

**ROUND MOUNTAIN TOWN BOARD MEETING
DANIEL R. SWEENEY PUBLIC SAFETY BUILDING
101 SMOKY VALLEY BLVD.
ROUND MOUNTAIN, NEVADA
TUESDAY, APRIL 9, 2024 – 5:30 P.M.**

MINUTES

Members Present: Nicole Silberschlag, Chair
Sara Sweeney, Vice Chair
Chris Philips, Clerk
Vacant, Member
Janet Jorgensen, Member



Also Present: James E. Swigart, Town Manager
Heidi Bunch, Administrative Supervisor
Allen Stumpf, Volunteer Fire Chief

Citizens Present: Vicky Richardson
Joni Easley
Brett Waggoner (via telephone)

C. Larrabee
Robert Trelford

Lisa Davila
Caleb Neumann

1. Call meeting to order/roll call

Nicole Silberschlag called the meeting order at approximately 5:30 p.m. Silberschlag – Chair, Sara Sweeney – Vice Chair, Chirs Philips – Clerk and Janet Jorgensen – Member were present.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. General Public Comment (FIRST)

Tinker Evans discussed the Round Mountain Cemetery. She stated that Ann Berg and Dale Rodrigues did much of the research and many graves do not have markers. She stated that no one claims the cemetery for maintenance. She asked the Town to do monthly maintenance and clean up around Memorial Day. Veterans will do the flags. She wanted to run for town board and found out she couldn't because of districting. She stated that is unfair. Would be nice is she could represent. She would like this revisited with the Town. Joni Eastley stated this is a redistricting problem with taxing districts and geography. She tried to expand the taxing district but then the monies raised would go to the Town of Round Mountain and not Nye County. Eastley suggested Evans petition the County to expand the taxing district to bring in Smoky Valley.

4. Approval of the April 9, 2024 meeting agenda

Sara Sweeney motioned to approve the agenda removing items 5 and 6 which were done at the last meeting. Philips seconded; motion passed 4-0.

5. Approval of the February 13, 2024 meeting minutes

Item was removed.

6. Approval of the March 5, 2024 meeting minutes

Item was removed.

7. Approval of the March 26, 2024 meeting minutes

Sweeney motioned to approve the March 26, 2024 meeting minutes as presented. Jorgensen seconded; motion passed 4-0.

8. Discussion, deliberation and possible decision to set public hearing date and time for Round Mountain Town fiscal year 2024-2025 tentative budget. The public hearing of the tentative budget must be held not sooner than the third Monday in May and not later than the last day in May (May 20-May 31 this year)

Sweeney motioned to set the public hearing for Round Mountain Town's fiscal year 2024-2025 tentative budget for May 21 at 5:30 p.m. Jorgensen seconded; motion passed 4-0.

9. Discussion, decision and possible decision and drafting a letter of decision to Nye County Planning regarding Nye County Bill No. 2024-03: "A Bill proposing to amend Nye County Code Title 17, Comprehensive Land Use Planning and Zoning, Chapter 17.10 entitled Special Use Permits by removing 17.10.025 DEFINITIONS and by adding the following sections; 17.10.045 SOLAR ENERGY PROJECTS, 17.10.050 APPLICATION OF ORDINANCE; 17.10.060 DEFINITIONS; 17.10.070 ENERGY CONVERSION SYSTEM DISTINCTIONS; 17.10.080 DESIGNATION OF USE IN DISTRICTS; 17.10.090 APPROVAL PROCESS; 17.10.100 PRELIMINARY DEVELOPMENT PLAN APPROVAL; 17.10.110 FINAL DEVELOPMENT PLAN APPROVAL; 17.10.120 IMPROVEMENT LOCATION PERMITS AND COMMENCEMENT OF CONSTRUCTION; 17.10.130 CONSTRUCTION STANDARDS; 17.10.140 DEVELOPMENT STANDARDS; 17.10.150 SETBACKS AND HEIGHT RESTRICTIONS; 17.10.160 POST-CONSTRUCTION AND CONTINUED MAINTENANCE; 17.10.170 POST-CONSTRUCTION MODIFICATIONS; 17.10.180 NO PREEMPTION; 17.10.190 PROPERTY VALUE GUARANTEE FORM; 17.10.200 WIND ENERGY PROJECTS; 17.10.210 APPLICATION OF ORDINANCE; 17.10.220 DEFINITIONS; 17.10.230 ENERGY CONVERSION SYSTEM DISTINCTIONS; 17.10.240 DESIGNATION OF USE IN DISTRICTS; 17.10.250 APPROVAL PROCESS; 17.10.260 PRELIMINARY DEVELOPMENT PLAN APPROVAL; 17.10.270 FINAL DEVELOPMENT PLAN APPROVAL; 17.10.280 IMPROVEMENT LOCATION PERMITS AND COMMENCEMENT OF CONSTRUCTION; 17.10.290 CONSTRUCTION STANDARDS; 17.10.300 DEVELOPMENT STANDARDS; 17.10.310 SETBACKS AND HEIGHT RESTRICTIONS; 17.10.320 POST-CONSTRUCTION AND CONTINUED MAINTENANCE; 17.10.340 POST-CONSTRUCTION MODIFICATIONS; 17.10.350 NO PREEMPTION; 17.10.360 PROPERTY VALUE GUARANTEE FORM; and providing for the severability, constitutionality, and effective date thereof; and other matters properly relating thereto" and write letter of support or non-support for above mentioned Bill

Brett Waggoner, Planning Director for Nye County joined the Board via telephone. He stated that the first half of this bill is for wind and the second half is for solar. In Amargosa Valley and Southern Nye County there are commercial sized solar farms. Approximately 65,000-70,000 acres are under application for solar development. Waggoner put a moratorium on these projects so the County can come up with regulations, setbacks, etc. He has been doing research on how to address these applications. Many solar projects are on private lands and not public, Waggoner said. There are concerns on grazing, recreational. He stated that 95% is BLM/government operated land and this is losing of land. This draft ordinance hits many marks including safety, preservation, quality of life and he is looking for feedback. He has currently met with the Town of Beatty and Town of Tonopah and is wanting feedback from the Town of Round Mountain. Philips asked if there will be stipulations on what people can do on their own land? Why is the County getting into the business of telling people what to do? Waggoner

stated there is no zoning in the northern part of Nye County. The majority of everything in the southern part of Nye County is on public land. Philips stated that no government entity should tell people what to do and asked where the power is going. Waggoner stated that it doesn't go to the Town or State. NV Energy is assembling a leg from Las Vegas to Reno to Winnemucca back to Las Vegas. All the power except NV Energy goes to California. Robert Trelford stated that energy companies take advantage and up the kilowatt money. They regulate taking up free space in Nevada. The Nevada Greenlink to California. He prays they don't use our lands to fund China companies. Waggoner stated that the development agreement is to plug holes that need to be addressed and get benefits for residents and the County as a whole. Philips asked about residential solar systems. Do the residents apply through the County? Waggoner stated that is excluded. Any solar on commercial or residential, if it supplies power for sole benefit, it does not apply to this Bill. Allen Stumpf asked if the fees go to the Towns and will any of these funds due to the wind plant, fires, wildland fires be earmarked for fire departments? Waggoner stated that in the development agreements the Towns will be in negotiations during the development agreement. There hasn't been a fee schedule developed yet, Waggoner informed the Board. Philips asked who will do the enforcement? Waggoner stated the County. Silberschlag asked if the County is staffed for this? Will that be addressed in the development agreement and who will pay the salaries? Waggoner stated that will be addressed in the fee schedule. There may be an annual fee on top of permitting fees. Philips asked about establishing a tax base off of use. Discussion of different fees collected throughout other Nevada towns. Waggoner stated there is a lot of pressure from federal and state entities to use solar. He stated this will be shoved down throats so at least make it impactful and make money. Sweeney asked about stipulation to equipment disposal when the project is done. Waggoner stated a decommissioning provision will be in the provision along with a bonding requirement. Silberschlag asked about where the trash will go. Waggoner addressed places around the country that take this type of material. James Swigart asked where other Town Boards stand on this. Eastley explained that Town of Tonopah signed a letter yesterday regarding this. Philips stated in Northern Nye – cattle need to be protected and asked that the cattlemen be included in the discussion. Eastley asked Waggoner where does the legislature portfolios stand regarding renewable generated energy? Waggoner stated it was a mandate from President Trump to use 33%. President Biden has mandated 50% by 2035. Eastley suggested that Swigart reach out to Perry Wickman with BLM to see how much area is under application in our area. Philips stated we are paying for this anyways. Waggoner discussed tax abatements to renewable energy projects. Silberschlag asked for an updated draft of the Bill and when does Waggoner need to letter? Waggoner stated this will be heard on May 21 and a public hearing set for June. If anything is altered, the Bill will go back to the District Attorney for review. Silberschlag read the updated draft and Town of Tonopah letter into record. Philips would like a copy of the fee schedule. Waggoner stated that will be addressed by resolution after the adoption of the Bill. He will keep the Town updated. Sweeney would like to know what applications are in our area by the next meeting. Silberschlag requested to table item until next meeting. Philips motioned to table the item until next meeting. Jorgensen seconded; motion passed 4-0.

(Waggoner left the meeting at 6:28 p.m.)

10. Discussion, deliberation and possible decision to set date for workshop for Town of Round Mountain ordinances and Declaration of Reservations

Swigart discussed the history of the Township and Declaration of Reservations. Eastley stated that Nye County has a nuisance abatement. Jorgensen motioned to set a workshop hearing at 4 p.m. Sweeney seconded; motion passed 4-0.

11. Discussion, deliberation, and possible decision to designate Daniel C. McArthur an auditor for Fiscal Year 2024 – 2025

Silberschlag stated she is uncomfortable in using the same auditor year after year. Eastley explained that she votes against this each time. She thinks it is dangerous for independent auditors to get too comfortable. Philips made a motion to seek a different auditor. Sweeney seconded. Motion passed 4-0.

12. Discussion, deliberation and possible decision to set date and time for a budget workshop after April 15, 2024

Sweeney motioned to work on this during the April 23 workshop meeting. Jorgensen seconded; motion passed 4-0.

13. Review and approve invoices for the Town of Round Mountain for April 9, 2024 meeting

Sweeney motioned to approve the Town of Round Mountain invoices for April 9 2024. Jorgensen seconded; motion passed 4-0.

14. Round Mountain Volunteer Fire Department update

Stumpf addressed the Board. He stated in the first quarter there were 23 runs. There are issues with Engine 1, Brush and Command, Engine 1 has electrical issues and Rescue 1 shakes. ISO audit on the 16th regarding which affects insurance pricing. Engine 4 has pump issues. That is why it is here and not at Round Mountain Gold Corporation. Swigart explained the status of the new brush truck order. It is planned for delivery at the end of April – first of May. Stumpf explained after Covid, the company couldn't get red chassis. Silberschlag asked about manpower for 4th of July firework shop. Stumpf stated he would like to do it electronically. Silberschlag discussed payment of shirts.

15. Discussion, deliberation and possible decision to purchase fireworks for the 4th of July celebration, 2024

Silberschlag asked if this covers the electrical fire of the fireworks as someone last year was hurt. She stated if the Town doesn't have the right equipment, don't do the show. Stumpf stated he had training with Ken at Lantis and is certified with Lantis. Heidi Bunch is currently working on the pyrotechnic licensing through the State of Nevada for those Stumpf assigns. Swigart asked how Tonopah lights their fireworks off. Bunch reminded Stumpf to work with the recreation department as this comes out of their budget. Lisa Davila discussed the Light of Love 3 donation that the former board used to do that was sponsoring a firework for someone special or a special event. Jorgensen asked if Davila will help. Philips motioned for the Town to go out to bid for fireworks. Jorgensen seconded; motion passed 4-0.

16. Discussion, deliberation and possible decision to form a Northern Nye County task force in order for Towns in Northern Nye County to come together and have a discussion regarding their communities

Eastley addressed the Board and stated that she formed a coalition of town boards in 2021 when she was a county commissioner. She would like to restart this. The purpose of the meeting will be because of the Bill (heard earlier in the meeting) instead of trying to navigate these issues themselves. It is a get together to discuss issues and provide a uniformed front. These are open meetings. Philips motioned to participate in the coalition of communities. Jorgensen seconded; motion passed 4-0. Philips volunteered to participate.

17. Correspondence, awards, department updates, and announcements

Bunch read the following correspondence into record:

1. Nye County Board of Commissioners agenda for 4/2/24, rec'd 3/29/24
2. Tonopah Town Board and Tonopah Library District Board of Trustees agendas for 4/10/24, rec'd 4/8/24

Swigart explained that there is a new maintenance supervisor hired. The electrical issue took out the SCADA system. The storm brought in 15,000 – 20,000 tons of tumbleweeds. Working on weeds, ballfields, dragging

fields, irrigation, weed killer and fertilizing. The sign is on the list to complete. The dugouts are under construction. So far only one lifeguard has applied. This weekend is the opening ceremonies for the ballfield. The Easter egg hunt went well (in the snow). Swigart thanked the staff. The Arbor Day event including Color Run is April 26.

18. General Public Comment (SECOND)

Trelford thanked Easley for all her insight tonight. Caleb Neumann discussed the road out to Old Town. The potholes are unsafe. Eastley discussed the public land cemetery. Davila discussed the part time janitorial position and the cleanliness of the gym. She stated that things aren't being kept up.

19. Adjourn meeting

Sweeney motioned to adjourn the meeting at 7:25 p.m. Philips seconded; motion passed 4-0.

APPROVED THIS DAY 23 OF April, 2024

[Signature]
Chair

[Signature]
Vice Chair

[Signature]
Clerk

[Signature]
Member

vacant
Member