

**ROUND MOUNTAIN TOWN BOARD
REGULAR MEETING
DONALD L. SIMPSON COMMUNITY CENTER
650 CIVIC DRIVE, HADLEY SUBDIVISION
ROUND MOUNTAIN, NEVADA
rmtownadmin@gmail.com
TUESDAY, DECEMBER 27, 2016 – 4:30 P.M.**

MINUTES

Members Present: James Swigart, Chair
Lisa Davila, Vice Chair
Roger Morones, Member

Members Absent: Wes Hubred, Clerk
Liandra Dutton, Member

Also Present: Pearl Olmedo, Town Manager
Tini Mittelstadt, Administrative Aide

Citizens Present: Ranay Guifarro
Sergio Olmedo
Polly Asltatt



CALL MEETING TO ORDER

Swigart called the meeting to order at approximately 4:30 p.m.

PLEDGE OF ALLEGIANCE

The pledge of allegiance was recited.

GENERAL PUBLIC COMMENT (FIRST)

None.

APPROVAL OF DECEMBER 27, 2016 AGENDA

Olmedo requested to remove item 5.

ACTION: Davila motioned to approve the December 27, 2016 agenda with the removal of item #5. Morones seconded the motion; motion passed 3-0.

READING, CORRECTION, AND APPROVAL OF THE DECEMBER 13, 2016 MEETING MINUTES

ACTION: Removed.

CORRESPONDENCE, AWARDS, AND ANNOUNCEMENTS

Olmedo stated you have one on your list. The Tonopah Town & Library Board of Trustees Meeting Agenda for 12/28/16. Also, last week I received a change order request from Tahoe Pool and Spa. I could not make it an

agenda item because it was too late. He was here on the week of the 19th, and after he went in and removed the plaster, he took a look at the tiles that he didn't believe needed to be replaced, but once he got into the guts of the pool, the tiles needed replaced and he talked about lights that we thought were good. It just goes with the construction remodeling. If you have ever done home construction, we all know that once we start getting behind the walls, things that we can't see are behind the walls.

Morones asked if there was a contingency for these types of items that we discussed at that time.

Olmedo answered yes, we did discuss it, and said that we had a total of \$170,000 and we approved for \$133,910 and the additions that he requested in the change order are \$35,209. Tiles and lights are not cheap.

Davila asked what the total would be if the Board approved this Pearl.

Olmedo answered the total would come out to \$169,119.

Morones asked the total approved contract was \$170,000 with contingency?

Olmedo answered no, the Board approved \$133,910, so this change order is an additional \$35,209. I didn't make a copy of the change order for the Board, but you can look at mine.

Morones asked and they inspected these tiles prior to starting.

Olmedo answered yes they did, and he said that they were fine.

Morones asked he said they were fine when he inspected them and now they are not?

Olmedo answered we drained the pool and he started to remove the plaster, same with the lights.

Morones replied, obviously due diligence wasn't done on the sewer project, so this leaves a sour taste in my mouth again, because due diligence wasn't done pre-construction for this, so who does that fall on, if we don't replace the tiles the pool doesn't get done. They didn't catch the tiles in the bid. He said they were fine and now they are not.

Olmedo responded, I don't know, I have to say I have done home remodel projects and everything looks fine from the outside, but once you start tearing things apart it is not uncommon.

Morones replied, you can't compare the two, the home is your home and we are all do it yourselfers, this is his line of work and his job, if he gave a bid based on what he saw he should be held to that bid knowing that the tiles were fine from what he inspected or he didn't do his job properly. I have done home stuff, sure we break down a wall and realize oh my gosh and we have to do it, but it is not my line of work and I did not bid the project. He bid it as a professional, saw that the tiles were fine and now he wants to replace the tiles.

Swigart asked if this was something he did when he did the Tonopah Pool also, was there add-on's and additional work.

Olmedo answered yes, there was add-on's and I spoke with Tonopah and they ran across with add-on's, not only was it just, if you look at it, it is the water line tiles and the depth marker that he is saying needs to be replace. The wall treads, 6 sets of them, these are the actual stairs to get into the pool. He checked those out.

Morones stated that he would like a copy of his bid to check what he approved was ok, these are revisions, these are nothing more than additions.

Olmedo responded my suggestion is to check out the list of change orders and put it on the agenda as an agenda item.

Morones replies, yes please. He also asked if we could get Ron in here at the next meeting.

Olmedo commented of course with this list we got last week, I want Mitch to take a look at it. So Becca and I went down to take a look at it and to me, I thought that the tiles where ok, but that is just me, I am not a maintenance person, it is not my specialty. I thought the only thing that could be changed out was the markers, so the markers would be the tiles that are a different color from the other tiles and they have the depth of the pool.

Davila asked did he give you a specific reason why the tiles were, are they faulty or weak, why aren't they good.

Morones responded we can't approve anything.

Olmedo answered he didn't give me a reason, like I said I asked him.

Davila replied he just said they are not good.

Olmedo answered yes, he just said they are not good. At that point I told him, I am not comfortable making a decision.

Morones stated you can't.

Olmedo continued I wasn't the one here initially that did the walk through, so I said I would feel more comfortable with building maintenance supervisor taking a walk and going over these lists of items to ensure that they are in need of repair. You can tell him, in detail, because I was not the one that did the initial walk through. They are the ones that reminded me, that at the time he submitted his bid, he is the one that said the tiles are good.

Morones stated this is how he conducts business and I don't know the contractor, anybody could submit a low bid, get the job and then say you need to add this.

Davila responded and that is my concern, is that what is happening is he trying to come in low and trying to add to it later, because that has happened, anybody that has hired a contractor knows there is potential.

Morones replied that is not good business.

Olmedo responded at the same time, I don't know much about this, we are going to sit down and do comparisons with the cost of these with other companies to see if the prices are competitive.

Morones asked isn't there anything in the NRS about this, I know there is, about change orders and revisions and the percentage against the contract.

Olmedo answered we can double check on that.

Morones states for the State Contractors I know there is, there has to be an NRS against it.

Swigart asked if we approved, you said 133 is what we approved.

Olmedo answered yes the \$133,901 is what the Bid was initially approved at.

Swigart replied so 10% of that is 13,300 anymore than that it seems he has stepped out of bounds with the original contract.

Davila responded I would have to agree with you. Please correct me if I am wrong, was he the only one we received a written bid from.

Olmedo answered yes, he is the only one that mailed off and submitted a bid, the only company. We had phone calls but no one put in a bid.

Swigart asked how far along are they now.

Olmedo answered he has pretty much removed all the plaster. So before continuing on he wanted to wait, because at the point where they start to put the plaster in and re-plaster, trying to put in the tile and wall treads and everything else anchor cups, would be difficult to put in after the fact, so I said you can hold on, and like I said I don't want to make a decision without letting the Board know.

Morones replied so we are going to agendize that for the next regular meeting, in the mean time we can all get a copy of that.

Swigart asked if there is any way they can all go down and look at the pool.

Olmedo answered yes, you can come down, just come by the office and one of us can take you in and take a look at it.

Swigart asked if Pearl had anything else.

Olmedo answered yes, January 5th I have scheduled The Open Meeting Law and Positive Governance Meeting, 9 in the morning to noon, and that will be located at the firehouse. And I have received word that the 5 sitting member of the Board we currently have, have been appointed for the next two years, so if you have received your letters in the mail, you can come see me to swear in or you can visit the library. You can show up at the first meeting, but in order to vote you have to have the oath of office completed. At the last meeting there was a couple of concerns regarding the Recreation Director Job Description, we got answers on that. The offer letter can state the time frame of your employment, so we can put a time frame on that. The concern was the amount of training that we are putting into them, so we can put a cost tier in there. If they were to leave prior to the year, there will be a reimbursable structure.

Morones asked I want to go back to the job description; it is in there that they must obtain certifications within a certain amount of time, right.

Olmedo answered they must obtain and maintain.

Morones asked if there was recourse in the verbiage.

Olmedo answered when we approved the job description, the concern was can we make them reimburse if they were to leave, so yes you can.

Morones responded I don't know if we can and I know we discussed it, is there a recourse taken if don't get the certifications within the time frame estimated. Is that ground for termination?

Olmedo answered yes, that can also be stated in the offer letter. All of your concerns will be in the offer letter, so we are covered.

Davila asked if the Board is going to see the offer letter prior to, or are you just going to do it.

Olmedo answered we are going to do it, so my thinking is 90 days to obtain, we can extend to an additional 90 days so a total of 180 days, and that is an actual time frame that we can work with.

Morones asked are we allowed to see the offer letter before it goes out?

Olmedo answered no.

Morones asked will you address these concerns so we won't have, so we won't have the same issues of certification's moving forward.

Olmedo answered that is me telling you that I am going with 90 days to obtain, if they can't obtain because of unavailability of classes. We are looking into that, the courses that we need, the Water Safety Instructor and the Life guard certification, there is only two people within our region that is certified to train them to become an instructor, only two. Those classes are coming up in February, March, and April and after that we would be waiting more likely until next year.

Morones asked that trains them, does it certify them.

Olmedo answered it trains and certifies them. They will be a certified life guard and they will also be certified to teach other participants to be a life guard. The Water Safety Instructor will teach them to be a water safety instructor, so that will allow them to teach the learn to swim courses.

Morones asked we need to have someone maintain the water levels and the safety of the shoreline, is that another certification.

Olmedo answered, that is another certification, and right now we are covered with the maintenance department having that CPO license.

Morones asked that is not what is required; it is the other two rights.

Olmedo answered the life guard, water safety and CPR. Six months is about the right amount of time frame.

Swigart asked that time frame doesn't play in if the class is full or if there is no way they can make it to the training, this starts once, ok you have been signed in, you have to go to this class, you have to pass, you have to be certified, is that when the 180 days start.

Olmedo answered no, I am saying it starts the moment you sign off saying you are employed with the Town of Round Mountain. 90 days is what I am saying, but if 90 days is unfeasible because of the courses, the availability of classes, then I can extend that another 90 days, to total 180 days.

Davila asked and not to exceed.

Olmedo answered not to exceed the 6 months. It is doable, we are trying to make sure all those certifications are done here in the State of Nevada, but if we can't and we exhausted all avenues, then Salt Lake City is the next training center.

Davila replied, please refresh my memory, we are looking at this rate of pay and we are not going to increase that even if they get their certification, we are going to maintain that pay for a full year.

Olmedo answered for a full year, yes. That is the only announcements I have for you. Just giving you an update on everything, we looked into it, everything that you were concerned about, yes it can be in the offer letter.

Morones asked just to put it on the record. Although we cannot and I understand from previous recognition, we can't hold specific individuals that work for the Town accountable, however, just to make it known if we do not meet these expectations and have this certification in place within the 180 days, the one we can hold accountable for overseeing is you Pearl. I would like to once this is hired, once the person is in review where we are at within the 6 months to see if certifications for the Town, not necessarily for an individual, but for the Town have been meet, if that is fair.

Olmedo answered yes that is fair. We can do it as simple as, thinking about what was discussed at the last meeting, department updates. That way it generalizes, we are not specific to an individual. You know it falls on me, I need to start enforcing department updates so that the Board is kept in the loop too.

Morones replied, I think it is something we definitely need to start incorporating at least quarterly as a state of the departments. Really the state of the Town, where we are at and what we need.

Olmedo responded I think we should implement that and I believe quarterly may be too far in between. Every Board meeting if you don't mind the extra update.

Morones replied sure, just an update.

Swigart stated it might be something you want the department head to address the Board.

Morones replied, I would even appreciate that better, just so we could have the open dialogue, if you had Josh on his behalf, and Mitch on his behalf, where they are at and what they are doing.

PERSONNEL ACTIONS

A) DISCUSSION AND DECISION TO ADVERTISE TO HIRE FOR RECREATION DIRECTOR

Olmedo stated that you have the personnel action page. Like I said, the offer letter it will state all of the obtaining certifications and cannot go more than 6 months.

Davila replied, I will just say it again for the record. I don't think at that rate of pay we are giving a lot of room to help this particular employee to grow. That is just my thought.

Olmedo asked grow in terms of?

Davila replied, you know, financially, I mean would we be able to continue at a rate to make, of course we all want to see, it is human nature when we are doing something there has got to be advancement and starting them off at this rate, would we be able to sustain them in the future not knowing what is currently happening at the mine, at that rate and then a year's time another raise and a year after that.

Swigart asked what are you looking at, the progression system, or step one, step two, step three?

Davila answered yes, kind of, you know how they are doing that every year that we have to vote during budget time, we have to now vote in there can they get a raise or not get a raise, and that is not up to us and you know at this rate of pay would we be able to sustain it, if we do that every year.

Olmedo responded at budget time you know we can revisit that, my suggestion was just doing a cost of living increase. The Town of Tonopah did a 50 cent across the board, they got away from percentages. Those are some of the things you can look at to get away from the merit increase.

Morones replied I am just going to throw it out there, I appreciate your opinion and I will give you mine. For what is required for that position I don't think \$19.23 is out of whack for starting out rate, knowing that this Board has the Town tax money in the best interest, doesn't guarantee that they are going to get raises. Keep in mind the budget and the requirements of the budget are presented to us, and we either approve it or deny that. It doesn't mean that they have to get a raise coming up. We are going to be crunch time and we know that, given Greg Schoen comments, and how long have you been here, we know what is going on. We don't know what is going to happen in the next two or three years. It doesn't mean that we have to give raises and it doesn't mean that we have to increase the rate of pay. We have to look at it accordingly, come budget time, if we do in fact think that we are in a constraint time for the Town, we will have to revisit it at that time. It doesn't mean that these individuals whoever they may be are guaranteed or warranted yearly increases, based off of merit or cost of living. It is public money and it is something we look at we decide at the time.

Olmedo responded and you know speaking historically. The Town has gone through some light years and have gone at least one year that I am aware off without any merit or cost of living raise.

Morones stated that we may be coming on those times. We don't know. I understand the need to get it out there and get a Recreational Director in. I think it is time to vote, we have approved the job description. We have discussed they will need to meet a time frame for certifications and maintain those.

ACTION: Morones motioned to approve to advertise to hire for a Recreation Director. Swigart seconded the motion; motion vote 2-1.

REVIEW AND APPROVE VOUCHERS

Morones asked how many cell phones do we own?

Olmedo answered just one.

Davila asked what was the call out for the lift station?

Olmedo answered, we blew a fuse, for the lift station.

Morones replied I am assuming it is not a normal 20 amp fuse here, are we talking about something that requires an electrician to change.

Olmedo answered yes.

Morones asked where this Dish network was.

Olmedo answered here in the Simpson Center and the Gym.

Morones asked if the Lumos and Assoc. bill is all for the sewer project?

Olmedo answered yes, all for the sewer project.

Morones asked if I read this correctly, they can only bill \$886 and that will be their final bill.

Olmedo answered that is from November 4th to December 2nd, we should have one more.

Davila replied it says on here Total billing limit and remaining. So is that meaning that is all they have to bill us, and then we are done.

Morones states that maintenance lost their injector sensors.

Olmedo replied, Mitch said he has to replace all of them and they are not cheap.

Morones asked does he replace them or does somebody else replace them?

Olmedo answered he replaces them.

Morones asked that is just for the part.

Olmedo answered that is just for the part.

Davila asked who broke a mirror?

Olmedo answered Maintenance.

Morones asked about the Napa bill for batteries.

Olmedo answered it is for Building and Maintenance.

Swigart replied this is a bad time of year, it is really cold.

Morones asked if the Pitney Bowes was a standard monthly fee?

Olmedo answered it is a quarterly fee, for the postage machine.

Morones asked if the bill for Tahoe Pool and Spa was the first that we have received.

Olmedo answered yes.

Morones asked so we have to pay 50% of the contract up front?

Olmedo answered yes.

Morones asked if the Western Environmental Technology's was the testing for rural water?

Olmedo answered yes.

Morones asked third party going to Nevada Rural?

Olmedo answered no, it goes to Western Environmental in Sparks.

ACTION: Morones motioned to approve the vouchers. Davila seconded the motion; motion passed 3-0.

GENERAL PUBLIC COMMENT (SECOND)

None.

ADJOURN MEETING

Davila motioned to adjourn the meeting at approximately 5:00 p.m. Swigart seconded the motion; motion passed 3-0.