

**CARLIN CITY COUNCIL
CITY OF CARLIN STATE OF NEVADA
REGULAR MEETING
CARLIN MUNICIPAL COURT ROOM
101 SOUTH 8 STREET
CARLIN NEVADA
JUNE 22, 2016, 7:00 P.M.**

Call to Order and Roll Call:

Mayor Dana D. Holbrook called the meeting of the Carlin City Council to order at 7:00 p.m.

Council Members Present: Mayor Dana D. Holbrook
Vice Mayor Lincoln Litchfield
Councilperson Bob DeMars
Councilperson Pam Griswold

Council Members Absent: Councilperson Jay Duke

Administration Staff: David Jones (City Manager), LaDawn Lawson (City Clerk)

Public: Kathy Burney, Tom Burney, Marie Carpenter, Karla Jones, Wayne Carlson, Howard Wright, Anna Dean, Margaret Johnson

1. Comment by the General Public: Pursuant to NRS 241.020(2)(D)(3)(I & II) 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 pursuant to the required procedures at discretion of the City in accordance with applicable law and identified as in action. (Non-Action Item)

A. Thomas Burney for the record stated: I've been working on this issue about our alley and the traffic behind there and I kind of know that you are not on the front page. The last thing that the City Council told me was the last City Council meeting before the 14, October, 2015 was to take this issue before the Zoning Commission. I went to the Zoning Commission on the 14th of October. Miss Jones was presiding went through the issues and in keeping with the City instructions. Miss Jones reported that they at the City's Zonings had no issues with my request per traffic control in the alley behind Main Street west of 4th. The Issue that comes about after that meeting was I turned to walk away from the Microphone and was ambushed by Dennis Fobes. He made the actuation that I was cursing at teenagers. He also told me he would give me the admonishment that I needed to not be so adversarial in my approach to people there in the alley. I never cursed at any children, number one. Number two I was not adversarial. The harshest thing ever asked anybody was would you please mind using the route on main street. There had been some issues here in the alley. This is unprofessional, unethical, and immoral. I am asking the City right now to tell me either Dennis was acting in his capacity as Chief of Police or whether he was acting as an individual. I was accused, I was tried and convicted right here without the opportunity to defend myself. It is not okay. I let it set for seven months, the issues have escalated, and they have become more fearsome. I am no longer safe

in my property, in my home, and business. My family is not safe. It is getting more expensive to a tune of a \$1,000.00 bumper last week that escalated out of there. This is just absolutely unacceptable, I cannot feature how somebody would think that is professional behavior. I'm beginning a campaign to see to it that the Carlin Police Department is restored by the County Sheriff. I am not going to tolerate this. If we don't have the professional competence to provide leadership for our troops here then we need to do something different I am not mindful of the fact that we are looking to spend a lot of money here and during the campaign for mayor here. It was pointed out that the Sheriff had the opportunity to make a bid to providing us services, at that time it was roughly \$50,000.00 a year in savings. That is \$250,000.00 in five years. We are discussing roads not getting paved, etc. I am pretty sure it is going to be a lot more than that but the \$50,000.00 savings. I've got issues here. What Dennis did by the virtual fact that he did that in a Public meeting and on the record? He turned me and my neighbors into a target. Those youngsters got the green light to do what? Say next time that I hit them, touched one of them inappropriately, I am no recourse. He was malfeasance to be generous. We have gone through the process, we have posted speed limit signs on the property or in the alley here, Carlos Esparza has been very cooperative. They steal the speed limit signs. Then it is pointed out to me by the dog catcher that while we do know that traffic is a lot less here then what it was when you first started complaining. Yes it is down from like 20 cars sometimes in 4 hours but the problem is, is the ones that got away from the ones that are complying, the ones left is the ones that are the most aggressive, worst of the worst. This is not a way to behave. So anyways I want to repeat, I would like to see in writing by next Friday that is reasonable did Fobes act on his own or was he representing the City."

- B. Mayor Dana Holbrook: This is public comments.
- C. Thomas Burney stated, "I understand that, I am not here to have my questions answered yet. I am very concerned about some other issues that have been some fall out from this; I am not prepared to discuss them in public. I don't approve of that particular incident and one that followed fairly close behind being discussed by officers in a public forum was not okay. The second incident caused the Judge to have to recuse herself them a case because she was here in the audience. So I am not prepared to discuss this, but I am going to make it matter of public record and reinforce the public record right now. This game I see sometimes played I am not saying it is done here, But I am not going to get harassed by "Mr. Burney I don't think you stopped for that stop sign. Mr. Burney I didn't see you use your turn signal". I am making it a matter of record here that I have a medical infirmity. Just to impress upon you how serious this has gotten just in case somebody thinks that it is a good idea to reinforce a little justice with a Taser gun. I would not survive that it would be murder. It is on the record, I want to make sure that is clear. I am not playing here this is not fun. Thank you. One quick thing I'm also appearing here for Robert Jensen on another item, when that gets done I am going to get up and walk out of here I see there is no police in here tonight. I had thought the Dennis Fobes would be here. If anybody follows me out of this building in uniform or comes down in any way, aggravates me, I am going to consider that the precursor to a physical attack, I will deal with it. Thank you."
- D. Mayor Dana Holbrook: Thank you, any other public comment?

2. **Public Comment may be taken prior to any Discussion Being Taken by the Council: Review, discussion and possible approval of a Special Events Liquor License for Robert Jensen on behalf of the American Legion Post 32 and all related matters. (Possible Action Item)**
 - A. Thomas Burney for the record stated, “Here to represent Robert Jensen for the American Legions. This application is for the traditional 4th of July beer booth at the park. Our intention is to follow the rules as they are laid out. Make any corrections on the spot to anything that needs to be address immediately. Do our part to see everyone has a good time.”
 - B. Councilperson Bob DeMars; where’s Robert?
 - C. Thomas Burney stated I believe that he had to go to the Veterans hospital in Reno.
 - D. Councilperson Lincoln Litchfield: I am also a member of the Legions and we have done this every year and never had any issues.
 - E. ***MOTION: Councilmen Pam Griswold made a Motion to approve the Special Events Liquor License for Robert Jensen on behalf of the American Legion Post 32 for the 4th of July and all related matters. Council person Bob DeMars Seconded the Motion. The Motion was passed unanimously.***

3. **Public Comment may be taken prior to any Discussion Being Taken by the Council: Review, discussion and possible acceptance of the proposed renewal of the City of Carlin liability insurance policy from Nevada Public Agency Insurance POOL (POOL) and approval for payment for Fiscal year 2016-2017 funds and all related matters. (Possible Action Item)**
 - A. City Manager introduces Wayne Carlson from POOL and PACT.
 - B. Wayne Carlson: Executive Director for the Nevada Public Agency Insurance. I handed you out a brochure there. Highlighted are some of the services you get, in addition to per Liability and Property Coverage. Key service is the HR (Human Resources) services. We are expanding our website in the all areas. You now can do the Open Meeting Law training and Ethics Law training in the E-Learning format. Still will offer in person training too. The Ethics training for all new employees in the first 30 Days of hire and all elected officials prior to being sworn in. Several training on there for managers and supervisors. The Wisk Management Grant Program is continuing. Available to members. Example of grant usage (Purchased the device for all the ambulance and EMT). Anyone can apply for the grant with approval of the council. Every year we do appraisals of your property values. Those that have been completed from ground up in the last 3 years and so will be getting this year in the fall for the small building we will just trend the value without an onsite. But the ones valued at \$200,000.00 or more will still do the onsite. We continue to be financial strong. Good news for our members this year. First you have a \$500.00 deductible and can increase. On the earthquake coverage last year we have increased that to \$150 Million and continued that this year. On the Flood we kept that \$150 Million like last year. But on Flood Zone A we increased that from \$10 Million to \$25 Million. The Equipment brake down which is Machinery, HVAC Systems, and all the mechanical equipment. That liability limit was increased from \$60 Million to \$100 Million. Done at reduced rates. On the Liability we continued with the \$10 Million Liability Limit for all of our members. Added this year was

Environmental Liability, we had a program called Pollution Legal Liability and it was kind of a metrics. Was offered at an addition charge. That carrier has exited the market. The Board decided to absorb the cost for this blanket cover at \$2 Million Limit with a deductible of \$25 Thousand. A \$2 Million limit for you and a 10 day aggregate for the members. Your total program cost this year is \$80,872.83 that is up about 3% from exposures, property values, payroll, vehicle fleet and claims. That is a good record. The Big diagram explains the earthquake claims and the Liability claims.

- C. Mayor Dana Holbrook: My question is if the claims are going down why are the rates going up?
- D. Wayne Carlson: It is a long trend that we look at. We look at 5 years of claim data and the other side is you property values.
- E. Vice Mayor Lincoln Litchfield: How much actions have you had on it from different agencies on the E-Learning?
- F. Wayne Carlson: It has been used a lot from the teachers and board members.
- G. City Clerk LaDawn Lawson: Is there laws that changed in the Open Meeting Laws or the Ethics this year?
- H. Wayne Carlson: Yes they are always changes with the Legislature. About every two years we update our presentations.
- I. Vice Mayor Lincoln Litchfield: Question for David Jones- Have we plugged these numbers into our budget?
- J. City Manager David Jones: We did.
- K. ***MOTION: Vice Mayor Lincoln Litchfield made a Motion to accept the proposed renewal of the City of Carlin liability insurance policy from Nevada Public Agency Insurance POOL and approval for payment for Fiscal year 2016-2017. Councilperson Bob DeMars Seconded the Motion. The Motion was passed unanimously.***

4. Public Comment may be taken prior to any Discussion Being Taken by the Council: Review discussion and possible approval of Resolution 2016 – 06, a resolution augmenting the General Fund budget of the City of Carlin for fiscal year 2015-2016 and all related matters. (Possible Action Item)

- A. City Manager David Jones: Your honor we have over spent in the Public Works fund by approximately \$68,000.00. The reason that we over spent that was due to the storm in November. We held an Emergency Meeting on that and had Council's permission to spend money as needed to make the City safe.
- B. ***MOTION: Councilperson Pam Griswold made a motion to approve Resolution 2016 – 06, a resolution augmenting the General Fund budget of the City of Carlin for fiscal year 2015-2016 and all related matters. Vice Mayor Lincoln Litchfield Seconded the Motion. The Motion was passed unanimously.***

5. Public Comment may be taken prior to any Discussion Being Taken by the Council: Review, discussion and possible approval of the discharge of firearms, specifically, a low velocity 20 grain black powder shoot, in conjunction with the Western Heritage Festival Rendezvous

the event for the August 4th- 7th, 2016 and a possible imposition of conditions thereto, and all related matters. (Possible Action Item)

- A. Councilperson Pam Griswold: This is the one that was approved 2 months ago by the City Council, the attorney brought up that the current ordinance didn't have any acceptations in there or any type of shooting within the City limits. She went back and did up the item for it, the Committe met, had no problem with the wording on it, the Council voted on it last meeting. This is the final approval of it. We have everything set to go. Everything is being cleared through Public Works, the Police Department, and the Fire Department. Nobody sees a problem with it. Now that it is in the ordinance that says this can happen on an event by event process. If the City Council approves it, it's my thinking on it that it is no different than approving a Liquor License for an event. It is for that event and that time only. If another event comes to town and wants to do something that person will have to do the same thing that I did and come in front of the City Council and get an approval for that one event. So this is not a blanket ordinance change. It is per event.
- B. Mayor Dana Holbrook: My understanding is that this actually is for the Western Heritage Day.
- C. Councilperson Pam Griswold: Correct, It is for the Western Heritage. Carlin is going to do the Rendezvous, Elko has their own event, and Wells has their own events. Basically, what we are going to be doing is a Knife throw, a Tomahawk throw, the Shooting, a poker shoot and a mountain man run.
- D. Mayor Dana Holbrook: I guess my question is, how are we going to make sure they are using the correct amount?
- E. Councilperson Pam Griswold: Basically what we are doing is the shooting event is going to take place between the skate park and the field. There are 2 staging areas you will have staging area back here with a table where the people actually come in. They will have shoot numbers, that will go in order. We will have the 20 grain measures; they will do everything at the staging area. The powder will be put in at that time. It will be measured by the people at the staging area by the volunteers. From there they will move to the next staging area where they will put the cap in and shoot. Once they shoot, you cannot shoot again until you put more powder in it. This means they have to go back and put more powder in. I went to Gun World and they actually have the 20 grains things. He explained how it works.
- F. Councilman Bob DeMars: What is the distance of the shot?
- G. Councilperson Pam Griswold: We are at 75 Feet, like 25 yards. They will be shooting at a target that has plywood around it and hay bales behind the target.
- H. Vice Mayor Lincoln Litchfield: My concern is that there is enough security down there. Some kids cannot just go walking through it.
- I. Councilperson Pam Griswold: Chief Fobes and I have discussed the coverage. It will be taped off and the backdrop is hay bales so you cannot walk through.
- J. ***MOTION: Vice Mayor Lincoln Litchfield made a motion the discharge of firearms, specifically, a low velocity 20 grain black powder shoot, in conjunction with the Western***

Heritage Festival Rendezvous the event for the August 4th - 7th, 2016. Councilperson Bob DeMars Seconded the Motion. The Motion was passed unanimously.

6. **Public Comment may be taken prior to any Discussion Being Taken by the Council: Review, discussion and possible approval of Resolution 2016 – 07, a resolution Forgiving the Interfund Loan to the Capital Projects Fund on the City’s General Fund, and all related matters. (Possible Action Item)**
 - A. City Manager David Jones: This is a resolution to forgive the loan from the General Fund to the Capital Projects Fund. When I came on board the Capital Project Fund was over spent by approximately \$178,673.00. So we made an InterFund Loan as a stock gap major and the Department of Taxation has advised us to get rid of that loan and create a transfer. The transfer came before you on a previous resolution.
 - B. Councilperson Pam Griswold: So my question is because we approved the other one, this one is going to go also or we are dead in the water. We already approved one part of it; this is just the second part getting taken care of.
 - C. City Manager David Jones: This just cleans up the previous resolution.
 - D. ***MOTION: Vice Mayor Lincoln Litchfield make a motion to approve Resolution 2016 – 07, a resolution Forgiving the Interfund Loan to the Capital Projects Fund on the City’s General Fund. Council Person Bob DeMars Seconded the Motion. The Motion was passed unanimously.***

7. **Public Comment may be taken prior to any Discussion Being Taken by the Council: Review, discussion and possible approval of City expenditures for the period’s 06/04/2016 to 06/17/2016 and all related matters. (Possible Action Item)**
 - A. Vice Mayor Lincoln Litchfield: I need to disclose that I work for One Stop Auto Parts and because I do collect a commission on everything that is sold there. I will be abstaining from any votes on it containing to do with Auto Parts Store.
 - B. Councilperson Pam Griswold: My question is on 10-65-610 for Bonnie Jo Matthews. We dished out \$1,250.00 in trees. Where are the trees going?
 - C. City Manager David Jones: Chestnut.
 - D. Councilperson Pam Griswold: Where on Chestnut?
 - E. City Manager David Jones: I have no idea I was just told on Chestnut. I think by the school. I can ask Carlos Esparza when I see him.
 - F. Councilperson Pam Griswold: Just going up and down from my house to the grocery store I do not see anything that looks like trees have been planted.
 - G. City Manager David Jones: I will get back to you.
 - H. Public Karla Jones: I have a question and maybe LaDawn can answer it. On 10-45-600 you have “Planning Books”. Is that for the Planning Board? So we are getting new Planning Books?
 - I. City Clerk LaDawn Lawson: Yes
 - J. ***MOTION: Councilperson Bob DeMars made a motion to approval of City expenditures for the period’s 06/04/2016 to 06/17/2016. Councilperson Pam Griswold Seconded the Motion. The Motion was passed, with Vice Mayor Lincoln Litchfield abstaining from any approval on the One Stop Auto Parts payments.***

8. City Council Members Report: (Non-Action Item)

- A. Councilperson Pam Griswold: Parks and Rec is on board getting everything ready for the Show-N-Shine. Should be a great event. The Equestrian Park has decided to take back over the concession stand and the bar for the year. Going in halves on the money at the gate with Jesse Jones. They are still looking for a mobile concession stand. Going to get the concession stand they have now up to code for this year. The Carlin Senior Center is having a Hat Show. We got a handmade quilt for the door prize. It was made by Jolene Smith out of Wells, Nevada. All money made from the hat show will go back to the Senior Center to be used as they see fit. Wells Rural Electric sent a summer help up to the Senior Center for the summer. I do not have anything to report on the Fire Department because they have not had their meeting yet.
- B. Vice Mayor Lincoln Litchfield: I do not have anything to report but I do have a question. I know that they have not had their meeting yet, I heard that the Fire Department wants to back out of the Chili Cook-Off.
- C. Councilperson Pam Griswold: I have not heard anything about that. And if it comes up next week, which it will come up. I know that the Fire Department said that they would be willing to do if Parks and Rec, Equestrian Center, and the Fire Department would agree together and do it jointly. So that not just one organization is putting it on. And the last I heard that was my understanding that everyone had agreed to that. But I have not heard anything about backing out of it.
- D. Councilperson Bob DeMars: What is the date on the Chili Cook-off?
- E. Councilperson Pam Griswold: The 3rd weekend in September.
- F. Public Anna Dean: They had a meeting last night and were deciding what to do. And Laura Eklund was going to try and get a meeting together to make some final decisions.
- G. Councilperson Bob DeMars: July 22 and 23rd, up at the Gold Rush Park. We got a multi-tasking event going on. Motocross during the night and then the next day we are bringing in the Mud Draggers. It is going to be a huge event. We are a point's race for them this year. Then Saturday night there will be an under the lights Motocross. Then Dennis Fobes and Carlos Esparza, you probably see it on your expenditures; they are on their way back from Reno now. They got a new pick up for the Police Department and a wood chipper for Public Works.
- H. Vice Mayor Lincoln Litchfield: Bob, I know that you did the drag 2 years ago and it went over real good then and it was cold. I look forward to that.
- I. Councilperson Bob DeMars: I actually threw in a \$250.00 added purse. We just got the flyers printed off and we could bring you one down.
- J. Pam Griswold: Bob, is there any way that your motorcycle event could do something along with the Show-N-Shine? Or do you already?
- K. Councilperson Bob DeMars: Well yes. We could talk about it.
- L. Mayor Dana Holbrook: I actually went and downloaded Robert Rules of Order. And I tell you I have been sleeping so well. It has some really good information in it.

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

- A. City Clerk LaDawn Lawson: We are getting busy because we are starting with our summer events as usual. I have attended 2 trainings this week. One today was for the Response and Recovery for your community for Disaster. How to plan ahead and how to handle it during the disaster. That was very interesting. Then I attended the Newmont Legacy Meeting. They had invited everyone to attend. They did a strategy planning workshop. That was very interesting and I enjoyed it. Our minute transcriber has resigned from the position. We will be doing our own minutes for now. They may be a little behind. We are looking at going to a digital recorder. I have a few proposals that I am looking over. In the meantime we are going to do our best to keep caught up.

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

- A. City Manager David Jones: The B911 is moving forward. Slowly but surely, it has been a slow process. Still working on the State Hotel. They do not have the final assessment yet, but they do have a rough draft done on that. Then the contractor with the State of Nevada contacted me this week about some staging. We are moving forward. We are in the process of a Casselle upgrade. Might not be a good time to show up at City Hall. We are starting to prepare for the Audit.
- B. Councilperson Pam Griswold: David did you find out about the property up on Chestnut street?
- C. City Manager David Jones: What property? The Gold Run Project?
- D. Councilperson Pam Griswold: Whatever one that had the sign up there?
- E. City Manager David Jones: Also July 13th meeting, Converse Consultants will be joining us for a presentation and having said that we are getting ready to close out our Brownfield's grant. This will probably be that last year that we have that. We've expended almost all the funds. I talked to Rick Wroblewski, we will just say earlier this week and we offered to do a phase one on that property and he said that it is looking very good. He did not disclose anything to me. Did not want him to disclose anything. That way it doesn't get out there that it came from Dave. They are proceeding forward. He said I know that it is going a little bit slow but good things are happening. So I will call or contact him tomorrow or maybe follow up with him next week. I was going to get in contact with Kathy at Converse and get the phase paperwork in process. We also offered that same thing to Carlin Crossing, they denied. This is fine. But we are going to go ahead on Parcel 3 up there and do a Phase 1 on it. We already did a Phase 1 on it but it is not current. So we will bring that up. We also in some kind of planning stage for 5 parcels of land in the Industrial Park with the Brownfields as well. With the conclusion of that we will succeed, develop our goals if you will with the Brownfields grant that we have. We have met them and exceeded them. Kudos to Glenn, he got the grant.
- F. Vice Mayor Lincoln Litchfield: David you mentioned Carlin Crossing. Any word from them people of what is going on up there, any progress?
- G. City Manager David Jones: Poor Alex is just sedated. That is well enough said. I cannot image what he has gone through. He is just overwhelmed.

- H. Councilperson Bob DeMars: Have you heard from Q&D on the paving?
- I. City Manager David Jones: I have not. I talked to Carlos Esparza about that. He contacted, I forgot the gentleman's name that runs that. He said I just go and work where they tell to go and work.
- J. Councilperson Bob DeMars: That is not in Carlin. Our plant is not even running yet. So maybe they are waiting on Cedar Street in Elko. Is that the major one?
- K. Councilperson Pam Griswold: They have had it torn up for a while so they should be getting ready to start pretty soon.
- L. Councilperson Bob DeMars: I don't know where they are getting their mix, maybe they are getting it from State Department too.

11. Carlin Police Department Report: (Non-Action Item)

- A. No Report at this time.

12. Carlin Fire Department Report: (Non-Action Item)

- A. No Report at this time.

13. Comment by the General Public: Pursuant to NRS 241.020(2)(D)(3)(I & II) 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 pursuant to the required procedures at discretion of the City in accordance with applicable law and identified as in action. (Non-Action Item)

- A. Public Margaret Johnson: I would like to know how much the new wood chipper cost.
- B. City Manager David Jones: It was used; I believe that is was \$18,900.00. Has only 976 Hour on it, so fairly low hours.
- C. Public Margaret Johnson: How big does it take in?
- D. City Manager David Jones: 12 inch diameter.

14. Adjournment. (Possible Action Item)

- A. ***MOTION: Vice Mayor Lincoln Litchfield made a motion to adjourn. Councilperson Bob DeMars Seconded the Motion. The Motion was passed unanimously. Meeting adjourned at 7:53 p.m.***

Approved:

Attest:

Mayor Dana Holbrook

City Clerk LaDawn Lawson

Approval Date