

CARLIN CITY COUNCIL  
CITY OF CARLIN, STATE OF NEVADA  
REGULAR MEETING  
CARLIN CITY HALL  
101 SOUTH EIGHTH STREET  
CARLIN, NEVADA  
February 10, 2010, 7:00 p.m.

**Call to Order and Roll Call:**

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

1. Council Members Present: Mayor Cliff Eklund  
Vice Mayor Donnetta Skinner  
Councilperson Lee Griswold  
Councilperson Lincoln Litchfield  
Councilperson David Trujillo

Absent:

2. Administrative Staff: City Manager Glenn Trust, City Clerk LaDawn Lawson, Police Chief William Bauer, City Engineer Tom Ballew  
3. Public Present: Karla Jones, Floyd Davey, Lacie Van Tassel, Dan Colton, Connie Colton, Linda Bingaman, Tom Bingaman, Fred Montes de Oca

**Pledge of Allegiance**

**I. Discussion and possible approval of the candidate selected by the City and Carlin Fire Department selection committee to fill the contract position of Program Coordinator for Recruitment and Retention, and all matters related thereto. (Action Item)**

1. City Manager Glenn Trust reported a grant was obtained to fund the position of Program Coordinator for Recruitment and Retention. He stated the RFQ was provided to interested persons. He stated two (2) responses were received and Councilperson Lincoln Litchfield, Linda Bingaman, Karla Jones, Beth Brown and the City Manager reviewed and interviewed the candidates. He stated that Mr. Floyd Davey was selected by the committee to fill the position.
2. Floyd Davey introduced himself, noting he had applied for the Program Coordinator for Recruiting and Retention for the Fire Department, explaining he began working with the Fire Department in 1994-95 and worked for several different departments, including a wild land firefighting department, a municipal department and for a governmental fire department on the missile defense project at Fort Greeley, Alaska. He stated he has been a member of several teams, writing grants, doing recruiting and retention program and thinks he can bring a lot to the Fire Department in finding qualified personnel.
3. **Councilperson Lincoln Litchfield moved for approval of Floyd Davey as Program Coordinator for Recruitment and Retention for the Carlin Fire Department, and all matters related thereto. Vice Mayor Donnetta Skinner seconded the motion. The motion carried.**

**II. Discussion and possible approval of a request from Dan and Connie Colton for the City to enforce the Public Nuisance code at 309 Main Street to prevent the drainage of water from a neighbor's driveway onto their property, and all matters related thereto. (Action Item)**

1. Mayor Cliff Eklund reported the problem was not created by either owner. He stated he looked at the site and saw several issues, one of which is that the house is "right on the property line". He noted the property line stake is "right on the edge of the house and the driveway comes up to the edge of the house" on the other side.
2. Dan Colton, owner, reported, "What I don't understand is that I know if I buy a piece of

- property that is draining on someone else's property and creating issues, it does not matter when it was created. It still needs to be addressed. I am not sure that anybody is at fault, but at what point does the problem need to be corrected, because there has been damage done to the property and to both structures in the back because of the water dumping in the sink hole. Mr. Ballew has been on the property and said it is an issue and there has been damage. All we want to do is resolve the problem. We are asking the City Council for assistance as we have found out there is a City Code, will you help us. We have gone to the City Manager and he says it is not a City problem".
3. Mayor Cliff Eklund reported the City has consulted with the City attorney, who says it is a civil matter, not a criminal matter at this point.
  4. Dan Colton stated he does not believe it is a criminal matter.
  5. Connie Colton inquired, "So the ordinance will not be enforced".
  6. City Manager Glenn Trust stated the Public Nuisance Ordinance was rewritten a couple of years ago and the current ordinance does not address the issue of standing or draining water. There is no code violation. He stated he agrees with the City attorney that it is a civil matter and does need to be addressed. He stated that any violation of City Code makes it a criminal matter and to show criminal intent, the City would have to know who did it and when it was done, which they do not have information. He reiterated that the code provided by their attorney is no longer current as it was rewritten in 2006.
  7. Connie Colton confirmed that their understanding is that they have to get an attorney and address it themselves.
  8. Mayor Cliff Eklund inquired who the owners are.
  9. Dan Colton stated David Waalkens.
  10. Mayor Cliff Eklund stated that he sees a possible setback issue.
  11. City Engineer Tom Ballew stated he does believe there are setback issues on both properties, which fall under a grandfather clause. He stated the neighbor's garage is also built on the property line and although it was built later because there was a carport wall to provide a firewall. He stated they could not find records of any of the buildings and could have been built before there were any codes regulating this.
  12. Mayor Cliff Eklund stated he does not think the City has any authority to file a violation.
  13. Chief of Police William Bauer agreed.
  14. Vice Mayor Donnetta Skinner inquired why they don't want to fix it.
  15. Connie Colton stated the neighbors yell at them when they try to discuss it. She stated they would not even consider the fact they installed a French drain, which has caused a sinkhole that has sunk over a foot in the past two (2) year.
  16. Dan Colton stated the City Engineer looked at the building and the cinderblock has settled.
  17. City Engineer Tom Ballew stated that both structures have settled.
  18. Mayor Cliff Eklund stated the Council lacks the authority to enforce and the Coltons probably should hire an attorney to get this issue corrected.
  19. **Councilperson Lincoln Litchfield moved that the Council take no action on a request from Dan and Connie Colton for the City to enforce the Public Nuisance code at 309 Main Street to prevent the drainage of water from a neighbor's driveway onto their property, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried.**

**IV. Review, discussion and possible approval of Resolution 2010 – 01 providing for rate increases for various Public Safety services provided by the City of Carlin Fire/Ambulance and Police Departments, and all matters related thereto. (Action Item)**

1. Mayor Cliff Eklund stated Item III was contingent on the passage of Item IV and requested to change the order.
2. City Manager Glenn Trust reported as requested at the last meeting, Karla Jones did all of the research and this is a revenue issue, noting the impact to the citizens of Carlin is nonexistent.

- He explained this is a way to increase revenues for the City by raising the rates. He noted that Carlin's low rate is less than one-third of what others are charging. He stated if a person has insurance, there would be the no impact and if there were a deductible, the person would be responsible for the deductible. He stated if a person bought a membership plan, the deductible is covered by that fee and for Medicare the same rules apply. He stated Medicaid patients are regulated by law and they pay only a set amount. He stated that a person without insurance would receive a discount with the plan they are proposing and work to the patient's benefit in most cases. He stated the people who do not have insurance and are not a member of the plan would have an impact. He stated this would motivate people in that circumstance to become members of the plan. He stated the fees are \$45 for single, husband and wife \$70 and family \$125 on an annual basis.
3. Mayor Cliff Eklund suggested that the number of people who join would make it work or "kill it, if they don't get the numbers". He stated, "If the price is expensive, people will not join. My opinion is the \$125 fee for families should be \$70, as that is a hardship and children will probably be the ones who use the ambulance the least".
  4. Vice Mayor Donnetta Skinner stated she does not like this Plan, as there are many people out of work and it is a bad time of the year to do this, noting they should wait before passing the Resolution. She stated she has heard from a number of people who are worried about the increase, noting, "I still say it is too expensive and we should wait a bit".
  5. Councilperson Lee Griswold stated he is in agreement with the plan.
  6. Councilperson David Trujillo stated he has no problem with this, but inquired what the criteria are for the fees, family vs. spouse.
  7. Karla Jones stated she researched ambulance memberships in Google from Australia to Canada to New Mexico, across the 50 states, noting her surprise at how many small towns have ambulance memberships with the average between \$35.00 and \$600.00. She stated she picked eight plans and averaged them and discussed doing a business plan at a later date with City Manager Glenn Trust.
  8. Councilperson David Trujillo confirmed that the proposed fees are on the lower end of the scale.
  9. Karla Jones stated the Plan will not make money for the City, but is a benefit to the citizens and this should have been done 6-7 years ago.
  10. Vice Mayor Donnetta Skinner stated she thinks the Plan is a good idea, but does not like doing it at this time of year.
  11. City Manager Glenn Trust stated since there is no impact to the citizens of Carlin, the City would like to see it in effect now, but the Council can vote to postpone this for the first of the fiscal year.
  12. Karla Jones stated the membership plan could start tomorrow and has nothing to do with the rate increases and the submissions made to the state could be in a month. She stated there should be some increase in the rates because everything they use has increased, from the diesel fuel to the cost of ambulances, to guerneys, everything.
  13. Vice Mayor Donnetta Skinner stated she is more concerned about the people who are in 'dire straits' right now.
  14. Karla Jones stated if the rates are too high, the Council can change them, noting, "The membership plan should be something they think about and vote on tonight".
  15. Councilperson Lincoln Litchfield stated he is in favor of the membership fees. He stated, "These are very low. If I had Access Air insurance, I would not have had a cost of \$8,000 for the flight to Salt Lake. Our insurance paid \$800 to come to the scene of the accident and another \$800 from the scene to the hospital, ambulance in Salt Lake was \$800 and another \$800 to go to the hospital. It cost me \$3200 for two ambulance rides, one of which was four (4) miles, the other eight (8) miles. If I had the insurance for Access Air, it would have cost nothing. If you don't want the plan, take your chances. That is your prerogative, but I will give you a check for \$70.00".

16. Councilperson David Trujillo stated, "If you join this membership plan the rate increases are a moot point".
17. Mayor Cliff Eklund stated his only change would be the decrease of the family plan to \$70, because the \$125.00 he believes is too high.
18. Councilperson David Trujillo stated, "If we implement it, we could tweak it later".
19. Councilperson Lincoln Litchfield stated the Resolution goes to the state.
20. Vice Mayor Donnetta Skinner stated the Membership Plan is a good idea, but would like to keep the cost as low as possible until they see how it is going to work.
21. Mayor Cliff Eklund stated they could adjust it to a higher rate later.
22. **Councilperson Lee Griswold moved for approval of Resolution 2010 – 01 providing for rate increases for various Public Safety services provided by the City of Carlin Fire/Ambulance and Police Departments, and all matters related thereto. Councilperson Lincoln Litchfield seconded the motion. The motion carried with Vice Mayor Donnetta Skinner opposing.**

**III. Review, discussion and possible approval of Resolution 2010 – 04 establishing the Carlin Ambulance Membership Plan with associated rates and conditions, and all matters related thereto. (Action Item)**

1. Vice Mayor Donnetta Skinner stated her opposition to increasing the fees at this time.
2. City Manager Glenn Trust stated he would like to make a very strong case that the rates should be in line with other agencies in the country. He stated a number of charges have been eliminated and the \$750.00 rate is on a par with those in Elko County. He stated this would condense the fees and the impact to the City Carlin would be negligible. He reiterated the cost breakdown, noting that all the other charges that are currently applicable would not be charged to the citizens. He stated costs are for services of the Police Department.
3. Councilperson Lee Griswold stated he agrees that combining all the fees into one fee is a cost saving overall.
4. Councilperson David Trujillo stated Karla Jones did everything she was asked to do and he does not have a problem.
5. Vice Mayor Donnetta Skinner inquired about extrication.
6. Karla Jones stated extrication is not billable to medical insurance and would be billed separately, noting that some are able to submit it to car insurance, but most are not.
7. Councilperson Lincoln Litchfield inquired how many extrications are done in Carlin.
8. Councilperson Lee Griswold stated it is not very often.
9. Councilperson Lincoln Litchfield stated he did some research after the last meeting and found that Carlin has one of the lowest rates nationwide.
10. Vice Mayor Donnetta Skinner stated she has no problem with the raises, but does not think the amount is right. She noted she would like the rates to go up at a slower rate.
11. Fire Chief Will Johnston stated they did not raise it to make money, but looked at the cost of equipment and maintenance. He stated the fees are "not out of line" for the costs and "this is a way to recoup some of the funds. He stated they are trying to make it pay for itself in some way, but it will help balance out the cost of operation.
12. City Manager Glenn Trust stated they are concerned about the citizens and the reality is this allows them to recoup some money from insurance. He noted there are a number of factors that were taken into consideration and believes it is a means to generate some revenue. He reiterated that there is no impact to the citizens.
13. Mayor Cliff Eklund stated there would be people who join, but probably not as many at the price being proposed.
14. Linda Bingaman stated, "By doing the \$750.00 base rate and including everything into it, in actuality it is not raising it that much for people who have a lot of things done to them. It is all in the fee and will end up being the same cost".

15. **Councilperson Lincoln Litchfield moved for approval of Resolution 2010 – 04 establishing the Carlin Ambulance Membership Plan with associated rates and conditions, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried with Vice Mayor Donnetta Skinner opposing.**
  
- V. **Review discussion and possible approval of City Council Regular Meeting Minutes for 1/13/10, and all matters related thereto. (Action Item)**
  1. **Councilperson Lincoln Litchfield moved for approval of City Council Regular Meeting Minutes for 1/13/10, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried with Vice Mayor Donnetta Skinner abstaining.**
  
- VI. **Review, discussion and possible approval of payments for the period January 28, 2010 through February 10, 2010, and all matters related thereto. (Action Item)**
  1. **Vice Mayor Donnetta Skinner moved for approval of payments for the period January 28, 2010 through February 10, 2010, and all matters related thereto. Councilperson Lee Griswold seconded the motion. The motion carried with Councilperson Lincoln Litchfield abstaining from One-Stop Auto Parts.**
  
- VII. **City Council Members Report. (Non-Action Item)**
  1. Vice Mayor Donnetta Skinner reported the Senior Center would hold a bingo event on Saturday with many prizes. She stated the dogs in Carlin have to be taken care of; there were five (5) dogs on the playground and the children were afraid. She stated there are dogs everywhere. She reported Public Works Director Carlos Esparza has been working on the cemetery, noting they got \$2,500 from Newmont and are trying to get the same from Barrick.
  2. Councilperson Lee Griswold had no report.
  3. Councilperson David Trujillo had no report.
  4. Councilperson Lincoln Litchfield complimented Karla Jones and the Police Department for their work on the rates. He reported the Lions Club voted not to support a Garden of the Month at this time.
  5. Mayor Cliff Eklund reported they have worked on the City's video.
  
- VIII. **City Clerk's Report**
  1. City Clerk LaDawn Lawson had no report.
  
- IX. **City Manager's Report (Non-Action Item)**
  1. City Manager Glenn Trust reported they applied for a grant from Union Pacific for the library, which was denied. He stated an Energy Efficiency Block Grant from the stimulus funds was approved for solar panels on various City buildings. He stated it is a \$250,000 award and the City could have access to some additional funding. He stated a meeting is scheduled for next Wednesday for Phase II of the library. He stated City Engineer has put together a cost estimate of approximately \$43,000 for plumbing, electrical, windows, slab, basically getting it completed inside. He believes he can find that in the budget.
  
- X. **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)**

None.
  
- XI. **Adjournment. (Action Item)**

The meeting was adjourned at 8:16 p.m.

**APPROVED:**

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**CLIFF EKLUND, MAYOR**

**ATTEST:**

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**LADAWN LAWSON, CITY CLERK**