

CARLIN CITY COUNCIL
CITY OF CARLIN, STATE OF NEVADA
REGULAR MEETING
CARLIN CITY HALL
101 S 8th Street
Carlin, NV
June 24, 2015, 7:00 p.m.

Call to Order and Roll Call:

Mayor Donnetta Skinner called the meeting of the City Council to order at 7:00 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, City Engineer Tom Ballew. Police Chief Dennis Fobes
2. Present: Anna Dean, Robert Jess, Lonny Brown, Beth Brown, Kathie Christensen, Allan Christensen, Tom Bingaman, Linda Bingaman, Taylor Martin, Floyd Davey, Nancy Goeser, Peter Goeser, Eole Pacini, Marilou Tognarelli, Marcus Tognarelli, Dana Holbrook, Brandy Holbrook, Kathy Burney, Wren Doxey

Pledge of Allegiance

- 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. Eole Pacini stated she noted two (2) buildings in Carlin, which are original, the Catholic Church and the Old Schoolhouse. She suggested that they try to preserve both buildings for history as they are the oldest buildings and in good shape.
 2. Mayor Donnetta Skinner stated she had thought the Catholic Church would be good to use, but the people who own it now are not ready to part with it. She stated she looked on line to see about grants and found that is not registered to be named a historic building.
 3. Councilperson Jay Duke stated they could inquire about it.
 4. No Action was taken.
- II. Review, discussion and possible approval of appointing Doug Hernandez to the Carlin Equestrian Park Committee and all related matters. (Possible Action Item)**
 1. Wren Doxey, Vice Chairman, Carlin Equestrian Park Committee, stated that he talked to Mr. Hernandez and he would like to be on the board. The Carlin Equestrian Park Committee has considered Mr. Hernandez and would make a recommendation for approval of appointment of Mr. Hernandez to the Carlin Equestrian Park Committee.
 2. Councilperson Pam Griswold stated she attended the meeting and he was excited about being a part of the Committee.
 3. Councilperson Jay Duke inquired how many seats are open.
 4. Vice Chairman Wren Doxey thought there was one (1) more seat vacant.

5. **Councilperson Jay Duke moved for approval of appointing Doug Hernandez to the Carlin Equestrian Park Committee and all related matters. Vice Mayor Lincoln Litchfield seconded the motion. The motion carried.**

III. Review, discussion and possible approval of a special events liquor license for Cliff Eklund representing the Carlin Equestrian Park and all related matters. (Possible Action Item)

1. Wren Doxey, Vice Chairman, Carlin Equestrian Park Committee, reported that the license is to cover all the summer events.
2. Chief Dennis Fobes explained they were cleared.
3. Discussion was held on the other licenses and that this would be the city paying the city.
4. **Vice Mayor Lincoln Litchfield moved for approval of a special events liquor license for Cliff Eklund representing the Carlin Equestrian Park and all related matters. Councilperson Pam Griswold seconded the motion. The motion carried.**

IV. Review, discussion and possible approval of a special events liquor license for Ellen Meshefski, representing the Carlin Park and Recreation Board and all related matters. (Possible Action Item)

1. Mayor Donnetta Skinner stated there might be some “juicy stuff” on Member Ellen Meshefski and inquired if this is for all of the events.
2. Member Ellen Meshefski stated it would be for the car show and all the events to do with the library, like the beer walks, wine walk and 24-hour tournament. All of the Friends of the Library events are sponsored by Park & Rec.
3. Councilperson Bob DeMars stated the license should read license for “2015”.
4. Vice Mayor Lincoln Litchfield inquired if the Park & Rec bought liquor for the Beer and Wine Walk.
5. Member Ellen Meshefski replied “No, but they supply wristbands for the liquor”.
6. Councilperson Pam Griswold inquired about the Chili Cook-Off.
7. Member Ellen Meshefski reported that the Fire Department would be doing it. They are asking for help from anybody.
8. **Councilperson Bob DeMars moved for approval of a special event liquor license for Ellen Meshefski, representing the Carlin Park and Recreation Board and all related matters. Councilperson Jay Duke seconded the motion. The motion carried.**

V. Review, discussion and possible approval of a special events liquor license for Teri Feasel, representing the Carlin Alumni Reunion Committee and all related matters. (Possible Action Item)

1. Chief Dennis Fobes stated there was no problem.
2. The dates are July 24-26, 2015.
3. **Councilperson Pam Griswold moved to approval of a special event liquor license for Teri Feasel, representing the Carlin Alumni Reunion Committee for July 24-26, 2015, and all related matters. Councilperson Jay Duke seconded the motion. The motion carried.**

VI. Review, discussion and possible approval of a special events liquor license for Brandy Holbrook, representing the Carlin Co-Ed Softball and all related matters. (Possible Action Item)

1. Brandy Holbrook stated this would be for the Carlin Co-Ed Softball season. She stated the length of the tournament would be determined by how many teams they have. They have six teams committed as of this time and it would go through to the later August date in case there are more.
2. **Councilperson Jay Duke moved for approval of a liquor license for Brandy Holbrook, representing the Carlin Co-Ed Softball from July 7, 2015, to the second or third week of**

August, and all related matters. Councilperson Bob DeMars seconded the motion. The motion carried.

VII. Review, discussion and possible approval of adopting Resolution 2015-06 a loan and or a transfer of funds from the General Fund to the Capital Projects Fund Resolution 2015-06 and all related matters. (Possible Action Item)

1. City Manager David Jones explained this was one of the auditing deficiencies they had this year. It was 2014-D Violation of a negative balance in the Capital Projects Fund. This will not resolve it, but it will keep them from getting another violation this year. He suggested they make a loan, as they are getting low on the budget. This item could “swallow” the entire amount available at present in the budget. He wrote the Resolution as a loan for that purpose.
2. Councilperson Jay Duke agreed that is the best approach.
3. Councilperson Bob DeMars agreed.
4. City Manager David Jones explained they have \$181,000 for the last month of the 2014 budget.
5. Councilperson Pam Griswold inquired if they had to do the entire \$178,637.00 as a loan.
6. City Manager David Jones replied they would have to do the entire amount.
7. Councilperson Pam Griswold stated she would like to have this as a transfer.
8. City Manager David Jones stated a transfer is permanent. This has to be resolved. In two years, this will be transferred permanently. The Capital Projects Fund does not make enough money to repay the General Fund. There were things that were counted upon that did not happen and money spent in 2013-14. Right now, this will bring the depleted Capital Projects Fund up to where it should be.
9. **Councilperson Jay Duke moved for approval of adopting Resolution 2015-06 a loan and from the General Fund to the Capital Projects Fund Resolution 2015-06 and all related matters. Councilperson Bob DeMars seconded the motion. The motion carried.**

VIII. Review, discussion and possible approval of Fire Chief and Assistant Fire Chiefs, and all related matters. (Possible Action Item)

1. Vice Mayor Lincoln Litchfield reported he interviewed a number of people in the Fire Department. He inquired, “What do you think the requirements for a Fire Chief are”. He got a lot of good answers, which he summarized, a) experience in Fire and First aid, understanding EMT work and experience of five (5) years. He listed other responses. There were six (6) names that were constantly brought up during the process, two of which took themselves out. The four names were Kevin Grodi, Mike Abrams, Linda Bingaman and Roger Curry. All four of those people would be a good chief. He also asked them “Why did you join the Fire Department and stay”. The answer was to help the citizens of Carlin, they enjoyed giving back to the community and helping others. They did it to train new members, which they thought was very important to be said. His last question was “What needs to be changed?” Get back to a working relationship with the City, which was the strongest message. To have a single set of policies and procedures, increased training, day and night schedule. They do not have a daytime schedule for weekends. Need to pull the department together, team building, public relations, and update the policies and procedures. They needed to repeal the living requirement in Carlin. “We might have some people in Pine Valley that want to be a member”. Any one of the four would do a good job.
2. Allan Christensen, as a former member of the Carlin Fire Department, noted, “I rose to the rank of Assistant Chief and I agree with pretty much of what has been said. If you had to pick one of them, it would take all three of them. Some are good at one thing, others at something else. My main concern, as a citizen, is that we have the right to vote for our leadership to run the City. I do not think that ought to be taken away from the members of the Fire Department. I want to know that that leader is competent to lead me out there. They draft decisions for my safety, so I think the members of that department ought to have the decision of who they want to lead them. From what I understand, Linda Bingaman was voted in by the members as chief.

- The communication between the Fire Department and the city is lax. The one that the members chose should stay that way, because that is what the members felt was best to run the Fire Department”.
3. Mayor Donnetta Skinner stated, “In a way you are right, but the City has picked the Chief for years”.
 4. Allen Christensen stated he was on the Fire Department for 20 years and every five (5) years “we voted for the Chief and two (2) Assistant Chiefs. Captains and Lieutenants were appointed. The members of the Fire Department who protect the citizens are putting all personal dealings or vendettas aside to pick the best person”.
 5. Vice Mayor Lincoln Litchfield stated the position is appointed by the council and appointed annually. I know what your Articles of Incorporation say, that it is a five (5) year position, but appointed every year, just as other positions are, our attorney, engineer, police chief.
 6. Allen Christensen stated he was the Assistant Fire Chief for five (5) years and his point is that the “basic thing is that the Fire Department should have the word on who they want to lead them. They know who they trust”.
 7. Mayor Donnetta Skinner inquired about the LLC and the need for it.
 8. Linda Bingaman explained that the LLC incorporation was done in the 1970s, at which time the NDF was incorporating all volunteer fire departments and continue to do so today. It became a corporation to protect the members so the members are not subject to liability or personal lawsuits. Instead they would have to sue the corporation. All volunteer fire departments are incorporated within Elko County on their own. The Fire Department has done the same until a few years ago when they changed the rules and we wanted to have nonprofit status when we were trying to raise money for the firehouse. From and incorporation, it then became an LLC so we could have nonprofit status in the IRS. They have done significant fundraising including \$50,000 donated to the building of the firehouse. As far as the appointment of the chief, I do not know what you find in your records. I spent 18 years on the Council, when I was first on the Council, the Fire Chief, and only the Fire Chief, was appointed every year or every two years. Then we reached a point where they said the charter does not list the Fire Chief. It lists the Police Chief, the engineer, clerk and the Fire Chief is not listed there so we stopped appointing them each year. It had not happened in the last few years I was on the Council and I do not remember if it has since. But you might have done something I don’t know about after I left. For the last years that I was on the Council, the Fire Chief was not on included on the charter”.
 9. Mayor Donnetta Skinner stated she was on the Council with Ms. Bingaman and they appointed the position every year and she has the records for it. “I think we dropped the ball there, because I think the Chief should be picked by City people. He is the person that they put their trust in. Since we did and it has gone to the Council to pick him, I think it needs to go to the Council. The people in town depend on us to make that choice because we are actually speaking for the citizens of Carlin. When we appoint all of these people, we are doing it for the benefit of everyone. I think the Fire Chief is as important as the attorney, engineer or whatever”.
 10. Mary Lou Tognarelli stated “if you are going to appoint the Fire Chief over the Fire Department are you going to make that a paid position with benefits. Before when he was appointment it was a very low-key position, with inspections. Are you making that a paid position with benefits, because you cannot volunteer for your employer? If you are going to appoint the position, where does it put the Fire Chief?”
 11. Mayor Donnetta Skinner stated they have been paid forever.
 12. Mary Lou Tognarelli stated they are not. They were basically doing inspections, but what they are being paid right now, I do not know. That is a questions under federal law, because you cannot volunteer for your employer. If you are going to appoint the Fire Chief, how are you going to set it up”.
 13. Mayor Donnetta Skinner stated if the LLC picks them, the LLC pays him.

14. Mary Lou Tognarelli stated, "We do not pay him, he is just a volunteer like the rest of us".
15. Mayor Donnetta Skinner inquired if the LLC is to be responsible for the Fire Department why does the City take care of the LLC.
16. Mary Lou Tognarelli stated because the charter says the city will support the fire department and that is what the City chose to support when the charter was done.
17. Councilperson Jay Duke stated it is not the charter; it is the Fire Code and the insurance.
18. Mayor Donnetta Skinner stated then we don't have to have a volunteer department.
19. Mary Lou Tognarelli explained that when they researched this in the past, in order to have a fire department, there has to be 15 members would be the minimum to have shifts and 24-hour coverage. "It would cost \$5 million for insurance. I know the City cannot afford to do that kind of department".
20. City Clerk LaDawn Lawson explained that a small amount has been paid to the Fire Chief since 2000, it is a minimal amount that is paid to the Chief once a month and we still continue to do.
21. Councilperson Jay Duke stated he does not believe that the NRS has any provisions that would require municipalities to pay an appointed position just because of the word, appointed. "Having said that, I have made a note with questions and I will look into that. I am about 75% sure there are no provisions for that, but we pay the Council, we pay the Fire Chief position because it is the right thing to do. The amount, I do not know how we set the criteria to do that, but there are some administrative duties, leadership opportunities and it is the right thing to do".
22. Councilperson Pam Griswold stated they need to consider these concerns and need to get the problem solved in a manner that the City is covered and not putting anyone in jeopardy. I do not know if I am comfortable making a decision tonight" until we get the questions answered.
23. Councilperson Jay Duke stated voted and appointed are separate.
24. Discussion was held on who is the present Fire Chief with Will Johnston gone.
25. Police Chief Dennis Fobes stated, "You are the bosses, you fire and hire".
26. Councilperson Jay Duke stated they do have the power to hire. "The Fire Code says that and we get recommendations for the members of the Fire Department".
27. Kathy Christensen stated, "If you can follow the recommendations of the members, Linda Bingaman was voted in, that is who they want. She has the knowledge, ability and can write grants. She can do all of it. Roger Curry does not have all of the knowledge. Kevin Grodi is another story. Mike Abrams is very good, but he does not have the grant knowledge".
28. Councilperson Jay Duke stated there is a long list of knowledge, abilities and certification to hold that position.
29. Kathy Christensen inquired if one of the qualifications is to be a Firefighter 1.
30. Councilperson Jay Duke replied affirmatively, noting it is Firefighter 1 and 2 and possession of a Fire Officer Certification issued by the State Fire. There are some high-level qualifications.
31. Councilperson Bob DeMars stated his agreement with Allen Christensen. "I agree with the department choosing a person to lead them and I agree 100%".
32. Mayor Donnetta Skinner stated, "Do we just pick the one they picked?"
33. Councilperson Jay Duke stated this should be considered heavily in their deliberations. "We take the recommendation of the Fire Department and look at all the applicants and we make the best possible decision for the department and Carlin".
34. Matt Glover stated, "As far as the Fire Department side, the Chiefs that we chose in the order that we chose is what we recommend. We are not just going willy-nilly because it is not only our lives, but the citizen's lives at stake. The people we voted in through the LLC side of things are the people we trust. They have their specific areas of expertise. We put Linda Bingaman in because she knows about everything. Roger Curry and Mike Abrams are there for her backup at our direction. As a citizen as well, I would urge the Council to at least think the people that voted them in at least put some thought into this".
35. Mayor Donnetta Skinner stated the Department did not come to the council with anything. The Fire Department came to us and said we are going to have an election, this is what is going to happen and these are the people that we have. We found out about it because somebody made

us and stood up in the audience and told us. So you wonder why we were a little hot under the collar about it?"

36. Matt Glover stated, "These are the people I literally rely on".
37. Mayor Donnetta Skinner stated it has gone helter skelter the last year or so. We want the best person to run the Fire Department. It has not been brought together like it should have been. I don't know if a lot of that was due to the Fire Chief being absent and we did not have someone just take over. We need to fix it".
38. Allen Christensen stated there has been a lack of communication, "all I know is that the 20 years I worked in the Fire Department, we voted. I think you should take a close look at the person they decided should lead. The person or persons who brought the stink had a personal vendetta and that should be left out".
39. Mayor Donnetta Skinner stated, "This is how it all started. There was not anything else for us to do. In our charter, it tells us what to do and we need to be the one picking the Fire Chief. Actually it did not come out that way; we did not know anything and that was the worst part".
40. Kathy Christensen inquired who the liaison is on the Council. Isn't he supposed to be at all the meetings."
41. Mayor Donnetta Skinner noted he was on the vacation at the time.
42. Kathy Christensen stated, "Then he should have appointed someone to be at that meeting or ask one of the other council members. I was on the department for 20 years. They have their meetings every Monday night, the 1st, 2nd and 4th every month."
43. Mayor Donnetta Skinner stated they have seen her down there. They are have been doing training and other things.
44. Kathy Christensen stated, "That is good that you are down there to see the training".
45. Mayor Donnetta Skinner stated, "I do not want to be part of that training. I do participate and go down to see what they are doing. I go to everybody's department to watch what is going on. But I think the Fire Department left us out in the cold on this. This has been the bad part of the whole thing that they did not put us in there when it really is our position to pick this Fire Chief. It looks like the Fire Department went behind our back to do this".
46. Nancy Abrams stated she has been in the department for 15 years and "this election went the same as it has for at least 15 years, same month, same time, as it has since I joined the department in 2000. Nothing was different about the meeting, no date was changed; it was the 4th Monday of the month at 7:00 p.m. Every five (5) years we do the chief and the year after we do the Board of Directors. I apologize that you guys feel that we went behind your back because that is not the case. Nobody did this to go behind anyone's back. I am not saying anyone else on the department was hurt, but this election devastated me and for you to sit there and say that we were being vindictive and going behind your back. Do you know how many Christmas and Thanksgiving meals I have missed; I have been serving this community because I want to. That is unfair to say that we went behind your back. We support you people, this community. If it were not for the 20 some volunteers, what would this community have for EMS or Hazmat.
47. Vice Mayor Lincoln Litchfield stated the ambulance was out for someone else and stopped for him. There has to be some respect and I do not think the Fire Department is getting very much respect".
48. Councilperson Pam Griswold stated, "I personally do not think you went behind our back to blind side us at that meeting. Someone said 'how dare you do this' like it was us that did it, when we are all was sitting here saying 'what?' Our understanding after the fact is that the information was made public before the vote was done because there was a tie and someone found out about it and just lambasted everybody. Your vote was not made to us and we just found out. Somebody laid into us about this and they were talking about it, so that is where we got...".
49. Nancy Abrams stated that night that nothing was to be told to anyone until...

50. Councilperson Pam Griswold stated, “but it was and we got blindsided. I would like to ask Linda Bingaman and I do appreciate that you sent us a lot of information from that meeting. My question to you is what type of conflict, if any, would come up with you between the Carlin Volunteer Fire Department and the Elko County District which u are involved in”.
51. Linda Bingaman stated, “Those questions have been asked. Prior to my taking the Operations Chief position, I asked if there would be any conflict and they had talked to the District Attorney who said there was no conflict because one was county and the other was city”.
52. Councilperson Pam Griswold inquired, “If you get called out for a city fire, you are paid a stipend here, and a county fire, you are paid a salary, does the county take precedence over the City?”
53. Councilperson Jay Duke stated, “That is a fair questions. Her answer to that questions is “a fire is a fire whether she is paid by the county or paid a stipend by the City of Carlin. Carlin has assistant chiefs who are competent to stand in for the chief without them being there. The lieutenants and captains will stand in for the assistant chiefs. I have also been in the department for a number of years and I have stood in for the assistant chiefs before. It is a fair question, but an unfair question at the same time. A fire here, if she is there during the week, she is going to respond there. That would be effective for her to be there. We have competent people who could manage here. Mr. Johnston has been a member of this community for a long time and Fire Chief of this community for over 40 years. This process has never been challenged as it has over the past year. Nobody thought the process was broken. There are communication problems. There is a position description problem; there is a charter problem; there is a fire code problem. Vice Mayor Lincoln Litchfield, to quote him, a single set of procedures; how many are we operating from and in the next sentence say ‘update the procedures’. We have a disconnect there. Let us fix it. The process has not been challenged in 40+ years. It has been done incorrectly according to the fire code, but blame is not here. We just need to address the issues and fix it the problem. I was down at the department for a number of years, did not know about the voting process, did not know about the fire code and the recommendation from the Fire Department. That is part of the process that is broken, people. I did not take it personally. I immediately took it as I need to shoulder some of that blame because I was not better informed”.
54. Mayor Donnetta Skinner stated, “A lot of the problem is not how things have been run in the past, but it needs to be handled and handled properly. We could not have better people to cover you if you need help. I think the conflict between the Fire Department and the City has to be fixed. If we are to fix it, we are going to – it has not worked for the past couple of years and we need to fix it. When you did the election, you have so many people on the list, on your board, right. When you have the election, do you have all these people to vote?”
55. Linda Bingaman stated, “It was not a private vote, it was an open meeting. Over the month before, it was in the by-laws that we hold election in February, the first meeting in February every five (5) years, so everybody knew it was coming up. The month before we discussed it at our business meeting, they took names and wrote them on the board. People would call in to nominate so Robert and Karla wrote them on the board. When it came time for the business meeting, we held our election with the members that were there. Everybody went through the list of people who had been nominated. Some people who did not want to be considered pulled their names off and there were names left on the board. We passed out paper so it was a secret election. People wrote who they wanted for chief, collected them in a hat and counted them. The same way we have done elections since I have been with the department. At the end of the vote, we did have a tie for the assistant and I was elected to contact those two people to tell them and see what their thought process was and if anyone wanted to withdraw so we could resolve that issue. Through that process in talking to the people, I think what happened is that the people came in and talked to you. Those are the only people I talked to were those two people. Someone had to notify them. Everyone else was asked to be quiet about it. The goal from there was to take it to the Board of Directors and then to you guys. It was not to usurp

- you, this happened faster than we knew. So they came in and talked to you at the meeting on Wednesday. Nothing intended. We did not intend for that to happen”.
56. Mayor Donnetta Skinner stated the process of your voting, I don't think we worry a great deal about that. I know that I expected the voting to be different. I kind of expected there to be more people to vote. They said there were not that many people there. Is that right?”
 57. Linda Bingaman stated there were 15 people there. “Our membership is 24, of the 15 that voted, there were three (3) that abstained”.
 58. Vice Mayor Lincoln Litchfield stated he would read the minutes of the business meeting, April 27, 2015. This is the Fire Department's minutes. When I first got on the council, they appointed me safety liaison for the Police and Fire Department. I went to a number of business meetings, but it was the same old thing, you were doing the Spring Fling, etc. That is where I fell down on my obligations. It is written in your minutes here: “We will try to do a service class in September. Vice Mayor Lincoln Litchfield stated he would help and apologized for the lack of support”. Since that time I have been to a fire thing on Monday night, two business meetings since then, and I will make every business meeting that I can make, because I do feel that I was negligent in being representative of this Council. That is where I fell down. I was unaware of the Articles of Incorporation; I would have probably scheduled my vacation for a different time if I had known it was going to be on that day. It was my fault that I was not there and it will not happen again. I want you to know that you have a voice through me to this Council”.
 59. Jon Gift stated, Seems like there are a lot of bad feelings between the Fire Department and the Council here; I hope the Council is not letting hard feelings work here. I see both sides of this. I was not there. I just feel as a citizen of Carlin that we have the best person in that position for the City of Carlin. I would feel the people in the Fire Department are the pros, they know all about it. I just feel that you need to listen to what they are saying”.
 60. Discussion was held on having two assistants and their duties.
 61. Linda Bingaman explained the shifts, and the jobs of the two (2) assistants. She stated on the LLC, Linda Bingaman, Roger Curry, Robert Jess as secretary, and Nancy Abrams as treasurer. Members of the Board had past and the new Board members are five (5) active members: Jim Aiazzi, Kathy Christensen, Allen Christensen, Bob Heath, and Ken Jess. The paperwork has been changed to read they need a minimum of three (3) and a maximum of five (5). If someone dies or quits, they can also put someone in temporarily. There are people who were on the board, but the paperwork was never sent to the state.
 62. Mayor Donnetta Skinner stated they need to know who is on the board, “from now on, I do not want any secrets between you and us. All it does is cause trouble. People start telling things that are not true and we have a big mess here guys and the whole city is upset about the way this has gone off, so we have to tighten this group up. To do that, we have to get together. There is no other way to fix it, so we have to do it. So if you want to check into the other things before we decide this. What do you want to do.”
 63. Councilperson Jay Duke stated, “The position description needs some massaging and that is in your realm to do that David (Jones). 1. Working conditions, the very top bullet point “Working performed under the following conditions: ‘majority of the time spent in the Fire Station’ needs to be fixed. There are other line items that need to be updated. I did have some concerns about the set of policies and procedures and if we are operating with more than one set we are in trouble. That needs to be fixed.
 64. Linda Bingaman stated, “There is only one set. We are updating our EMS procedures; we have one that we are operating off of while we are working on the updates”
 65. Vice Mayor Lincoln Litchfield stated, “I think where that came from is the appearance that there was different policies”.
 66. City Clerk LaDawn Lawson stated the City has a personnel manual and the LLC has their policies and that is where there is conflict.
 67. Mayor Donnetta Skinner inquired if they really need the LLC.

68. Linda Bingaman stated, "Because it protects the members from being sued individually". She explained an instance where it first came up when a van was stolen and in an accident in Las Vegas where it hit someone and they tried to sue them. Gary DiGrazia advised them to have the LLC.
69. Mayor Donnetta Skinner stated, "The City Attorney said they have to make sure that this is up-to-date and that the City and LLC match. Do we?"
70. Linda Bingaman asked for clarification.
71. Mayor Donnetta Skinner stated, "We both have to have the same set of rules. We have to know what both are doing".
72. Councilperson Bob DeMars stated, "The confusion with the LLC and it is confusing to me and to other members too. You look at an LLC as a business. Do you put a water meter on your building when you fill the trucks?"
73. Linda Bingaman stated they do not.
74. Councilperson Bob DeMars inquired, "Then why do I have to".
75. Linda Bingaman stated there is a difference in the purpose behind it; we wanted to be tax exempt for the fundraising. Before when we were incorporated, we did not have the exempt status. We run the ambulance service and all of that money we make off that goes to the City".
76. City Clerk LaDawn Lawson stated, "We do pay \$30.00 per run".
77. Councilperson Bob DeMars inquired if the tax advantages outweigh the tax-exempt status.
78. Police Chief Dennis Fobes inquired if they could be tax exempt through the City like the rest.
79. Linda Bingaman stated they would donate more to the Fire Department than to the City.
80. City Clerk LaDawn Lawson stated the City of Carlin does covers all of the volunteers on Worker's Comp Insurance. But the LLC isn't to use the City's tax exempt because they are not an appointed board by the Council. Any changes to any job description must be approved by the Council.
81. Councilperson Jay Duke stated, "I think the greater liability that we are faced with today is not appointing a Chief as opposed to doing this research to see if there is some crossover for public officials appointing department heads and what do they require for pay and benefits, etc. The greater liability is running this City without a Fire Chief".
82. Councilperson Pam Griswold inquired, "I assume that all of the people who applied for the position met the criteria expressed in the paper".
83. Linda Bingaman stated, "Kevin did not. Mike, I believe so".
84. Councilperson Jay Duke stated he went through the Fire Code and did not see that the City appoints the Assistant Fire Chiefs, so we would amend this agenda item if we decide to make a motion".
85. City Clerk LaDawn Lawson stated, "We pay Will Johnston as Fire Chief and we pay Linda Bingaman as Assistant Chief and Roger Curry as second Assistant Chief".
86. Councilperson Pam Griswold stated they need to vote on the fire department recommendation.
87. **Councilperson Jay Duke moved to appoint Linda Bingaman as Fire Chief of the City of Carlin and amend the agenda item as no vote on the Assistant Fire Chiefs, and all related matters. Councilperson Pam Griswold seconded the motion. The motion carried.**
88. City Clerk LaDawn Lawson inquired do we stop paying Linda Bingaman as Assistant Chief and start paying her the Fire Chief salary.
89. Mayor Donnetta Skinner stated they should stop the pay for the assistants until they are chosen.
90. Linda Bingaman stated the assistant chiefs were already voted on at the Department meeting.

IX. Review, discussion and possible approval of the minutes from 4/22/2015 and 5/13/2015, and all related matters. (Possible Action Item)

1. **Vice Mayor Lincoln Litchfield moved for approval of the minutes from 4/22/2015 and all related matters. Councilperson Jay Duke seconded the motion. The motion carried.**
2. **Vice Mayor Lincoln Litchfield moved for approval of the minutes from 4/13/2015 and all related matters. Councilperson Pam Griswold seconded the motion. The motion carried.**

- X. Review, Discussion and possible approval of payments for the periods 6/10/2015 to 6/24/2015, and all related matters. (Possible Action Item)**
- 1. Councilperson Bob DeMars moved for approval of payments for the periods 6/10/2015 to 6/24/2015, and all related matters. Vice Mayor Lincoln Litchfield seconded the motion. The motion carried.**
- XI. City Council Members' Reports. (Non-Action Item)**
1. Councilperson Pam Griswold welcomed Doug Hernandez to the Equestrian Center Committee.
 2. Doug Hernandez extended his appreciation of the appointment.
 3. Vice Mayor Lincoln Litchfield stated he wished the new Chief had stayed for the rest of this meeting because he reported he went through the Department with Robert Jess. The Equipment looks good but he was amazed that there are 22 lockers down there not locked. There is a camera down there and everyone is supposed to be trustworthy, but if it was my gear in there that I signed for, I would like it locked. I told Robert to leave those doors open and I would contact Linda Bingaman. I do not want to be spending money because someone's gear is missing. In the membership, I believe there are 28 members with 10 members of 52 months combined workman's comp that the city pays that have done 6 calls, none of those members have signed a schedule since February 1. My question is why are we paying worker's comp on people who do not participate. I am going to ask Linda tomorrow.
 4. Robert Jess stated, "The Fire Department has a City-paid firefighter. My job position does not offer any advancement. I was wondering if the City could put something on for that. As I understand, I could become a lieutenant and a captain through the LLC, but with the Fair Labor Standards Act, I am not actually allowed to volunteer if I am placed in employment as a firefighter, so I would have to leave the LLC. I wonder if the City could fix this. If I should in the future wish to work somewhere else, I would need the title of Captain to make that advancement. I have been here for 10 years now and I put in for lieutenant on the LLC and I am, as far as I know, in contention for that, but that does not help me.
 5. City Manager David Jones stated, "I cannot get into it; it is the Fire Department and I am told to stay out".
 6. Robert Jess stated this affected his coworker as well who had intended to stop, but because of the FLSA, had to leave the volunteer side of the department and is no longer a member of the LLC. There are no lieutenants on the VFD.
 7. Vice Mayor Lincoln Litchfield stated, "Let me see if I can work with Robert and Karla and bring something back to the Council".
 8. Mayor Donnetta Skinner stated she does not know if there is a way to do that, but they would check into it.
 9. Robert Jess stated, "My position description approved by the Council 7/25/2012 and a second position description which I received at the time I was hired from Will Johnston, has not been approved by the Council, effective January 8, 2014. I do not know if you know of the discrepancies in these two policies, but there are two policies. It is the Operation Policy for the Carlin Fire Department for Full Time Employees and the Firefighter Position Description for the City of Carlin. He noted one of them was on the books of the City and one is not. They both state job requirements, duties of the firefighters, staff management and expectations".
 10. Discussion was held on the documents.
 11. City Clerk LaDawn Lawson stated they were not city documents, it was done as an operating procedure for both Robert Jess and Karla Jones, but she did not know why. It was not before the Council, it was done at the Department level.
 12. Mayor Donnetta Skinner stated she would like to have copies of them so she can research them.
 13. Floyd Davey, Carlin Fire Department reported "There had been 268 calls, 78 calls over the previous report, bringing the total to 346. In the past two weeks they have initiated 100 traffic stops, 30 citations were issued and 7 agency assists with the Carlin Fire Department. We

initiated 4 arrests, 3 felony, 1 drug related DUI, 12 reports generated, pulled ½ lb of methamphetamine from the streets, 111 g marijuana, and 2 days ago, we got quite a few pills that they haven't gone through yet. Code enforcement: issued 18 warnings, 4 citations, took in 33 dogs in the past 2 weeks and then returned 30 dogs to their owners".

14. Councilperson Jay Duke reported he has nine (9) reports, eight (8) of which are positive.
15. Councilperson Pam Griswold inquired about traffic stops on the I-80 corridor.
16. Floyd Davey explained the procedure he uses and an answer for a particular stop he made.
17. Councilperson Jay Duke recommended that these type of stats need to be read to the audience who attend the meeting at the first public comments and often they are gone by this time in the agenda.
18. Mayor Donnetta Skinner noted her appreciation of the police officers.
19. Councilperson Jay Duke reported the NNRDA is moving its office within the same building. Dr. Curtis arranged that for them. The SBDC is being hired by the college. We voted to sponsor the SBDC. UNR is paying the bill, but there is a matching grant. This has changed to a part-time position and NNRDA will sponsor that position and it is to be paid by UNR. He noted there may be occasion in the future for other cities applying for funds now being used by Elko for their storefront renovation. Southwest Gas is putting a 37 mile gas line and it will benefit everyone around here.
20. Discussion was held on the Cable company and the poor service which the citizens were receiving.
21. Councilperson Bob DeMars reported the Fire members probably need to have their lockers unlocked to get to fires.
22. Robert Jess stated the lock is not much of a deterrent. It takes less than ½ second to open the lock.
23. Vice Mayor Lincoln Litchfield stated, it is a deterrent to have it locked so that everyone has their own equipment.
24. City Manager David Jones stated he got tired of people stealing out of his locker and he bought his own locker.
25. City Clerk LaDawn Lawson explained the LLC installed cameras there to stop the thieving.
26. Councilperson Bob DeMars reported, "I am not sure if it is acceptable for Tom Ballew to present an update on the sewer lift station. He has information we all might not know. He could give us all the information on the specifics of the system, where it comes in, etc. These are things he can get us up to speed on, because it is going to be soon. I talked to him and asked if he would put something together to enlighten us. There are a lot of things I think we need to know".
27. Mayor Donnetta Skinner inquired if the RFQ for the engineering is done.
28. Mayor Donnetta Skinner reported the members should have attended the ethics meeting. "It was completely different than the one we had before. I got out of it that you have to be cross-eyed careful what you do, they can charge you \$25,000 for hardly nothing. So easily you could be charged with an ethics violation. That is not the city, that is each one of us 'little people' sitting here".
29. Vice Mayor Lincoln Litchfield stated he got out of it, the slide that says 'disclose, disclose'.
30. Mayor Donnetta Skinner noted, "if someone offers you a gift, make sure you question why. No matter what do not accept anything. This seminar was more in-depth and more detailed than anyone I have attended".
31. Discussion was held on the parade.

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

1. City Clerk LaDawn Lawson reported she has attended several of the Ethics seminars with everyone having something different to offer and very interesting in their content.
2. Mayor Donnetta Skinner stated this one was totally different than the previous one they went through.

3. City Clerk LaDawn Lawson stated the Senior Center was awarded their \$15,000 transportation grant that Karla Jones prepared and they got a \$10,000 grant from Department of Tourism for advertising which Karla Jones had prepared.

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

1. City Manager David Jones had no report.

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. Ellen Meshefski stated Keith Fertig stepped down as Chairperson and of the Park and Rec Board. Member Jody Hensley was voted in as Vice Chairperson and I was voted in as Chairperson. Councilperson Pam Griswold has attended all of the meetings, Vice Mayor Lincoln Litchfield has attended and Mayor Donnetta Skinner too. She appreciated City Manager David Jones and City Clerk LaDawn Lawson attended the meeting. Our problem is communication. Jon Gift is the liaison between Public Works and the Board. The American Legion and Parks cooperate on July 4 with a theme, Honoring Carlin Military Heroes with a parade to start at 10:00 a.m. Mary Winters is honored for her help in Carlin by having a flamingo contest. Once they are decorated, they will be part of the Friends of the Library display at the library. Ace Hardware just received a bunch of them. She itemized the July 4th events. The movie in the park last weekend was the largest turnout they have had. People from Spring Creek, Elko and even Pahrump attended. The park was filled. Poker Walk will be held on the 4th of July with prizes and food I will be there early that morning.
2. Vice Mayor Lincoln Litchfield inquired if the flamingos were in the plant area and not in the lawn.
3. Ellen Meshefski replied affirmatively. The money for the Poker Walk is used for the prizes, and is usually around \$50.00.
4. Councilperson Pam Griswold stated there would be an advertisement on the radio and in the paper for July 4th and fireworks.
5. Member Ellen Meshefski stated there will be Skate night this week in the park and a movie night the night before the July 4th celebration. Every Friday there will be an event. Brent Jacobsen ordered a blow-up screen for movie nights and the picture is very clear.
6. Kathy Burney stated, "The presentation by the police, the statistics, that was just done, I would like to hear that from the Fire Department too. I think the City Council and the citizens would appreciate hearing this information. I have never met the people who were elected and I know nothing about them. It would be helpful because this would allow people to get to know these people".
7. Robert Jess stated that information should be on the website as he updates it monthly. Carlin VFD website is where the statistic information is listed. I would be happy to come and make a report". He noted the department is finding it difficult to get staffing for the Chili Cook-Off and plan to approach all of the city departments, anyone to help with the planning and execution of it. It is held during hunting season, which half of the department would not be available.
8. Mayor Donnetta Skinner stated the same volunteers did this over the past and those people got "burned out. I am here to ask if anyone on the Council is willing to assist".
9. Mayor Donnetta Skinner stated if they call her, she will help.
10. Councilperson Jay Duke stated there were people in the past that were willing to help from Elko.
11. Nancy Goeser stated, "the streets are getting pretty bad and a lot of complaints are being heard. Last week they sprayed for the mosquitoes and kids were still out".
12. Mayor Donnetta Skinner stated the stuff they have used is different than in the past – the old

stuff has been banned. The mosquito sprayer covered the whole city.

13. Nancy Goeser noted there are problems with cable TV and we do not get any adjustment on the bills. There are only 2 technicians.
14. Mayor Donnetta Skinner inquired about the company name.
15. Nancy Goeser stated, "Satview".
16. Councilperson Pam Griswold stated they should write it down, they should write, the company, not call, and then confirm that in writing.
17. Nancy Goeser also inquired if she needed a building permit to do her house in siding.
18. City Clerk LaDawn Lawson stated she should talk to Bob Bratcher about those issues and ask him if she need a building permit or if she do not.
19. Councilperson Jay Duke stated, "Ask the contractor if they are licensed in the State of Nevada and in the City of Carlin".
20. Councilperson Pam Griswold stated any contractor has to put its license on any advertisement.

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

Vice Mayor Lincoln Litchfield moved for adjournment with Councilperson Bob DeMars seconding the motion. The meeting was adjourned at 9:20 p.m.

APPROVED:

DONNETTA SKINNER, MAYOR

ATTEST:

CITY CLERK LADAWN LAWSON