for the tables and chairs-

Berg: Outside of the building-

Hansen: That we rent outside.

Berg: Outside the building. Not, the tables and chairs in this building generally stay in this building because renting these outside of the building they come back really ratty and we have a lot of things that go on in here anyway.

Musselman: I just want to make sure I understand, it's a dollar per chair per day?

Berg: Mhmm.

Musselman: Okay.

Berg: I mean it's not in stone it's just an idea, just throwing it out there, but swimming lessons can we vote on that? That's the only thing, I just want to start swimming lessons and I don't want to have to price change in the middle of the season. And we're starting swimming lessons the 22nd so everybody knows.

Swigart: And how many weeks does that cover?

Berg: 2 weeks, 8 days.

Swigart: Is that in addition to the family pass?

Berg: Yes. Swimming lessons are completely separate.

Swigart: And what kind of participation do you get for swimming lessons?

Berg: Well, last year we had about 65 kids that did swimming lessons with us. In the past, swimming lessons we generally do a lot because we want our kids to swim and so we generally do a lot of the smaller kids and then as they get bigger they generally don't do the lessons as often as the smaller kids but by then I'm encouraging them to do swim team. So, they're learning strokes at swim team practice.

Swigart: Do you think anyone would be deterred from swimming lessons if you increase the rate. I mean it is for the community and if kids can learn how to swim, that's pretty important. You know maybe save a life someday.

Berg: I mean I don't think, I don't think it's a huge cost increase. Considering that, it is to save, hopefully save their lives.

Swigart: You guys got any questions?

Musselman: I don't think it's that big of a change, personally.

Swigart: Okay.

Spivey: How much is the fee right now?

Berg: It's \$10.

Musselman: So, we're doubling it but it's like she said that's still like really good, considering.

Spivey: Yeah, cause way back when I was a kid we paid \$40. So that's a long time ago.

Berg: That's all I have.

Swigart: Do you guys want to make a motion on just that part for Anna?

Musselman: I motion to approve the increase for swim lessons.

Spivey: I second.

Swigart: Having a motion and a second, all in favor say aye. Opposed, hearing none. \$20 for swimming lessons.

Berg: Thank you.

Motion Passed 3-0.

Musselman: Good luck with your swimming lessons.

Berg: Not to be rude but I'm leaving, I've got to go back.

Swigart: You guys have anything else on the rest of it?

Musselman: I wonder if we should have like a bundle in there where it's cheaper if like X amount of chairs, not just per chair.

Hansen: Oh, do up to X amount at this rate.

Musselman: Yes.

Hansen: Okay.

Spivey: Generally when you get the table you get chairs too.

Hansen: Yeah.

Spivey: I think a package.

Hansen: Cause as of right now any of the outside chair tables, tables and chairs that are rented out are rented out with no fee. I do believe they pay the deposit in case something's overly damaged, but I'm not aware of any of the times they have utilized the deposit, to replenish.

Musselman: Do they get rented out a lot?

Hansen: I don't know how often they get rented out and Anna ran away. So, she had to go back to lifeguard.

Spivey: Yeah, like a table and four chairs. And-

Hansen: Additional at a different rate. Okay.

Musselman: Cause a dollar a chair seems like a lot.

Swigart: Well I would say we table this and look at it.

Musselman: Yeah.

Hansen: Look at it and then provide some input at the next one. Okay.

Musselman: Yes. When Anna can stay.

Swigart: Okay, let's move on.

Hansen: As of May 22nd we should be fully staffed with all our lifeguards.

DISCUSSION, DELIBERATION, AND POSSIBLE DECISION FOR ROUND MOUNTAIN TOWN BOARD TO RESPOND TO NYE COUNTY PUBLIC HEARING ON JUNE 5, 2018 AT 11:00 AM REGARDING "NYE COUNTY BILL NO. 2018-03 – A BILL PROPOSING TO AMEND NYE COUNTY CODE TITLE 17, COMPREHENSIVE LAND USE PLANNING AND ZONING, BY ADDING CHAPTER 17.12 ENTITLED SPECIAL USE PERMITS; AND PROVIDING FOR THE SEVERABILITY, CONSTITUTIONALITY AND EFFECTIVE DATE THEREOF; AND OTHER MATTERS PROPERLY RELATING THERETO"

Swigart: Okay number eight on the agenda, discussion, deliberation and possible decision for Round Mountain Town Board to respond to Nye County Public Hearing on June 5th, 2018 at 11:00 a.m. regarding "Nye County Bill No. 2018-03 – A bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, by adding Chapter 17.12 Entitled Special Use Permits; and Providing for the Severability, Constitutionality, and Effective Date Thereof; and other matters properly relating thereto." And I'm sure that's why Lorinda is standing right there.

Wichman: Good afternoon I am your County Commissioner Lorinda Wichman if there's anybody that doesn't know who I am. I asked this to be put on your agenda. If you remember or if you were around in 2015 this floated once before. Pahrump is the only area in Nye County that has special use permits currently and this attempt is to expand that throughout the entire County. We batted it away in 2015, but what brought it to the surface again is one individual out of Beatty that has had an issue with a business being built across the street from him. I don't know what kind of agreements that they had, but he doesn't feel that they fulfilled their agreements and they rotated the building and they faced it in his living room and he's throwing a fit. Those phone calls to planning and code compliance within the County brought this back to the surface again, but I would like to know before I have to go into this meeting is if your feelings are still the same or you have a change of perspective on this, I'd like to hear it before we got to that public hearing. So, I'm not asking you to write up anything super-duper special, nothing like that, you can simply send me an email tell me what you think about it, if you've an opportunity to read it, it is in the back-up for the board minutes from when we set the time and date for the hearing. You can get the backup and that's on the website, you guys have used the website, right?

Hansen: I have.

Wichman: To get meeting information, you can read the entire bill in there and see if, what you think. If there's something in there that could be useful, something that you want as a community, that's perfect. And that's what I'll represent but there are a lot of good things about it, let me speak about the good things. If someone came in and wanted to build down the road here and they wanted to put in something that was going to employ individuals or be open to the public, then there is a expectation of safety measures. Currently the way the laws are, they have to adhere to State Law, State building codes all that kind of stuff, but they are not required to go the County and for any kind of permitting. If there was a mechanism to bring them to the County, the way the bill is written it would require them to get the approval of the Town Board, so that your community could vet the whole project before it came before the Board of County Commissioners, so that is an advantage. However, currently Round Mountain Gold is expanding, they're not just digging a bigger hole, they're putting in buildings, and they employ more than twenty-five people. And this would require them to come to Board of County Commissioners and I can't imagine anybody in this community saying no we don't want them to do that, so it's just an added level of, we enjoy an awful lot of freedom out here, personally I'd like to keep it that way, but I'm not voting personally when I'm sitting before the Board of County Commissioners, I'm

representing you. So, if you have thoughts on it, please let me know, if you still agree with your letter that went out 2015 opposing this that's what I'm gonna use at the meeting, okay. Any questions?

Swigart: No. Thank you. We don't have to make a-

Hansen: We have one more board meeting before their public hearing.

Swigart: Okay, then let's wait til-

Hansen: And as Lorinda said, you can just email her as well so.

Wichman: Any time, email or phone call, text message.

Swigart: So we will continue to discuss this at our next Town Board Meeting, but feel free to contact Lorinda with any personal views that you have.

Hansen: Yeah, or questions, cause I read through this and I'm still not 100% sure how it would directly affect our area.

Wichman: The only way it would, the portion in there about water rights is being removed, so ignore that.

Hansen: Okay.

Wichman: The only way it would affect your area is if someone came in with a business plan and they were going to employ twenty-five or more, or they were going to be open for public, like a beauty salon, grocery store, anything that's open to the public use for public use.

Hansen: So would everyone be required to fill something out and then the County would determine if it's special use or?

Wichman: Yeah, any business. Anybody who is doing anything that will be used by the public. And the process would be, you fill out this form, you send it to the County, the County turns around and asks you a bunch of questions, and they ask how the Town Board voted and any recommendations from the Town Board. And then, it would be determined by the Board of County Commissioners with staff's help obviously, whether or not there were special conditions that they had to live up to. In situations like Round Mountain like I just described I can very easily see something they're doing coming to us to get an SUP and we say fine, give them one, you know there's no concerns. But once it's in the law, once it's in the ordinances and I'm termed out and you have a new board and our current planning director is gone and we get somebody who has a different attitude, things they read the law a little different. No guarantees.

Swigart: Okay, any other comments on that, anyone?

DISCUSSION, DELIBERATION, AND POSSIBLE DECISION TO APPROVE, AMEND AND APPROVE DRAFT RESOLUTION TO RETURN FUEL TAX MONIES TO NYE COUNTY HELD IN TOWN OF ROUND MOUNTAIN'S GENERAL FUND

Swigart: Discussion, deliberation and possible decision to approve, amend and approve draft resolution to return fuel tax monies to Nye County held in Town of Round Mountain's General Fund for possible action.

Tim Dahl: Hi guys, sorry to put this back on the agenda for you to consider. Nobody asked me to come here today, I just took it upon myself to try to get somewhat of an update on how we were coming along with

preparing something for the Board to consider the Board of County Commissioners to consider. And take a look at your roads here and answer any questions that you may have on that regard. I mean I don't want to infringe upon what the agenda item is but I want to be able to answer any questions you may have of me. My name is Tim Dahl, I'm the Acting Public Works Director. I recognize a couple of you and a couple of your faces.

Musselman: We spoke on the phone.

Dahl: That's right, so one of the things I asked if I couldn't see, because if this goes through, it's going to be my job to come up with an idea of what it might take to bring these roads into somewhat of a normal condition, cause it just appears like they have not had too much attention over the past several years, and I heard that we had a video of the utility infrastructure that I was hoping to be able to take a look at and the reason for that is because if we go in there, and even today if you guys say, Tim I want you to go patch these holes out there or fix these locations, I want to be able to address those specific locations with a fix that's going to be more than just a band-aid, and it's gonna be something your dollar is well spent on or the tax payer's or the County or whatever. My thinking is some of those areas the utility infrastructure may be what's failing underneath the surface to get to that conclusion and to come with a plan to fix those locations I think is very imperative, like I said, I drove around today and I looked at a lot of- I didn't realize you guys have some storm drains and then I think the out fall is over here by the school somewhere that goes out into the golf course, nobody knows that do they? But that's also one of the three things in the streets that are probably causing some of the surface damage that you are seeing, so hopefully we can move forward with preparing something that we can take to the Board of County Commissioners for their consideration. Again, I'm here to answer any questions, or tomorrow if you have a question please feel free to give me a call. Any questions?

Swigart: Yeah, last time you were here we talked about you sending a crew out on Fridays and you would invoice us the work for that and that didn't happen.

Dahl: Sure it did. It happened once.

Swigart: It happened maybe one time, and then it stopped and it was supposed to be like every Friday.

Dahl: Because I'm not a contractor because I'm trying to help the community out and doing them a favor and doing that work I was given an opportunity to do that one time for emergency trip hazards, areas that were of special concern at that time that you guys gave me a list of, our guys came out here and did all that. And we sent them a bill, you guys paid the bill, everybody was happy as far as I'm aware. And that was a one-time deal emergency, we have some emergency items to take care of, Tim can you help us. And I fulfilled that obligation.

Swigart: We'd have to look back some of the meeting minutes, it's not really what I remember and I could be wrong but I thought it was gonna be every Friday until the roads were in, up to what your standard was.

Dahl: And see I mean I'm not a contractor. We come out-

Swigart: Right and that's okay. We're gonna look at a contractor and we're gonna look at an engineer and we're gonna look at this \$360,000 that we have and see if we can do it ourself.

Dahl: Amen you're more than, you guys have that in place right now today and that is certainly within your means to do it.

Hansen: I think right now, we're still trying to find the video of the infrastructure. I'm not sure with when it was filed, where it was filed so I'm digging through any random place I think it might have ended up. And then we went ahead and talked about if it is infrastructure just for the Board's information getting an engineer or

somebody out here to look at it just to tell us where we're at just so we know what we're up against, and what we could do here or what we will do later.

Dahl: And either engineer is gonna want to see that information if they can, they're gonna want to come out and do some pot hole testing, they're gonna want to see what condition is under the surface so that they can best give you an idea of what it's gonna take to repair it.

Hansen: And that was the recommendation for not knowing you were going to be here, on tabling that item is because hopefully by the next board meeting we will have more information.

Dahl: Certainly, feel free to ask me any questions I don't know of many, I don't know of any engineers in this neighborhood. There's a consultant who shall remain nameless that might be able to help to, to give a really good guess on what it would take to put these back in good shape.

Musselman: So, you're mentioning emergency work, with the infrastructure possibly failing be considered emergency work where we could kind of use you as a contractor again?

Dahl: When I say emergency I mean trip hazards, I mean something the kids are gonna fall on or hurt themselves or mom, or grandma or grandpa is gonna walk across the street and fall into a hole that is there. I mean I don't want to leave you guys without the ability to safely get your kids and be able to walk and drive on the streets here.

Musselman: Would the library pothole be considered?

Hansen: No because that's Town property.

Musselman: Dang it.

Hansen: So that one our Maintenance Crew is actually looking into trying to quick fix on that one.

Dahl: Any other questions?

Spivey: They agreed to this? You would be taking over all of that?

Hansen: What it is, Tim this has been on here since the first time you came here, we keep bringing it back because we're just constantly brainstorming, throwing ideas out there, where we want to go, what we want to do, what are our options, and so for Robert and Mackenzie they're a little newer, but initially when we first started talking about it, it was the idea was, ask the County to take back the maintenance portion of the roads and provide them with the money that has been accruing in that gas tax account.

Dahl: As well as future-

Hansen: And any future monies, just turn everything over, existing account and all future revenues.

Spivey: So you would give them the \$360,000 without you doing anything and then-

Dahl: Well no-

Spivey: And then we give you the money that's going into that afterwards.

Hansen: And Tim had let us know that per NRS they can't spend that money.

Dahl: Money has been collected for a certain purpose, it can't be allotted for anything other than what it has been collected for, and you're right, I would be asking for that without doing anything, however it is of the utmost importance to utilize those funds for what they were given, you know, provided for and get these roads back in shape and that comes with analyzing the areas, checking the infrastructure, coming to a determination on what needs to be fixed and where.

Swigart: You just said you weren't a contractor, and you can't come out here.

Dahl: I'm County though, if I own the roads and the roads are my responsibility that turns the whole thing over to my purview again to take care of. And with funding I can do that, whether it's our guys, or more than likely it will be our guys but I still have to come in and see what that grounds like and come up with a fix that is going to be appropriate for that dollar that-

Swigart: Well if you're charging us to do it out of our funds, with an invoice, what's the difference?

Musselman: Because it's not his jurisdiction.

Dahl: It's not common practice for me to do that, I mean I don't go to any other community and do maintenance for them and have them write me a check for it, that's not a public servant. That's a contractor.

Swigart: Well you understand our position, well you can't do that, so why should we trust you to be able if we hand all the roads over?

Wichman: Sorry, I gotta intervene may I please?

Dahl: Yes, absolutely.

Wichman: Jim all the road taxes in Nye County are collected in order to do road maintenance, regardless of where they are. When Dan Sweeney was with us here, he had a plan. I'm not exactly sure the entire plan but he asked to have the road tax money that was collected here, turned over to the Town with the intention of doing your own maintenance, it never happened, timing whatever the issue is. But if Nye County is not collecting the Road Taxes to do the maintenance in the Town of Hadley, it's not our responsibility. We're happy to come and help but there's a cost for doing that. You're collecting the tax dollars, you're actually the one who's responsible for doing the maintenance out here, but you don't have the means, or the way to do it, you don't have the equipment, and I know Dan had a plan I just know he did, he never did things without a plan. But life happens.

Dahl: Not only the responsibility but the liability, so if grandma does go trip on that she's gonna come see you guys who are responsible to maintain these roads, so just a little side note. I mean, it's what I accept every day when we go out and do work in a County right-of-way and we do it in a fashion in which we believe is best for people to be able to traverse whether it be walking, in a wheelchair, crutches, car, what have you.

Spivey: And that money would have to be used only here, can't be used in Pahrump?

Dahl: There is no using it in any other location than right here, in my opinion that money stays right here it doesn't go anywhere else, so I would take that entire amount and devote it to the roads and get them up to whatever I can- you know whatever I can get done with it. I'm not saying that that's gonna do the whole subdivision back to the way it was originally back in the 90s. But it certainly will go a long way to bringing these roads up to a standard you all would be proud to drive on.

Spivey: And if that \$360,000 wasn't there you would still do it if they signed over what's coming down now?

Wichman: Yes because actually what it does for you too, it removes you from that responsibility it turns them over to County roads, it also makes it possible for us to attach other funds to it, RTC funds, grants, things that come our way through that other Board, the RTC Board, should Tim put together a plan and it comes in \$800,000 and all you have isolated here at \$360,000 the RTC may decide well yeah, send the rest of the money, send that money up there and get the job done. It's not a, like he keeps saying, this is not a contract work. We're the County.

Swigart: Well let's just pretend that, that \$360,000 it doesn't even exist, then we would look at signing over the roads to the County.

Dahl: And honestly whether Commissioner Wichman is sitting here or not, I would not recommend to the Board of County Commissioner that they do that, because there's no funding that I have readily available besides building up some RTC funding, Regional Transportation Commission funding.

Wichman: Gas tax from other communities which you can't use here.

Dahl: And besides you have that money that you can't for spend any other purpose but that as well, I mean, so it's, if you want to sit on \$360 grand I guess that's ok.

Swigart: I guess we could go like, what did you say it was, \$30-40,000 annually.

Hansen: Yeah, up to, yeah sometimes it's more, sometimes it's less.

Swigart: We could go \$40,000 so that you have a budget to start with for the year, now is it gonna be \$40,000 every year, I don't know.

Wichman: Well nobody does know, but what it does it pools everybody's money so that we can actually use the crews that we have, for \$360,000 you can go find a contractor to give you an engineer's report.

Dahl: You certainly can.

Wichman: And then you are not gonna have the money to do the work that needs to be done.

Swigart: We'll see.

Wichman: Yeah and maybe you can call the Mine down here, maybe you can get them to come down.

Dahl: Keep in mind if you do, do that though, try to keep things under \$250,000 because then you get into Davis- Bacon stuff and that just creates a huge amount of unnecessary expenditures that you don't need so do it in increments, do \$100,000 at a time or \$120,000 at a time or whatever, do sections, do phases.

Wichman: You know the only point that I'm trying to make Jim is that regardless of what took place in the past and regardless of what Dan's plans were, you can collect money yourself and do the job or you can ask the County to come and do it for you but you can't have it both ways. That's all I'm trying to say.

Swigart: Right and I- we can make promises and we can say that \$360,000 will go right into this Town.

Wichman: Well that's required by law.

Swigart: Well, we'll see.

Wichman: It's in the law, it's in the State's Statutes. It's not even County Law.

Dahl: Keep in mind that this Board asked me to support this and I do. I mean I want to help you guys out, it's not as if I'm going to use this as a revenue stream and I'm going to go buy equipment in Pahrump or projects in Tonopah. I don't know what experience you've had with previous Public Works Directors, but that's not how this works, and not to incriminate them, but some people have ideas in the back of their minds that other things were done that shouldn't have been done and I don't even want to go there, that money is collected for here, it's gonna be spent here, period. If I have anything to say about it.

Wichman: Kinda think if you read the taxation-

Dahl: You can't get around it.

Wichman: You can't get around it.

Hansen: I do have a question, so planning department or roads, however it breaks down budget wise, is your budget only based on gas tax?

Dahl: No.

Hansen: So if Nye County did own the maintenance of the roads, we wouldn't only be getting road service for whatever the gas tax was.

Dahl: No there's property tax for roads, but again the agreement in the mid-90s was County we don't want you to be any more a part of our roads and we want to collect our own funding and we want to do our own maintenance.

Hansen: Yeah, I just wanted, in my head if we were County roads, the amount of money you would be able to utilize not solely be the gas tax in Hadley.

Dahl: That's right, for example, Pablo Canyon Road is on the approved Regional Transportation Commission Budget for '17-'18 and soon as I can dot the I's and cross the T's that things is gonna get an inch and half overlay and nobody here had to pay for that with the exception of property taxes and other taxes that the Regional Transportation Commission collects throughout for fuel, for fuel and property. So that's a good example of that's not coming out of anybody's here pocket with the exception of property taxes and what's collected around Nye County.

Wichman: Do you think you might be able to get the Mine to help you with the roads down here?

Musselman: Hey Emily.

Hansen: I don't think-

Swigart: There's a whole engineering department up there.

Hansen: I don't know that they're available for that type of service.

Swigart: One of the biggest potholes is out there right in front of the General Manager's house, on Mahogany.

Emily Hendrickson: So I'm Emily Hendrickson, Round Mountain Gold. I will say when Lorinda said if it ends up being \$800,000 you guys only have \$390,000 we are not going to cover the rest of that. You know we do

have engineers and things and we are always happy just like with the sewage thing to come down and do consulting work, but you know it sounds like quite an expensive project, so happy to help where we can, but as you may hear we're a little bit busy these days. But again happy to help where we can but I wouldn't rely on us for the whole project.

Hansen: Right.

Swigart: Okay thank you. I say we recommend to table this until we have a full board and do some more.

Musselman: Thank you for your input though I find that helpful.

CORRESPONDENCE, AWARDS, DEPARTMENT UPDATES, AND ANNOUNCEMENTS

Swigart: Let's move onto to number 10 correspondence, awards, announcements, and department updates.

Dahl: Good evening to you.

Hansen: Drive safe.

Dahl: Thank you.

Wichman: Thank you.

Hansen: So we have four items on our Correspondence:

1. Letter from Nevada Division of Environmental Protection dated 4/24/18, RE: Operating permits AP1041-0444.02 and AP1041-2250.
2. Tonopah Town Board Meeting Agenda for 5/9/18.
3. Tonopah Library Board of Trustees Meeting Agenda for 5/9/18.
4. Nye County Board of County Commissioners Notice of Public Hearing scheduled for 5/22/18 at 10:45 am, RE: Nuisance complaint filed for 17 Mahogany Blvd.

We have a letter from Nevada Division of Environmental Protection dated 4/24/18 and it is regarding the operating permits of RMGC AP1041-0444.02 and AP1041-2250. And, from what I have gathered it looks like the Bureau of Air Pollution Control is determining that the waiver that RMGC has submitted they, it is warranted as far as some emissions testing here and everything. And if anyone is opposed to that, the appeals must be received within 10 days of receipt of the notice. We did receive this April 30th. So, if anyone is opposed they would need to make a written opposition known by May 10th.

Our next one here is Tonopah Town Board Meeting Agenda scheduled for May 9th followed by the Tonopah Library Board of Trustees Meeting Agenda for May 9th and our final here is from the Nye County Board of County Commissioners, it's a Notice of Public Hearing scheduled for May 22nd at 10:45 a.m. and it is regarding the Nuisance complaint that the Town had gone ahead and filed on 17 Mahogany. So they are going to go ahead and have anybody who wants to come to make any statements is able to come and do that in the public hearing. They'll go ahead and take over some information, anything that the Town will go ahead and provide. Pearl is planning on attending that meeting. As far as any past information, letters, any kind of contact information that we may have or may not have will be presented at that time.

Spivey: Has anyone made contact with the owner of the house yet?

Hansen: I don't know that anybody has been able to get a hold of them. For us, filing the nuisance complaint after the notice of public hearing they'll make a determination and that's when the DA's office and such will then reach out to the owner of this property. If someone in the meantime is able to do it in their time, then there's nobody stopping this. And so that is it for correspondence. I've got Pearl's email here that she went ahead and sent out this morning, I don't know or a little bit before this afternoon, I don't know if you guys got a chance to read it. It is letting us, you guys know that Lumos and Associates will be here on May 22nd to go ahead and assess our roads and they will present at the May 22nd Town Board meeting making recommendations as far what they think we should go forward with and road repair and they are aware of what we have to work with. Public hearing for the 22nd that was in correspondence. So, the salt sand pile for Town roads for snow and ice has always been located over there by the Hadley Pond, its freely accessible; we've recently had some complaints that we've had kids on dirt bikes and ATV's utilizing it as a playground. So we have gone ahead and moved that pile back behind a chained off fence, if they choose to go back there they are definitely going to know they are trespassing. Lumos and Associates, Pearl had also reached out to them regarding the generator, the replacement generator out here at the sewer ponds, initially we got quotes for a 40 watt and 100 watt and Lumos after reviewing our specs is actually recommending we go to a 125-watt, kilowatt generator. We've gotten the Cashman quote for that and we're still waiting for the Nevada Energy Systems and those were the two we originally got the quotes from. In regards to this, we've also reached out to Pool/PACT and Ken Eason, of Eason Insurance to find out if we can actually claim this through our insurance so we are not having to pay all or any of the cost of replacing this generator, and they are working on it being an unintentional loss, and so that is also in the works right now. Because if you remember they came in around \$38,000 and up, it would be nice if we didn't have to pay for all of that out of pocket.

Swigart: We're renting one right now?

Hansen: I don't think we're renting it; the Mine has actually just donated one to us to utilize temporarily.

Swigart: How big is that, do you know?

Hansen: I want to say there's is 125.

Musselman: And it's working good?

Hansen: Yeah, I think we've utilized it twice since our generator went out. And we had AC/DC Electric out and they did go ahead and get the electrical panel out at the sewer pond upgraded. Looks like May 16th Precision Pump's gonna come out and do an inspection on those lift rails that seem to be not straight anymore and give us some information on that. It says here that they are also gonna go ahead and remove one of our lift station motors, take it and rebuild it and that's gonna be about \$3,200 for the rebuild.

Musselman: How long will that be out, do we know?

Hansen: I do not know. Also in addition to, since we are talking about the Sewer Ponds, the week of May 14th is when we are having that Waste Water inspection, sometime during next week we will have them out on site. And our crews have been diligently working on all of the things that were mentioned by Nevada Rural Water to make sure that we, we're compliant, we're hopefully not gonna get written up on too much if anything.

Swigart: Can you find out if there's an issue with the aerators, the system, maybe from Darrick, because it's really bad odor compared from when we first installed that and I'm not sure if it's working or legit?

Hansen: We did, after we did see a community member complain on Facebook and so we did ask that following day, I don't know if it's attributed to the warming weather or if it's just typical North wind. So, he did not seem to think at that time there was any issues with our aerators but I'll double check again.

Spivey: It gets pretty bad at night, too.

Hansen: At night?

Musselman: Pungent, I live right across the street, let me tell ya.

Hansen: I don't know if now that it's warmer and they bubbles, bubbles, bubbles, this thing bubbles constantly like a fish tank, if we're just getting more things come to the surface or what, but I'll definitely ask.

Musselman: Thank you.

Swigart: I know they have to be placed in a certain spot and it looks like that they're congregated all off to the southeast.

Hansen: They're walking again, okay. Cause we did have that problem at one time and we had to re-place them.

Swigart: Anything else?

Hansen: Yeah, Kevin Haskew came in and went ahead and did his initial evaluation over there at Mr. Sweeney's house, so he has roughly, he hasn't gotten me the map yet but he's roughly got it down to 1.59 acres is what he's requesting. He did say that once he gets all the parcel maps, cause what will happen is it will be three, our one parcel will then be broken into three parcels. So the Town's property up to Mr. Sweeney's and the other side of Mr. Sweeney's where the Fire training and area is. So that will be three different parcels and his will be the middle one. Once he has everything as far as the mapping goes, it does have to be signed off by the Board, before he submits it to County, so we'll get it, once we have it it'll be on the next agenda that we can get it on.

Swigart: Okay, I don't think that will be any problem.

Hansen: Yeah.

Swigart: I mean it's in our minutes what we agreed to as a Board at the time.

Hansen: We utilized the minutes we found during one of the meetings, the print out with the drawing of the property lines, so what it'll just be getting it through County and he did say that can take, he's had it take up to three months but he'll stick with it the entire time.

Swigart: Okay, have you notified Dan and let him know.

Hansen: Yep, he actually stopped in this week and let him know it had gotten started and it was just a matter of now we put it on their plate and we're just waiting on them.

Swigart: Very good, thank you.

Hansen: And then Pearl did want, we have been going back and forth with the Department of Taxation in regards to the tentative budget that we submitted and they had us do some corrections, so you may see some of those corrections coming into the final budget, I don't believe they're on this one corrected yet, but they actually were beneficial to us so she went ahead and Schedule S-3, SSCRT Loss the calculations did not come over right, so Department of Taxation said never try to calculate it yourself, use our figures, so that actually gave us an increase on the positive side. There was also a \$2,500 increase in revenue and we went ahead and I know what we ended up looking at on the end balance went from that \$133,000 to \$800,000 so our ending fund

balance is looking a lot more positive for '19. Pearl is gonna go ahead since she wasn't here to let you guys know, the Department of Taxation says we cannot budget a negative cash value on the water department so we are looking in order to narrow that down is getting true to date actual figures of what we've spent, and currently the Administrative Supervisors salary is paid 50% out of Water and 50% out of Administration. Over time we've realized that really the Administrative Aide percentage wise spends more of their time with water company, so we may change in order to try and save some money and not be in the negative, taking Administrative Supervisor's and putting that salary fully in Administration and splitting the Administrative Aide position 50% between Water and 50% between Administration. Hopefully that will make our negative cash balance no longer be negative and we will be fine to file the Final. All of the items we had the meeting with 4th of July with the Mine everything is in progress we look on schedule. I believe the fish are coming a little early this year but everything seems to be falling in place.

Musselman: How's it going with your collections search?

Hansen: I went ahead and we updated Facebook with another reminder if anybody didn't know or you didn't realize the old Recreation Department Page where you had to be friends with it that has been completely deleted. Recreation Department and Town of Round Mountain have business pages so we're completely utilizing those, I went ahead and put a reminder. We had one person pick up a donation form, sponsorship form we have not to my knowledge have we received any donations/sponsorships so far.

Musselman: How is the collection's agency for water going?

Hansen: I have five other things printed out but I have not yet had the time to reach out to them so once we get through this board meeting and I'm trying to get catch up on meeting minutes I'm gonna make sure that either myself or the Admin Aide reach out and get some more information.

Swigart: Can we put that as an agenda item, next meeting?

Hansen: Yes, to go ahead and pick one?

Swigart: What?

Hansen: To pick?

Swigart: Yeah, I mean just to discuss the whole.

Hansen: The whole rate increase again and all of that.

Swigart: Rate increase and penalties for excessive usage and so on,

Hansen: Okay. We'll get that back on there then. And I think that is all I have, I mean departments all seem to be running smooth, maintenance is very busy, this is one of their busiest times of year getting everything up and running. Water seems to be going smoothly. We did, if anyone gets a water bill in the mail that appears to look in a similar format as the disconnect reminder, we did run out of bill stock cards, so about 160 water bills went out on paper, and there's been some confusion. Typically the reminder notices is a full page of writing, this is just looks like a bill but it is on paper so it has caused some people to panic a little.

Musselman: I just thought that you guys were switching over; my mom's like, what's that, I said I think it's normal?

Hansen: So, no the company that our water company that we utilize, the billing system they only print once a month and we missed the April cutoff. So May 15th they should print so by the billing that you will receive in June everyone should be back to the postcards. Swimming pool seems to be running well, May 16th the last day of school they have a half day, they are gonna do a free swim day. And we will be fully staffed for lifeguards for that day as well.

Spivey: Did they get all the lifeguards they were trying to get?

Hansen: We did, we were able to get everybody, but with sports some of them are, they're schedules are fluctuating but for sure the 16th that afternoon we should have if not all seven we should have six lifeguards that are available to work that day. And then I believe officially May 21st or 22nd all seven will be available minus any family things they have going on. And it seems to be a pretty good turn out over there, I stopped by on Friday and there were probably about eighteen to twenty kids there, free swim, so it's definitely getting utilized.

Spivey: Have we checked into any more where she wanted to keep it open longer?

Hansen: We haven't checked into anything, ultimately the building is not heated, the pool is, in order to keep the pool open, the ambient air has to be a certain amount of degrees warmer than the pool temperature so if we wanted to keep it open any longer we could potentially be looking at heaters but I don't know if with this upcoming budget year if that's something we'll be able to fit in. Anything else?

Swigart: Anything else?

Hansen: I think I'm good.

Swigart: Okay, moving right along to correspondence, aw-

Hansen: Nope invoices.

Swigart: How about approve the invoices.

REVIEW AND APPROVE INVOICES FOR THE TOWN OF ROUND MOUNTAIN

Swigart: Okay can I have a motion to approve the invoices.

Musselman: I motion to approve the invoices.

Spivey: I second it.

Swigart: All in favor say aye. Opposed, hearing none. Invoices have been approved.

Motion passed 3-0.

BUDGET WORKSHOP – THIS WORKSHOP IS TO DISCUSS THE 2018-2019 FISCAL YEAR BUDGET

Swigart: Okay, Budget Workshop, this workshop is to discuss the 2018-2019 fiscal year, Becca.

Hansen: So I've got some figures here kind of on what I was telling you regarding the tentative and what we're looking at for our, working towards our final. As of today it looks like percentage wise in the Administrative Department we've used 41.5 % of our budget. Maintenance has used 26.58 %, public works which is water used

13% well public works for water is 13%, fire has only used 15.59% of theirs. The road funds we've used 26.87% of that. Recreation has utilized 43.14% of their budget. The other road fund we've utilized 12% of. The Sheriff on the PSSST that safety tax has utilized 34.8%, fire has utilized 40.73% and our enterprise fund which is the Round Mountain Public Utilities has used 33%, it calculates into overall expenditures out of our budget for fiscal year 17-18 which ends here June 30th, we're at 32.03%. 85% of budgeted revenues that we've received we still have not got any information on net proceeds, so I don't know when those will go in, possibly by next Board meeting, I know Pearl says typically it's mid-May we find out if anything has been put in. The actual figures from where they found that error we went from a beginning balance of \$1.26 million to \$1.9 million, which went ahead and changes the ending fund balance for '19 from \$133,000 to \$864,000. So, it's still not the best but it's still a lot better looking than the 100,000. As far as budget workshop you guys have in front of you, there has only been a couple of changes and the one change here was in parks and recreations budget and we went ahead and instead of budgeting, looking at budgeting \$16,000 for fireworks to actual cost of the \$14,978 so that'll decrease that a little bit. And back in the enterprise fund we are going to look at some definite actual costs and we haven't changed it here on salaries for the \$63,925 but we believe if we can take actual cost right now and project them a little better and then switch the Admin Supervisor and Admin Aide in the 50% breakout then that should get us to where we are not in the negative on the cash balance on hand and we may even be positive and that should fix that. But pretty much everything that we've been going through those are really the only two changes as of right now that we're looking at. And then of course we'll be moving into final budget, what we will do is we'll move into the hearing next budget meeting and then we'll have to vote to approve it. And I guess we also forgot to include Lobby Form 30 in our tentative because we only send it whichever year they're in legislation, so like every other year.

Musselman: So what's that mean?

Hansen: It's just one form we have to document if we spent any money on lobbying even if we didn't spend any just have to submit zero and Town of Round Mountain and send it.

Musselman: Interesting.

Swigart: Okay, anything else?

Hansen: Nope that's the only changes.

Swigart: Any questions?

Spivey: This whole road tax thing, don't we have somebody that can look at this paper work that they're wanting to submit and tell us whether they think legally if it's something good for us, or not, besides just what we heard him say and what we're assuming.

Hansen: I think typically we utilize the DA's office when we want a legal opinion. I don't know, I mean we can always reach out, I don't know if it's something they would look at? We definitely if we wanted to go the route of proposing an amendment or agenda item or any kind of contracting that's in there, we would definitely get the DA's opinion when we were ready to do that.

Spivey: Cause he said some things that are to me very sketchy, if somebody tells me, well if I have anything to say about it, does he? Or does somebody above him?

Hansen: He is the Acting Public Works, I think he reports directly to the Board of County Commissioners.

Spivey: But he has a boss, right?

Musselman: It's Lorinda.

Spivey: And that's who makes decisions?

Musselman: Yeah.

Hansen: She can't make any decisions with, just like you as a Town Board Member it has to be voted on.

Swigart: Yeah. Right now, it's in a safe place and they can't take it, so, you know I think that Lumos is a good- we've used him before, you guys will like him, he's a straight shooter he'll come out, he'll look at it and you know.

Spivey: Who is this?

Hansen: Lumos and Associates and I actually think I want to say his name is also Tim but I don't, I can't remember his last name off the top of my head, but he will be coming out and he will be reporting and Mike has a lot of faith in him. At least at that point we can determine an unbiased recommendation.

Spivey: And what keeps us from fixing them properly?

Hansen: Equipment, money, really our road equipment involves a street sweeper, a snow plow, I mean we have a back hoe but that's pretty much our limitations as far as this severity of the roads. We don't have- I don't even know what it's called but we really don't have any of the large equipment typically that would be used in the event that we just fully serviced our roads. I think at one point, when Tim was here, one of the first times, one piece of their equipment is almost one million dollars piece of equipment, not something we have on hand. Any other questions, any other budget questions, did I speak more Greek to you than I did to myself?

Swigart: Okay, any questions on the budget?

Musselman: Did we factor your cost increase for swimming lessons in here? For the pool.

Hansen: No, we have not and I don't know that we budget in revenue that we consider that, in the pool.

Musselman: Or rental anything like she was talking about is that in here?

Hansen: It has not because it has not been approved yet so we wouldn't be, we definitely wouldn't to go ahead and assume, sure it'll get approved we'll just figure we're gonna end up on top.

Musselman: I just want to see the difference, but-

Hansen: Yeah, maybe we can bring that information back. If we were to, this would be the increase in our revenues.

Musselman. Okay.

GENERAL PUBLIC COMMENT (SECOND)

Swigart: Okay, moving along here. Let's open the meeting up to general public comment, three-minute time limit per person, no action will be taken by the board until specifically put on the agenda as an action item. Hearing no comment from the general public, can I have a motion to adjourn the meeting.

ADJOURN MEETING

Musselman: I motion to adjourn the meeting.

Spivey: I second.

Swigart: Having a motion and a second, all in favor say aye. Opposed, hearing none. Meeting adjourned at 5:45 p.m.

Motion passed 3-0.