

CARLIN CITY COUNCIL
CITY OF CARLIN, STATE OF NEVADA
REGULAR MEETING
CARLIN CITY HALL
101 SOUTH EIGHTH STREET
CARLIN, NEVADA
October 22, 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 Jay Duke
Councilperson Lincoln Litchfield
Absent: Councilperson Bob DeMars

1. Administrative Staff: City Clerk LaDawn Lawson, Public Works Director Carlos Esparza
2. Present: Jim Brown, Rick Anderson, Roger Anderson, Tom Burney, Kathy Burney, Bill Bender, Marion Hose, Paul Tanguay, Anna Dean, Teri Wies, Diana Nichols, Ed Nash, Dennis Fobes, Gaylene Ferguson, Dan Ferguson, Brent Jacobson, Karla Jones Bob Wilcox and Jill Wilcox

Pledge of Allegiance

I.Update from Paul Tanguay on the Carlin Crossing Project and all related matters. (Non-Action Item)

1. Paul Tanguay, representing Carlin crossing, reported that going back to November 2013 when they were processing a full redesign of the 326-acre project and the dates of construction and development. He noted the year-to-date accomplishments include the January completion of a redesign of the project and also closed on an additional 5-acre parcel in the center of the existing parcels. He noted they completed the preliminary engineering and field surveys of the widening of the lanes and extension of the NDOT lands and improvements. He noted they did extensive surveys on hydrology, drainage, water and sewer over a 4-month period. He stated they finally got approval in May for a development agreement which took 7-months. He pointed out they embarked on a Master Facility Plan to provide utilities to all the homes, new businesses, commercial acreage and apartment complexes. He stated they also prepared conceptual designs and completed all of the grading, underground utilities, road improvements, sidewalks, street lighting for the complete improvements of the project. He stated in July they started the process of interviewing contractors for all of the grading, utility and surface improvements. He stated they then started the grading and eliminated all of the unnecessary vegetation and put in a few facilities to prevent drainage to I-80 and also did the permitting with the city and state along with dust control. He noted they did some parcel map revisions and some of the designs required changes of the boundary lines, which took approximately 6 months and were completed in August. In September, after the bid-out process with Q& D, Granite Construction, A & K Construction, High Mark Construction, Honeywell Construction, they finalized their bids and awarded the contractors. He stated they finished all of the NDOT highway improvement bid pricing and brought on a broker to represent our project with NA Alliance of Elko. He noted they feel they have done a “tremendous amount of work” and have hit all of the milestones. He stated they did run into a few roadblocks, which they consider minor setbacks, but wanted to present them, especially when it comes to NDOT and highway, because they hoped that would be started on or before December 2. He stated that is not going to happen and the reality is that the hot plants shut down for paving on December 1.
2. Councilperson Lincoln Litchfield stated his appreciation of the update. And knowing what is going on.

3. Councilperson Jay Duke stated the fact that the broker is on board is “exciting”. He stated she has a great background and comes well prepared and is considered an expert.

II. Review, discussion and possible approval of a Fourth Amendment to the Land Purchase Contract between Alex and Marion Hose (Buyers) and the City of Carlin regarding assignment of the contract to Carlin Crossing LLC and a revision to performance milestones exhibit due to updates to the construction schedule, and all related matters. (Possible Action Item)

1. Paul Tanguay stated the milestone dates were the original projections last year and since then we now have very firm dates and feel confident that we can meet. He stated with the studies they have done they now have deadlines from their contractors and extensive schedules and updates on timelines. He noted that Highmark Construction in Elko would be doing their grading and underground; surface improvements would be done by Honeywell Construction. He stated there is only one date they are not comfortable with and that involves NDOT as mentioned before. He stated they would probably have to submit a 4th amendment with the dates that they submitting. He stated the strategic way to approach the property improvements was to do the highway improvements and SR766 first and then the internal improvements after that. That is not how it will be with the delay from NDOT. He stated the new improvement on SR766 will not be damaged buy all of the equipment that would be transversing to the property. He stated this only is reversing the order of work. He stated the deposit that is being held by the City on those NDOT improvements with that deposit to be released as the NDOT improvements are made next year. He stated that is essentially their proposal tonight.
2. Mayor Cliff Eklund noted they had discussed this possibility before, confirming that City hold on to the funds and there would be no release of those funds until the NDOT improvements are completed.
3. Paul Tanguay stated they are not requesting any change to the deposit that is being held subject to those improvements being completed.
4. Councilperson Lincoln Litchfield commented he had wondered why they were doing the NDOT improvements first and agrees this is a better solution. He inquired why they are waiting until 2015 for Highmark to do the underground.
5. Paul Tanguay replied that with the winter months coming, if they were only halfway into the mass grading with exposure of part of the utilities, there is a chance that a portion of that work would have to be redone in the spring. He also noted the start date was delayed due to the length of time it took to complete the plans and bid-out process. He also stated they found a different route for the financing so they were able to save a tremendous amount of money. He stated that combined with the response not forthcoming from NDOT delayed the work start.
6. Paul Tanguay stated that Highmark is currently on site doing some surveying and other required work to ready the project. He stated they made the decision because they did not want to have the utility exposure during the winter months.
7. Councilperson Lincoln Litchfield confirmed they were asking for a 4-month extension.
8. Bob Wilcox reported he has been well involved with the construction and he stated this is supposed to be an especially dry year.
9. Fred Montes de Oca confirmed that they would be doing the SR766 work first.
10. Paul Tanguay corrected him stating it would be the last; that is what they are asking for.
11. Fred Montes de Oca stated according to what he has, the permits start August 1, 2015.
12. Paul Tanguay corrected the start date.
13. Fred Montes de Oca stated he disagrees, noting the equipment they have today can be worked with during the winters. He noted “Either we are not seeing what is actually going on or... I just can’t see delaying the project all of the time”.
14. Councilperson Lincoln Litchfield inquired if there was a conflict between Highmark and Tanguay.
15. Paul Tanguay stated there has been some conflict, because they have jobs with the mines and also have a certain inventory of leased equipment versus an inventory of their own. He noted

they have scheduled and budgeted “our job” with the equipment that they own, which has been tied up with the mines”.

16. **Vice Mayor Donnetta Skinner approval of a Fourth Amendment to the Land Purchase Contract between Alex and Marion Hose (Buyers) and the City of Carlin regarding assignment of the contract to Carlin Crossing LLC and a revision to performance milestones exhibit due to updates to the construction schedule, and all related matters. Councilperson Jay Duke seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**
17. Discussion was held that the next update would be presented in March, 2015.

III. Review, discussion and possible approval of adding Brent Jacobson to the Carlin Park and Recreation Board, and all related matters. (Possible Action Item)

1. Councilperson Lincoln Litchfield stated he was a volunteer on the Commission and supports anyone who volunteers in that capacity.
2. Discussion was held on the fact there are three (3) opening on the Board.
3. **Councilperson Jay Duke moved for approval of adding Brent Jacobson to the Carlin Park and Recreation Board, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried.**

IV. Review, discussion and possible approval of canceling the City Council Meetings on November 26, 2014 and December 24, 2014, and all related matters. (Possible Action Item)

1. **Vice Mayor Donnetta Skinner moved for approval of canceling the City Council Meetings on November 26, 2014, and December 24, 2014, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried unanimously.**

V. Review and discussion and possible approval of \$60,340.67 for the first payment and the first of two change orders for the Bulk Water Station located at Poplar Street, and all related matters. (Possible Action Item)

1. City Manager David Jones reported there were one of two change orders that came in and the second change order needs more information before it can be considered. He stated the reason for the first change order was they located fiber optic lines when they first started excavation. He noted they were cautious and followed through by hand instead of using the backhoe, which added some more time.
2. Public Works Director Carlos Esparza stated, “Even if they had marked them, the contractors would have had to dig by hand due to the proximity of the fiber optic lines so they would have still had the change order anyway. He noted the lines did not get cut. He stated the USA dig did not go in until after the bid and noted the City Engineer approved the change order.
3. Bob Wilcox inquired if they had explored hydro blasting which is the current manner for touching lines and is as economical as using a backhoe.
4. **Councilperson Jay Duke moved for approval of \$60,340.67 for the first payment and the first of two change orders for the Bulk Water Station located at Poplar Street, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor and Councilperson Lincoln Litchfield opposed.**
5. Councilperson Lincoln Litchfield inquired if they are paying for the change order.
6. Further discussion was held on the payment.

VI. Review, discussion and possible approval of a vote of support addressing the telephone outages at Central Dispatch, and all related matters. (Possible Action Item)

1. Chief Bill Bauer stated over the last year, Frontier Communications has allowed their equipment to get “increasingly broken”. He stated the impact is that of making it difficult for citizens to get through to the 911 lines. He stated emergencies could not get through and cell phones have had to be used for CPR assistance and other critical issues. He stated Central

Dispatch and Authority and the boards went to Frontier to tell them to get something done. He stated there is no management currently for Frontier in the Elko area and the request to get this dealt with in a timely manner has “fallen on deaf ears”. He stated they have not done anything to correct the issue and the two boards decided they should forward a letter to Frontier itself and to have all of the boards send a letter to the PUC. He stated the county and cities have some clout and possibly this will help get something started and noted the PUC of Nevada does have some “serious teeth” about the franchising. He stated all they are asking for at this point is a vote of support from each of the governmental boards, Elko City, Carlin City and the County Commission. He stated, “Every board has been apprised of what is going on and this is to let them know they are not dealing with the issues and if they continue not to deal with it, then we might have to look for another carrier”.

2. Vice Mayor Donnetta Skinner stated there have been problems with the internet at the local stores and the store owners went to a meeting to talk about this, but Frontier said it was not their problem. She stated it did not solve any of the problems to go to them, because they are not willing to fix it.
3. Councilperson Jay Duke inquired if there is a liability being created.
4. Chief Bill Bauer stated he believes that Frontier has the liability and that was included in the letter, reading: “We find the growing frequency of outages to be unacceptable and beyond the Elko Dispatch Center’s control and/or liability”. Further discussion was held on the problem.
5. Mayor Cliff Eklund confirmed the City of Carlin has a franchise agreement with Frontier.
6. City Manager David Jones stated the franchise agreement has expired.
7. Mayor Cliff Eklund inquired if this is being negotiated at this time, could they use this as a lever.
8. Chief Bill Bauer stated the basic problem is that there are no alternatives, because he is not sure there is anyone in the area that has the equipment to handle the Frontier services. He stated long distance is not the issue, it is the local equipment. He explained they could probably “hold their feet to the fire” during franchise negotiations and maybe with everyone working together it would help. He stated that Frontier is not listening and it appears they are not interested.
9. Dana Holbrook stated the cell phone call to 911 would sometime go to Eureka County rather than Elko Dispatch.
10. Mayor Cliff Eklund stated this has to do with landscape, when called by a cell phone it can sometimes skip over to Eureka.
11. Chief Bill Bauer stated “it land skips and hits the wrong repeater and says the call is from Eureka, so it sends it there”. He noted that, although this is not Frontier’s problem, everything is interconnected and there are other issues with the dispatch that are currently being worked on.
12. Tom Burney inquired of the communication with Chief Bauer patrolling officers.
13. Chief Bauer stated most of the dispatching is done through cell phones and most are handled through the dispatch center, so the officers are contacted mainly by radio.
14. Tom Burney inquired if Congressman Amodei and the FCC were included in those that were going to be contacted.
15. Chief Bauer reported he was not sure if the FCC was included, but will bring these up at the special/joint meeting on Monday the 27th and he will certainly bring that up. He stated this would not be a bad idea and encouraged anything that would increase the pressure.
16. Mayor Cliff Eklund stated there are so many people monitoring the police calls and there are some things that the general public should not be involved.
17. Karla Jones stated all phone calls have to connect to the landlines, whether cell or not, because the message goes through the landline and they still have to call into Frontier for dispatch.
18. Councilperson Jay Duke confirmed that if they mail the letter that it should read that all 911 calls to the landline are down, inquiring if anyone initiated an internal equipment checks and if so it should be included in the letter.

19. Chief Bauer replied affirmatively, noting this is an ongoing problem that Frontier is very well aware of and it has been well documented. He noted they have been on the phone between Dan Holiday of Frontier and Bill Hance, supervisor of NDOT and all of the vendors have been working back and forth. He stated the “straw that broke the camel’s back” is the lack of effort on Frontier’s part and noted they freely admit that they have problems. He noted the more insistent that they got that this should be addressed, the more reluctant they became to do anything about it. He stated it has been progressively harder to deal with. He stated this letter is just one of a series that has been sent to Frontier identifying the problem and requesting help.
20. Mayor Cliff Eklund stated he was upset by the fact that they do not have e-911 capability. He stated they just had an accident where it took 1.5 hrs to find the victim and the ability of e-911 would have allowed this to be done quickly. He stated this allows a trace to the victim’s phone line to determine the location.
21. **Councilperson Lincoln Litchfield moved for approval of a vote of support addressing the telephone outages at Central Dispatch and all related matters. Councilperson Jay Duke seconded the motion. The motion carried unanimously with Mayor Cliff Eklund voting in favor.**

VII. Review, discussion and possible approval of an Insurance Plan for the City of Carlin and all related matters. (Possible Action Item)

1. City Manager David Jones stated that Glenn Trust budgeted for a 25% increase of the current plan costs. He stated Option 1 would be an increase of 3% or \$7,190. It would raise the premiums to \$218,650 and Option 2 is no longer available. He stated the City can save approximately 24% by going to Option 3 or \$24,450 annually, total premium \$187,009. He stated Option 4 is an HSA, health savings account, but he is not sure if the City is ready to “go there” and he is not convinced that the employees are ready.
2. Mayor Cliff Eklund confirmed Option 1 is primarily the plan they have today. He noted 3% is not a huge increase and he does not know where they are headed with this insurance.
3. City Manager David Jones reported they have 22 employees currently in the HC034 and one (1) employee HCB.
4. Councilperson Jay Duke stated the plan as a whole is not very different, but the rates for the employees is quite different.
5. Vice Mayor Donnetta Skinner stated the deductible is “atrocious” in Option 3 of \$1,000-\$3,000 minimum for single and family.
6. Mayor Cliff Eklund stated Carlin is not the highest paying in the county, but the benefits are a good plan that we give them in lieu of wages. He suggested that Option 1 is his choice.
7. City Manager David Jones stated Option 1 is the best policy that Prominence offers at this time.
8. Vice Mayor Donnetta Skinner stated she is also in favor of the 3% raise.
9. Councilperson Lincoln Litchfield stated they need to ensure that the employees have peace of mind if they get hurt and that they aren’t going to be out by thousands of dollars.
10. Steve Wilkinson stated he would prefer they stay with Option 1, as he believes that the employees could not afford the other options.
11. **Councilperson Lincoln Litchfield moved for approval of an Insurance Plan Option 1 for the City of Carlin and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**

VIII. Review, Discussion and possible approval of the minutes for August 13, 2014 and all related matters. (Possible Action Item)

1. **Councilperson Lincoln Litchfield moved for approval of the minutes for August 13, 2014 and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**

IX. Review, discussion and possible approval of payments for the periods 8/13/2014 to 8/27/2014, and all related matters. (Possible Action Item)

1. Councilperson Lincoln Litchfield inquired if Elko Sand and Gravel would be for salt for the entire year.
2. Public Works Director Carlos Esparza replied that they “hope so”.
3. **Councilperson Lincoln Litchfield moved for approval of payments for the periods 8/13/2014 to 8/27/2014, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried favor.**

X. Review, Discussion and possible approval of payments for the periods 10/8/2014 to 10/22/2014 and all related matters. (Possible Action Item)

1. **Vice Mayor Donnetta Skinner moved for approval of payments for the periods 10/8/2014 to 10/22/2014 and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried 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 Jay Duke reported the NNRDA cancelled their December meeting. He reported that Exit 298 funding has been approved and a Shop Local campaign is being initiated by the DBA, Elko Chamber of Commerce and Elko Daily Free Press.
2. Councilperson Lincoln Litchfield had no report
3. Vice Mayor Donnetta Skinner reported \$480 had been received from the cans. She stated they need someone who can take the cans for recycling to Elko. She stated the upcoming Spook Walk is being advertised and she thinks it will be good this year. She expressed her appreciation to Public Works Director Carlos Esparza for taking care of Chinese Gardens.
4. Councilperson Jay Duke reported the Hope Crisp, Hospital Administrator of NNRH, revealed that the construction for the oncology center is going as planned. He noted the public could meet the doctor of this facility on Sunday, the 29th at 5:30 p.m. at the Western Folklife Center.
5. Mayor Cliff Eklund reported he and City Manager David Jones were in Las Vegas for the League of Cities and attended several seminars while there. He stated other communities have similar problems, such as trash in the desert and people cleaning up their properties. He noted some communities are taking drastic steps, in one case, the city took over the property, cleaned it up and attached it and the owner could not do anything until the bill was paid to the City. He stated there have been many solutions tried for this problem, but none stand out.
6. City Manager David Jones stated there is a new NRS that will be in force soon to increase the fee to \$2,000 for littering in the desert.
7. Mayor Cliff Eklund stated they are hoping this will deter people from continuing to litter. He noted they will spend \$10.00 in gas to drive out into the desert to dump trash instead of paying \$5.00 for the dumpster. He called on the residents to talk to the Council if they have solutions or requests. He stated there were high school students working every summer and they had someone there to do maintenance etc., on Saturdays and make sure there was access to the dumpster. He stated some work all week and the schedule does not allow them to get to the dumpster, which is one of the problems.
8. Thomas Burney stated last week trash was discussed at their meeting and discussion was held on obtaining some volunteer help, e.g. for people who are disabled or cannot clean up their own yards.

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

1. City Clerk LaDawn Lawson reported November 4 is the election and she gave voting times. The candidates have to file their contribution and expense reports by October 31.

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

1. City Manager David Jones reported the auditor came over and they made some progress, noting that City Clerk LaDawn Lawson was instrumental in that. He stated the railroad is cleaning up some of their weeds throughout the community. He stated he has not heard anything from Lisa at the railroad and she has been out of the office all week.

XIV. 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. Steve Wilkinson inquired when the new insurance would take effect.
2. City Manager David Jones stated, "December 1".
3. Discussion was held that it is the same company, but a different name.
4. Karla Jones stated they are holding their Fire Department awards banquet on November 8th and encouraged the members to attend because the fire chief is celebrating 45 years of service. She stated they will be giving invitations, but they will be doing big things for Chief Will Johnston. She noted that Roger Curry has 35 years and Tom and Linda Bingaman have 30 years, which is a lot of volunteer hours for these people.
5. Mayor Cliff Eklund stated they should send a letter of appreciation and a plaque.
6. Councilperson Jay Duke agreed, stating "at the very least".

XV. Adjournment. (Action Item)

Vice Mayor Donnetta Skinner moved for adjournment with Councilperson Lincoln Litchfield seconding the motion. The motion carried. The meeting was adjourned at 8:14 p.m.

APPROVED:

CLIFF EKLUND, MAYOR

ATTEST:

CITY CLERK LADAWN LAWSON