

**ROUND MOUNTAIN TOWN BOARD
REGULAR MEETING
DONALD L. SIMPSON COMMUNITY CENTER
650 CIVIC DRIVE, HADLEY SUBDIVISION
ROUND MOUNTAIN, NEVADA
rmtownadmin@gmail.com
TUESDAY, JANUARY 26, 2016 – 4:30 P.M.**

MINUTES



Members Present: Lisa Davila, Clerk
James Swigart, Member
Wesley Hubred, Member

Members Absent: Sheila Beery-Burggraff, Chair
Greg Schoen, Member

Also Present: Pearl Olmedo, Interim Town Manager

Citizens Present: Michael Hardy
Mitch Mittelstadt
Jeanne Bleecker
David Hendriks
Dan Sweeney
Antonia Nockideneh
Sergio Olmedo

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

The pledge was recited.

GENERAL PUBLIC COMMENT (first)

Dave Hendriks, General Manager of Round Mountain Gold, stated that he will endeavor to attend one meeting a month. CSR people would probably be attending the other meetings. He also noted he will choose not to vote on any issues going on here. He is here to be a support to the group for the town to understand any issues that may apply to the Mine. He said he was a resident of the town however he will not participate in anything that goes on with the board and staff. He wants to be here to keep informed with what is going on and asks that any one share or wants to ask him any questions.

Swigart reminded Davila to introduce herself, for the people that may not know her.

Davila introduce herself as the acting president, as the president is absent today.

ELECTION OF ROUND MOUNTAIN TOWN BOARD OFFICERS FOR THE YEAR 2016

ACTION: Agenda item tabled.

APPROVAL OF JANUARY 26, 2016 AGENDA

Olmedo noted changes – recommended to table item 3. And on item 8 there are no December 15, 2015 minutes, and remove item 11 there are no personnel actions.

ACTION: Davila motion to accept agenda as amended. Swigart seconded; motion passed 3-0.

BID AWARD – DISCUSSION AND POSSIBLE DECISION TO AWARD TOWN OF ROUND MOUNTAIN WASTEWATER TREATMENT FACILITY REHABILITATION BID PWP #RM 2015-1

Hardy of Lumos and Associates introduced himself, and noted they had bid packets with scores and reference materials behind it. They put together a rating matrix form on a bids received, behind are the costs associated with each item, and references for project that each of the contractors paid. And these are the information we went through and evaluated to come up with the rating matrix and scores, and on the matrix there's 75 points possible. And the score came in from a low of 49 to a high of 64. And there is an explanation under that table explains the scoring process. He gave them a few minutes just to go through and then discuss Lumos' recommendation and why.

Davila requested an update on the concerns of the contractors.

Hardy noted one of the contractors didn't provide a liner contract, so when called and asked about them, if they had experience the answer was verbal, no not in the State of Nevada. But they were thinking about using another sub-contractor that was not on their list. Since they didn't provide the sub-contractor on their list we have to score them as if they were going to provide one or they were going to do it themselves. The reason we have a sub-contractor list is to make sure that we can look at the sub-contractor, make sure they are all license, they are all reputable, they can't change them later on, during the contract if they find someone that is lower, maybe a sub-standard contractor. The sub-contractor that they were referencing, we looked into them and we could not find a license in the State of Nevada, so that concerned us. We wanted to step back and look a little bit closer to the bids to make sure that it was lining up, so this matrix provides that information. The two things we want to make sure of is that we can get this done in a timely manner, and that obviously the liner materials that are put in doesn't leak and passes all the specifications that we put into the contracts and specs. He went onto to explain the bids results on the first page under item contractor, two of the contractors have sub-zero geo synthetics and underneath is their license for the State of Nevada; the low bid did not provide one. Technically, with the way the contract was put together, not having a liner company was concerning.

Hubred asked with these bids are they providing in these figures inspection after it is done to make sure it passes.

Hardy explained there was a package that went out with these plans that showed all the specifications with the construction of the project and there was detailed specification on testing the liners to make sure they were not leaking and when they could be fused together and how they would be fused together. The company Sierra Geo-Synthetics, that's all they do. They buy and put down liner material. They are very familiar with the specifications. The prime contractor did not have a sub with any experience. So when we asked if they had any experience putting line material down, they couldn't provide us with any references, and that is extremely concerning to us. Since the whole objection here is to put new liner material down and if there are any leaks that are going on in the pond, it would stop the leaks and lower the nitrate concentration in the ground water.

Swigart asked Pearson Brothers and MKD – which one was it you said you worked with in the past? Was that MKD?

Hardy explained it was MKD and this is similar size project that they are familiar with, and unfortunately they are just very high. So that was concerning to us.

Swigart noted Pearson Brothers have a higher score. It is pretty close between those two, but positive comments one is five and the Pearson Brothers is three, were there negative comments with Pearson Brothers?

Hardy explained the reference materials, under Pearson, he didn't know if it is a negative comment, but we did ding them on one of the projects that they were working on but they did finish it on time. The issue was, based on the amount of workdays that they were provided to work on, they finished on time, but they had some weather delays, which were natural. The owner wanted them to bring more man power in, so that they could meet the deadline that they were hoping to meet. The comment we got was that they didn't have any more man power that they could bring in at the time to do the work, they are a smaller contractor all three of these are smaller contractors. We didn't see it as a negative. They still met the project in the time schedule that was based on the contract. But the owner was hoping to pick up the pace because of the delays they were seeing in the weather.

It was Lumos' recommendation after reviewing reference and contract document for Pearson Brothers Construction, they are not the lowest bidder, but we have some concerns with the low bid in this project, because of the thing brought to our attention. Not having any liner experience really concerned us. If they want to bring in another sub-consultant for the liner material, we could be up against protest from the other two, because it wasn't in their packets that they provided us for their bids and changing a subcontractor that they gave is something that they could protest.

Davila stated your recommendation would be Pearson Brothers?

Hardy stated yes because they are bringing a package with, like I said we need a contractor that can put a liner material down, and that the liner material is put down properly and sealed so that it doesn't leak.

Davila noted that is one of the biggest concerns, correct.

Hardy responded yes.

ACTION: Swigart made a motion to accept the Pearson Brothers bid for the Town of Round Mountain Wastewater Treatment Rehabilitation in the amount of \$1,121,913.70. Hubred seconded the motion; motion passed 3-0.

Hardy questioned if the Town would like to talk to NDEP for an extension on the deadline which is June 30, based on based the AOC signed by Dan Sweeney. Due to reason the liner material can't be fused together at temperatures below 50 degrees not knowing when the weather warms up.

Olmedo recommended that they should attempt it, now that they have a contractor and include that information in the letter to NDEP.

Hardy noted right now based on seventy working days, we would have to start the project by the second week in March that works for part of the project. There's work to do before putting the liner material down. They could drill monitoring wells, fix the distribution vaults that are up there, fix the piping that comes out of the polishing pond that goes to the rib system, those are all things that can be accomplished. We could talk to the contractor and see if they are willing to start that work, it could be possibly it would be a start and stop when they finish that work, they may have to wait until the temperatures warm up enough where they could go in and start removing the liner material that is in the polishing pond right now, excavating that out and bringing in the other material. If they were to start the second week in March and didn't have any delay, we could complete the project by the end of June. That's a very tight schedule and assuming, here again we are not familiar with the temperatures here in Round Mountain, assuming that we can start putting liner material down in April, and I am not sure that is feasible or not.

Davila asked Sweeney for more information and his opinion on it.

Sweeney stated he thought it was a pretty straight forward thing, he thought they could go to NDEP and get an extension, because in good faith they followed everything, just with this year being an el Niño year and being that Schoen knew the people and Hardy been up there and it's an opportunity for Olmedo to meet them. He would try to get the extension, and if they can't get it, it's just a budgeting issue for Olmedo and her auditor to work through. He thought it was a good start to go up there and see if Joe Maez was willing.

Davila questioned Sweeney in his professional opinion, if he thought they would give an extension.

Sweeney thought so and Hardy noted if they asked for a month or two, we've gone through and awarded the bid, we could work with the contractor, we can even get the monitoring rails in, because that do not require the contractor to mobilize in here. He can hire a sub to come in and do all the monitor rails and pull out, that's a portion of the project that we can accomplish.

Davila noted if they saw that we are on task and taking care of everything, that they would be more willing to do it.

Olmedo stated they should go for the extension.

Davila agreed and noted they shouldn't hesitate on this, especially with the sensitivity of the matter, and if we wait and something else come up, then we would really cause our own delays, and that would not be a good thing. So we should definitely act on this.

SMOKY VALLEY LIBRARY REQUESTS TO USE THE HADLEY PARK ON SATURDAY, JUNE 11, 2016 FOR A CAR SHOW AND CHOIR PERFORMANCE.

Jeanne Bleecker, Co-Director at the Smoky Valley Library District, requested the use of the Hadley Park on June 11, 2016 for the Car Show and Choir Performance.

Davila noted the year HOPE attended there was discussion regarding the flow of traffic around the park and if vendors would be able to go in and set-up.

Bleecker noted the grass would be open for vendors and the cars will be parked in the parking lot area where the haul truck parks at 4th of July. And there was a concern with the parking but they want it to be an open car show, so it's not classic they want motorcycles, cars, trucks – if it has a motor in it you can come and show up. If it's a fifty-thousand-dollar car, you may not want to park on the gravel.

Davila noted that they contact the town board at a later date if they are in need of any equipment.

Swigart asked if alcohol was going to be served or if there would be a burn-out contest and Bleecker responded no to both.

Hubred noted there was a concern with parking on the grass because of the sprinkler system and Bleecker responded no parking on the grass and she noted it was nice at the library because of the parking.

Swigart requested of Olmedo to get someone from the Town to be involved with the Do's and Don'ts of the setup.

Olmedo agreed and questioned if this event falls under criteria of the Nye County Outdoor Festival?

Bleecker responded that the event was not expecting over 1000 people, it would not fall under criteria of the Nye County Outdoor Festival.

Olmedo noted there are no fees for the use of the park, but they will be in charge of clean up after the event.

ACTION: Hubred made a motion to approve Smoky Valley Library's request to use the Hadley Park on Saturday, June 11, 2016 for Car Show & Choir Performance. Swigart seconded; motion passed 3-0.

DANIEL C. MCARTHUR TO PRESENT FINANCIAL AUDIT FOR YEAR ENDING JUNE 30, 2015

McArthur reviewed the Financial Audit for the Year Ending June 30, 2015 and made clear that they're not Dan McArthur's financials they are the financials of the Town and town management is responsible for the financial statements. And the auditors job is to make sure the Town is in compliance. And his opinion the financial statements are fine. He gave a summary of the laws and rules for The Governmental Accounting Standards, Nevada Revised Statutes, Retirement Debt, PERS Liabilities of the Town of Round Mountain, and Contribution Requirements. He went over several different types of funds, how the monies are used and which funds they come out of. Noted the General Fund is the bulk of where expenditures take place for the Town and the Town was run very well financially. He discussed profit and loss. And compared to most local governments they don't have three years' worth of equity sitting in their financial statement, net proceeds do have an impact, but it can be volatile, and sound financial management helped. He noted the Enterprise Fund's net equity decreased due to the pension liability.

He reviewed the Sales Tax Ordinance Act passed by the Nye County Commission, and due to conflict the Attorney General's opinion stated it is not the County's money but the Town's money, it was an act voted on by citizens of the County in 2007. The sales tax is to be distributed to all Towns within Nye County based on population of that Town and split 50/50 between the Public Safety Tax Sheriff's Fund and the Public Safety Tax Fire Fund. Since the town doesn't have a sheriff's department we'll have to pay Nye County Sheriff's Department with this money. And Nye County will need to spend the same amount over the last several years and can only be used to improve the department which is to be approved by our town board. The fire fund can be spent and controlled locally for our fire department. Although we have not received the required forms to report on monies used from these two funds, he did recommend a letter to be sent to the Legislative Councils Bureau, stating that we did not use any monies. That way we have met our side of the requirements', also the board needed to adopt a resolution and budget on this issue. He also reviewed a graph based on ten years of revenues and expenditures; he noted 2014 had changes due to a decrease in net proceeds and an increase to expenditures due to retirement pay-outs. All in all, McArthur stated the Town of Round Mountain is in good standing financially. He noted Olmedo was doing a great job.

ACTION: Davila motioned to accept the audit as presented for the year ending June 30, 2015. Hubred seconded the motion; motion passed 3-0.

READING, CORRECTION, AND APPROVAL OF THE DECEMBER 8 AND DECEMBER 22, 2015 MEETING MINUTES

ACTION: Davila motioned to approve December 8th and December 22nd meeting minutes. Swigart seconded the motion; motion passed 3-0.

CORRESPONDENCE, AWARDS, AND ANNOUNCEMENTS

1. Tonopah Town Board & Library Board of Trustees Meeting Agenda for 1/27/16.
2. Memorandum to Dan Sweeney, dtd. 1/26/16.
3. Resignation Letter from Sheila Beery-Burggraff – Chair, dtd. 1/24/16.
4. Notice of Vacancy Round Mountain Town Board, TBT: 2/4/16 & 2/11/16.
5. Nye County Agenda Information Form for 3/1/16 Re: Round Mountain Town Board.
6. Management Representation Letter, dtd. 1/15/16.

Olmedo reviewed the correspondence and requested to a board member to sign the follow-up memo to Nye County Human Resources in regards to Sweeney's volunteer fire chief position. Beery-Burggraff's resignation letter will be effective February 10, 2016 and she forwarded the letter to the Clerk's Office and the advertise will be posted in

Tonopah Times February 4th and February 11th. And noted she signed the Management Representation letter for McArthur as interim Town Manager. She also noted there will be training for the fire department next month.

Sweeney noted there will be two fire props on site – one is propane and the other is car fire; it is a live fire exercise presented by the State free of charge.

Swigart questioned if the Round Mountain Gold mine rescue would be invited.

Sweeney stated yes and will also extend to Manhattan also.

Olmedo also noted Schoen mentioned that BLM requested Town of Round Mountain to fill out a utility easement for the sign off highway 376. And explained to Wendy Seley she thought the town was under Nye County's easement for the sign and after talking with Nye County officials there was no record of an amendment to include the sign.

Sweeney also explained since the sign was installed a lot of changes have happened; there is now utilities at that location – a propane tank, a generator, and solar panels.

Davila asked Sweeney why the solar lights were not always operational.

Hendriks noted that solar power works great except when there are cloudy days and there was a problem with filling the propane tank, that's what the issue was.

Olmedo mentioned due to safety reasons, she questioned who was responsible for installing posts around the propane tank. She mentioned within the last couple weeks someone slid through the stop sign at Hadley Circle and Electrum Drive into a resident's fence just missing a water spigot.

Hendriks noted he will look into this matter.

NYE COUNTY COMMISSIONER'S MEETING REPORT

Olmedo read a statement sent from Commissioner Lorinda Wichman.

Good evening everyone. I want to extend a welcome to your new board member, Wes. It takes much sole searching to step to the plate and serve your community and many cringe and back away before receiving an appointment or getting the election results. If you do nothing more than what you have already done by seeking this appointment you are to be commended. You have the good fortune to be seated on one of the finest boards in one of the best communities in Nye County with folks I personally love and admire. I look forward to meeting you and developing a partnership in the future. Please put my contact information in your cell phone and use it at any time for any reason, I am your resource and your conduit to other resources just as you are for me and my colleagues on the Board of County Commissioners.

Thank you

Lorinda A Wichman
Nye County Commission
[775-761-1626](tel:775-761-1626)

Olmedo requested the board members to introduce themselves to the audience members and welcomed Mr. Hubred to the board. Hendriks requested Olmedo to do so too. Olmedo introduced herself as the current interim Town Manager/Administrative Supervisor/Administrative Aide.

Swigart and Davila welcomed Hubred.

PERSONNEL ACTIONS

Agenda item removed; there was none to present.

GENERAL PUBLIC COMMENT (second)

Hendriks thanked everyone for their time and noted he will join once a month and have a representative from the Mine at the other meetings.

Davila questioned Olmedo how often the roads were plowed due to concerns all roads were in good condition but coming in to town is wasn't as well maintained as other areas.

Olmedo noted that last two storms our plow was down for repair.

Mittelstadt also mentioned they were down a plow and he was out of town and personnel tried their best to get the only plow hooked up and were behind from the get go but they try to stay up on it the best they can.

Davila asked if the Mine was called for assistance.

Olmedo explained she contacted Nye County Road department for assistance and they plowed all interior roads and outside roads. She also noted due to the storm coming in fast, they cleared Tonopah first and then hit the rural communities – Belmont, Manhattan, Hadley Subdivision, Shoshone Estates area and Old Round Mountain. She also noted whatever time they can allow us we take.

Davila noted one of the concerns are residents don't understand and was it possible to educate on the Town page.

Olmedo mentioned she posted on the Round Mountain Facebook site, that we were delayed in plowing. She also noted the Mine was contacted and they would have assisted after they cleared their areas but Nye County came to aid before they could. And thanked Round Mountain Gold.

Sergio Olmedo noted the Mine does have a plow but it is small and it probably couldn't keep up with what they have and their main concern is clearing parking lots for the employees.

Mittelstadt also explained during storms they see an increase in traffic that impedes what they need to do.

Swigart asked if parked cars interfere with the snow plow.

Mittelstadt stated the biggest issues, they try to get the main road open first before interior roads and parking lots. At times it is an all-day process.

Hubred asked if the County puts aside a plow for rural areas.

Olmedo did not know, this was the first time she had requested assistance and they did good but Tonopah was off a major highway.

Davila noted their philosophy was with Tonopah is a major throughway that is was what they focus on and they will do the other roads.

Olmedo commended Stretch Baker and company for taking the time to aid us.

Swigart requested a thank you card to be sent.

REVIEW AND APPROVE VOUCHERS

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

ADJOURN MEETING

ACTION: Davila motioned to adjourn. Swigart seconded the motion; meeting adjourned at approximately 6:05 p.m.