

CARLIN CITY COUNCIL  
CITY OF CARLIN, STATE OF NEVADA  
REGULAR MEETING  
CARLIN CITY HALL  
101 SOUTH EIGHTH STREET  
CARLIN, NEVADA  
February 22, 2012, 7:00 p.m.

**Call to Order and Roll Call:**

Mayor Cliff Eklund called the meeting of the City Council to order at 7:00 p.m.

1. Council Members Present: Mayor Cliff Eklund  
Vice Mayor Donnetta Skinner  
Councilperson Steve Feasel (left at 8:46 p.m.)  
Councilperson Lee Griswold  
Councilperson Lincoln Litchfield

Absent:

2. Administrative Staff: City Manager Glenn Trust, City Clerk LaDawn Lawson, Chief of Police William Bauer, City Attorney Bob Goicoechea
3. Present: Brett Edwards, Byron Georgiou, Roger Anderson, Lloyd Myers, Rick Anderson, Melissa Stevens, Kathy Burney, Tom Burney, Dan Kennedy, Ron Johnson, Edith Johnson, Lisa Wolf, John Reynen, Nitin Bhakta, Jeff Williams, Pam Borda, Diana Nichols, Teri Feasel, A.B. Simpkins, Barb Wallace, Don Wallace, Dustin Allen

**Pledge of Allegiance**

- I. **Review and discussion of the proposed development plan presented by Carlin Nevada Development, LLC (CND) and possible approval of the plan and extension of the Amended and Reinstated Development Agreement with Carlin Nevada Development, LLC, dated July 21, 2012 2010, and all related matters. (Action Item)**
  1. Mayor Cliff Eklund explained that they would listen to everyone's comments on the issue and presented Byron Georgiou, asking that he be given time for his full presentation without interruption. He stated the public comments would be held at the end of the agenda item.
  2. City Manager Glenn Trust explained there was an error in the Agenda Item, 2010 instead of 2012.
  3. Byron Georgiou stated his thanks for the courtesy in extending the development agreement from December until this time so that he could present renewed plans for the project. He introduced John Reynen of Reno, as well as his background information, noting that he has been a contractor his entire life. He stated the firm of Reynen and Bardis have developed more than 4,000 family homes and 2,000 apartments in Nevada and have been honored as "Builder of the Year in Nevada". He stated Dustin Allen has been part of the team for the past couple of years, Brett Edwards and Nitin Bhakta, who is the head of the team for Summit Engineering in Elko and who they will continue to work with. He stated he has the permit application in hand, which they plan to file tomorrow for the 19 unit Coronado Apartment Complex on 8<sup>th</sup> Street. He explained they have gone out to bid for the demolition and they intend to begin construction by April 1 on the 19 units and any amenities that go with it. He stated they are proceeding on the larger project, which may undergo a name change. He stated over the course of the past six (6) months, NDOT agreed that they would be participants in assisting with some of the funding associated with the roadwork that is necessary for the project north of the property and they are pleased with that. He reported they have had discussions with the major mining companies and others who have brought employment to the community about whether they are prepared to proceed to either guarantee rents at any apartments, guarantees of financing or purchase or financing for their employees on the single family residences. He stated they held meetings with General Moly and

- Newmont today and plan to meet with Barrick the next day. He stated that many of them are not anxious to start development in Carlin as they are in Elko. He explained they are financing the 19-unit and have invested over \$50,000 in Carlin over the past 15 months and they are prepared to proceed with the entry road, pads for additional multi-family apartments across the street. He explained they are hopeful by bringing unit construction, this will bring additional demand. He stated the single family can only be done by actual orders, which they intend to solicit this summer. He stated the cost of building in Carlin is quite high. He stated they have bid the demolition work, the engineering on the main parcel, but many of the small contractors contacted have stated prices well in excess of what they would charge in Reno. He noted one of the ways to reduce those costs is by ensuring that they can do as much work simultaneously. He stated they are building the 19-units to assist those builders who travel to Carlin to expedite the process. He expressed his thanks for the patience and he recognizes how the citizens have been hopeful they would be farther along. He stated they are going forward this year with Carlin's willingness to give them one more season to get this done. He stated they intend to work diligently late spring and summer to build the entry road and early work. He stated there has been preliminary interest for the purchase of some commercial property on the other side of the road in developing businesses. He presented a map and noted there are several different phases of the project, as well as showing those phases. He stated they would begin with the area closest to the entry area and then work out into the other phases of single-family project. He stated they would create lots that can be sold to continue the financing of the project. He stated they would sell the 19-unit complex as soon as it was "freed up". He requested that the Council consider extending the development agreement for the calendar year, they have invested a lot of time, money and effort in the project and it would benefit everyone to have the added time.
4. Attorney Bob Goicoechea expressed his understanding that the state funding will come to the City of Carlin and go to the project. He stated it is in the term of a loan and inquired if they are required to pay that back.
  5. City Manager Glenn Trust explained it is a reimbursement grant to the City so as funds are expended, the City would submit a bill to NDOT for reimbursement.
  6. Byron Georgiou agreed that NDOT would pay half the costs and it would go through the City. He stated the City would request the reimbursement and it would come to them.
  7. City Manager Glenn Trust stated the money for State Route 766; Carlin Nevada Development will incur the expense and as the bills come in, it will be submitted and NDOT will send half of the amount for reimbursement to the developers.
  8. Mayor Cliff Eklund stated there is a time limit on that.
  9. City Manager Glenn Trust inquired about the contact with NDOT and whether that is through Summit Engineering. He stated they had plans approved and permitted, but NDOT needs to see the plans and changes and they will need to be contacted quickly to firm that up.
  10. Attorney Bob Goicoechea inquired when they would be able to submit to the state and City of Carlin the actual plans and dates for construction of the road improvements.
  11. Byron Georgiou stated at least 60-90 days.
  12. City Manager Glenn Trust stated NDOT has already started and it is planned to finish by October 2012.
  13. Attorney Bob Goicoechea stated that is going to be the first thing to get a date on when the plans would be submitted to the state and the City, as well as the construction date plan for the road.
  14. Nitin Bhakta stated in talking with the head engineer, the plans are about 30-60 days in order to get all of the state changes and upgrade the plans.
  15. Attorney Bob Goicoechea inquired if they could, within the next 10 days commit or at least have a schedule timeline.
  16. Nitin Bhakta replied affirmatively, noting it should be by the end of the week.
  17. Attorney Bob Goicoechea related that is one of the biggest concerns currently to have that timeline of SR766 and the City wants to see that completed in this construction season.
  18. Byron Georgiou stated his understanding and concurred.

19. Vice Mayor Donnetta Skinner stated she is not in favor of any more extensions. She stated they have been more than lenient with “your company and trying to get this moved forward over the past couple of years”. She stated, “I am not for the extension at all, but we are hearing the same song and dance we heard five (5) years ago and a continuation of what we heard before. I am not convinced of it and I am not sure it is any different than we had before”.
20. Byron Georgiou stated he cannot speak to five (5) years ago, but “I do appreciate your concern and I respect your views”.
21. Vice Mayor Donnetta Skinner stated, “I know we talked about it before, but I think we lost a great opportunity to have several homes built in the past 18 months to 2 years. Had we had this done, we would have had these people here and we would not be going through this again. Until I get some real proof that it is going to happen, I would vote against it”.
22. Byron Georgiou explained, I understand your concerns, but we have been struggling through the worst economic crisis since the great depression and I know that is little solace to the people in this room, but that has been our reality in arranging for the financing of these projects”.
23. Vice Mayor Donnetta Skinner stated they have had people who have jobs and no place to live. She stated, “We have to look out for our people. If we had done this earlier and maybe have been more diligent about what we were doing, we could have corrected the problem a couple of years ago”.
24. Councilperson Steve Feasel stated, “I hate to speak about what we could have done in the past, but that is the past and we need to be progressive here and start moving forward. The mistakes made in the past are done and it is time to step forward. We have an opportunity to work with Mr. Georgiou who has a step in the right direction and we need to take advantage of that. We cannot sit back and let this thing stagnate the way it has the past six (6) years, because people did not make decisions back then”.
25. Mayor Cliff Eklund stated there were a lot of decisions made and not all of them good”.
26. Councilperson Steve Feasel reiterated, “We need to be progressive and we need to go forward. We cannot live with those past problems now. We have to start stepping forward and we cannot sit here and argue about what we could have done last time and. We did not do it right the first time. We need to do it now”.
27. Councilperson Lincoln Litchfield explained, “If you remember back 18 months ago, to the statement about the internet. I researched what I thought was a considerable amount about Mr. Georgiou and since that time I have done a lot more”. He inquired about a development in Dayton, Company River Park, and how it is progressing.
28. Byron Georgiou explained they have sold all of the houses except for one (1) and there are an additional 80 lots that are finished and they will hold on to those until the Dayton market recovers. He stated that was a project that “Reynen and Bardis had been involved in before the financial crisis, the bank failed and those assets were eventually taken by the FDIC and a hedge fund purchased all the assets and they were left with a lot of unfinished homes, some that were 90%, some 70%, some 50% and some 25% finished. I provided the financing to go in and buy the project from the hedge fund acquirers who purchased it from FDIC and we proceeded to finish all of the houses that were partially done and have sold all but one. To be truthful, we ended up selling them for a significantly lower cost than we hoped, because the marketplace would not support the prices. There is one in escrow, but we are going to wait on the other 80 lots because there is not a sufficient demand”. He stated, “We are the only people, I believe, who built and sold a home in Dayton in the last couple of years and when you look in Reno, there has been very little construction”.
29. Councilperson Lincoln Litchfield inquired about financial fraud.
30. Byron Georgiou stated he has litigated financial fraud in several companies, and it is usually when you represent facts that are untrue or omission of facts”.
31. Councilperson Lincoln Litchfield stated, “You stated to the Council you wanted us to act promptly and I felt we did. What have you done to show the Council that the past developers have not done?”

32. Byron Georgiou stated they have been working with a lot of people in the community to establish a market place in Carlin, Pam Borda ECEDA, major employers in the community, and the City Manager. He noted they have tried to stay actively involved in the community. He noted they have made significant applications for full funding of the projects, both domestically and foreign, and “although we have not been able to raise all of the money to start and complete the project, so we will have to do this in increments, build them, sell them and use those funds to do the next phases. That was always our intention and remains our intention today”.
33. Councilperson Lincoln Litchfield explained there has been considerable construction done this year and with the weather, he feels there could have been a lot done on the property because of the good weather, just as the other businesses did in the Industrial Park. He inquired what guarantees they could make that the project would continue as scheduled. He discussed the map and inquired about the timeline.
34. Byron Georgiou stated that is not an easy question and does not want to mislead the Council, but this project will take several seasons to complete and build out. He stated they would do it as expeditiously as possible and from their standpoint, to make money, profitably. He stated it is very difficult to provide a precise timeline. He stated they plan to make significant progress this season and the City could evaluate their progress at that time. He stated they are going to definitely finance the initial phases of the project north of the highway and the apartments south of the highway and then we are going to attempt to finance it further based on the market response. He stated the reality is without strong guarantees from Fortune 100 companies, it is difficult to get long-term financing, so we have to demonstrate the market with our own risk capital as we have already done”.
35. Councilperson Lincoln Litchfield inquired when they start the entry work, would they also be extending the sewer and water lines, as well as the contour lines or wait until later.
36. Byron Georgiou stated they have designed both the sewer and water, but need to check those numbers to make sure it is adequately bid before they go forward. He noted, “It is our intention to do those simultaneously”.
37. Attorney Bob Goicoechea inquired if they have the financing to do the apartments in this season.
38. Byron Georgiou agreed. He noted if they complete the first apartments and they are full, he would be satisfied that they could sell them. He has contacted a company who likes to buy apartments that are rented, which provides his company additional finances to continue the entire project.
39. Councilperson Lincoln Litchfield confirmed that they plan to have the first building done by end of the construction season around November 1.
40. Byron Georgiou agreed.
41. Mayor Cliff Eklund inquired if they plan to do any structural building this year on the north side of the highway.
42. Byron Georgiou agreed, stating that would be multifamily apartments and he thinks that would be 32 units, but there is some redesign needed. He stated that would be a total of 51 units.
43. Mayor Cliff Eklund inquired when they plan on building homes.
44. Byron Georgiou stated that is hard to determine, as they have meetings with people looking for single family housing, noting if they get the support they anticipate, we will be able to start those this year.
45. Mayor Cliff Eklund explained the history when Ben Durham and his brother came to the Council to represent Mr. Georgiou, both the City Manager and he told them if the financing was not in place to do it, the City did not want to “talk to them and they assured us the financing was there.” In a Special Meeting on July 21, 2010 to get the paperwork done so that construction could start immediately, the Minutes I. 4 read: *A construction office would be placed on the site immediately after contract approval. Construction would begin in August 2010 and continue through September 2014.*
46. Byron Georgiou explained this was the first time he was involved in the process and “that day

- I gave you the \$100,000 check. That was the first time I was really brought into the process. In your earlier meetings with Mr. Ortiz and Mr. Durham predated my involvement". They approached me prior and I was evaluating it, but the first time I was involved was when I came up here and made the presentation.
47. Mayor Cliff Eklund stated the City was told Mr. Georgiou was involved long before that. He explained they held the Special Meeting and the contracts were negotiated and at that point, you and I met with John Ellison.
  48. Byron Georgiou stated they went to NDOT and the governor's office in Carson City.
  49. Mayor Cliff Eklund stated that was the time they got the "ball rolling on the financial aid for the road. He noted the governor sent a representative with us to meet with NDOT and their people and through that meeting we were able to get a commitment they would assist us.
  50. Byron Georgiou stated they did not decide to help for at least another year.
  51. Mayor Cliff Eklund stated, "We were a little bit surprised when we heard you were in Europe to get financing, because we thought the financing was in place and "it threw us for a loop". He stated one of Mr. Georgiou's people in California and some derogatory remarks were made that got back to the City of Carlin. We were, to say the least, a little disillusioned". He stated everyone could see there was nothing constructive being done on the site and the citizens could not see what you were doing in the background. He stated there is not a lot of confidence in the Council because of this either and they have lost people who were fine citizens who moved to Elko for finer housing and a bank closed because the town was not growing. He stated, "I would like some kind of assurance and some date specific".
  52. Councilperson Lincoln Litchfield explained, "I would like to see a timeline and I know that is unrealistic right now because you need time to put that together, but by March 14, the next Council meeting, I would like to see a realistic timeline prepared".
  53. Mayor Cliff Eklund stated last year there were 55 new homes and an apartment complex built in Elko and there was only one (1) home built in Carlin during that time. He stated, "We have to move forward and we cannot afford to miss with 1,800 new jobs coming into the area through the mines".
  54. Councilperson Lincoln Litchfield explained it is difficult to get new people involved in the process through Barrick and a lot of new positions are opening there. He stated he would not be against a 90-day time line, "so we have benchmarks we can look at and progress is being made. He explained if a time came when the time given cannot be met within a 90-day period, then we could just wash our hands and go our separate ways. The Council would like to see this progress and the citizens really need to see the progress".
  55. Attorney Bob Goicoechea stated, "What I am hearing is I think it would be realistic that you could come back with a timeline of the construction of the highway and the first 32-unit complex that could be completed before the end of this construction year. I am not sure what type of personal guarantee you could give, but that would satisfy the Council".
  56. Byron Georgiou suggested they look at the second meeting in March, because at that time we should have our plans approved and demolition completed.
  57. Attorney Bob Goicoechea stated he is specifically speaking of the apartments and the road.
  58. Discussion was held on the date to meet.
  59. Mayor Cliff Eklund stated, "If we cannot come up with something here, we have other people interested and we do not want to put them off further if we cannot agree here. He noted, "We are in a position and we have a houseful of people here interested in this particular subject and they want to see something move forward. Putting this off another 60 days is a problem".
  60. Attorney Bob Goicoechea stated they could hold a special meeting as long as it is in March.
  61. John Reynen explained, "I just got involved in this about 90 days ago and Mr. Georgiou and I have been working 90% of my time in on this project and it is not easy. We have talked to Barrick and Newmont on various occasions and the truth of the matter we talked to Newmont today and they do not want any part of Carlin. We have committed ourselves to build the apartments out of our pockets with the hope that we can generate the interest that they will come in to Carlin to help us on the north side of the freeway. We are committed to do our best. Financing is almost impossible today and particularly in an area where the two (2)

- biggest employers here do not want to commit to financing. We felt if we can demonstrate that the 19 units would fill up immediately that we can change their minds”.
62. Vice Mayor Donnetta Skinner stated the mines did commit to us the first time around and they had people who put money down to buy these houses. Both mines were behind us 100% and when they had to give the money back to everyone, everybody was saying this was not the way they wanted to do business. They told us they were not in the business of building houses; they are a mining company.
  63. Byron Georgiou agreed, stating that was five (5) years ago and they gave financing for single residential lots and whoever made that commitment to them and then did not deliver on it, they got stung. That predates us, but we live that history. The reality is that for a long time they would not do anything in the housing area; now slowly they have moved out of that mode and Barrick supported the development of all of those apartment buildings in Elko. We have spoken with them and they are done with apartments. Now, whether they will support some single family residential housing here in Carlin, I am extremely hopeful that they will. I cannot give you that assurance yet. We are working assiduously with them with their headquarter offices, not just their local offices, but in Canada, Salt Lake City, in Colorado in the case of General Moly. We bring the team to a table that has never been brought to Carlin before or to Elko County before. John Reynen and his company have built 4,000 homes in northern Nevada and Builders of the Year and have built 1,000s of apartments. Nobody else has developed any housing in this county historically that is more than a handful. It demonstrates the point Mr. Reynen was making that nobody has been able to do a few at a time until Barrick stood up and provided a rent guarantee for the local developer in Elko to commit to the large number of apartments. I recognize we are not magicians and maybe we are not the best answer that Carlin thinks they can find, but we are not convinced of that fact. Nobody has worked harder to finance a project in Carlin, Nevada than I have and it is not easy. They claim their surveys of their employees indicate that particularly the wives would prefer to live in Elko than here. I did not do their surveys, but that is what they are telling us. That is why we are doing our best to do what we are quite confident that we can get done, which is the multifamily initially. When I was here 2 years ago, General Moly thought they were going to start construction in 90 days and they do not have their permit yet. They hope to have it this year and they just secured financing from the Szechwan branch of the China development for the Mount Hope mine. I think it is important that you recognize what we are committed to doing and what we have done, which is basically speculate our funds to build a project that is spec housing. I am prepared to do that here because I have the same confidence that given the employment base of the future of Elko County and particularly Carlin is very bright and the market can sustain it. Not everybody believes it and some people I talk to ask if I am crazy that I want to build in Nevada. This is a community that needs housing, but the State of Nevada has the highest percentage of underwater homeowners. That is not what Elko County is, but it is a perception that you have to defeat to get financing.
  64. Attorney Bob Goicoechea stated, “I think what the Council is really going to require though is a commitment for the road and the first 32 units in addition to the 19 units. I really think that you are going to have to come back and see if we can work this out at the earliest possible date with the timeline, schedule and the road to those first 32 apartments. That is what I am hearing”.
  65. Byron Georgiou stated John Reynen is going to be gone for the first two (2) meetings, the 18<sup>th</sup> of March through the 2<sup>nd</sup>.
  66. Councilperson Lincoln Litchfield stated it they could come back on the 14<sup>th</sup> to have a timeline to us.
  67. Discussion was held on the date.
  68. Pam Borda stated, “I really think it is important to not only address the Council, but frankly the residents about the reality of doing anything in Nevada, let alone Elko County, but Carlin right now. You know how hard I have worked to make things happen and have spent the last 18 months recruiting developers not just for Carlin, but also throughout the County on behalf

- of Barrick and Newmont. There are easily 50 developers that come through our office trying to make something happen in getting multifamily housing has been a horrendous effort with virtually no results. We currently have seven (7) projects on the drawing board for multi-housing in Elko. Only one of those projects ever got off the ground and the reason it did is because Barrick financed it. I have had more developers turned down for financing than I have ever seen in my life. I want to give you these examples. Marriott has been turned down repeatedly in Elko; it took a year and a half for us to get them financed to build that facility. It took an USFDA-backed loan to get that to happen. Financing world is not financing in hospitality at all and they are not financing developers. They are not kidding that they are not financing in Nevada. They equate Nevada to Las Vegas and Reno. I have spent an enormous amount of time educating financing companies to get any of the other six (6) projects financed and for 10 or 12 other projects for multi housing. No one is getting financing. I want you to understand if these people are willing to have their own skin in the game with their own money to develop in Carlin and I think that is the only way to be successful in starting. Once they get started and have some success, and they are able to lease apartments and they are able to make progress that might change things. It is extremely difficult out there right now”.
69. Vice Mayor Donnetta Skinner stated it is hard for Carlin. “If we had all those houses that were empty in Las Vegas and Reno here, we would have everybody satisfied. But we have people in houses they should not live in. Some of ours do not have the ability to live in a motel room. We have fought for years to have these houses come in and someone to help us to do this and we have been ignored. When we have tried to call them, they have not returned our calls. It is not that we don’t want them here, we want them here, but we want them to commit. The last five (5) years we have sweat blood”.
70. Pam Borda stated, “I understand the frustration, but what I am asking you to do, is it is water under the bridge and you have to let it go and think about where you are today and the reality of the recession”.
71. Vice Mayor Donnetta Skinner stated, “Those are the same exact words we got two (2) years ago”.
72. Pam Borda stated, “You are at the worst possible time and I share your pain, but we have is a group, regardless of the past, that are willing to put forth their own money and trying to make it happen in Carlin. They are asking that you try to work with them”.
73. Mayor Cliff Eklund stated that most of the Council is willing to work with them, if there was a timeline set and met, but if we cannot do that, we can be two (2) more years down the road doing the same thing again.
74. Pam Borda stated, “I am just asking that you consider in that timeline the steps they have to progress in order to keep funding the next phase. I am encouraging you to help, but give them a try”.
75. Mayor Cliff Eklund stated, “Most of the Council is willing to work with them, but they want to see it happen and we want to see it move forward. We have killed four (4) years with the previous developer and two (2) years almost now with this one where we have not seen anything done on the site. We want to get to a point where this is going to be done within this season or we take the land back”.
76. Attorney Bob Goicoechea inquired where Bailey is getting their financing right now.
77. Pam Borda stated “Bailey is doing one (1) house at a time so they can afford to finance themselves. She noted they buy a lot; they develop it and they have done very well. We would be in real trouble if not for the Baileys or three different local residential contractors are all doing the same thing because that is all they can take on from the standpoint of financing and resources. We do not have, locally, the capability of any of our existing contractors to do something like this. We have tried to get things done on the local level and we do not have the resources”.
78. Jeff Williams, Elko County Commission, stated, “Before I was a commissioner, I was a contractor for 30 years in Elko County. With that in mind, you need to know there are a lot of things that changed in contracting in the last 5-6 years. It used to be that when we wanted

to buy material, we could get loans to buy the material and it was easy to get the financing. In today's world, if we could not finance ourselves, we would not have any work to do. I understand what these people are going through, but I also understand that there are things that they are doing wrong in that they are not giving guarantees of what they can do and the timelines that they can get it done. The problem with timelines, though, is that a developer can give you a timeline and then they do not stay to the timeline and they keep postponing and moving it back. You are sitting with equipment and people and that is basically what you people will be doing here too. If you are going to make them put up a timeline, you also have to make sure that you have somebody that talks to them or they talk to somebody in the City every couple of weeks and tell you what they are doing, what problems they have. Normally when we have problems with developers when I was dealing with it, it was not that they did not give us a timeline; it was that every time we would contact them for payment or information as to what was going on, they never returned the calls or answered letters. That proved to us that we were being taken advantage of. My recommendation to you is to make sure that you get the timeline first, second get a commitment that they will talk to you at regular intervals with a report of what is going on. If during that time you can see that things are not happening as they are supposed to, simply pull the rug out from under the project and they go their way and you take care of the developers of what you wanted done. But, I think you need to be realistic; you need to have developers here to do what you want to have done as far as building homes, apartments and they need to get this done so that they can make some money and you have to be realistic that sometimes, it is difficult to get the money and get things going. That is what is happening here. It is not the same world today as it was five (5) years ago. I think there are ways you can take care of your responsibility here and make them produce and still get your homes and apartments. Make them call you every few weeks".

79. Vice Mayor Donnetta Skinner stated her agreement.
80. Byron Georgiou stated, "Let me make a proposal to the Council and I do not know if this will be well received or not, but we are proposing the following timeline. We are going to come here tomorrow morning and submit that pile of materials in connection with the 19 unit apartments for plan check and review and comments of the City. I would like to propose, and I know this is longer than you would like, but in order for us to do all the work we need to do, that we come to you on Wednesday, April 11 with engineering report from NDOT, having gotten their plans, having revised our plan to reflect their plans. That we come to you with a precise timeline. By that time, we hope to have done real progress with actual demolition work at the minimum and maybe even construction of the 19 units. Then we will have a full timetable for you, something you can hold us to and we will tell you what we can do and if what we tell you is adequate for your purposes, you will grant us the time to do it. If it is not, we will all have to recognize that and you can go about your business. I would really like John and Jack Reynen to be with me at that time".
81. Attorney Bob Goicoechea confirmed the plans would be to "get this done in this construction year".
82. Byron Georgiou replied affirmatively.
83. Tom Burney inquired when Carlin Nevada Development might put an office here and someone in it that could commit to meeting what they say.
84. Byron Georgiou replied, "Assuming that our plans are established for this smaller unit, we will certainly have a job superintendent based here".
85. Tom Burney stated he was referring to a project manager for sales and an office here in town.
86. Byron Georgiou stated he would give that timeline as well.
87. City Manager Glenn Trust inquired, "Did I understand correctly that your team is prepared to finance the initial 32 unit building north of the Interstate and the development of and that you are committed to do it by the end of this construction season, by November. That seems to me to be a pretty sufficient timeline to begin with, what is missing are the component parts of the timeline, the NDOT, water and sewer lines, etc. He inquired if Summit Engineering had grading plans for this development.

88. Byron Georgiou confirmed and explained that Drew was working on it at Summit's office in Reno and Nitin Bhakta works in Elko.
89. City Manager Glenn Trust stated if that work has been done, regardless of the NDOT entry way completed, we have an open permit for construction access, you can build whatever you want to build out there and move as much dirt as you want out there. He suggested they factor that into their timeline as construction can begin out there as soon as the City permits it and you have my commitment that the permit would be done in the City very quickly. He stated, "I am trying to break down the timeline. You are committing that through your own financing, there will be a 32 unit apartment up on that site by November".
90. Byron Georgiou replied affirmatively.
91. City Manager Glenn Trust stated, "Then the component part timeline you will bring back to us when the sewer lines will be run, the improvements on the streets, etc. will be brought back on April 11".
92. Byron Georgiou replied affirmatively.
93. Attorney Bob Goicochea stated, "I am assuming that he will attend more meetings also and I am almost sure that Nitin Bhakta will not let me down on this, I consider him to be a very good engineer and I do not think I have had any City project has been disappointed".
94. Byron Georgiou confirmed his confidence in Mr. Bhakta and his firm.
95. City Manager Glenn Trust inquired, "I understand what the Council is saying; you are comfortable with this concept that, if by November, there is not a 32 unit apartment building, there will be no further extensions. Can we establish that is the limit to the extension".
96. Mayor Cliff Eklund agreed. He noted they want to look at the timelines before they give the extension.
97. Byron Georgiou stated, "The direction of the Council as I understand it is to bring back timelines that establish that the first building on that multifamily unit on that site will be completed in this season. That is what I understand what you are directing us to do and we are going to bring back timelines that reflect that".
98. Mayor Cliff Eklund explained, "There are a couple of things we can do to handle it – first we can refuse it, second, he has given us the timeline of November 1 to have the road construction completed, as well as the 32 unit complex on site with water and sewer. Is that correct".
99. John Reynen stated, "I am not sure that is correct. When our engineering plans get done, we will put some roadwork in before we can start construction. The 32 unit apartments are probably going to take a minimum of five (5) months and maybe a little longer, so I think once we get going, you can see that they are completed. We are not going to leave them halfway, but I am not sure we can get it done by November 1. We can give you a time schedule a bit more accurately in our meeting as to when we can get it done. If the engineering takes so long to get approved, we cannot start until the engineering is approved and then we can put the road in. We do not know how long that is going to take. I think the drawings are mostly done now".
100. Mayor Cliff Eklund stated, "But the construction of the apartment complex would not be held up because of the road".
101. John Reynen inquired, "would you give us permission to work on the apartment complex before we have water on the site?"
102. Mayor Cliff Eklund stated there is water almost up to the site.
103. John Reynen stated, "Usually we have to have a hydrant in before we can start the construction".
104. City Manager Glenn Trust stated, "John is right, there is no water to the location of the apartment building would be and typically you would have to have water on the site for construction".
105. Attorney Bob Goicochea stated, "I do not know that November 1 is a magic date. This year the construction season went all year, but it could be November 30 and not November 1".
106. John Reynen stated, "If we have the building weathered in by October, we are going to be able to work all winter on it and if we can get it going and we have the money to get it going

- and finished, we will probably start laying down a few more slabs down and frame during the wintertime. It just takes so long to get it done”.
107. Mayor Cliff Eklund stated, “If we can agree to a November 1 timeline, we could approve that based on a November 1 timeline for the construction, but if we cannot get a timeline, I do not see how we can pass it”.
  108. Byron Georgiou stated, “We will bring you a timeline on April 11, 2012, and maybe we should try and approve it on a November 30 timeline subject to you approving us the interim timeline”.
  109. Councilperson Lincoln Litchfield stated, “If we are into it that far, I can see no reason we could not extend it to December 31, 2012 if they have everything in line. I agree with John Reynen that once you have the shell up, you can finish the woodwork during the wintertime and if you have more slabs down, there is nothing that would stop you. You cannot count on that, but if you have something to dry it in, you can always do the interior work”.
  110. Mayor Cliff Eklund confirmed, “What you are saying is a December 31, 2012, timeline for completion of a 32 unit complex and by that time have occupancy permits”.
  111. Councilperson Lincoln Litchfield stated, “Once you have it up, it is just a matter of getting the CO then and once you have that, you can rent that out”.
  112. Mayor Cliff Eklund stated, “Occupancy permits should be a part of this if we approve it. Does that make more sense to you, John?”
  113. John Reynen replied affirmatively.
  114. Vice Mayor Donnetta Skinner agreed.
  115. Councilperson Lee Griswold agreed.
  116. City Manager Glenn Trust suggested the motion include timeline for road improvements, Certificate of Occupancy on a 32-unit multifamily building is December 31, 2012, coming to the meeting on April 11, 2012, with timeline for the components. The deadline is December 31. The timeline will be presented on April 11”.
  117. Attorney Bob Goicoechea stated, “Communications should be part of this”.
  118. Mayor Cliff Eklund inquired, “When do you anticipate building some model homes?”
  119. Byron Georgiou stated, “It depends to some significance that we fill up the 51 units. I cannot say definitively when that would be, probably in the next year”.
  120. Attorney Bob Goicoechea stated, “I have been giving advice to General Moly because the only person who has been there from the very beginning is the general counsel, who lives in Idaho, but General Moly is not out of the picture”.
  121. Byron Georgiou stated, “We spoke with General Moly today and they are in an information gathering mode. They have been spoken to by everyone in the world, they do not know where the employees are coming from, don’t know whether employees want to live in Eureka, whether the employees are going to drive down to Ely. They are in a big fight with Eureka; they just got their financing from China. Part of the reason we want to get this first unit and second unit built and occupied promptly in Carlin is to demonstrate to people in General Moly that it will work and then maybe they will come in and say they want to finance a 100 unit apartment for some of the employees. That is the idea here; to actually get something accomplished that demonstrates to this Council and citizens of Carlin and the powers that be and employers of this County that we can accomplish it going forward. That Carlin is a desirable community that people want to reside in”.
  122. Mayor Cliff Eklund stated the only thing that concerns him is that “the 32 units are built, nothing more is done, the land is tied up and no more development can occur should you decide not to go any further”.
  123. Byron Georgiou stated, “Then presumably you are going to put some more requirements on us through 2013. This is a long-term relationship. We will present our plans for 2013 and hopefully you will find them suitable”.
  124. **Councilperson Lincoln Litchfield moved for approval of the proposed development plan extension of the amended and reinstated development agreement with Carlin Nevada Development, LLC (CND) dated July 21, 2010, until December 31, 2012, with the following conditions; April 11, 2012, that a realistic timetable for entry way, sewer lines,**

water lines, grading and the first 32 unit apartment building be completed by Certificate of Occupancy on December 31, 2012, with a representative present at a Council meeting for a monthly progress report and further a weekly report to the City Manager of Carlin. Councilperson Steve Feasel seconded the motion. The motion carried unanimously.

- II. Discussion and possible approval of a recommendation to reappoint Goicoechea & DiGrazia, Coyle & Stanton, Ltd. as City Attorneys for the City of Carlin, and all related matters. (Action Item)**
1. Vice Mayor Donnetta Skinner moved to reappoint Goicoechea & DiGrazia, Coyle & Stanton, Ltd. as City Attorneys for the City of Carlin, and all related matters. Councilperson Lee Griswold seconded the motion.
  2. Attorney Bob Goicoechea presented a plaque he had been provided that is one of his most prized possessions, a plaque that reads Presented to Robert Goicoechea in recognition of continuous dedicated service to the City of Carlin since 1975. He noted "I expected to get another one every three (3) years and 40 years later.
  3. **The motion carried unanimously.**
  4. Mayor Cliff Eklund reported that Mr. Goicoechea stepped down from the City of Elko to maintain his relationship with the City of Carlin.
- III. Discussion and possible approval of a recommendation to reappoint High Desert Engineering and Mr. Thomas Ballew as City Engineers for the City of Carlin, and all related matters. (Action Item)**
1. Councilperson Lee Griswold moved to reappoint High Desert Engineering and Mr. Thomas Ballew as City Engineers for the City of Carlin, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried unanimously.
- IV. Discussion and possible approval of a recommendation to reappoint Kafoury, Armstrong & CO., Inc., as City Auditors for the City of Carlin, and all related matters. (Action Item).**
1. Vice Mayor Donnetta Skinner moved to reappoint Kafoury, Armstrong & CO., Inc., as City Auditors for the City of Carlin, and all related matters. Councilperson Lee Griswold seconded the motion. The motion carried unanimously.
- V. Review, discussion and possible approval of a recommendation to reappoint Mr. William Bauer as the Chief of Police of the City of Carlin, and all related matters. (Action Item)**
1. Vice Mayor Donnetta Skinner moved to reappoint Mr. William Bauer as the Chief of Police of the City of Carlin, and all related matters. Councilperson Lee Griswold seconded the motion. The motion carried unanimously.
- VI. Review, discussion and possible approval of a recommendation to reappoint Mrs. LaDawn Lawson as Carlin City Clerk and Treasurer, and all related matters. (Action Item)**
1. Vice Mayor Donnetta Skinner moved to reappoint Mrs. LaDawn Lawson as Carlin City Clerk and Treasurer, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried unanimously.
- VII. Review and discussion of the Monthly Report from Converse consultants regarding the Brownfields Assessment project underway within the City, and all related matters (Non-Action Item)**
1. City Manager Glenn Trust stated the report is in the agenda packet for Council members to review.
- VIII. Review, discussion and possible approval of the minutes for the regular meetings of the City Council on January 25, 2012, and all related matters. (Action Item)**

1. Mayor Cliff Eklund stated that the Members are not reading the minutes.
2. Councilperson Lincoln Litchfield stated that Councilperson Steve Feasel was not present and the item could not be voted on.
3. **Vice Mayor Donnetta Skinner moved to table approval of the minutes for the regular meetings of the City Council on January 25, 2012, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

**IX. Review and discussion and possible approval of payments for the period 2/9/2012 to 2/22/2012, and all related matters. (Action Item).**

1. **Vice Mayor Donnetta Skinner moved for approval of payments for the period 2/9/2012 to 2/22/2012, and all related matters. Councilperson Lee Griswold seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor.**

**X. City Council Members Report. (Non-Action Item)**

1. There were no reports.

**IX. City Clerk's Report**

1. City Clerk LaDawn Lawson had no report.

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

1. City Manager Glenn Trust had no report.

**XI. 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. None.

**XII. Adjournment. (Action Item)**

**Councilperson Lincoln Litchfield moved for adjournment with Councilperson Lee Griswold seconding the motion. The motion carried with Mayor Cliff Eklund voting in favor. The meeting was adjourned at 8:54 p.m.**

**APPROVED:**

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**MAYOR CLIFF EKLUND**

**ATTEST:**

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**CITY CLERK LADAWN LAWSON**