

**CARLIN CITY COUNCIL  
CITY OF CARLIN, STATE OF NEVADA  
REGULAR MEETING AND PUBLIC HEARING  
CARLIN MUNICIPAL COURT ROOM  
101 SOUTH EIGHTH STREET  
CARLIN, NEVADA**

**July 12, 2017  
7:00 P.M.**

**Call to Order and Roll Call**

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

**Council Members Present:**

Mayor Dana Holbrook  
Vice Mayor Lincoln Litchfield  
Councilperson Sabra Esparza  
Councilperson Pam Griswold  
Councilperson Margaret Johnston

**Council Members Absent:**

None

**Staff:** David Jones, City Manager  
Heather Trujillo, Assistant City Clerk  
Carlos Esparza, Director of Public Works  
Roger L. Curry, Assistant Fire Chief  
Ella B. Trujillo, Carlin Senior Center Executive Director  
Lila Sexton, Code Enforcement and Animal Control Officer

**Public:** Wes Henderson, Nevada League of Cities

Diane Arvizo  
Tom Burney  
Gayle Zomar  
Fred Montes De Oca  
Wren Doxey, Carlin Equestrian Park  
Russell Nethery

**Pledge of Allegiance**

- 1. Comment by the General Public: Pursuant to NRS 241.020(2)(D)(3)(I & II) this time is devoted to comments by the general public and possible discussion of those comments. No action may be taken upon a matter raised under this item until the matter has been included on a successive agenda**

**pursuant to the required procedures at the discretion of the City in accordance with applicable law and identified as an action item. (Non-Action Item).**

- a. Thomas J. Burney stated he is representing Carlin Self-Store and Humboldt Basin Equities, Thomas J. and Kathleen L. Burney. Burney stated he had a letter to Elko Sanitation that he would like to read into the record:

*Elko Sanitation Company*

*Dear Sir or Madam:*

*You are notified that Elko Sanitation, its owners, employees, and assigns are from the date of receipt of this notice forbidden access to all properties owned, operated, managed by Carlin Self-Store, Humboldt Basin Equities, Thomas J. Burney, or Kathleen L. Burney. Elko Sanitation may not enter, transit, or in any manner trespass on the above named properties. Elko Sanitation may not enter into any agreement with any tenant, lessor, or renter or enter into or conduct business on the above named properties. Carlin Self-Store, Humboldt Basin Equities, Thomas J. Burney, or Kathleen L. Burney are not responsible for any charges or bills resulting from any agreement between any tenant, lessor, or renter.*

Burney stated for the record that Elko Sanitation trespassed on property, impounded, and hauled off.

**2. City Council Members Reports (Non-Action Item):**

- a. Councilperson Margaret Johnston stated she asked David to highlight some of the projects that are currently happening because as a new council person she does not know some of the recent projects. David Jones stated they are still working on the preliminary engineering report, an 11 year project of annexing property on East Chestnut Street, and working through the process to secure the funds to demolish the State Hotel and remove the asbestos. Jones further stated some of the wrinkles had been ironed out for the tank coating project and they were looking at August. Jones further stated they were wrapping up the Brownfield grant this year. Jones further stated they are still working on the ambulance billing and it is currently at the lawyer's office. Mayor Dana Jones added that they are still hiring someone for the Fire Department. Councilperson Pam Griswold asked David Jones to explain the Brownsfield Grant. Jones stated they had completed Phase 1 but had never been able to gain access to the railroad property to move on to Phase 2. Jones further stated they did look at property the City has acquired and the Industrial Park. Jones

- stated once it is finished it will make selling the properties easier because the work has already been done.
- b. Councilperson Margaret Johnston further stated she would like to commend the Code Enforcement Officer for all her hard work.
  - c. Councilperson Pam Griswold asked David Jones to go into more depth about hiring someone for the ambulance billing. Jones stated he is currently having a discussion with the lawyer about whether or not the job is a professional service and requires the bid process. Griswold asked if hiring a company to do the job is a better value than hiring someone. Jones confirmed that yes it would be drastically better.
  - d. Gayle Zomar asked about the status of the street sweeper. David Jones stated it would be delivered mid-August.
  - e. Wren Doxey asked how the store is progressing. David Jones stated he is not at liberty to discuss it but it is coming.
  - f. Vice Mayor Lincoln Litchfield reported the Planning Commission elected their Chairperson and Vice Chairperson and they are the same. Karla Jones is the Chairperson and Anna Dean is the Vice Chairperson Litchfield stated they are continuing their work on Title 3 and Joe Lindsey, Carlin Building Inspector, has provided a lot of valuable information about making it more enforceable. Litchfield stated they are through Title 3, Chapter 16 and are through the big chapters. Litchfield further stated the parade was unbelievably hot but fun. Litchfield stated he put out a petition to get some help with carrying the flags and Amanda Marta stepped up to help. Litchfield said they struggled to step in time but once they gave that up it went quite well. Litchfield wanted to express his appreciation for the Public Works Department including Josh, Henry, and Toni. Litchfield asked Carlos Esparza to relay that information on to them. Litchfield stated Parks and Recreation and American Legion did a great job. Litchfield stated he only heard a couple complaints which included having more games for adults and move the speaker system. Litchfield thanked the Fire Department for the wonderful fireworks.
  - g. Mayor Dana Holbrook asked if 3 or 4 Councilpersons show up to a different meeting would it violate the open meeting law. Litchfield stated he believes if 2 or more people showed up one must leave. Litchfield stated if this was incorrect he thought it would be great to have more Council Members at other Board meetings. Wes Henderson stated if more than 2 Council Members would be at a meeting it must be noticed.

**3. Staff Reports (Non-Action Item):**

None

**4. Department Reports (Non-Action Item):**

- a. Ella Trujillo stated in addition to the review of the grants she is also providing the Council with the most recent attendance numbers. Trujillo stated a total of 1,078 meals were served in the month of June. Trujillo further stated that in May, Shirley Chantrill, the ADSD Resource

Development Specialist, visited the Senior Center to do an assessment for the three grants the Senior Center receives from the ADSD. Trujillo stated they did well with the Transportation grant and the only negative was the bus driver did not remind riders to wear their seatbelts. Trujillo stated the transportation numbers were down because of the store closure and deaths which resulted in reduced funding for the transportation grant. Trujillo stated she would be implementing a survey to find out how to increase ridership. Trujillo stated the ADSD has less money and there was an overall reduction so if you did not meet or increase the projected numbers you received less. Trujillo further stated the Nutrition Grant review was overall positive and was no better or worse than previous reviews. Trujillo stated that at the end of the report there were some things that needed to be completed and all of them had been done. Trujillo stated this included forms, hand washing refresher training, delivery food temperatures, and food handling safety for the bus driver.

- b. Gayle Zomar asked about whether the City is taking applications for the cook position. David Jones stated it is a personnel issue that has not yet been resolved. Zomar asked if it is because the temporary employee is cheaper for the City. David Jones stated no. Councilperson Pam Griswold stated they are not keeping the temporary employee because it is cheaper. Trujillo stated her current staff is doing great.
- c. Vice Mayor Lincoln Litchfield stated based upon the June numbers he thinks Trujillo and her staff are doing well. Trujillo stated the attendance numbers are the best indicator of how the Senior Center is doing and she would like to provide them to the City Council every quarter.

**5. Board Reports (Non-Action Item):**

None

**6. Public Comment may be taken prior to any Discussion Being Taken by the Council: Review and discussion of a presentation offered by Wes Henderson from the Nevada League of Cities regarding the legislative session and League activities and all related matters. (Non Action Item).**

- a. Wes Henderson congratulated the new Council Members on their role. Henderson thanked Carlin for its membership. Henderson stated the most recent legislative session had over a thousand bills and passed about 650 bills. Henderson stated the League submitted four bills and were successful in getting one passed. Henderson stated the bill they got passed was Assembly Bill 8 which extended the existing powers of incorporated cities to place delinquent sewer, water, and storm drain bills on the tax roll. Henderson reviewed the other three bills that were not successfully passed.
- b. Wes Henderson further stated other bills passed including: Assembly Bill 417 (created a Main Street Coordinating agency), State Bill 176 (requires body cameras for all uniformed law enforcement personnel), a bill that allows Mayors to perform marriages, Assembly Bill 32 (Dept. of

Agriculture permit required for pesticide use), and Assembly Bill 241 (new buildings must have baby changing tables). Vice Mayor Lincoln Litchfield asked how long the body camera information must be kept. Henderson stated each police station must establish a policy for the information and there are some requirements in the bill. Councilwoman Pam Griswold asked for more information about the Main Street program. Henderson stated he would forward the details to David Jones.

- c. Wes Henderson stated that at the beginning of the session there were 16 marijuana bills and they were narrowed down to 6. Henderson stated Assembly Bill 135 stated you cannot use a urine test for testing for marijuana but blood will work. Assembly Bill 422 moved regulation of medical marijuana to the Department of Taxation and created other restrictions. Henderson further stated the AB 422 contains language that a government can charge a flat fee (no more than 3% of the gross revenue) for a business license similar to alcohol license and prohibits city governments from passing ordinances that are more restrictive than the state law or regulation. Henderson stated Senate Bill 344 aims to make marijuana less attractive to children. Henderson stated Senate Bill 375 covers marijuana regulation and use on Indian lands. Henderson state Senate Bill 487 established the tax structure for medical marijuana at 15% at cultivation. Henderson stated retail marijuana is taxed at 15% at cultivation and 10% at purchase. Henderson stated the 15% retail marijuana tax would go to the state's rainy day fund. Henderson stated the 10% tax would be distributed by the Department of Taxation but they have not determined how yet. Henderson further stated an incorporated city with less than 100,000 can approve a medical marijuana dispensary in their city.
- d. Vice Mayor Lincoln Litchfield stated he was not in favor of a dispensary in Carlin but asked what the advantage of having a dispensary in the town would be. Wes Henderson stated it would be the business license revenue and control. Henderson further stated the benefit of the sales would create more statewide consolidated tax revenue to be distributed.
- e. Wes Henderson stated they would have a Board retreat in Reno, Nevada and the Nevada League of Cities conference will be in Mesquite, Nevada. Henderson stated they offer power classes and you can become a certified public official and Pool Pact would give you a \$1,000.00 once you complete the course. Henderson further stated the National League of Cities will be November 15-18 in Charlotte, NC.

**7. Public Comment may be taken prior to any Discussion Being Taken by the Council: Review, discussion, and possible approval of Resolution 2017-04, a Resolution to transfer the City of Carlin's portion of the 2017 Private Activity Bond Cap (PABC) in the amount of \$138.733.73 to Nevada Rural Housing Authority for Single Family Programs and all related items. (Possible Action Item)**

- a. Mayor Dana Holbrook stated there was a typographical error in the

amount of money and they would hold discussion but would be taking no action.

- b. Diana Aruiso stated she is with the Nevada Rural Housing Authority and she would like to share how much Nevada Rural Housing Authority appreciates Carlin's support and the opportunity to come before them. Aruiso stated the Private Activity Bond Cap is the allocation that Nevada received for 2017 and is distributed to counties based upon population. Carlin's portion if left unused would revert back to the State and the State would use it for whatever they want. Aruiso stated Nevada Rural Housing Authority instead pools the unused amounts and converts it into a mortgage credit certificate program or MCC. Aruiso stated the MCC is a first time homebuyer program that gives the homebuyer a 20-30% mortgage interest refund every year. Aruiso further stated the MCC can be paired with the down payment grant. Aruiso stated Carlin has contributed over \$716,000 over the years to the PABC and 20 families in the City have bought homes using the programs.
- c. Councilperson Margaret Johnston asked if Nevada Rural Housing has done some outreach in Carlin. Diana Aruiso stated most realtors in the area know about the programs. Aruiso stated there are online home education courses that anyone can take. Aruiso further stated she would be very happy to come out and do a community awareness event.
- d. Ella Trujillo asked what the money they were requesting could be used for otherwise. Diana Aruiso stated the money must be dedicated to a developer who is building something like multi-family housing. Aruiso stated Carlin has no such plans so the money will just revert back to the State unless they give it to Nevada Rural Housing for their programs.

**Vice Mayor Lincoln Litchfield made a motion to table the possible approval of Resolution 2017-04, a Resolution to transfer the City of Carlin's portion of the 2017 Private Activity Bond Cap (PABC) in the amount of \$138,733.73 to Nevada Rural Housing Authority for Single Family Programs and all related items until our next regular meeting on July 26, 2017. Councilperson Margaret Johnston seconded the motion. The motion passed.**

8. **Public Comment may be taken prior to any Discussion Being Taken by the Council: Review, discussion, and possible approval of a request to possibly increase the hourly rate to rent the Senior Center from the current \$10.00 per hour to \$40.00 per hour and require a \$100.00 cleaning deposit and amend the City of Carlin Park, Building, and Facilities Event and Use Lease Agreement accordingly and all related matters. (Possible Action Item).**
  - a. Ella Trujillo stated currently to rent the Senior Center the Lease Agreement, which is a general form, is \$150.00 a day or \$10.00 per hour with a 10 hour minimum. Trujillo stated she would like to see the building rented every weekend in the summer but not at the current rate. Trujillo further stated she would like a cleaning deposit that can cover the carpet cleaning. Vice Mayor Lincoln Litchfield asked if Trujillo wanted

to keep the \$150.00 cap. Trujillo stated she would not mind about the cap remaining the same. Councilperson Pam Griswold asked what employees are required when someone rents the Senior Center. Trujillo stated it is usually just an employee to unlock and lock up. Trujillo further stated someone cannot use the kitchen when renting the building. Councilperson Pam Griswold asked if Trujillo knew how much other facilities in town charge. Trujillo stated she did not check into the other facilities. Griswold stated she would like to know about Pacini Hall.

- b. Mayor Dana Holbrook stated the proposed \$100.00 cleaning deposit is probably a little low. Holbrook stated he felt \$40.00 makes it a viable rental. Holbrook stated he might want to wait and have Trujillo come back with a higher cleaning deposit. Trujillo stated the average person is not going to have an extra \$300 or \$500 lying around for a cleaning deposit.
- c. Wren Doxey asked how the Seniors feel about renting the facility. Doxey further stated he felt \$10.00 an hour was ridiculous.
- d. Councilperson Pam Griswold asked David Jones if the Senior Center was rented out where the revenue would go. Jones stated it would go into the General Fund. Griswold stated she felt the money should stay with the Senior Center and not the General Fund. Mayor Dana Holbrook stated it would not matter because the money would still be transferred to the Senior Center at the end of the year to cover costs.
- e. Mayor Dana Holbrook stated if they raise the rate it would not mean that Ella is renting it out all the time. Ella Trujillo said she would like to point out the additional problem of renting the building. Trujillo stated the rental business is a slippery slope because she cannot always be available for rentals and she is not always being available to do so which could be perceived as selective. Trujillo stated she would like there to be a clear policy about when the building is rented.
- f. Ella Trujillo asked if the Council would like a more general agenda item next time.
- g. Vice Mayor Lincoln Litchfield stated he felt all of the rates need to be looked at. Mayor Dana Holbrook agreed but stated each department needs to look at their rates. Wren Doxey stated they do not rent the Equestrian Park for the designated rate.
- h. Mayor Dana Holbrook asked Trujillo if she would like to come back with a more comprehensive contract and rate schedule. Trujillo stated she would like all of the departments to look at the rentable areas and come up with a new schedule. Councilperson Pam Griswold stated she would like to see a higher cleaning deposit. Mayor Dana Holbrook stated the contract could be looked at. Holbrook asked Trujillo to come back with a new proposal.

**No Action Taken.**

- 9. Public Comment may be taken prior to any Discussion Being Taken by the Council: Review, discussion and possible approval of a request to possibly amend the Carlin Park and Recreation Boards Bylaws by deleting Article 1 § C and amending Section IV § A “Quorum” to read a majority of Membership of the Board will constitute a Quorum and all related items. (Possible Action Item).**
- a. Pam Griswold stated this was discussed at the Parks and Recreation Board meeting the night before and it needs to be changed. Mayor Dana Holbrook stated they have a hard time getting a quorum.
  - b. City Clerk Heather Trujillo stated they had been using an incorrect rule for a quorum and they need to correct it. Heather Trujillo further stated they were also unable to get more members if they fell underneath a quorum.
  - c. Vice Mayor Lincoln Litchfield stated the change would also allow the City Council to appoint a member to the Parks and Recreation Board if they need another member to reach quorum.

**Vice Mayor Lincoln Litchfield made a motion to approve a request to amend the Carlin Park and Recreation Board Bylaws by deleting Article 1 § C and amending Section IV § A “Quorum” to read a majority of Membership of the Board will constitute a Quorum. Councilperson Margaret Johnston seconded the motion. The motion passed.**

- 10. Public Comment may be taken prior to any Discussion Being Taken by the Council: Review, discussion, and possible approval of the minutes from 4/26/2017 and all related matters. (Possible Action Item).**
- a. Vice Mayor Lincoln Litchfield stated the minutes look good.

**Councilperson Pam Griswold made a motion to approve the minutes from 4/26/2017 and all related matters. Councilperson Sabra Esparza seconded the motion. The motion passed.**

- 11. Public Comment may be taken prior to any Discussion Being Taken by the Council: Review, discussion, and possible approval of City expenditures for the period of 6/17/2017 to 7/7/17 and all related matters. (Possible Action Item).**
- a. Vice Mayor Lincoln Litchfield disclosed that he works for NAPA and would abstain from voting. Litchfield further disclosed he is the post commander for the American Legion and would abstain from voting on that item.
  - b. Councilperson Sabra Esparza asked what the City had bought from the American Legion. Vice Mayor Lincoln Litchfield stated the City had bought a poster for the Fourth of July.
  - c. Councilperson Sabra Esparza disclosed that her daughter works for Fastenal and would abstain from voting.

**Councilperson Pam Griswold made a motion to approve the City expenditures for the period 6/17/ to 7/7/2017 and all related matters. Councilperson Margaret Johnston seconded the motion. Councilperson Sabra Esparza and Vice Mayor Lincoln Litchfield abstained from voting. The motion passed.**

- 12. Public Comment may be taken prior to any Discussion Being Taken by the Council: Comment by the General Public: Pursuant to NRS 241.020(2)(D)(3)(I & II) this time is devoted to comments by the general public and possible discussion of those comments. No action may be taken upon a matter raised under this item until the matter has been included on a successive agenda pursuant to the required procedures at the discretion of the City in accordance with applicable law and identified as an action item. (Non - Action Item)**

**There was no public comment.**

- 13. Adjournment. (Possible Action Item)**

**Councilperson Pam Griswold moved to adjourn. Councilperson Sabra Esparza seconded the motion. The motion passed. The meeting was adjourned at 8:58 p.m.**

**Approved:**

**Attest:**

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**Mayor Dana Holbrook**

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**Assistant City Clerk Heather Trujillo**