

CARLIN CITY COUNCIL
CITY OF CARLIN, STATE OF NEVADA
REGULAR MEETING
CARLIN CITY HALL
101 SOUTH EIGHTH STREET
CARLIN, NEVADA
December 14, 2011, 7:00 p.m.

Call to Order and Roll Call:

Mayor Cliff Eklund called the meeting of the City Council to order at 7:01 p.m.

1. Council Members Present: Mayor Cliff Eklund
Vice Mayor Donnetta Skinner
Councilperson Lee Griswold
Councilperson Lincoln Litchfield
Absent: Councilperson Steve Feasel
2. Administrative Staff: City Manager Glenn Trust, City Clerk LaDawn Lawson
3. Present: Roger Anderson, Lloyd Myers, Rick Anderson, Jerri Norton, Howard Wright, Casey Rollins, Becky Galjean, Brian Norton, Fred Montes de Oca, Lisa Wolf, Nancy Goeser, Peter Goeser, Mike Tangreen, Amarjot Singh, John Ellison

Pledge of Allegiance

I. Introduction of Diana Nichols, Assistant City Clerk to the Carlin City Council and public. (Non-Action Item)

1. Mayor Cliff Eklund introduced Diana Nichols, Assistant City Clerk of the City of Carlin. He welcomed her and stated she has been doing “a great job”.
2. City Manager Glenn Trust stated that Ms. Nichols scored the highest in her skills performance and oral interview with the panel.

II. Review, discussion and possible approval of the City of Carlin’s annual audit for the Fiscal Year ending June 30, 2011, and all related matters. (Action Item)

1. Jerri Norton, Kafoury Armstrong, reported on some adjustments that were not made because they were small. She noted the most important part of the opinion on Page 1, para 3: “In our opinion, the financial statements present fairly, in all material respects, the respective financial position of all the different activities as of June 30,2011, a clean audit opinion which is not a surprise as you have received those for years”. She noted there are new requirements that the auditor has to include more language. She pointed out the General Fund and Grant Fund revenues and expenditures are reported as major governmental funds and there was a net positive change in all the fund of \$528,000 with an ending balance of \$3.5 million. She noted the Grants Fund showed \$408,000 in 2011 versus \$67,000 in 2010 indicating the solar panels energy project. She reported the General Fund has total revenue of \$2.1 million, an increase of \$200,000 over last year with expenditures \$1.7 million showing a positive change of \$525,000. She noted Carlin has an Ending Fund balance representative of a full year’s expenses as a cushion. She explained the five components of the Fund Balances in the Balance Sheet and the requirements followed. She stated the 2011 total assets are \$12 million, and total Revenues this year \$4.1 in 2011 versus \$3.3 million in 2010 with expenses at \$3.2 million. She stated the vehicle purchase should have been in 2010 and was moved back. She reported the bulk of the expenses were governmental versus business with the governmental expenses up 27% over a 5-year and the business type up 39%. She reported the revenue declined and expenses went up. She explained that two funds spent more than budgeted, the General Fund Culture and Recreation and Internal Service Unemployment Fund and were the only violations found.
2. City Manager Glenn Trust explained in the Culture and Recreation there was an employee

- who had never taken insurance with the City that accounted for the overage as the City began covering his insurance in May and this was unbudgeted.
3. Jerri Norton pointed out the financial reporting has improved as well as all the journal entries. She noted it might there for a few more years, but with the proactive work, it will be gone. She noted the review has been improving.
 4. Councilperson Lincoln Litchfield stated in the past there were 6-7 comments and now there is only one.
 5. Discussion was held on the year balance in the Ending Fund Balance.
 6. **Councilperson Lincoln Litchfield moved for approval of the City of Carlin's annual audit for the Fiscal Year ending June 30, 2011, and all related matters. Councilperson Lee Griswold seconded the motion. The motion carried.**

III. Discussion and possible approval of a request from Byron Georgiou, dba Carlin Nevada Development, LLC, to extend the development agreement with the City of Carlin through February 22, 2012, and all related matters. (Action Item)

1. Mayor Cliff Eklund stated "this has been a thorn in our side for quite a while". He explained 18 months ago the City entered into a contract with Byron Georgiou to develop housing north of Carlin, noting there were some problems with the entrance and that was given to the governor's office with the assistance of John Ellison. He stated they went down to Carson City and met with Byron Georgiou and his group, as well as NDOT, at the governor's office. He stated they set up another meeting with NDOT to resolve the issue and Byron Georgiou's people did not show up. He stated at the beginning both he and City Manager Glenn Trust told Georgiou's representatives that if they did not have the financing in place, the City did not want to talk to them, but they assured them that Byron Georgiou did have the financing to proceed. He noted a special meeting was held shortly after the agreement was signed so construction could begin and that did not happen. He stated City Manager Glenn Trust inquired why this was not being done and was told that they were in Europe trying to find financing for the project. He reported that in November 2011, Mr. Georgiou called the City, saying he had terminated all the people that he had working for him on this project because nothing was being done and he was taking it over himself. Mayor Cliff Eklund stated that he told Mr. Georgiou if he needed an extension, he would have to appear before the Council before the contract expired. He explained that Mr. Georgiou called City Manager Glenn Trust to let him know he was not prepared to appear in December and requested if he could have a 60-day extension to the second week of February, at which time he would submit the plans for construction. He noted that he also indicated that he would start the construction at 8th and Ash by April 2012. Mayor Cliff Eklund stated, "I am very reluctant to give any extension and reluctant not to. We have spent several years on this project and to start over from zero again would take a long time. There is not a lot that can be completed or done in December, January and February and I would have no trouble giving him the extension, but at that time he should have firm dates, firm information of what he is going to do and I am not going to recommend that the Council give him another 2 years. The construction should start in the 2012 year".
2. Councilperson Lincoln Litchfield stated at the mines, he has seen a lot of work being done at all times of the year and it does not matter what the weather is. He stated they should be getting the dirt work done and sees no reason why this cannot be started. He stated he had no problem with the February date if he has firm facts at that time.
3. Councilperson Lee Griswold agreed.
4. Vice Mayor Donnetta Skinner disagreed, noting, "I do not want to give him another blasted second. He has had chance after chance to do this and he has lied about what he was going to do. We should tell him if he wants this land, he should take it now and give him until the end of December to get it done".
5. Mayor Cliff Eklund stated, "My thoughts on this are pretty negative. I think the lack of activity up there has cost us a bank or at least contributed to it with the lack of growth, the

- lack of people coming into town. That's one of the problems I am having in trying to recruit a bank for Carlin. Every place I go the shortage of housing is brought up; Elko County has a huge housing shortage. For them not to proceed because they are afraid that they cannot sell it is inexcusable". He noted there is a mine starting up in Wells and south of Carlin and General Moly talks about running buses out of Carlin and Elko because their employees' wives want to be close to a shopping center. He stated because of the shopping the majority of their employees are going to want to live in Carlin and Elko.
6. Councilperson Lincoln Litchfield inquired why Mr. Georgiou is asking for February and not January.
 7. City Manager Glenn Trust replied because he released the team he had before and he and his contractor wanted time to put together their plans. He stated the new team would be ready in February. He noted the February 22 meeting is the one he plans to attend with this contractor and has given a verbal commitment to the mayor and the City Manager that he would begin construction in April on the property he owns at 8th and Ash Street
 8. Vice Mayor Donnetta Skinner stated, "These are the same words that he gave us before. If he cannot do what he says he can by January, he needs to back out and let us do what we can with the land. I think it is time that we do something, either they move on it or give it up. I don't believe that he is not a smart enough man to come to the Council and speak. I do not believe this. I do not think this is the reason; I think that he is playing us again and it needs to stop. I think we should tell him we are not going to tolerate it any longer".
 9. Councilperson Lincoln Litchfield stated, "I agree with Vice Mayor Donnetta Skinner and yes, it is an extension that I do not want to give, but if he is willing to put iron on the ground on February 23, I have no problem with it".
 10. City Manager Glenn Trust explained that the mayor and he have made it clear that is the "do-or-die date; there will be no extension beyond that".
 11. Councilperson Lincoln Litchfield stated he would like to see some work done up there prior to the meeting.
 12. Vice Mayor Donnetta Skinner stated this is going to be the same repetition of what has been done before.
 13. City Manager Glenn Trust stated that last time, he was given a 16-month window and this time he has a two (2) month window.
 14. Councilperson Lee Griswold stated because it is winter, he sees no harm in giving him until February.
 15. Vice Mayor Donnetta Skinner disagreed.
 16. Fred Montes de Oca stated that with the new equipment, they can work in all types of weather and do not have to wait for summer. He stated he is in 100% agreement with Vice Mayor Donnetta Skinner. He stated if he has money, he could have someone working right now. He stated if the Council gives him an extension, are they going to give the same extension to other people in town.
 17. Mayor Cliff Eklund stated the inactivity has cost Carlin a lot. He noted they do not have people standing in line to develop. He noted the City still owns the title on the land.
 18. Howard Wright stated the first developer that came had the promise from Barrick to buy 50 homes. This should have helped the project move forward.
 19. **Councilperson Lincoln Litchfield moved for approval of a request from Byron Georgiou, dba Carlin Nevada Development, LLC, to extend the development agreement with the City of Carlin through February 22, 2012, and to have equipment ready to move at that time, and all related matters.**
 20. Discussion was held on the motion.
 21. Mayor Cliff Eklund stating that Mr. Georgiou cannot move dirt because he does not have a contract and we do not want to give an extension beyond the February 22 date. He stated, "We cannot expect him to move dirt if he does not know if he will have the land beyond February 22. If, on that date, he does not have dates specific during the year, I would oppose an extension".

22. The motion died for lack of a second,
23. Councilperson Lincoln Litchfield **moved for approval of a request from Byron Georgiou, dba Carlin Nevada Development, LLC, to extend the development agreement with the City of Carlin through February 22, 2012, and all related matters. Mayor Cliff Eklund seconded the motion. The motion carried with a 3-2 vote with Mayor Cliff Eklund voting to break the tie and Vice Mayor Donnetta Skinner and Councilperson Lee Griswold voting against.**

IV. Review, discussion and possible approval of a request from Howard Wright to reinstate and extend his Special Use Permit at 1123 Fir Street, Carlin Nevada for an office trailer, and all related matters. (Action Item).

1. Howard Wright explained he had a Special Use Permit on the property and he did not realize this had been agendaed and the permit was not renewed. He stated he has an office trailer and it is hooked up to the power only.
2. **Vice Mayor Donnetta Skinner moved for approval of a request from Howard Wright to reinstate and extend his Special Use Permit at 1123 Fir Street, Carlin Nevada for an office trailer, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried.**

V. Review and possible approval of a request from David Trujillo to be appointed to the Carlin Planning Commission to fill a vacancy on the Board, and all related matters. (Action Item)

1. Councilperson Lincoln Litchfield reported the Planning Commission had discussed the matter and it was approved to bring it forward to the Council. He reported Tim Gray had moved to Washington and Member Anna Dean is between Carlin and Lovelock a lot.
2. **Vice Mayor Donnetta Skinner moved for approval of a request from David Trujillo to be appointed to the Carlin Planning Commission to fill a vacancy on the Board, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried.**

VI. Review, discussion and possible approval of a request from Becky Galyean to waive the requirement to install curb, gutter and sidewalk at 821 14th Street, Carlin, Nevada as required by building permit number 01-040 issued to her on November 13, 2001, and all related matters. (Action Item)

1. Becky Galyean stated, "I do not need curb and gutter and I cannot afford to install it".
2. Councilperson Lincoln Litchfield stated in 2001 when they purchased the property.
3. Councilperson Lee Griswold stated, "We cannot waive one and not waive them all, but we have been giving extensions.
4. Councilperson Lincoln Litchfield reiterated the Council has been consistent in allowing extensions, but never a waiver.
5. City Manager Glenn Trust explained she purchased the permit and there have been a number of communications over the years.
6. Discussion was held on the cost and length of the project.
7. Councilperson Lincoln Litchfield stated it is difficult to require curb, gutter and sidewalk on an unimproved road.
8. **Councilperson Lincoln Litchfield moved to table approval of a request from Becky Galyean to waive the requirement to install curb, gutter and sidewalk at 821 14th Street, Carlin, Nevada as required by building permit number 01-040 issued to her on November 13, 2001 until the street is looked at, and all related matters. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**

VII. Review, discussion and possible approval of a Special Use Permit requested by Amarjot Singh for a rail freight container (Conex Storage Container) on his property at 1009 Chestnut Street, Carlin, Nevada, and all related matters. (Action Item)

1. Mayor Cliff Eklund reminded the Council that they have had some people remove their Conex.
2. Amarjot Singh stated he is requesting the storage for some furniture for the motel.
3. Vice Mayor Donnetta Skinner stated she does not like the Conex as they make the City look messy. She does not think they should be on the main street of Carlin.
4. Amarjot Singh explained it would be at the side of his apartment out of view.
5. Councilperson Lincoln Litchfield inquired if he would not like to have a regular building.
6. Amarjot Singh stated he does not have a budget for such storage.
7. Councilperson Lincoln Litchfield stated his agreement with Vice Mayor Donnetta Skinner as it gives the wrong opinion of the City and they are trying to clean the City. He stated he would rather see a building constructed for that purpose.
8. Howard Wright stated he has one on the lot next to his commercial property. He stated there are some in Jarbidge that have been painted and look acceptable.
9. Vice Mayor Donnetta Skinner stated they have been through this before and this storage should not be in the middle of town.
10. Howard Wright stated since the town is small, there is a need to help the business people.
11. City Manager Glenn Trust stated, "Out of fairness to Mr. Singh, there is one at the Methodist Church not far from his store.
12. Councilperson Lincoln Litchfield inquired if Mr. Singh would be prepared to put siding on the storage.
13. Amarjot Singh replied affirmatively.
14. **Councilperson Lincoln Litchfield moved to approval of a Special Use Permit requested by Amarjot Singh for a rail freight container (Conex Storage Container) on his property at 1009 Chestnut Street, Carlin, Nevada with the stipulation of putting siding and a roof on it to appear to be a building, and all related matters. Councilperson Lee Griswold seconded the motion. The motion carried with Mayor Cliff Eklund voting in favor and Vice Mayor Donnetta Skinner against.**

VIII. Review, discussion and possible approval of a parcel map and lot line adjustment for Michael Tangreen between parcels 002-030-002 and 002-030-067, 1121 Tuscarora Rd., Carlin, Nevada, and all related matters. (Action Item)

1. Mike Tangreen stated there are already two (2) lots and he plans to improve the lots with access to Tuscarora Road. He stated he is planning to build a stick built house if approved.
2. Vice Mayor Donnetta Skinner stated this needs to be done.
3. Mayor Cliff Eklund stated any time someone wants to build a new home and improve Carlin, the City should help.
4. **Vice Mayor Donnetta Skinner moved for approval of a parcel map and lot line adjustment for Michael Tangreen between parcels 002-030-002 and 002-030-067, 1121 Tuscarora Rd., Carlin, Nevada, and all related matters. Councilperson Lee Griswold seconded the motion. The motion carried.**

IX. Discussion and Possible approval of a proposal to have the abandoned mobile home trailer on City owned property at 410 Hamilton Street, Carlin, Nevada, removed and disposed of in accordance with the requirements of the Nevada Revised Statutes, and all related matters. (Action Item)

1. City Manager Glenn Trust stated the proposal is to have an abandoned trailer disposed of according to Nevada Revised Statutes.
2. Mayor Cliff Eklund stated they have "old junk trailers scattered all through town and now we have an opportunity to get rid of one. I intend to vote for its disposal".
3. City Manager Glenn Trust explained the trailer is a 1966 model.
4. Mayor Cliff Eklund stated it is in rough shape. He explained it is next to Virginia deVoe's property and she called him because of the condition of the trailer and the yard. He stated the City crews cleaned the yard and the land was in arrears with its taxes. He stated the County

took it over and signed it over to Carlin four (4) years ago and there has been no one in it since.

5. Vice Mayor Donnetta Skinner stated the original owner passed away.
6. Mayor Cliff Eklund stated it is zoned residential.
7. Councilperson Lincoln Litchfield inquired what disposal meant, out of the City or moved to another location.
8. City Manager Glenn Trust stated that would be up to the City.
9. Fred Montes de Oca stated it could be fixed and he is interested in trading with the City on Oak Street.
10. Councilperson Lincoln Litchfield stated as soon as the trailer is moved off, a home has to be put on the lot, not another trailer.
11. Fred Montes de Oca stated he wants everything on the lot.
12. Mayor Cliff Eklund stated, "This is a \$2,500 piece of eyesore sitting on the side of a lot in a residential area and who would want to build a house there".
13. Fred Montes de Oca stated a builder could probably make it look better than a lot of the places in Carlin.
14. Mayor Cliff Eklund stated there are junk trailers all thorough town and it is an eyesore for the City, noting, "We get comments about it".
15. City Manager Glenn Trust stated there is a process the statute requires them to follow to make sure it is not stolen, written notice to the last known address and there are no outstanding liens or security interest in the property. He stated this process has been started.
16. Mike Tangreen inquired if there is an age limit.
17. Mayor Cliff Eklund stated there is a statute that cites that if it is over five (5) or six (6) years old cannot be brought in.
18. **Councilperson Lincoln Litchfield moved for approval to obtain possession of the abandoned mobile home trailer on City owned property at 410 Hamilton Street, Carlin, Nevada, and thereafter the Council can determine what is to be done with the trailer and land. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**

X. Discussion and possible approval of a proposal to dispose of by sale a steel building, sixty feet by eighty feet by forty feet in height, that is dismantled and stored in the Public Works yard, and all related matters. (Action Item)

1. Mayor Cliff Eklund reported the building was donated to the City by Barrick and at the time, it was thought it could be used as a Civic Center. He noted there were no plans with it or no paperwork on erecting it. He stated he got a phone call from a person who was interested in buying it and he informed him that it would probably have to go up for bid, but he felt the Council should decide whether they want to dispose of the building.
2. Councilperson Lee Griswold stated they should move on it.
3. Councilperson Lincoln Litchfield stated if the City is not going to utilize it, it needs to be sold.
4. Vice Mayor Donnetta Skinner stated she agreed they should get rid of it.
5. **Vice Mayor Donnetta Skinner moved for approval of putting out to bid the steel building, sixty feet by eighty feet by forty feet in height, that is dismantled and stored in the Public Works yard, and all related matters. Councilperson Lee Griswold seconded the motion. The motion carried.**

XI. Report by Mayor Eklund on the status of the Fire Science Academy closure and sale of the property By the University to the Nevada National Guard, and all related matters. (Non-Action Item)

1. Mayor Cliff Eklund stated the Academy would be closing on December 31. He noted John Ellison and several others have been working diligently to ensure the National Guard does take it over, explaining that there have been votes taken in Washington D.C. on the matter. He stated there would be a public meeting at the Elko City Hall on Friday at 1:00 p.m.

2. John Ellison stated he talked to General Berk today and there is supposed to be a vote in the Senate later tonight and it is looking good right now. He noted the proposal includes youth camps, national training center and National Guard units. He stated he would like to see the props stay on the site. He reported it had passed through several committees. He noted the General spent quite a bit of time on this.
3. Mayor Cliff Eklund stated one of the obstacles was a homeland security.
4. John Ellison stated they made changes and it has been clarified for that obstacle. He stated, "We want them to do homeland security, training and use that facility for everything it can be used for".
5. Discussion was held on the background of the facility.
6. Mayor Cliff Eklund reported the General stated that in Elko they would have 10 acres and in Carlin 400 acres. He noted at that time they were considering co-locating the National Guard with the Fire Science Academy. He expressed his appreciation to John Ellison for all he has done.
7. John Ellison noted they took something that was in the black, which had 28 of the best jobs. He questioned why they would throw those jobs out in this economy and create a \$5 million debt.
8. Mayor Cliff Eklund stated that not only are they creating a \$5 million debt because they have to do the remediation, it would cost \$500,00 a month to keep it in "mothballs".
9. John Ellison stated UNR raised the student fees 8% prior to closing this. He stated he thinks the City of Carlin will be better off by the new proposals and will be great for the community. He stated the Team Challenge is a youth program and parents are involved.
10. Mayor Cliff Eklund stated the way UNR back ended it; two to three oil companies who had invested \$3 million were not even contacted.
11. Nancy Galyean inquired about the funding.
12. John Ellison stated the \$8 million is still there.
13. Discussion was held on the funding.
14. Discussion was held on the waterline the City put in.
15. John Ellison noted Mayor Cliff Eklund has done a wonderful job and that everyone has helped get this done, not just one person. He noted they are still not out of the woods yet. He reported that the highway was benefited as well.

XII. Review, discussion and possible approval of the City Council Meeting Minutes for the Regular Meetings of the Carlin City Council on September 28, October 12, October 26 and November 9, 2011, and all related matters. (Action Item)

1. **Vice Mayor Donnetta Skinner moved for approval of the City Council Meeting Minutes for the Regular Meetings of the Carlin City Council on September 28, October 12, October 26 and November 9, 2011, and all related matters. Councilperson Lincoln Litchfield seconded the motion. The motion carried.**

XIII. Review, discussion and possible approval of payments for the period 11/10/2011 to 12/14/2011, and all related matters. (Action Item).

1. **Councilperson Lincoln Litchfield moved for approval of payments for the period 11/10/2011 to 12/14/2011, and all related matters. Councilperson Lee Griswold seconded the motion. The motion carried.**

XIV. City Council Members Report. (Non-Action Item)

1. Councilperson Lee Griswold had no report.
2. Vice Mayor Donnetta Skinner stated the cemetery has looked good and the Parade of Lights was excellent. She reported the bake sale made \$101.49. She inquired why they do not have an ice skating rink in the City.
3. Councilperson Lincoln Litchfield reported the Police Department has been busy with the canine units gathering between 50 and 70 lbs of marijuana and several bust on

methamphetamine. He noted they are doing an excellent job getting the drugs off the street. He stated his amazement of all the construction work being done at the Industrial Park right now and solidifies his view that this can be done with weather.

XV. City Clerk's Report

1. City Clerk LaDawn Lawson reported on all the hard work being done on the budget and audit.

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

1. City Manager Glenn Trust has no report.

XVII. 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. Howard Wright stated if something is wrong, please do not send a letter, just call him. He stated last night he left his gate open and the police are not patrolling his property. He stated there is a \$1000.00 fine for anyone caught inside the lot and signage is posted and there have been no one caught even though he has had people steal from the cars. He requested that the Police Department has to patrol his property.
2. Councilperson Lincoln Litchfield stated the way the laws read now, they have to probable cause and documentation so it may be five (5) miles following them before they stop someone usually on the highway.
3. Howard Wright stated the Police could check out his property more than they do, not just the front, but the back also. He stated they should see the gate is open and lock it up.
4. Lisa Wolf inquired about the curb and gutter comes up repeatedly. She inquired if the City could have a loan fund that the people could pay back. She inquired what options do the citizens have for the cost.
5. Mayor Cliff Eklund stated the cost could have been included in their loans and the other problem is that people buy the permit, which indicates the curb, gutter and sidewalk, to build their building and after that they will come to the council for a waiver. He suggested if they came to the Council before they bought the permit, but they are agreeing to do something and then trying to get out of the requirement.
6. Vice Mayor Donnetta Skinner stated the property owner benefits his/her property.
7. Councilperson Lee Griswold stated the City is not a bank and cannot operate as a bank.
8. City Manager Glenn Trust stated since these are old issues, it is possible that the construction loan did include the funds for the curb, gutter and sidewalk and they decided not to use that money for that purpose. He stated it is illegal for the City to operate as a bank. He stated the City is trying to be consistent with everyone to make sure they see that on the permit, they initial it and they understand they have to perform the job.

XVIII. Adjournment. (Action Item)

Councilperson Lincoln Litchfield moved for adjournment with Councilperson Lee Griswold seconding the motion. The motion carried. The meeting was adjourned at 9:07 p.m.

APPROVED:

MAYOR CLIFF EKLUND

ATTEST:

CITY CLERK LADAWN LAWSON