

**ROUND MOUNTAIN TOWN BOARD MEETING  
DONALD L. SIMPSON COMMUNITY CENTER  
650 CIVIC DRIVE, HADLEY SUBDIVISION  
ROUND MOUNTAIN, NEVADA  
TUESDAY, FEBRUARY 14, 2023 – 5:30 P.M.**

**MINUTES**

Members Present: Nicole Silberschlag, Chair  
Sara Sweeney, Vice Chair  
Vicky Richardson, Clerk  
Chris Philips, Member  
Vacant, Member

Also Present: Heidi Bunch, Administrative Supervisor  
Maci Cole, Administrative Aide  
Dennis Bunch, Maintenance Supervisor  
Sky Trease, Recreation Director  
Monicka Harter-Hill, Facilities Aide

Citizens Present: Jenna Diller                      Chase Diller                      Lisa Davila  
Sherman Richardson                      Candace Larrabee

**APPROVED**

FEB 28 2023

ROUND MOUNTAIN  
TOWN BOARD

**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, Vicky Richardson – Clerk and Chris Philips – Member were present.

**2. Pledge of Allegiance**

The Pledge of Allegiance was recited.

**3. General Public Comment (FIRST)**

None given.

**4. Approval of the February 14, 2023 agenda**

Philips motioned to approve the February 14, 2023 agenda. Sweeney seconded; motion passed 4-0.

**5. Approval of the January 24, 2023 meeting minutes**

Richardson asked that the member listing be updated. She also stated that on item 20, she did not like the wording regarding the softball fields. She wanted it listed as to what the plan was on getting the softball fields corrected. Staff will listen to recording and update minutes. Philips stated that it is not the position of the Board that the fields are stagnated it is due to weather being permittable. Sweeney asked if the minutes can be approved with the changes as requested. Silberschlag stated that the Board would like to see the minutes with the changes made. Item was tabled.

**6. Discussion and vote on approval of a contract with an outside investigator related to current personnel matters**

Silberschlag informed the Board that a contract with Donald L. Christensen, Attorney at Law is located in their packets. She stated she cannot sign the contract as an individual and needs Board approval to do such. Silberschlag read the letter from Donald L. Christensen, Attorney at Law, Christensen Law Group, Ltd. into record. The letter was in regards to an investigation regarding allegations against employee. Philips motioned to approve the agreement as presented. Richardson seconded; motion passed 4-0. Silberschlag will sign on behalf of the Round Mountain Town Board.

**7. Discussion, deliberation and possible decision regarding entering into a contract with Nye County School District for the use of the Town of Round Mountain's softball field complex**

Silberschlag informed the Board that a maintenance/use agreement with Nye County School District for the use of the Town of Round Mountain's softball field complex is what is being presented. It is the same agreement that the School District uses with the Town of Tonopah. The School District will pay/donate \$1,500 per year for the use of the field. Philips asked why are they donating the \$1,500 if they are non-profit. Sweeney explained that it is because the school has a baseball field and not a softball field. Philips remarked that the Board had previously approved that any non-profit organizations do not have to pay to use the facilities. Silberschlag stated that is true, but that this is basically a donation to the Town. Philips wants to take the \$1,500 donated and have the concession stands rebuilt. Silberschlag stated that the money is to be used for the upkeep of the fields. Silberschlag stated that a quorum is needed to approve the document. The agreement will run from February 15, 2023 – May 31, 2023. Philips asked if the School District is aware of weather issues delaying the maintenance of the field. Philips made a motion to approve the contract as written. Sweeney seconded the motion. Richardson stated she had been at a meeting at the School last week and that money could possibly be tighter, will that affect next year's softball season if the School is unable to pay? Silberschlag explained that the School is not obligated to pay the funds and that money has never been taken in the past from the School. Lisa Davila asked if the money will be put into the budget as a standing line item or absorbed into another account? Silberschlag stated it will go into the ballfield account. Philips made the motion again to accept the contract as written. Sweeney seconded; motion passed 4-0.

**8. Discussion, deliberation and possible decision regarding Round Mountain Town Ordinance No. 8, Article VII. Discontinuance and Restoration of Service with discussion to possibly amend articles concerning such**

Silberschlag discussed that at the previous meeting, it was brought up that a customer in good standing when transferring service would not have to put down an additional deposit. The deposit would be waived, but the \$15 processing fee would still apply. She also addressed the delinquency and penalties which would be ten percent after due date; twenty percent penalty fourteen days after initial penalty; twenty-eight days after last penalty is applied, an additional fifty percent penalty will be applied to outstanding balance. Accounts will be discontinued if not paid within sixty days. Philips stated that the utility company is not shutting off senior citizens water, period. He also stated that those that come into a financial situation can discuss that with the Board. Silberschlag stated she doesn't believe that needs to be written into the ordinance. Richardson agreed. Philips explained that if there is a financial hardship that customers have the right to due process and can meet with the Board. He would also like to revisit the utility monthly fee. Davila asked if this covers if a customer has a credit card on file that is outdated, will the customer be charged a late fee? Silberschlag explained that if the customer is working with the office staff and it wasn't resolved then the customer can get on the Town Board agenda to discuss the issues. Staff should try to resolve the issue first. Philips explained that the Town Board wants to make sure there is another layer in the appeal process, so that one person doesn't make a decision as the Board works for the people. Sweeney asked if there was a need to make an adjustment to a customers account, would the money be placed back onto the customer's card? H. Bunch explained that the credit would be placed on the customers utility account. Philips asked if the ordinance covers the electronic issue if the system isn't working. H. Bunch explained that the system

was working but the customer's card was outdated. Philips stated that if it isn't in writing it isn't worth anything. Sweeney asked if Philips would like it written that the office staff has the ability to reverse charges if needed. Philips stated there has to be common sense approach as you can't rely on everyone to do the right thing. It needs to be done correctly, that is the job of the Board he explained. He wanted it stipulated in the ordinance. Silberschlag asked where it should be located at in the ordinance and what wording he would like. Philips stated the following, "Concerning the billing payment scenario, that any time it is discovered that an issue with the electronic payment system has charged someone an additional fee, in error, that it would be immediately reversed and/or credited to that persons account." Sweeney explained that the system did not have an error. The system tried to run the card on file, the charge did not go through because the card was outdated. Philips stated that is an honest mistake and, in his mind, there should be no late fees or anything involved with that. Richardson stated this could be placed in the payment of billings section of the ordinance. Silberschlag suggested adding a whole electronic section to that area. H. Bunch explained that the office doesn't know who is signed up for electronic payment through the system. Philips explained that in his mind, let's not do this late fee thing, if it's in writing it takes all the guess work away. Silberschlag read out loud the disputed and adjustment to billing section of the ordinance. The ordinance reads that a deposit with the utility in the amount of the protested bill shall be paid and held. Philips disagrees with that. Philips stated in his mind we have to have discretion as we are all human beings. Richardson stated that it is in writing and that Davila did not have to take five days to get the item cleared up. Silberschlag confirmed with Philips that what he would like the disputed and adjustments to billing section of the ordinance to read would be: "Deposit with the Utility the amount of the owed bill less penalties." Richardson questioned if a customer disputes a charge, does the penalties keep accruing? Philips stated that it again comes back to Board discretion and management should bring it to the Board's attention. Discussion of where to add online payment information. Sweeney stated that under "Payment of Billings" first paragraph, add: "online". Silberschlag stated that customers need to make sure that they are responsible for deleting their online third-party account profile should they move or discontinue service. Davila asked how does the third-party online payment provider know how much to charge the customers. Maci Cole explained the process of what happens when people move out and account numbers. Philips asked to put out a PSA to customers. Silberschlag explained that office staff is now informing customers to delete their online payment profile should they move. Davila explained that when she worked for the Town, a packet was given to all new customers. H. Bunch stated that yes, all customers still get the packet. Silberschlag told Davila that office staff is working on an informational sheet once all changes are completed. Staff will make changes and bring back in front of the Board at the next meeting.

**9. Closure of meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation**

Silberschlag asked that all public and town staff leave so that the Board can do into closed session.

**10. Closed meeting, pursuant to NRS 241.015(3)(b)(2) for purposes of conferring with legal counsel regarding potential or current litigation**

Board came out of closed session with a motion from Philips at 6:22 p.m. Richardson seconded; motion passed 4-0.

**11. Discussion and deliberation on conference with legal counsel regarding potential or current litigation presented in closed meeting**

No report.

**12. Closed meeting, pursuant to NRS 288.220 for purposes of conferring with the Town's management representatives regarding labor negotiations, issues and other personnel matters**

**13. Discussion and deliberation on labor negotiations, issues and other personnel matters presented in closed meeting**

No report.

**14. Discussion, deliberation and possible action on Department Reports: Town Administration, Town Maintenance, Pool, Parks, Recreation, Community Center, Capital Projects, Grants, Round Mountain Public Utilities – Water and Sewer Funds and Road Tax Fund**

H. Bunch reported that staff has been scanning archives, working through safety walk-thru list as well as Recreation Department, Town offices closed on Feb. 21 due to President's Day, due date for utility payments is Feb. 21, staff is working with Operator of Record on the nitrates 1-year update discharge permit, continuing to work on Town Hall improvements, resolution for donation of Tonopah Public Utilities truck to be donated to the Town of Round Mountain and pick-up will be tomorrow, reached out to Nye County Public Works about potholes on Electrum Drive, new mirror in gym, fire department pagers were programed last week and lots of new accounts or changing of accounts. Philips stated that the potholes on Electrum Drive is ridiculous and need to have dirt put into the holes. D. Bunch was asked by Silberschlag to discuss his meeting with Nevada Department of Transportation in regards to material taken from the borrow pit. Maintenance team went all the way to the cattle guard on Electrum Drive with cold mix. Philips stated that there are still pot holes. Silberschlag stated that those were fixed. Silberschlag asked if the swimming pool contracts were approved. D. Bunch stated that the pool contractor will be in town next week to start repairs. Sky Trease explained that the boiler will be here in March. H. Bunch explained that the wording of the contract for the rust removal has the contract on a stand-still. Round Mountain Youth Association will put survey dots on the fields for the bases. D. Bunch met with Jim Helming about the highs and lows on the baseball field, Helming will come back to fix those issues. D. Bunch moved snow off the fields. Silberschlag asked D. Bunch to get with Kendra Larsen to get survey dots on the ground. Philips asked about getting the t-ball area graded. D. Bunch explained that the grader should be here first of March. D. Bunch met with RMYA about dates of when the fields are needed. Silberschlag asked about the storage shed for the ballfields. D. Bunch stated there was a 6–8-week window until completion and that time frame was getting close. The old shed has been removed. Silberschlag asked D. Bunch to talk about spike anchors instead of concreted anchors for bases. Once purchase requisition is signed, anchors will be ordered. Clay channels will be put up to the bases for softball so that there is a safe sliding area. If the weather and equipment cooperate, the maintenance team will get the field completed. Sweeney asked if D. Bunch had plans drawn yet for the t-ball field area. Phillips said to take measurements and make the field. Silberschlag suggested making sure that the t-ball field area doesn't need to be developed by an engineer firm. Sweeney said she would vote yes to get an engineer here. Philips asked what other jurisdictions use for engineering firms and reach out to Joe Westerlund and POOL/PACT. Silberschlag would like to see if the Little League Field is in the 2022/2023 budget. She stated that the splash pad is in the 2022/2023 budget and she doesn't want to carry that project over into the 2023/2024 budget cycle. Sweeney stated she has a concern in the meeting that she sat in with RMYA about moving RMYA's equipment out of the shed. She stated that as a board member she didn't feel that it was presented to the Board that RMYA would have to move their stuff. She wanted to get clarification as the Board. Philips thinks there should be sections for each group. D. Bunch explained that he spoke with his manager and then Andrea with RMYA after that meeting and the decision was made for the groups to have shelving. He explained that his concern was when he walked into the shed, most of the items stored were just thrown on the floor. Silberschlag asked if the Town is building the shelves. D. Bunch explained that RMYA asked if they could build them. Philips is worried that the shelving is going to be willy-nilly. Silberschlag stated she doesn't see that happening.

**15. Correspondence, awards, department updates, and announcements**

H. Bunch presented the following correspondence:

1. Tonopah Town Board special meeting agenda for 02/01/23, rec'd 01/26/23.
2. Nye County Parks and Recreation Advisory Board meeting agenda for 02/01/23, rec'd 01/27/23.

3. Tonopah Town Board / Tonopah Library Board of Trustees agenda for 02/08/23, rec'd 02/03/23.
4. Nye County Board of Commissioners agenda for 02/07/23, rec'd 02/03/23.
5. Letter from Pearl Olmedo addressed to Daniel C. McArthur, LTD dated 01/03/23 regarding financial statements of Round Mountain Town, Nevada.
6. Letter from Pearl Olmedo addressed to Daniel C. McArthur, LTD dated 01/03/23, regarding compliance.
7. Letter from Pearl Olmedo addressed to Daniel C. McArthur, LTD dated 01/03/23, regarding minutes and agendas for the Round Mountain Town Board.

H. Bunch explained that the letters from Pearl Olmedo were in the Town correspondence box. She included them for the Board's review. Philips stated these letters were in the packet last meeting.

#### **16. Review and approve invoices for the Town of Round Mountain for February 14, 2023**

Sweeney motioned to approve the Town of Round Mountain invoices with the Professional Development Academy invoice withdrawn for review. Philips seconded; motion passed 4-0.

#### **17. Budget Workshop for fiscal year 2023-2024**

Silberschlag explained that the items in front of the Board members is the proposed hourly rates for Town employees including a possible \$1 hourly raise shown in the figures. Silberschlag asked for the Board's thoughts. Richardson stated that they are paying a lot for stuff to not get done. Silberschlag reminded the Board that they don't want to speak about performance and this is a different conversation. Philips asked about the grade/pay scale. Silberschlag discussed the annual rate and budgeted amount. Philips discussed grant opportunities in keeping the pool open longer. Davila stated she is referencing the past on the operator of record duties and is the how long has that employee been employed with the Town in that capacity. Davila asked if there is a line item for an operator of record. Silberschlag stated that there is. D. Bunch explained that those on his maintenance team will all be testing for water/wastewater certifications once they are eligible to test. Davila asked at what point is the Town going to say enough is enough in keeping an operator of record employed. Silberschlag stated to stay on topic, all maintenance workers will have the opportunity to test. Once they successfully pass, the Board will no longer need the operator of record position. Sweeney stated there is an incentive for staff to pass the test. Silberschlag stated the target is end of 2023. H. Bunch explained that two of the maintenance team are attending the Nevada Rural Water Association conference in March. Silberschlag asked that this item be tabled. She would like to keep the employees, be competitive and pay more. Sweeney asked what the numbers next to the position is for. Silberschlag stated she thinks it is what they are paid versus what is budgeted. Philips wondered if the Board should get together and work on this outside of a meeting. Silberschlag cautioned about a quorum. Davila brought up the issue of employees not being able to fill the expectations required. Silberschlag explained if we pay for quality - we expect quality.

#### **18. General Public Comment (SECOND)**

Silberschlag reminded the Board that there is an email from Nye County regarding Nevada Open Meeting Law training and she encourages this training. Philips asked that the other members let him know when they are attending. H. Bunch reminded the Board about quorums. Silberschlag stated that there just can't be talk about Town business. Richardson stated she will be attending on Friday. Chase Diller about items 9-13 on the agenda. Silberschlag stated those items can not be discussed. Philips stated they are extensions of each other. C. Diller asked if the operator of record third party duty pay be cut in half for motivation for employees to get their certificates. He then asked what the timeline is for the shed delivery. D. Bunch stated it was 6-8 weeks and he will reach out to the shed manufacturer and keep in contact with C. Diller.

#### **19. Adjourn meeting**

Sweeney motioned to adjourn the meeting at 7:18 p.m. Philips seconded; motion passed 4-0.

APPROVED THIS DAY 28 OF February, 2023

Hilary Silbeychlog  
Chair

Sara Sweeney  
Vice Chair

Vicky Richardson voted in favor.  
Clerk

~~Christie E. Puler~~  
Member

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Vacant, Member