

Resolution No. 94-10
ROUND MOUNTAIN TOWN BOARD

TOWN BOARD, UNINCORPORATED TOWN OF ROUND
MOUNTAIN, COUNTY OF NYE, STATE OF NEVADA

RESOLUTION CONSENTING TO THE FORMATION OF
THE SMOKY VALLEY TELEVISION DISTRICT

WHEREAS, there now is before the Board of County Commissioners of the County of Nye, State of Nevada, a proposal to form the Smoky Valley Television District, pursuant to NRS Chapter 318; and

WHEREAS, the proposed boundaries for the Smoky Valley Television District are as follows:

Beginning at the southwest corner of Section 35, Township 9 North, Range 42 East; thence continuing through said township and range along the west boundaries of Sections 35, 26, 23, 14, 11, and 2; thence continuing north through Township 10 North, Range 42 East along the west boundary of Sections 35, 26, 23, 14, 11, and 2; thence continuing through Township 11 North, Range 42 East along the west boundary of Sections 35, 26, 23, 14, 11, and 2; thence continuing north through Township 12 North, Range 42 East along the west boundary of Sections 35, 26, 23, 14, 11, and 2; thence continuing north through Township 13 North, Range 42 East along the west boundary of Sections 35, 26, 23, 14, 11, and 2; thence continuing north through Township 14 North, Range 42 East along the west boundary of Sections 35, 26, 23, 14, 11, and 2; thence continuing north through Township 15 North, Range 42 East along the west boundary of Sections 35, 26, 23, and 14 to its intersection with the Lander/Nye County line; thence continuing east along the Lander/Nye County line to its intersection with the east boundary of Section 6, Township 15 North, Range 46 East; thence continuing south through Township 15 North, Range 46 East along the east boundary of Sections 6, 7, 18, 19, 30, and 31; thence continuing south through Township 14 North,

Range 46 East along the east boundary of Sections 6, 7, 18, 19, 30, and 31; thence continuing south through Township 13 North, Range 46 East along the east boundary of Sections 6, 7, 18, 19, 30, and 31; thence continuing south through Township 12 North, Range 46 East along the east boundary of Sections 6, 7, 18, 19 and 30 to the southeast corner of said Section 30; thence continuing west through Township 12 North, Range 46 East along the south boundary of Section 30; thence continuing west through Township 12 North, Range 45 East along the south boundary of Sections 25, 26, 27, and 28 to the southwest corner of said Section 28; thence continuing south through Township 12 North, Range 45 East along the west boundary of Section 33; thence continuing south through Township 11 North, Range 45 East along the west boundary of Sections 4, 9, 16, 21, 28, and 33; thence continuing south through Township 10 North, Range 45 East along the west boundary of Sections 4, 9, 16, 21, 28, and 33; thence continuing south through Township 9 North, Range 45 East along the west boundary of Sections 4, 9, 16, 21, and 28 to the southwest corner of said Section 28; thence continuing west through Township 9 North, Range 45 East along the south boundaries of Sections 29 and 30; thence continuing west through Township 9 North, Range 44 1/2 East to the southeast corner of Section 36, Township 9 North, Range 44 East; thence continuing west through Township 9 North, Range 44 East along the south boundary of Sections 36, 35, 34, 33, 32, and 31; thence continuing west through Township 9 North, Range 43 East along the south boundaries of Sections 36, 35, 34, 33, 32, and 31; thence continuing west through Township 9 North, Range 42 East along the south boundary of Sections 36 and 35 to the point of beginning; and

WHEREAS, the proposed Smoky Valley Television District includes real property situated within seven miles of the boundaries of the Unincorporated Town of Round Mountain; and

WHEREAS, the Town Board of the Unincorporated Town of Round Mountain has been asked to consent to the formation of the District, pursuant to NRS 318.055(2); and

WHEREAS, the Town Board of the Unincorporated Town of Round Mountain finds that it is in the best interests of the Town of Round Mountain that the Smoky Valley Television District be formed with the aforementioned boundaries,

NOW THEREFORE, it hereby is resolved, as follows:

That the Town Board of the Unincorporated Town of Round Mountain consents to the formation of the Smoky Valley Television District, with the boundaries specified above.

DATED this 26 day of April, 1994.

PROPOSED on the 26 day of April, 1994 by Kathy Quick

VOTE: AYES: Dan Earp NAYS: None
Joanne Arnston
Kathy Quick

ABSENT: L.C. Hansen
ABSTENTIONS: None

EFFECTIVE this 26 day of April, 1994.

TOWN BOARD OF ROUND MOUNTAIN,
COUNTY OF NYE, STATE OF NEVADA

By: Joni Eastley
JONI EASTLEY, CHAIRMAN

ATTEST:

By: Kathy Quick
Kathy Quick, Town Clerk

**SERVICE PLAN FOR THE SMOKY VALLEY TELEVISION DISTRICT
AS DIRECTED BY NRS 308**

1. FINANCIAL SURVEY:

Based on the mailing addresses (650) in the Greater Smoky Valley Area (HWY 377 to the Northern Nye County Line), and figuring that a few people don't own, or watch television a figure of 600, (this number could be slightly higher) was used to calculate the approximate revenue that could be generated to support a Television District in the Greater Smoky Valley. Using 600 as a base and using a rate of \$35.00 per year per household the amount of revenue generated would be twenty one thousand dollars per year (\$21,000.00).

2. PRELIMINARY ENGINEERING OR ARCHITECTURAL SURVEY:

Based on the fact that there is at this time an existing system in place and has been in place since 1964. At this time no preliminary engineering or architectural work is needed other than the need to place under contract a fully licensed and qualified technician to renew and repair the equipment that is in place and have this technician available when the need exists to have repairs done. Also there will be a need to have a fully qualified technician available to the District Board when technical questions arise.

3. MAP OF PROPOSED AREA BOUNDARIES:

The attached map will show the proposed area boundaries - this will include an area to the south to Hwy 377 known as the Manhattan turn off then north the Northern Nye County Line. On the East the boundary would be the crest of the mountain range known as Toquima Range and the boundary on the west would be the crest of the mountain range known as the Toiyabe Range.

4. ESTIMATE OF POPULATION:

The population within the proposed boundaries of this District is 1,863 people (figures taken from information provided by Nye County Planning Information Corp.).

5. ASSESSED VALUATION OF PROPOSED DISTRICT:

The assessed value of property within the proposed district is \$74,000,000.00 (Seventy Four Million Dollars). This information was provided by Nye County Assessors Office.

6. CONSTRUCTION AND SERVICES TO BE PROVIDED:

At this time no construction is required as the facilities are already in place. However, the equipment in place is in need of repair and rebuilding to provide better and clearer pictures to the viewing public within the boundaries of the viewing area. The services to be provided would consist of 3 channels of television which would be the three major networks, ABC, NBC and CBS. In addition to the 3 television channels one (1) radio station frequency is available, this is KHWK from Tonopah, Nevada. With no construction needed at this time there is no need for estimates on cost for construction, engineering, or acquiring land. If any new construction would be contemplated this would be done through people in this business and manufactures of equipment for this type of business and installed to the specifications required.

7. PROPOSED INDEBTEDNESS:

At this time no type of indebtedness would be required, including bond issues or securities of any type.

8. ANNUAL MAINTENANCE AND OPERATING EXPENSE:

In figuring the annual operating and maintenance expense a request for an annual maintenance cost contract was sent to two companies in the business of repairing and maintaining television translator stations. One was received back which will be included in the following break down of estimates of operation and maintenance of this District.

Breakdown of operating costs and capital fund of the Smoky Valley Television District.

	General Fund	Capital Fund
Operating Supplies & Equip. Main.	5,000.00	
Service Contract	7,000.00	
Stationary, Phone, Travel	1,000.00	
Secretarial, Legal	2,000.00	
Audit	1,000.00	
Capital Expenditures		<u>5,000.00</u>
TOTALS	<u>\$ 16,000.00</u>	<u>\$ 5,000.00</u>

9. ARRANGEMENT OR AGREEMENT WITH ANY CITY OR UNINCORPORATED TOWN.

Under the requirements of NRS 318 in order for a television district to operate within 7 miles of any real property from the boundary of any City or Unincorporated Town it must have the unanimous vote of the Board of that City or Unincorporated Town by Resolution to permit any television district to broadcast television signals into said area. A Resolution must be passed by the Unincorporated Town of Round Mountain in order for the Smoky Valley Television District to broadcast in the Town of Round Mountain. Copy of said Resolution is attached to this service plan.

April 26, 1994

Nye County Commissioners
P.O. Box 153
Tonopah, NV 89049

Subject: Service Plan for Smoky Valley Television District

Gentlemen:

The enclosed service plan is submitted to you for your consideration to form a Television District in the Greater Smoky Valley.

This service plan meets all the requirements as directed by NRS 308.

At this time there is television equipment in place on Spanish Peak on Shoshone Mountain and on a tailings dump at Round Mountain Gold Corporation in Smoky Valley. The Nye County Sheriff's Department has a repeater in place adjacent to the television equipment located on Spanish Peak. This television has been in operation since 1964, when it was installed.

In 1967 the Nevada State Legislature enacted a new statute known as NRS 318. NRS 318 pertains to special districts and the forming of special districts. At the time NRS 318 went into effect it superseded NRS 317 under which special districts were formed. The Smoky Valley Television was formed under NRS 317. When NRS 318 went into effect as law, all special districts in existence at that time were required to reform to meet the requirements (law) of NRS 318. This was not done by the Smoky Valley Television District.

In October of 1993, a public meeting was called and held regarding the status of the Smoky Valley District. At this meeting Richard Carver, County Commissioner for our district, presented a letter dated September 5, 1993, that was written by the District Attorney of Nye County and addressed to Mr. Carver. The letter stated that the Smoky Valley Television District was not in compliance with NRS 318. In the letter it also stated what steps must be taken to bring said district into compliance under NRS 318.

A task force was formed from volunteers from this public meeting. The task of the task force was to study and find facts and ways to bring the district into compliance under NRS 318.

The task force did a post card survey. It mailed 650 post cards to the 650 mailing addresses in the Greater Smoky Valley. It ask the question, of people if they would support the continued operation, improvement and expansion of the present system of rebroadcasting of Reno TV and radio stations in Smoky Valley at a rate not to exceed 35.00 per year? This would

include the area from the Manhattan (HWY 377) to the Northern Nye County line. Total number of cards returned was 313. Out of the 313 cards returned 275 were in favor of continued support and 38 were not in favor of support. The cards were mailed on 3-3-94 and the count reflects the results as of 4-20-94.

A public meeting was again held on March 3, 1994. At which time the task force presented to those in attendance their findings and presented the course(s) of action that could and/or would be followed once a district was formed under NRS 318.

What was proposed to the public was three levels or phases of action that could and/or would be taken once a new district was formed.

Level 1: Would be to use the existing equipment that is now in place. This equipment would be repaired and renewed to present better quality pictures and audio to the people in the viewing area.

Level 2: This phase would be to start buying new equipment to replace the existing equipment. Also upgrading the facilities to an acceptable level for better and more consistent signals to be broadcast to the viewing area.

Level 3: Under level or phase three, a complete new facility would be constructed. This would require moving to a new area on Spanish Peak, lower than existing site. Eliminate completely the tower on the tailings dump at Round Mountain Gold Corporation. All new equipment would be purchased, this equipment would be of greater output power, which would give the viewing public a much better quality picture and audio to their T.V. sets.

We have talked with the people at Sierra Pacific regarding power requirements on Level 3, they have a new system in place to provide solar power for the requirements such as level 3 would require. They install and maintain this equipment and then bill a monthly fee for this service.

It is our sincere hope that with the information we have herein presented to you, that you will pass the needed ordinances and resolutions to form a television district for the people of the Greater Smoky Valley that meets the law as required under NRS 318.

Regards,

For the Task Force
Smoky Valley Television District

Enc: Service Plan
Map of Area
Resolution by Round Mountain Town Board

CC: Nye County Planning Corporation