

CARLIN CITY COUNCIL
CITY OF CARLIN, STATE OF NEVADA
REGULAR MEETING
CARLIN CITY HALL
101 S 8th Street
Carlin, Nevada
April 8, 2015, 7:00 p.m.

Call to Order and Roll Call:

Mayor Donnetta Skinner called the meeting of the City Council to order at 7:02 p.m.

Council Members Present: Mayor Donnetta Skinner
Vice Mayor Lincoln Litchfield
Councilperson Bob DeMars
Councilperson Jay Duke
Councilperson Pam Griswold

Absent:

1. Administrative Staff: City Manager David Jones, City Clerk LaDawn Lawson, Public Works Director Carlos Esparza
2. Present: Teri Feasel, Karla Jones, Kevin Grodi, Matt Glover, Robert Jess, Amanda Curry, Roger Curry, Mike Griswold, Melissa Aguirre, Mary Lou Tognarelli, Linda Bingaman, Quinton Eklund, County Commissioner Cliff Eklund.

Pledge of Allegiance

Public Comment will be taken prior to any Action Being Taken by the Council

I. Comment by the General Public: Pursuant to NRS 241.020(2C) this time is devoted to comments by the general public and discussion of 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. County Commissioner Cliff Eklund reported it has been interesting to hear all of the testimonies of the public lands bill, which is going to pass at the state level. Congressman Amodei has expanded that and has a bill in place to take over all public lands by the State of Nevada. The final donations for Get My Ride has been made and it is county-financed transportation for Lamoille, Spring Creek, Ryndon, Osino, and Elko for the handicapped, seniors and veterans. If the veterans need transportation to Salt Lake for medical treatment, transportation is provided and this program was just awarded \$945,000 for operation with a \$240,000 match by the county. This is also in addition to \$75,000 grant awarded to Get My Ride for when the buses do not run. People who are eligible can go to the County and get a card that provides 50% discount with a cab. He reported the CERT, Community Emergency & Response Team provide training for any volunteers within the county for search and rescue, earthquake, and disasters or anything a person can do to help within his community. There is contact information for anyone interested. The County is in the process of getting the Fire District set up and it is expensive, the district will cover all four (4) corners of the County. He thinks they have worked out all the details on dispatch. This month it will be turned over to the local dispatch. Natural Resources is having a couple of events, one a Sage Grouse Strut and participants have to be in Lamoille at 4:30 a.m. on the 16th and there is a dinner on the 30th. All of this information is on nns.org. He met with Newmont for final approval on Long

- Canyon and money is being transferred to start construction ASAP and it will be the first major mine in Elko County.
2. Mike Griswold inquired if this would be exploration or mining.
 3. County Commissioner Cliff Eklund stated it was mining. The biggest employment will be during construction and then level at 300 people.
 4. Mayor Donnetta Skinner stated they told them at a luncheon that eventually it would be bigger than Carlin.
 5. Mike Griswold inquired why they “let them lay that pad over a county road”.
 6. County Commissioner Cliff Eklund stated that was done before he was on the board.
 7. Robert Jess stated they have been working on designing a Junior Firefighter program for 10 members ages 15-19. This program will hopefully expand our base for the department when the youth join as full members. The Carlin Fire Department does offer full membership for ages 18 and over. I added the 19 years for seniors in high school and people who are interested in joining, but the Fire Department does not make the full commitment without first seeing how they operate.
 8. Mayor Donnetta Skinner inquired if this is something they did before.
 9. Robert Jess replied affirmatively, that it was done through the Boy Scouts of America but they ran out of members, but they did get two full time people out of it.
 10. Councilperson Jay Duke inquired if the statutes say anything about age.
 11. Robert Jess replied that if over the age of 14, you don’t need a court order to work in the state of Nevada and that it is defined in the NRS. They went to the school today and interest was great and came with 18 individuals who wanted to start the program. They would need the use of the City’s Worker’s Compensation insurance in order to offer coverage during training on non-authorized incident activities and permission to use the apparatus at the fire department. He spoke to Wayne Carlson of POOL/PACT and he said the junior workers would be considered standard government volunteers with an insurance of \$4.11 per person per month. This would be an annual cost of \$480.00/year for a 10-member program. There is money left over from the old Fire Explorer program, totaling \$4,721.00 that is in an account that would go toward funding the new program and there would be annual fundraising events to keep the money available. “We believe starting a junior firefighter program would be beneficial to the community and that it will raise awareness of volunteerism and careers in the Emergency Services field for those who are going to enter the job market. The training skills, development and leadership opportunities this program represents will help the youth of this community prepare to become future leaders we all want them to be”.
 12. Mayor Donnetta Skinner stated this is a terrific idea, noting they can do nothing with it at this meeting.

II. Community in Schools will offer a presentation to the Carlin City Council and all related matters. (Non-Action Item)

1. Mellissa Aguirre of Community and Schools reported that they are a nonprofit based in the Elko/Spring Creek area. Recently she met with County Commissioner Cliff Eklund who is their liaison for the County Commission about the services that are available to the youth in Carlin. CIS partners with Little Red Schoolhouse, the Elko county School District, and GBC to find funding to support that program to keep that going for students to attend a preschool so they stay at their grade level as they enter kindergarten. They provide hunger prevention services and currently they have 25 kids at Carlin Combined who receive weekend food, packs of food that go home with them over the weekend and so far 790 packs have been given. They offer services such as winter or regular clothing to students and unfortunately they do not have a full-time site person in Carlin to do that job. It costs about \$45,000/year to employ someone at the school. Hygiene packs are available for students and families, as well as school supplies with partnership with Soroptomist International. If there are families that need this or other types of service, you can notify us. We work solely on public input and we have a board and lo

cal advisory council that help and they work to avoid duplicating services in the community, so we connect families to the services and help them follow through. A comprehensive site is where we have a full or half-time staff person who has an office at the school versus special project sites are where services such as mental health are offered. Carlin would be considered a special project site because they do hunger prevention, preschool and mental health counseling program.

2. Mayor Donnetta Skinner inquired how they would get a person in Carlin to do that.
3. Melissa Aguirre stated currently they have staff in the Elko and Spring Creek area, but we work with the mines and other corporations to find funding to sponsor so as we grow we would look for a sponsor for Carlin to work with K-12. Ultimately the goal is to keep kids in school and there is a program in Spring Creek to re-engage students who have dropped out. The kids who do so are credit deficient so we work with them to develop leadership skills and help them to get credit recovery. We do get kids referred to us who have already dropped out and we try to get to them before 18, possibly getting them into a program to get their GED. They applied for a grant to provide support to students who are in the Elko system.
4. Mayor Donnetta Skinner stated there are some in Carlin who have dropped out that really need to get back in or they will be lost in society.
5. Melissa Aguirre stated we try to catch these kids, as they are sophomores, juniors and seniors to help them set goals that are obtainable for them and find some success. They would be happy to serve students who come out of Carlin.
6. Melissa stated they have volunteer opportunities for those who want to help if there are people in the community who would like to volunteer. If there is a committee, we would be happy to discuss this with them.
7. Mayor Donnetta Skinner explained there were teenagers who had a coat drive last year.

III. Review and discussion possible approval of the 2014 Fiscal Audit provided by Bob Heguy and Mary Sillett from Eide Bailly and all related matters. (Non- Action Item)

1. Bob Heguy stated they have now completed the audit and they have taken future steps to avoid the delays there were this year. He introduced Mary Sillett, an Audit Manager with the firm and helped with this audit. He expressed his appreciation to City Manager David Jones and City Clerk LaDawn Lawson. Everything they encountered on the audit and items we found as deficiencies at the end of the day, you have an unmodified audit report, which means a clean opinion and no modifications to it. He read: "In our opinion, the financial statements referred to above present fairly, in all material aspect, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City as of June 30, 2014". That means that anyone who uses these statements can rely on them. Page 11 shows the total sum of your position, all funds grouped together, but the most important thing is that if you look under total of Cash equivalents, basically at the end of June, you see a balance of \$6.2 million and under total liabilities, it shows \$719,000, so one of the things that looks well for the city is the fact that you have fairly high liquidity. There are much larger governments in Elko County that are struggling in liquidity. Once payroll is made, they are without cash. In some of your fund, the cash balances are not as healthy as they should be, but overall the City is in terms of operational flow. Page 17 is the statement of Revenues, Expenditures and Changes in Fund Balances of Governmental Funds. This reflects does not include the water fund, but it shows in that once again total revenues at \$3.1 million and total expenditures a \$3.6 million, but under fund balances, the balances for governmental funds of which the General Fund is the largest is \$4.5 million and the General Fund is at \$3.8 million. Page 19 is the Utility Fund with cash balance almost \$2 million and liabilities \$64,000, high liquidity and comparing the \$2 million of the entire cash received, the Utility Fund does contain a lot of the cash balances of the City. The Utility Fund did well in terms of production. Page 29 is Compliance with NRS; note these are apparent violations, the first of which were a few funds that reflected over-expended amounts.

A lot of this is caused by “cut-offs”, at the end of the year, you start to put together the records for the entity and you have to find all the receivables and wait until all the liabilities come in and in a governmental entity it is more difficult, because you are doing that fund by fund. A lot of these items are going to cover the cut-offs and some of those in June 2014 had to do with change of management. At that time, the City Manager was doing a lot of schedules for us and it is quite a learning process to get there. These things will go away and we have discussed various things; we have to be careful because under the new audit requirements, we have to be careful we do not help you too much. We indicated a statute violation for our lateness. One of the items that jumped out on Page 38 was Interfund items. The City can loan funds from one to another, transfer from one fund to another either planned or unplanned. The biggest item was that the General Fund transferred to Capital Projects \$233,570. Pay-as-you-go has controlled the debt rate available to all of the other local governments. Page 44, between 2006 and 2013-14, there was a decrease in General Fund revenues by about \$164,000 and a lot of that was based on the erosion of some of the taxes that were being collected from the state, such as the Consolidated Tax. One of the good signs for the General Fund on page 43 is the Ad valorem did increase by approximately \$40,000. Many areas of the General Fund did show increases in expenditures, public safety increased some, which are areas to monitor and the reasons of the increase were beneficial to the community. Note on page 47, the General Fund balance increased from \$3.2 to \$3.8 million. It shows Carlin is very conservative and that is why you have good cash liquidity. Page 64 is another of the auditor’s report required to be included and based on government auditing standards. We indicate deficiencies we find in internal controls and we found 4 deficiencies, some you will be able to overcome some you will not be able to. Those did not have any effect on the audit opinion, which means that these items to correct might not be cost effective to do so. Those are management decisions. In Elko County, they do not have CPAs working full time. Local accounting people are not able to do this report. One of the issues as auditors is that we are still required to report them as material deficiencies. A small local government cannot afford to do that. This year and probably in previous years, as auditors if we come in and see things that have not been recorded, we are required to look at those as deficiencies, such as cut offs, receivables, payables, maybe budget items, things of that nature. This is just a matter of learning to do things efficiently, which is a growth and education issue. The financial statement preparation cannot be overcome, but the rest can. We made some material adjustments for some cash transfers at the end of the year, more of a cut-off issue. It was a difficult year for us, difficult for you. I thank you for your patience and in the future, all I can say is that our firm, Eide Bailey, will never let this happen again.

2. Mayor Donnetta Skinner stated this is actually very good and we were all new. It will better next time.
3. Bob Heguy stated if they have questions, they can call.
4. Councilperson Jay Duke inquired about the responses, A, B, C, and D that A is the only one that lists the cause in terms of the criteria and effect.
5. Bob Heguy stated the others were self-explanatory.
6. Mary Sillett expressed her appreciation to City Manager David Jones and City Clerk LaDawn Lawson. They were very responsive and trying to do everything they could.
7. Bob Heguy stated the first audit done for the City of Carlin was done by Warner Whipple and he would bring in a staff member and he would sit and prepare the financial statements because it was all a cash basis. He got the financial statements done before and now they have made it so difficult to do, you have to be a specialist to government audits.
8. **Councilperson Bob DeMars moved for approval of the 2014 Fiscal Audit provided by Bob Heguy and Mary Sillett from Eide Bailly and all related matters. Councilperson Jay Duke seconded the motion. The motion carried.**

IV. Review, discussion and possible approval of the RFQ for a City Auditing Firm and all related matters. (Possible Action Item)

1. City Manager David Jones reported at the request of the Council in February's meeting, we went out for a RFQ for auditing services. As you will note under information, the City received one RFQ on 10:12 a.m. on March 30, at the close of the RFQ request period. We reviewed and found to be the lowest responsive responsible RFQ. Staff recommends that Eide Baily, represented by Mr. Bob Heguy.
2. **Councilperson Jay Duke moved for approval of the RFQ by Eide Baily for a City Auditing Firm and all related matters. Vice Mayor Lincoln Litchfield seconded the motion. The motion carried.**

V. Discussion and possible approval of a recommendation to appoint an auditing firm for the City of Carlin, and all related matters. (Possible Action Item)

1. **Councilperson Bob DeMars moved for approval to appoint the Eide Baily auditing firm for the City of Carlin, and all related matters. Vice Mayor Lincoln Litchfield seconded the motion. The motion carried.**

VI. Review, discussion and possibly approving a Fire Chief for the City of Carlin and all related matters. (Possible Action Item)

1. Mayor Donnetta Skinner stated when we were making all of these appointments, we found out what was going on in a Council meeting and it has been difficult for the members because none of us knew. In the meantime, we have had lots of discussion and we have decided to bring this item to the Council and possibly settle it.
2. Vice Mayor Lincoln Litchfield stated. "With research and investigation how the LLC works with the City and how the City dictates who they want as their Fire Chief. I have concluded that the LLC probably can have anyone they want over the LLC. The fire chief is paid by the City, which makes him a City employee and under our jurisdiction as a Council so it our duty to appoint a fire chief that we feel would benefit the citizens and has their welfare in mind. With all of that being said, I have looked at a board at the Fire Station seeing who responds to calls, who responds to meetings and have talked to different people about what happened. It was my fault that I didn't attend more meetings, so I will take that complete blame, because I would go to a business meeting and it would be the same thing repeatedly. I am going to start attending their business meetings every month to ensure that they have Council representation there and it is being done in a way that benefits the citizens of Carlin. That is what I think is foremost whatever we do, whether it be this Council, City Administration, it has to be focused on what is best for that department and what is best for the citizens".
3. Councilperson Bob DeMars stated, "The LLC of the Fire Department is a business, so is the Fire Department running under the City of Carlin is Carlin paying registration, fuel and maintaining the vehicles or is the LLC doing this?"
4. Linda Bingaman stated the City pays for the equipment. Fire Departments across the state are almost all incorporated entities so that allows them to go out and have fundraisers and to take care of issues and to have a bank account. We use the money that we raise towards the Fire House, purchasing coats or t-shirts for the volunteers. All of the volunteer departments in Elko County are incorporated on their own. The City pays for the equipment and the station.
5. Councilperson Bob DeMars stated, "You are saying the LLC is for fundraising".
6. Linda Bingaman stated, it is for tax-exempt purposes and it allows the Board of Directors, which has been defunct, as we have never received documents from the state.
7. Karla Jones stated they submit what was on the website and it was to cost \$60.00. We had to resubmit it and it cost \$144.00 to pull all of those out of archives and they are pulling them out of the archives. As of today, they had not pulled all of those records.
8. Linda Bingaman reported the Fire Department incorporated in 1973 and it has been incorporated since that point.
9. Councilperson Bob DeMars stated he has an LLC and he does not understand how this is structured that way.

10. Councilperson Jay Duke inquired what type of LLC it is, a partnership, sole proprietor, a corporation, and you say it was incorporated in 1973. I am assuming it is a corporation of the Carlin Volunteer Fire Department.
11. Linda Bingaman stated it is a 501 (3) C, like the Friends of the Library, which the City owns the library.
12. Councilperson Jay Duke stated that's why they are a 501 (3) C to be exempt. "I would give the process the benefit of the doubt since we have never been faced with this in 40+ years. The Code does say that the Chief in charge of the fire and prevention shall be appointed by Board of the Council on the basis of his qualifications. I would say that the LLC needs to provide a list of incumbents to help us make that choice. It is about a recommendation and it is based on that criteria. Does anyone have a list of incumbents or candidates?"
13. Mary Lou Tognarelli stated anyone could nominate someone for the Chief, per Will Johnston's request, no one could remove their name until the night of the election. Several names were up on the board. We had Will Johnston, Linda Bingaman, Roger Curry, Mike Abrams, and Tom Bingaman, Karla Jones, David Jones, Nathan Rogers, and Kevin Grodi. David Jones, Karla Jones, Tom Bingaman, and Kevin Grodi removed their names the night of the election.
14. Councilperson Jay Duke stated that left Will Johnston, Roger Curry, Linda Bingaman, Mike Abrams, and Nathan Grodi.
15. Mary Lou Tognarelli agreed.
16. Councilperson Jay Duke stated, "Those are who we should use".
17. Mayor Donnetta Skinner inquired if those were the names they used.
18. Linda Bingaman replied affirmatively.
19. Discussion was held on the past procedure used.
20. Linda Bingaman stated when she was on the Council it was appointed every year, the same as the City Attorney, clerk, etc. During Cherie Aiazzi's term, she said the Charter no longer specifically said the Fire Chief was an official and was not included on that list. She said they did not appoint every year annually after that because it was not included on the Charter according to Cherie Aiazzi. She read the list in the Charter.
21. Councilperson Jay Duke stated it reads, "Regardless of that being in the Code, and reappointing every year, how this reads is if it comes up that a Fire Chief needs to be appointed, it will come before this board. I want to remind everybody that the examination shall be open to members and nonmembers of the Fire Department. There is no advantage for us to recommend a nonmember, but it is still in there".
22. Vice Mayor Lincoln Litchfield stated he brought that up last meeting that we need to have qualifications of what the Fire Chief does.
23. Councilperson Jay Duke stated, "You are talking a job description".
24. Vice Mayor Lincoln Litchfield agreed, noting some of the requirements that should be included. "We would not want to put in a first year firefighter as the Chief, just because he is there, or he is popular. We need someone who has had the ability to keep a level head when it may be have been necessary. The list was put on the white board at the Fire Station by the members of the LLC."
25. Mayor Donnetta Skinner inquired if it was on there because they were qualified to do it.
26. Linda Bingaman stated they were nominated by the members to be put on the list.
27. Mayor Donnetta Skinner stated, so someone nominated them, not whether they were qualified or not.
28. Vice Mayor Lincoln Litchfield stated it could be for almost anything.
29. Councilperson Jay Duke stated he is not prepared to make a recommendation tonight.
30. Councilperson Bob DeMars stated there are names on this list who I do not even know.
31. Councilperson Pam Griswold inquired what the experience was of the five nominations.
32. Linda Bingaman stated, "Will Johnston has 46 years, Roger Curry has 36 years, I have 31 years in June, Mike Abrams has 19 years, Nathan Rogers has maybe 1½ years to 2 years.
33. Mayor Donnetta Skinner inquired if any of these are qualified to do budgets.

34. Linda Bingaman stated she has.
35. Mayor Donnetta Skinner inquired about picking the people.
36. Linda Bingaman stated, I think it was that Will Johnston was the Chief, Roger Curry, and I are Assistant Chiefs; Mike Abrams has served as a Captain. Nathan Rogers is new and coming up and is active.
37. Councilperson Bob DeMars stated they should table it.
38. Mayor Donnetta Skinner stated it would not be wise, you picking the Fire Chief is wrong; it should have come to us first. We were blindsided and I feel that our Fire Chief should be picked by us. I do not think it should be a popularity thing or since you show up, you should have that job. They need to be qualified and several other things have to happen to bring them to that position. It made people mad about what was done to Will Johnston and we did not know about it or have anything to do with it. I think we need to handle this properly. I don't think we can just throw a name up".
39. Councilperson Jay Duke stated, "In fairness to the process, we have never been through this since Will Johnston was hired as Fire Chief in 1971. We need to pay attention to this".
40. Mary Lou Tognarelli stated, "It does say in our bylaws that we will have elections every 5 years in the years ending 5 and 0".
41. Vice Mayor Lincoln Litchfield stated it also says it goes to the Board of Directors.
42. Mary Lou Tognarelli stated, "It does not say the ballots need to go, just the selection".
43. Vice Mayor Lincoln Litchfield stated it did not go to the Board of Directors, whether there was one or now; it was released to the public without this board knowing about it. It was released to someone and she came to the Council and ripped us up for it".
44. Mary Lou Tognarelli stated it was not because we did not want to tell you; it happened before we had a chance to tell you.
45. Vice Mayor Lincoln Litchfield stated "Someone at the Fire Station released that to the public".
46. Mayor Donnetta Skinner stated this needs to be tabled until the next meeting.
47. Vice Mayor Lincoln Litchfield stated, "Submit a letter, give your qualifications and tell us about yourself."
48. Councilperson Pam Griswold inquired if there is a job description or has there ever been.
49. Linda Bingaman stated there is a short description in the bylaws that says qualifications. She stated she would provide that to the Council.
50. Councilperson Pam Griswold inquired if she could also supply us with the outcome of the vote you took and with the description from the bylaws that would give us the opportunity to get a job description written up.
51. Councilperson Bob DeMars inquired how many members are there in the group currently.
52. Councilperson Jay Duke stated 24 and 15 voted.
53. Linda Bingaman stated three (3) abstained.
54. Mayor Donnetta Skinner stated she talked to Will Johnston and "I am not really sure how that turned out. We need to try to fix this. This is not right; he has been on this Department for a lot of years and why would we not let him out of this job with the dignity he deserves. I am thinking I do not know what to do, because we did not do this in the first place".
55. Councilperson Pam Griswold stated every time it has been voted on since he was employed, Will Johnston had been voted in and this time he was not.
56. County Commissioner Cliff Eklund inquired if Will Johnston wants it.
57. Mayor Donnetta Skinner stated, she thinks so, but his feelings are really hurt. The people he trusted and worked with, he feels he has been betrayed. He had warning, but he did not absorb it. City Manager David Jones and I talked to him a few weeks ago and wanted him to be at the meeting. I do not think this is a good way for him to go out. He is the only person in town who can do the fireworks. We have to figure out how to do this.
58. Councilperson Jay Duke stated he wants to table the item.
59. **Councilperson Jay Duke moved to table approving a Fire Chief for the City of Carlin and all related matters. Councilperson Bob DeMars seconded the motion. The motion**

carried.

VII. Review, discussion and possible approval of changing the Carlin City Code 8-1-39 thru 8-1-112 to reflect NRS Chapters 484 thru 484E and all related matters. (Possible Action Item)

1. Teri Feasel explained the revision and presented some information for the Members concerning the traffic code and traffic ordinances that govern all the issues in the City. Our City Codes are under Section 8, Chapter 1 and when we enter that into the computer, it generates a description of the violation. Currently the Department of Public Safety is transferring all the codes over to a system so all the City Codes and NRS statutes and County Codes will reference to a NOC code, a universal system throughout the country for uniformity. It is going to save time and effort if we do this and the Department of Public Safety is doing this for all the entities, which is quite a savings. Right now the NRS is established to have their own NOC codes. If the City established the traffic chapters of the NRS to reflect the City Code, then to establish those NOC codes would be simpler. Most of those violations are in under a NOC code with a description and that would be assigned to that City code. The basic 5-digit code is in place. We have not started in Carlin yet. She explained a sample of the current NOC Codes when information is entered into the computer. The City code is outdated presently so it would be to adopt the new NRS chapters; the Carlin Traffic City Code would be updated also. The Council would have to enact an ordinance that adopts the latest revision. She stated the sample from West Wendover shows what she is proposing. She explained the DUI codes are ones she said the Council might not want to adopt them because it was costing too much. She is in the process of trying to hook up the television to get the audio. I do not think it is cost effective for Carlin to prosecute those cases. The West Wendover paperwork is already in place and is easy to follow. Their citations are also included as well as a formal complaint that the City might issue for a more serious issue where an arrest is made. The cross referencing was done in 1980. There are new statutes in place that the City could benefit from, getting the money from, such as seatbelts, etc. that we do not have on our books as City offenses. She recommended there be a committee to review those NRS chapters to determine which we do not want to adopt as City Codes and make sure we have the ones we want. She suggested Chief Fobes could serve on the committee, as well someone from the Council. I would like to do that as soon as we can because we are converting over to a system the County wants to go with countywide, including all the courts. We plan to go live with that in November and need our NOC codes in by then.
2. Councilperson Jay Duke inquired about cost.
3. Teri Feasel stated there is no cost. The change would be that the Council adopt the ordinance, attorney's fees.
4. City Clerk LaDawn Lawson stated it would cost \$20.00 a page to codify.
5. Chief Dennis Fobes stated it is a good idea, because when writing tickets, we cannot write tickets for NRS and CTO violations.
6. **Councilperson Jay Duke moved for approval of changing the Carlin City Code 8-1-39 thru 8-1-112 to reflect NRS Chapters 484 thru 484E and all related matters. Vice Mayor Lincoln Litchfield seconded the motion. The motion carried.**

VIII. Review, discussion and possible approval of changing the Carlin City Municipal Court to a Court of Record and all related matters. (Possible Action Item)

1. Teri Feasel stated she would like to make Carlin the Court of Record. She stated there may be cost with appeals. The Municipal Court is not officially the Court of Record and we do record the proceedings during hearing, but if there is an appeal, we cannot send anything over to be transcribed because we are not officially a Court of Record, so we do not have an official record. If it is appealed then the City Attorney goes to Elko Court and puts this on all over again. If it is a Court of Record, then a transcript is used at the District Court level. The City attorney would write a brief to the Judge. Attorney time per Mr. Coyle is an hour to 2 hours on an appeal. The appeal process can be lengthy. Elko and Wells Municipal Courts are Courts of

Record.

2. Councilperson Jay Duke stated the caveat is that it would take more time with attorney time.
3. Teri Feasel replied if the court is a Court of Appeal, there is not an additional trial that is held. There is a hearing on the appeal where both sides can argue their case, but it is not a full-fledged trial. The appeal is based on a brand new trial, not the evidence that was presented at the Court in Carlin at the time.
4. Councilperson Pam Griswold inquired about the transcription.
5. Teri Feasel stated the transcript is recorded and done by a transcriber in Elko. She stated all of the officers in Carlin are involved so they would have to travel to Elko for the additional trial at times, which is an inconvenience.
6. **Vice Mayor Lincoln Litchfield moved for approval of changing the Carlin City Municipal Court to a Court of Record and all related matters. Councilperson Pam Griswold seconded the motion. The motion carried.**
7. Teri Feasel explained there is a conflict between charges of municipal court and those of the justice court. The City Attorney requested that she mention it to the Council on these issues that are taking more time in the courts, e.g. two courts, two possible complaints, two dates, two possible different charges. This is something the Council could consider. Sometimes if a case is going to two courts, the Municipal Court will wait to see if the higher court makes a decision so they are not taking time in both courts. It is confusing and hard to track the cases because of this. Sometimes the case is dismissed by the higher court and that would have been a waste of time if the case were heard by the lower court.
8. Mayor Donnetta Skinner stated this could be agendaed for a future meeting.

IX. Review, discussion and possible approval of accepting title to 617 Main Street Carlin, Nevada building and property and all related matters. (Possible Action Item)

1. City Manager David Jones stated the property is the old Stateline building and there are issues and the funds have been allocated through the Nevada Division of Environmental Protection for help with the abatement. A contractor for NDEP was in Carlin to assess the situation and the caveat is that the City must accept the building in the City's name prior to accessing the funding. Mr. Davis has agreed to give the deed to the City so that it can be demolished.
2. **Councilperson Jay Duke moved for approval of accepting title to 617 Main Street Carlin, Nevada building and property and all related matters. Councilperson Bob DeMars seconded the motion.**

X. Review, discussion and possible approval of waving or defer the curb, gutter and sidewalk located at 1601 Puett Drive and all related matters. (Possible Action Item)

1. Councilperson Pam Griswold stated she would abstain, as she owns the property.
2. Mike Griswold of 1601 Puett Drive noted the map shows pink where there is already asphalt on his property. He owns 150'.
3. Vice Mayor Lincoln Litchfield confirmed that he has a corner lot and two front yards, one on Puett and the other on Chestnut.
4. Mike Griswold stated he does not do anything on Chestnut, because the highway department does. He noted that the other day they pulled up something and they now have chunks of concrete in front of his property. He does not recognize that side because he has no access to Chestnut. He has a 4-foot retaining wall on Chestnut.
5. Vice Mayor Lincoln Litchfield stated it is still a frontage.
6. Mike Griswold stated when he came for a waiver for the carport, I set in a driveway and got a building permit for the garage. When he went out to do that, Tony Lewis of Anthony Construction looked at it and asked what he was trying to do. He responded that he was trying to do what the City required. He told me to come and talk to you about getting this waiver. 1601 Puett is a hard-set, 1603 is hard-set, the next two lots are vacant. The only gutter and sidewalk is on 1602 Mutchler with gutter, sidewalk. 1604, 1606, 1608, 1610 have gutter and

sidewalk, 1610, 1612, is vacant and 1654 is a hard-set. The other side of the street 1601 is soft-set with a sidewalk on one side and does not need curb and gutter, 1611 strictly curb, 1615 is curb and sidewalk, 1640 is curb on one side. All the others are soft-sets and no curb and gutters. The picture is from the left side looking into my property and the south driveway looking from Puett; that's the fence and that is the asphalt that would be torn up to build the sidewalk. He discussed the rest of the pictures.

7. Vice Mayor Lincoln Litchfield inquired if the cost of the improvements would be over \$10,000.
8. Mike Griswold replied affirmatively.
9. Vice Mayor Lincoln Litchfield stated the Council's hands are tied, because they can waive anything under that value, but we cannot do anything when it is over \$10,000. This is a requirement of the code.
10. Councilperson Jay Duke inquired about the center of the right-of-way.
11. Mike Griswold stated the highway that is there is 36 feet.
12. Public Works Director Carlos Esparza replied the City Engineer has not done the layout yet. This is standard procedure; once he is ready to pour the sidewalk, he would let us know and the engineer would design it and we would do all of the groundwork with the exception of the sub-base. He would have to set his sub-base and put his lines in. We have done this quite a bit with the City Engineer. The timetable would depend on the owner, but they need advance notice as it usually takes 3-4 weeks.
13. Mike Griswold stated the contractor wants to start Monday, because he can only go so far until he needs an inspection. Until he has iron in the ground, he does not need a permit. He can do all of the formwork without permission on my garage. The concrete work could be done at one time as it is expensive otherwise.
14. Mayor Donnetta Skinner stated to have the sidewalk in here would make your property worth more. You are at a position that your property is just at the beginning of our city. You have improved it a lot and the sidewalk is going to be beneficial to you and the City.
15. Councilperson Jay Duke stated the problem they had was they allowed spot waiver throughout the community in the past.
16. Mike Griswold stated that is his problem. That some are required to do it and others are not.
17. Discussion was held on a site that does not have the required curb, gutter and sidewalk.
18. Public Works Director Carlos Esparza stated he tried to get that done, but his project was under the \$10,000.
19. Councilperson Jay Duke stated that prior to this Council there were mistakes made and they are making sure that the City is built with drainage and sidewalks.
20. Mike Griswold stated they would have to guarantee me I could have a sidewalk on Chestnut because it is NDOT. He has no problem on the city side, but the state side he has a problem because they will rip things out. I have to have a warranty that it is going to stay put on the state side without them ripping it out.
21. Public Works Director Carlos Esparza stated once there is curb, gutter and sidewalk, it becomes city property. The City actually pulls the permit for him.
22. Councilperson Jay Duke stated he is concerned about the soft-set.
23. Public Works Director Carlos Esparza stated it is different zoning completely.
24. **Councilperson Bob DeMars moved to deny waiving or deferring the curb, gutter and sidewalk located at 1601 Puett Drive and all related matters. Vice Mayor Lincoln Litchfield seconded the motion. The motion carried.**

XI. Review, discussion and possible approval of the minutes from 2/11/2015 and 2/25/2015 and all related matters. (Possible Action Item)

1. City Clerk LaDawn Lawson stated there are two errors indicated by the transcriber for correction on page 9 of the 2/11/15 Minutes.
2. Councilperson Jay Duke moved for approval of the minutes from 2/11/2015 as corrected and all related matters. Councilperson Pam Griswold seconded the motion. The motion

carried.

3. **Councilperson Jay Duke moved for approval of the minutes from 2/25/2015 and all related matters. Councilperson Bob DeMars seconded. The motion carried. Vice Mayor Lincoln Litchfield abstained.**

XII. Review, Discussion and possible approval of payments for the periods 3/11/2015 to 4/8/2015, and all related matters. (Possible Action Item)

1. **Councilperson Bob DeMars moved for approval of payments for the periods 3/11/2015 to 4/8/2015, and all related matters. Vice Mayor Lincoln Litchfield seconded the motion. The motion carried.**

XIII. City Council Members' Reports. (Non – Action Item)

1. Councilperson Bob DeMars stated there are activities at the racetrack.
2. Councilperson Jay Duke stated they are looking for officers.
3. Chief Dennis Fobes stated they tested four candidates, one from Carlin, one from Montana, one from Reno and one from Elko.
4. Councilperson Pam Griswold stated the Senior Center is going to do the garden and they have a letter to Home Depot to ask if they would donate the bricks for it. Volunteer hours for March were 103.
5. Vice Mayor Lincoln Litchfield had no report.
6. Mayor Donnetta Skinner had not report.
7. Councilperson Jay Duke stated they should review the skill sets and qualifications and list of recommendations for the Fire Department.
8. City Manager David Jones stated he had that in the office. He inquired if they wanted it agendaed.
9. Vice Mayor Lincoln Litchfield inquired if he would put the job descriptions in their boxes.

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

1. City Clerk LaDawn Lawson had no report.

**XV. City Manager's Report
(Non – Action Item)**

1. City Manager David Jones had no report.

XVI. 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. Paul Tanguay, Carlin Crossing, inquired if there are any questions or other requests needed from them before they come to the Council again at the next Council meeting.
2. Councilperson Bob DeMars stated Paul Tanguay has been a good asset to the whole project.
3. Councilperson Jay Duke reminded everyone that there were three presentation tonight that we needed to pay attention to, first what County Commissioner Cliff Eklund presented, the second was Robert Jess's firefighter program, and third Communities in Schools. We need to spread the word as members of the community.
4. Vice Mayor Lincoln Litchfield inquired if the Fire Department is working with CERT.
5. Karla Jones replied affirmatively, noting CERT is its own entity, was brought to Carlin three times and we have had minimal response from the community.

XVII. Adjournment. (Possible Action Item)

Councilperson Jay Duke moved for adjournment with Councilperson Lincoln Litchfield seconding the motion. The meeting was adjourned at 9:17 p.m.

APPROVED:

DONNETTA SKINNER, MAYOR

ATTEST:

CITY CLERK LADAWN LAWSON