

CARLIN CITY COUNCIL
CITY OF CARLIN, STATE OF NEVADA
REGULAR MEETING
CARLIN CITY HALL
101 SOUTH EIGHTH STREET
CARLIN, NEVADA
December 12, 2012, 7:00 p.m.

Call to Order and Roll Call:

Mayor Cliff Eklund called the meeting of the City Council to order at 7:00 p.m.

Council Members Present: Mayor Cliff Eklund
Vice Mayor Donnetta Skinner
Councilperson Steve Feasel
Councilperson Lee Griswold
Councilperson Lincoln Litchfield

Absent:

1. Administrative Staff: City Manager Glenn Trust, City Clerk LaDawn Lawson, Chief of Police William Bauer
2. Present: Lloyd Myers, Caroline Tarvin, Brian Norton, Jerri Norton, Roger Anderson, Rick Anderson, Bob DeMars, Angie DeMars

Pledge of Allegiance

I. Presentation, review and possible approval of the City of Carlin's Annual Audit for fiscal year 2011 - 2012, and all related matters. (Action Item)

1. Jerri Norton, Kafoury, Armstrong & Co., explained that she has provided a letter as required, which addresses the estimates for depreciation, receivables, and liability on postemployment benefits. She noted that Page 2 is the same as 2011, with the exception of a couple of proposed audit adjustments. She stated Page 1 of the Annual Financial Report expresses the positive opinion of the Auditors. She noted the total Revenues for 2012 totaled \$4.4 million with the General Revenue the largest, including such things as property taxes, room taxes, Consolidated tax, etc. She reported the Total Expenses show the Business-type Activities, the Utility Fund, which spent 27% of total expenses and the total Expenses were approximately \$3.1 million. She noted that revenues had exceeded the expenditures since 2008, with the exception of 2009. She reported the expenditures have not increased as much as the revenues. She explained that Page 38 is the Schedule of the Revenues and Expenditures and the change is an increase of \$450,000 in revenues. She stated the biggest change is the Consolidated Tax at a \$290,000 increase. She reported overall Expenditures increased \$89,000, with the largest change in Culture and Recreation with Capital Outlay for the Library at \$90,000. She stated that salaries have declined over a 5-year period at about \$73,000, but the benefits have increased \$50,000 due to rate increases and health insurance costs. She reported that total expenditures in 2008 were \$1.9 million and in 2012, \$1.8 million, and total revenues in 2008 was \$2.1 million and in 2012 \$2.5 million. She discussed the net Assets are just under \$3.5 million and explained the categories under Fund Balances: Nonspendable is the basic corpus of the Cemetery Fund, Restricted for Debt Service and the bond covenant on the Senior Center, judicial fees and public safety for forfeitures in the Police Department, Committed with future community development which is a percentage of the room tax and Recreation Activities the remainder of the room tax. She discussed the Utility Fund with net assets of \$4.3 million, noting in 2008 it was in a loss position, but there have been rate increases and now is \$976,000 as a surplus. She stated Page 26, 2 shows there were three (3) funds that expended more than budgeted, which is a violation under NRS 354.6118. She noted a Resolution can be passed, which authorizes the General Fund can loan money to a Grant Fund pending these kind of expenditures to avoid violation of the

- statute. She stated it must have a timeline for payment and if it goes for too long there are a number of public hearings that must be done and a copy of the Resolution authorizing the loan has to be given to the Department of Taxation according to the Administrative Code. She also discussed the Finding for Financial Statement Reporting that has been in the Audit Report for 4-5 years, and for most local governments she does not expect it to “go away”, noting that the management team has made important strides in this area and could possibly do this in the next couple of years. She noted there is only one finding this year and complimented the City on their efforts.
2. Mayor Cliff Eklund stated a lot of the credit goes to City Manager Glenn Trust
 3. **Vice Mayor Donnetta Skinner moved for approval of the City of Carlin’s Annual Audit for fiscal year 2011 - 2012, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried unanimously.**

II. Public Hearing for the review, discussion and possible approval of Resolution 2012 -16, a resolution by the Carlin City Council approving certain interfund loans and establishing terms, conditions and methods of repayment for such loans, and all related matters. (Action Item)

1. Mayor Cliff Eklund opened the Public Hearing and noted that Jerry Norton had discussed this in the previous agenda item.
2. City Manager Glenn Trust stated there is one (1) error. He stated there is a Grants Fund and a Brownfields Grant where bills are submitted and requests for reimbursement are made. He explained that they paid some bills at the end of the year and the reimbursements did not come in until after the date the City is allowed, showing that grant money in a deficit. He noted the statutes allow this if you call it an interfund loan, but you cannot budget a loan in a deficit. He stated they need Council approval for this Resolution. He read: ***This is A RESOLUTION BY THE CARLIN CITY COUNCIL, APPROVING CERTAIN INTERFUND LOANS AND ESTABLISHING THE TERM, CONDITIONS AND METHOD OF REPAYMENT OF SUCH INTERFUND LOANS. NOW, THEREFORE, BE IT RESOLVED, that this resolution. Approved at a public hearing of the City Council authorizes the City Manager, City Clerk or other designated financial administrator to make temporary interfund loans from the City’s General Fund to other governmental funds in order to pay expenses that will be reimbursed through grants or other revenue sources to those funds. BE IT FURTHER RESOLVED, that the Carlin City Council establishes the following conditions: 1. The minimum balance of unrestricted funds in the City’s General Fund must be at least an amount equal to seventy-five percent (75%) of the previous fiscal year’s expenditures of unrestricted funds from the City’s General Fund and no interfund loan may take the General Fund balance below that level..., 2. Interfund loans may not extend beyond ninety (90) days...3. When the expense reimbursements are received, they must be immediately transferred to the General Fund as payment for the interfund loan. 4. No interest will be charged for the interfund loans. 5. The Nevada Department of Taxation will be notified annually of interfund loans and repayment of those loans. 6. The conditions of this resolution to be effective upon adoption by the City Council.***
3. Councilperson Lincoln Litchfield discussed the 90 days.
4. City Manager Glenn Trust stated they can only go 60 days beyond the end of the fiscal year and predate deposits, so any reimbursement that comes in after August would be late and he will try to get the reimbursements prior to that time.
5. **Councilperson Lincoln Litchfield moved for approval of Resolution 2012 -16, a resolution by the Carlin City Council approving certain interfund loans and establishing terms, conditions and methods of repayment for such loans, and all related matters. Councilperson Lee Griswold seconded the motion. The motion carried unanimously**

III. Review and possible approval of a Rezone Request from Steve Wilson from Commercial

zoning to Intermediate Residential zoning, the Property being located on parcel # 002-091-002, 824 Bush Street, Carlin, Nevada, and all related matters. (Action Item)

1. City Manager Glenn Trust reported it was approved by the Planning Commission.
2. Councilperson Steve Feasel stated Mrs. Carpenter, who owns the other seven pieces of property, was at that meeting and was interested in the same idea.
3. Mayor Cliff Eklund stated for some reason all of that property was zoned Commercial years ago and agreed it should be zoned Residential.
4. Fred Montes de Oca inquired about intermediate residential.
5. City Manager Glenn Trust stated there are several different residential zonings and intermediate is 7500 square foot size. He stated the Planning Commission did agree that this would be consistent use and all of the property there is residential.
6. **Councilperson Lincoln Litchfield moved for approval of a Rezone Request from Steve Wilson from Commercial zoning to Intermediate Residential zoning, the Property being located on parcel # 002-091-002, 824 Bush Street, Carlin, Nevada, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried unanimously.**

IV. Review and Possible Approval of a Rezone Request for Pinnacle Capital Partners of Nevada from Open Space zoning to Commercial – 2, the Property being located on parcel #002-300-004, Township 33 North, Range 52 East, MDB&M, approximately 15 acres East of Suzie Creek Road, south of I-80 and north of Chestnut, formerly owned by Elko Land & Livestock, Elko County, Nevada, and all related matters. (Action Item)

1. Mayor Cliff Eklund explained there are two (2) visitors from the Government classes at the high school.
2. Councilperson Lincoln Litchfield explained this is the last piece of property that Pinnacle Capital Partners wanted to rezone.
3. Mayor Cliff Eklund inquired if the land sale has been completed.
4. City Manager Glenn Trust responded affirmatively.
5. Councilperson Lincoln Litchfield stated this complies with the Planning Commission requirements.
6. **Councilperson Lincoln Litchfield moved for Approval of a Rezone Request for Pinnacle Capital Partners of Nevada from Open Space zoning to Commercial – 2, the Property being located on parcel #002-300-004, Township 33 North, Range 52 East, MDB&M, approximately 15 acres East of Suzie Creek Road, south of I-80 and north of Chestnut, formerly owned by Elko Land & Livestock, Elko County, Nevada, and all related matters. Councilperson Lee Griswold seconded the motion. The motion carried.**

V. Recognition of Newmont Mining Corporation (NMC) and Newmont employees who have donated generously to the Carlin Senior Center through the NMC Legacy Fund, and possible approval of a letter of appreciation from the Carlin City Council, and all related matters. (Action Item)

1. Mayor Cliff Eklund expressed his agreement, as Newmont has always been proactive in the community.
2. Darla Baldwin stated Newmont needs a letter this year, as they have a record pledge of \$1.08 million from their employees, which they match. She noted that Newmont has a contingency fund set up and the Legacy Fund will never go away. She also explained that there are no administrative fees taken from the fund.
3. Vice Mayor Donnetta Skinner stated Newmont has been very good to Carlin and its residents.
4. **Councilperson Steve Feasel moved to recognize Newmont Mining Corporation (NMC) and Newmont employees who have donated generously to the Carlin Senior Center through the NMC Legacy Fund, and approval of a letter of appreciation from the Carlin City Council, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried.**

VI. Review and discussion of a letter of notice from the Carlin Television District that it will be dissolved as of December 31, 2012, and all related matters. (Non-Action Item)

1. Councilperson Lincoln Litchfield inquired if this were being done due to no participation.
2. Pam Griswold, Secretary for the Carlin TV District, stated two (2) board members, one resigned and one position was never filled and no names were submitted at the last election. She noted one person termed out and the money that it would take to update the equipment they had was more than they had in the funds. She noted the signal is actually coming from the Elko Television District, as they sold their licenses to Elko. She stated there would be no charge. She noted they are not going to tax the Carlin citizens or take the time to bill Carlin.
3. Councilperson Steve Feasel inquired if there is anything in writing about no charge.
4. Pam Griswold explained the tax itself comes from Elko County and the County cannot add an additional tax for Carlin. She noted they do not bill anyone else, including Spring Creek. She noted they couldn't block out the Carlin signal.
5. Discussion was held on the channels available.
6. Howard Wright stated the TV District had antennas on Grindstone and at one time they also had translators. He noted Elko TV District's Don Gardner does not like to compete with Elko business so everything they bought could be taken off the air if they do not like it. He noted they will now dictate what "we watch". He stated before Gardner took over, Carlin worked with Elko on everything. He discussed the Eureka stations and translators. He noted he does not know what is going to happen to the stations.
7. Vice Mayor Donnetta Skinner stated, "What is to say a year down the road, we will still have the stations".
8. Pam Griswold stated, "Right now the stations that are being bought for air are Channel 2-1, 2-2, 4.123, 5, 6, 7, 8, 10, mid 20s through 40. As long as Elko provides those channels, Carlin will get them. Boise was a duplicate channel".
9. Mayor Cliff Eklund stated he recognizes that Carlin really has nothing to say about this, but his concern is the radio stations for the police and public safety on Mary's Mountain. He stated the legal opinion said that Carlin was not covered.
10. Pam Griswold stated this has been addressed through a draft ordinance from the Elko County Commission that all of the agreements being held by the Carlin TV District, as well as all of the assets, will roll to the City. She noted Kristen McQueary stated those would be covered.
11. City Manager Glenn Trust stated that it was not signed by NDOT at that time and the agreement must be done by the County per statute. He stated he has discussed with Tom Coyle that the City's assets be covered in the agreement mentioned by Mrs. Griswold.
12. Roger Anderson stated he attended a meeting in Carlin where he remembered a man stating that AT&T was taking over the signal.
13. City Clerk LaDawn Lawson stated that meeting was in reference to the 911 discussion.

VII. Review, discussion and possible approval of the minutes of the regular meetings of the Carlin City Council on October 10, 2012, October 24, 2012 and November 14, 2012, and the Special Vote Canvass Session of the City Council on November 13, 2012, and all related matters. (Action Item)

1. **Vice Mayor Donnetta Skinner moved for approval of the minutes of the regular meetings of the Carlin City Council on October 10, 2012, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried.**
2. **Vice Mayor Donnetta Skinner moved for approval of the minutes of the regular meetings of the Carlin City Council on October 24, 2012, and all related matters. Councilperson Lincoln Litchfield seconded the motion.**
3. Councilperson Steve Feasel stated there was an error on November 14 minutes, Page 3, 7.
4. Mayor Cliff Eklund stated this should read his name not Councilperson Steve Feasel.
5. **Vice Mayor Donnetta Skinner moved for approval of the minutes of the regular meetings of the Carlin City Council on November 14, 2012 as corrected, and all related**

matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried.

6. **Vice Mayor Donnetta Skinner moved for possible approval of the minutes of the Special Vote Canvass Session of the City Council on November 13, 2012, and all related matters . Councilperson Lincoln Litchfield seconded the motion. The motion carried.**

VIII. Review, discussion and possible approval of payments for the period 11/15/2012 to 12/12/2012, and all related matters. (Action Item)

1. **Vice Mayor Donnetta Skinner moved for approval of payments for the period 11/15/2012 to 12/12/2012, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried unanimously.**

IX. City Council Members Report. (Non-Action Item)

1. Councilperson Lee Griswold had no report.
2. Councilperson Steve Feasel reported he attended the Economic Development Meeting and it sounds like everything in Elko County is really moving along and they were pleased with all of the growth in Carlin.
3. Councilperson Lincoln Litchfield stated the Planning Commission held a meeting, but there was no quorum. He encouraged anyone who is interested to attend these meetings.
4. Vice Mayor Donnetta Skinner stated the Parade will be held on Saturday and the new Council members will ride on the float. She stated Santa would be at the Senior Center after the parade.
5. Mayor Cliff Eklund expressed his appreciation to Councilperson Lee Griswold and Councilperson Lincoln Litchfield for their involvement in the Carlin community and stated it is appreciated when people get involved. He noted he is "sorry to see them leave", noting Councilperson Lee Griswold has been involved for 22 years. He noted Carlin is very fortunate to have people like Lee and Lincoln. He reported they finalized the sale of the property to Rick Wableski this morning.
6. Rick Wableski introduced his partners, Marion and Alex Hose from Reno, and they are pleased to announce the recording of this property today. He thanked every Council Member individually for their assistance.
7. Marion Hose expressed her appreciation for the opportunity to work with Carlin and looking forward to being a part of the community.
8. Alex Hose agreed and noted they were able to assemble all of the property, which will give them an opportunity to work with the Master Plan so it is done in the right way from the start and what is the best for this community. He stated they would keep the City updated.
9. Councilperson Steve Feasel inquired if there are any new developments.
10. Rick Wableski stated after the holidays there will be some things going on and they will make some announcements then.
11. Vice Mayor Donnetta Skinner stated she wants to see the homes go.
12. Mayor Cliff Eklund inquired when they anticipate breaking ground.
13. Alex Hose stated they have to get their plans processed and stated some of the groundwork is better in the winter.

IX. City Clerk's Report (Non-Action Item)

1. City Clerk LaDawn Lawson stated the late fee comes out of her budget and she did think it a was a big issue for her department. She stated it is beneficial for the City that the receipts are turned in as soon as possible. She is looking forward to the budget meetings.
2. Mayor Cliff Eklund stated every year, every department's budget increases except for Administration and she works within the same number for the past 6-7 years.
3. City Manager Glenn Trust stated her budget has actually decreased.

X. City Manager's Report (Non-Action Item)

1. City Manager Glenn Trust stated everyone needs to bring their credit card receipts in a timely

fashion or they end up not being paid on time and acquire late fees. He stated it is a privilege, not a right and asked that everyone help them. He stated this was a major issue for City Administration. He reported Wireless Beehive wants to renew their agreement with the Carlin TV District to the City. He noted this allows them to use some space for \$150.00 a month. He stated it is not on the agenda, but unless there is some disagreement or he can sign it as a small interoffice agreement.

2. The Council members stated City Manager Glenn Trust should do it as a small interoffice agreement.
3. Pam Griswold stated she would transfer the funds.
4. Mayor Cliff Eklund stated January 7 is the swearing in of the new Council Members and a training session on the Open Meeting Law.
5. City Manager Glenn Trust stated there would be a regular meeting a week later.
6. Councilperson Steve Feasel stated he is pleased to have the students attend the meeting.

XI. Comments by the General Public: Pursuant to NRS 241.020(2C) this time is devoted to comments by the general public and discussion to those comments. No action may be taken upon a matter raised under this item until the matter has been included on a successive agenda and identified as an action item. (Non-Action Item)

1. None.

XII. Adjournment. (Action Item)

Councilperson Lincoln Litchfield moved for adjournment with Vice Mayor Donnetta Skinner seconding the motion. The motion carried. The meeting was adjourned at 8:31 p.m.

APPROVED:

MAYOR CLIFF EKLUND

ATTEST:

CITY CLERK LADAWN LAWSON