

CARLIN CITY COUNCIL  
CITY OF CARLIN, STATE OF NEVADA  
REGULAR MEETING  
CARLIN CITY HALL  
101 SOUTH EIGHTH STREET  
CARLIN, NEVADA  
June 25, 2014, 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 Bob DeMars  
Councilperson Jay Duke  
Councilperson Lincoln Litchfield

Absent:

1. Administrative Staff: Interim City Manager David Jones, City Clerk LaDawn Lawson, Public Works Director Carlos Esparza, Police Chief Bill Bauer
2. Present: Teddy R. McElvain, James Brown, D. Baldwin, Mark Ure, Margaret Johnston, Wayne Carlson, Anna Dean, Karla Jones, Angela Hansen, Fred montes de Oca.

**Pledge of Allegiance**

**I. Possible approval of appointing Diana Kemper to the Carlin Equestrian Park Committee, and all related matters. (Possible Action Item)**

1. Mayor Cliff Eklund reported Diana Kemper has lived in Carlin for several years and has always been involved in horse events and was part of the fundraising efforts to build the Equestrian Park.
2. Councilperson Bob DeMars confirmed there are only four members presently and she would be the fifth, noting they need help at the Park.
3. Mayor Cliff Eklund stated they would need all the help they can get for the bull riding and other events.
4. **Vice Mayor Donnetta Skinner moved for approval of appointing Diana Kemper to the Carlin Equestrian Park Committee, and all related matters. Councilperson Jay Duke seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

**II. Review, discussion and Second Reading by title Ordinance 240 approving the development agreement of Carlin Crossing LLC., and all related matters. (Possible Action Item)**

1. Paul Tanguay, representative of Carlin Crossing LLC, stated this development agreement provides rights for both parties.
2. Mayor Cliff Eklund reported the 1<sup>st</sup> Reading was approved at the last Council meeting.
3. Councilperson Jay Duke inquired if they are still in line for getting the dirt work started.
4. Paul Tanguay stated July 26 is the date.
5. Jim Brown inquired about providing water.
6. Paul Tanguay stated there is a master plan that is in the process now and being reviewed by our civil engineer and reviewed by the city's engineer which covers all of the separate improvements on site and facilities off site. He stated they are budgeting for a water tower.
7. Fred Montes de Oca inquired if everything is approved by the state to start on July 26.
8. Paul Tanguay stated they have a few more things to accomplish before that time.
9. **Councilperson Jay Duke moved for approval of the Second Reading by title Ordinance 240 approving the development agreement of Carlin Crossing LLC., and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried.**

**III. Review, discussion and possible approval of a contract between the City of Carlin and CTA Architects Engineering to work in conjunction with the Carlin Planning Commission on planning services as needed, and all related matters. (Possible Action Item)**

1. Angela Hansen of CTA Architects reported this is a proposal for on-call planning services with an outcome based on the Master Plan document and which would be providing service on an as need basis. She stated the contract for the Master Plan has been completed, and this would be an additional contract.
2. Councilperson Jay Duke inquired if she thinks they can do this within 12 months, but if they go over the 12-month period it would not cost the City.
3. Angela Hansen agreed.
4. Interim City Manager David Jones reported, "Under Issues and Information, it is not in the budget if we do not get the tax monies, we don't have to go forward with it, so we will remain within budget unless Administration is given instructions by the council".
5. Vice Mayor Donnetta Skinner inquired if the Planning Commission had discussed this.
6. Karla Jones, Vice Chair of the Planning Commission, reported they were in favor because what CTA had done "so far was excellent". She noted grants have always been something that the City looks for and suggested that Assistant City Clerk Heather Trujillo could search that. She stated there were things in the Master Plan that may never be in the City, but if not listed, there would never be a chance to apply for a grant. She noted that Ms. Hansen could help them go ahead with those type of grants, such as obtaining a civic center and getting the funding. She stated the Commission felt it would be an asset for the City.
7. Mayor Cliff Eklund stated it noted there is a grant writer included in the contract.
8. Angela Hansen stated the grant writer also has the ability to monitor all of the federal and state grants for a particular project or interest and she searches it and helps write the grant.
9. Councilperson Lincoln Litchfield reported he was not in support of seeking an outside source at the beginning, but after working with CTA for the past months, this is a reliable firm and does what it says. He stated the Master Plan is "phenomenal" and they would not have been able to do what CTA did. He stated if it is in our budget, he would support it.
10. Mayor Cliff Eklund stated the impression he had because of how it was written it gives the power to the Planning Board to expend funds and that would not be the case. He stated he did not know what the process would be working at the "discretion of the Planning Board". He stated the Planning Commission does not have the authority to spend funds.
11. Angela Hansen stated the Planning Commission works under direction of the Council and CTA as consultant would be working through them. She noted the contract is based on an hourly rate.
12. Mayor Cliff Eklund stated the \$60,000 is the maximum, but the contract goes on to say "plus expenses", inquiring what that figure would be.
13. Angela Hansen stated it would only be travel, which typically cost \$250.00 per trip to Carlin. She stated the Master Plan was charged to the City at \$25,000, but cost CTA \$50,000.
14. Councilperson Bob DeMars confirmed the \$60,000 would be office work.
15. Angela Hansen stated the \$60,000 is only if the Council gives them enough tasks to cover that maximum. She noted if it is one task in a year, at 20 hours of work, it would be \$2,000.00.
16. Mayor Cliff Eklund stated they would not do the grant research unless the Council advised them to.
17. Angela Hansen agreed.
18. Councilperson Bob DeMars stated they would need instructions for doing anything.
19. Councilperson Jay Duke inquired how they arrived at \$60,000.
20. Angela Hansen stated they have a database that keeps track of other projects in other locales on previous projects. She stated the estimated what they could do and under a certain amount of risk, because if it takes longer, they would not be paid.
21. Councilperson Jay Duke inquired if she would be the liaison and/or project manager.
22. Angela Hansen stated she is Project Manager and part owner of the company as well.

23. Karla Jones stated that most of this can be done as an on call or through email and she could be an asset when they are working on the new zoning that would be in line with the Plan.
24. Mayor Cliff Eklund stated this gives the City another resource and he liked the presentation that it is on “as used basis” not a monthly contract fee. He stated the Council could control what is spent.
25. Councilperson Jay Duke stated given the consolidated tax issues in the state, there is an opportunity to review and view performance along the way, so even with some risk, this would be an asset in attracting businesses and revenue and possibly increase revenue to build the budgets up to a comfortable level.
26. Councilperson Lincoln Litchfield inquired about the 6-months renegotiation in the contract and inquired if this could be changed to 12 months. He stated that would lock in the \$60,000.
27. Fred Montes de Oca inquired if there is any money set aside for this.
28. Mayor Cliff Eklund stated this does not lock us into anything; it is only if we should need it, it is available to us and will help with planning. He stated if revenues should increase, we could use this service for grant writing, planning and other such issues. He stated this could be budgeted in the next budget process, but if the City has to use CTA, the budget would have to be augmented.
29. Vice Mayor Donnetta Skinner stated they do not have to pay the full \$60,00, it would incremental depending on the tasks. She stated the City could use their expertise on just the grants. She stated grants are not free; there are a lot of things that go along with getting grants. She would like to use them and their outreach.
30. Councilperson Lincoln Litchfield stated CTA has come to understand Carlin.
31. Fred Montes de Oca stated they should have started this last year.
32. City Clerk LaDawn Lawson stated this is a new contract they just received.
33. Vice Mayor Donnetta Skinner stated they completed the previous contract.
34. Councilperson Jay Duke stated they did not have the proposal while they were preparing the budget and they would be at fault if they did not do something now given the state of the community and money spent on the Master Plan that is “brilliantly put together” and they now have an opportunity to put the Master Plan in action. He stated they would be derelict in their duty if they did not put the Plan to work after paying for its inception and going forward, they would expect further proposals and they would budget the money.
35. Fred Montes de Oca stated there should have been more money set aside when this was first proposed.
36. Vice Mayor Donnetta Skinner stated what they started was the plan and that is what they were paid for. She stated this is another thing.
37. Fred Montes de Oca stated they should have budgeted ahead.
38. Councilperson Jay Duke stated they do anticipate costs and do budget for those capital projects, but this company approached us about updating the Master Plan. He stated this second part is a really good idea.
39. Vice Mayor Donnetta Skinner stated they should continue to use CTA with their expertise.
40. **Councilperson Lincoln Litchfield moved for approval of a contract between the City of Carlin and CTA Architects Engineering to work in conjunction with the Carlin Planning Commission on planning services as directed by the City Council and approve a 12 month time period, and all related matters. Councilperson Bob DeMars seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

**IV. Review, discussion and possible approval of a Special Events Liquor License for the Carlin Coed Softball requested by Kayla Ann Poplin, and all related matters. (Possible Action Item)**

1. Councilperson Jay Duke stated there is no class of license checked.
2. Mayor Cliff Eklund stated Special Events.
3. Councilperson Jay Duke inquired if it is beer and wine or all liquors.
4. City Clerk LaDawn Lawson stated it is usually beer and wine and it usually runs for 6-8 weeks.

5. **Councilperson Jay Duke moved for approval of a Special Events Liquor License for the Carlin Coed Softball by Kayla Poplin for beer and wine only, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried.**

**V. Review, discussion and possible approval of the renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from fiscal year 2014 – 2015 funds, and all related matters. (Possible Action Item)**

1. Wayne Carlson, (POOL) reported he has handed out a brochure that describes the supplemental services of POOL as part of their membership. He stated there is a \$500 deductible on each loss, earthquake and flood levels were increased this year to \$125 million with a reduced rate that we had for the property. He stated they had a good record with Lloyds of London over the long term, except for the 2008 earthquake in Wells. He stated they have \$10,000 limits of liability for all kinds of liabilities. He stated they added Cyber Security Event Coverage of \$2 million and they didn't charge anything last year and continue that coverage at no charge again this year. He stated they have access to link to E-Risk to help them with cyber security and access to some tools for self-assessment of your risk, as well as a list of prevented vendors who know what they are doing in this area. That resource, along with others, is what we will use if there is a security breach. He stated the total program cost this year is \$72,196.194, up about \$1200. He stated the payroll and property values are up about 5%, so it is really a 1.4% increase. He stated they have coverage at a reduced rate. He explained the frequency has tapered in the positive. He discussed the impact of the earthquake, but the experience since then has trended positively. He reported the POOL owns its own captive insurance company, which gives price advantages, as well as marketing clout. He discussed the services listed in the brochures and that they have grant programs and awards for those who complete certification. He stated there are risk management grants that if someone comes up with an idea to reduce risk and if the membership committee agrees, they will give those grant funds. He stated some of the grants are matching and others fully funded. He stated an example of sending someone for law enforcement training that could be done through a grant. He stated the grant monies are pretty substantial. He stated they can get grant applications from the website.
2. Mayor Cliff Eklund inquired how long they had been a member.
3. Wayne Carlson stated 1987 and noted there are about 125 members statewide who own the assets of POOL. He discussed e-learning, a new system that will begin in July. He stated there are new courses to deal with compliance, one on the ethics law which requires all elected officials to have ethics training when they get into office and they have to have it right away and the ethic commission is short-staffed, the only thing they can do is tell you to download the ethics manual, but the statute applies to every employee, including new hires within 30 days of employment. He stated the e-learning module would allow everyone to take it when it is convenient. He stated there would be one on the open meeting law, because the same need is there. The rates go down if they take the classes, because better trained elected officials run a better government. He discussed the e-learning they have had for 4 years, which has been mainly on human resources and safety.
4. Mayor Cliff Eklund stated there have been no letters of protest received.
5. Wayne Carlson stated the MSDS on the computer allows the city to build all of its MSDS sheets and there is no cost to use the system.
6. Mayor Cliff Eklund stated POOL also has provided human resource training for Administration, which has been beneficial.
7. Wayne Carlson stated the law enforcement agencies are able to use the services. Councilperson
8. Karla Jones stated they get their testing on the fire equipment down by this agency.
9. Mayor Cliff Eklund stated there are a lot of services available to the City.
10. Discussion was held on the ethics training.
11. Wayne Carlson noted that the administrator for the city, whoever is chosen, assigns the course to the employees, which are free.

12. **Councilperson Jay Duke moved for approval of the renewal proposal from Nevada Public Agency Insurance Pool (POOL) and approval for payment from fiscal year 2014 – 2015 funds, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

**VI. Review, discussion and possible approval of changing the Carlin Ambulance billing procedures, and all related matters. (Possible Action Item)**

1. Karla Jones reported she put this on the agenda before. Noting they currently send a bill out 4 times and after the 4<sup>th</sup> time, a 10-day letter is sent. She stated she would like to change this and the way collection have been is “ridiculous”. She noted she has sent more people to collection this year.
2. Mayor Cliff Eklund inquired how long does it take from the time you bill until you get a turnaround from the insurance company.
3. Karla Jones stated it could be as short as 10 days or as long as 4 months. She stated the change would be for people who do not have insurance.
4. Discussion was held on a program instituted in past years.
5. Karla Jones stated that they currently have people who work at the mines 4 months and then go to Idaho so I have to send them to collection, noting if I could get their last check before they go up to Idaho.
6. Councilperson Jay Duke stated they might be missing an opportunity to discuss the ambulance plan with new people coming into town and providing them a handout. He inquired if they have something like that.
7. Vice Mayor Donnetta Skinner stated if they put a flyer up at the store, she could also talk to them.
8. Councilperson Jay Duke stated he agrees with reducing the billing cycle.
9. Vice Mayor Donnetta Skinner stated it concerns her about the insurance, because many people pay and they never get their money back from the insurance.
10. Karla Jones stated most of them are ones who are not paying for insurance and do not live here. She stated in February this year, she sent \$16,000 to collection and \$18,000 in March.
11. Vice Mayor Donnetta Skinner stated the first letter should go out right after the ambulance is used.
12. Karla Jones stated that she does, but then she waits another 28-30 days and sends the second bill. She will send out a 10-day demand letter and often puts in a courtesy call.
13. Discussion was held on the insurance companies.
14. Margaret Johnson stated govcej.gov who will advocate for them with the billing.
15. Fred Montes de Oca suggested they leave that for property owners and change it for others.
16. Karla Jones stated they cannot because that would be discrimination.
17. Councilperson Bob DeMars stated 120 days is a long time and suggested they should cut it in half.
18. Karla Jones stated they have people who pay with approximately \$5-25 a month over a 6 to 8 year timeframe. She stated there has no interest on these.
19. Councilperson Jay Duke inquired how much time is spent on billing.
20. Karla Jones stated 6 minutes per client and when she bills for 20 days and 30 days it takes her 4 days to do the billing.
21. Councilperson Jay Duke stated her time is better spent doing other things than having to mess with billing and they can help change this.
22. Vice Mayor Donnetta Skinner stated the billing can bring in a lot of money too and that was the reason for the job.
23. Councilperson Bob DeMars stated he is in agreement with the 60 days.
24. **Councilperson Jay Duke made a motion for approval of changing the Carlin Ambulance billing procedures from 120 days to 60 days, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**

**VII. Review, discussion and Second Reading by title Ordinance 238 approving a franchise agreement between Southwest Gas Corporation and the City of Carlin, and all matters related thereto. (Possible Action Item)**

1. Mayor Cliff Eklund read: *City of Carlin Ordinance No 238. AN ORDINANCE REPEALING THE EXISTING CHAPTER 8, TITLE 5 OF THE CARLIN CITY CODE AND REPLACING IT WITH A NEW CHAPTER 8, TITLE 5, WHICH IS AN ORDINANCE GRANTING A FRANCHISE TO SOUTHWEST GAS CORPORATION TO INSTALL, OPERATE AND MAINTAIN NATURAL GAS LINES AND APPURTENANCES FOR THE TRANSMITTING AND DISTRIBUTION OF NATURAL GAS UNDER, ALONG, ACROSS AND UPON THE PUBLIC STREETS, ALLEYWAYS AND PLACES WITHIN THE CITY LIMITS OF THE CITY OF CARLIN; SETTING THE TERM OF THE FRANCHISE; ESTABLISHING MANNER OF INSTALLATION, CONSTRUCTION AND MAINTENANCE; ESTABLISHING RESTORATION OBLIGATIONS; PROVIDING FOR A FRANCHISE FEE; ESTABLISHING OBLIGATIONS REGARDING RELOCATION OF FACILITIES; ESTABLISHING GRANTEE INDEMNIFICATION; REQUIRING CONSENT OF CITY OF CARLIN FOR ANY ASSIGNMENT OF FRANCHISE; ESTABLISHING A GRANT OF NON-EXCLUSIVE AUTHORITY; PROVIDING FOR AN EXECUTED FRANCHISE AGREEMENT; AND TO REPEAL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH. THE BOARD OF COUNCILMEMBERS OF THE CITY OF CARLIN DOES ORDAIN.* He noted the Council had approved this at the first reading.
2. Teddy R. McElvain, Southwest Gas Manager of Carlin stated this is basically a 25-year agreement that is renewed three (3) times by the City of Carlin since 1964. He noted he sent this to the previous City Manager and the City lawyers reviewed it with Karla Kolbit, the Southwest Gas staff and some minor changes were made because it was outdated. He stated the franchise fee went from 2% to 5% and it was kept at 2%.
3. **Councilperson Jay Duke moved for approval of the Second Reading by title Ordinance 238 approving a franchise agreement between Southwest Gas Corporation and the City of Carlin, and all matters related thereto. Vice Mayor Donnetta Skinner seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor. .**

**VIII. Review, discussion and possible approval of City of Carlin Annual Financial Summary General Fund and Proprietary Fund, and related matters. (Possible Action Item)**

1. Interim City Manager David Jones explained that this is the final document that needs to be posted in the Elko Daily Free Press and if the Council chooses to approve this, it will be published before July 1.
2. **Councilperson Lincoln Litchfield moved for approval of City of Carlin Annual Financial Summary General Fund and Proprietary Fund, and related matters. Councilperson Jay Duke seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

**IX. Review and possible approval of the minutes for the regular meeting of the Carlin City Council on June 11, 2014, and all related matters. (Possible Action Item)**

1. **Councilperson Bob DeMars moved for approval of the minutes for the regular meeting of the Carlin City Council on June 11, 2014. Councilperson Lincoln Litchfield seconded the motion. The motion carried with Councilperson Jay Duke abstaining.**

**X. Review, discussion and possible approval of payments for the periods 06/11/2014 to 06/25/2014, and all related matters. (Possible Action Item)**

1. Councilperson Lincoln Litchfield inquired about grass ride.
2. **Councilperson Jay Duke moved for approval of payments for the periods 06/11/2014 to 06/25/2014, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

**XI. City Council Members' Reports.**

**City Council Members report on issues, concerns and events regarding Public Safety, Public Works, Planning Commission, Parks & Recreation, Senior Center, Cemetery and other matters of interest  
(Non-Action Item)**

1. Councilperson Lincoln Litchfield reported he attended the "Walk-arita" and talked to them about bringing projects.
2. Councilperson Jay Duke reported he attended the Nevada Regional Authority meeting and they discussed a lot of leads for the county and they are trying to purchase land for a Best Western Motel in Carlin. He stated there is a new start-up company and the product was created in Elko, Grayson Lighting, and they do international work, but do not have the facility they need right now. He stated they are going through the grant process to get help.
3. Discussion was held on some property in Carlin.
4. Councilperson Jay Duke stated there was discussion on the critical minerals bill going through the Senate as Bill 1600 and House Bill HR 761 and Pam Borda received a letter urging support. He reported that Mary Korpi was there and noted it does not really help the mining community here, but there was no reason not to support it.
5. Councilperson Bob DeMars had no report.
6. Vice Mayor Donnetta Skinner reported there is not a lot going on at the Senior Center, but they did have a gentleman who helped repair wheelchairs. She stated he told the people not to use them until they really need them.
7. Darla Baldwin reported for the past 5 years there has not been anyone to help people write grants or all of the medical reports for mobility aides and the gentleman is coming every Wednesday to help. She noted they had their annual assessment and the Center is "low risk".
8. Vice Mayor Donnetta Skinner reported July 4 is right around the corner and she has gone to every business to ask them to put in a float and out to the academy and they are going to put something in. She stated most of the businesses had good comments. She stated it would be good if the Council members helped Ellen Meshefski with the July 4.
9. Councilperson Jay Duke reported there was a presentation by Jim Berry, project director, who does studies coordinating with the Elko Housing Authority. He stated they did two (2) studies, one for Elko and one for Carlin, which included the number of households as of December, growth projected over the next year, what will be needed and available housing and percentage. He stated Carlin is presently at 92.7% capacity. He stated there is not enough time to repair homes and a portion of these are in bad repair, which inhibits the housing market.
10. Mayor Cliff Eklund had no report.

**XII. City Clerk's Report. (Non – Action Item)**

1. City Clerk LaDawn Lawson reported they have a new official Assistant City Clerk, Elizabeth Pinne.

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

1. Interim City Manager David Jones reported he attended a NHRA meeting in Elko and has been meeting with Eddie Hult and with Paul Tanguay yesterday. He stated he is working with Shirley Chantrill on issues with the Senior Center. He stated Park & Rec had a department head meeting and there was good attendance and found out the POW-MIA are going to present the colors this year and there will be a presentation after the parade. He encouraged people to attend. He explained on the TV District, Chief Johnston has asked that we keep the rack space available on Mary's Mountain in case they need it and he would appreciate knowing whom to contact. He stated the charge is upward from \$1,200 for rack space on that hill, so it is important to consider this. He stated it is valuable to us now and also for the future.

2. Chief Bauer stated at one point in time, there was an agreement with the TV District that they would continue making the rack space available to Carlin as part of the combined agreement. He offered to contact someone.
3. Fred Montes de Oca suggested Will Johnston or Howard Wright might know the contact.
4. Interim City Manager David Jones gave background on this and stated the need to follow-up.
5. Discussion continued on the TV District agreement.

**VIX. 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. Anna Dean inquired about the land for the community garden.
2. Councilperson Lincoln Litchfield stated the land has been sold.

**XV. Adjournment. (Action Item)**

**Councilperson Jay Duke moved for adjournment with Councilperson Lincoln Litchfield seconding the motion. The motion carried. The meeting was adjourned at 8:33 p.m.**

**APPROVED:**

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**CLIFF EKLUND, MAYOR**

**ATTEST:**

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**CITY CLERK LADAWN LAWSON**