

City of Elko)
County of Elko)
State of Nevada)

SS December 13, 2016

The City Council of the City of Elko, State of Nevada met for a regular meeting beginning at 4:00 p.m., Tuesday, December 13, 2016.

This meeting was called to order by Mayor Chris Johnson.

ROLL CALL

Mayor Present: Chris J. Johnson

Council Present: Councilman John Rice *left at 5:00*
 Councilwoman Mandy Simons *arrived at 4:01*
 Councilman Robert Schmidlein
 Councilman Reece Keener

City Staff Present: Curtis Calder, City Manager
 Scott Wilkinson, Assistant City Manager
 Ryan Limberg, Utilities Director
 Shanell Owen, City Clerk
 Aubree Barnum, Human Resources Manager
 Dawn Stout, Administrative Services Director
 Jonnye Jund, Accounting Manager
 Jeremy Draper, Development Manager
 Adeline Thibault, Environmental Coordinator
 James Wiley, Parks and Recreation Director
 Cathy Laughlin, City Planner
 Matt Griego, Fire Chief
 Ben Reed Jr., Police Chief
 Ted Schnoor, Building Official
 Bob Thibault, Civil Engineer
 Dale Johnson, Water Superintendent
 Dean Cernick, Assistant Water Superintendent
 Diann Byington, Recording Secretary

PLEDGE OF ALLEGIANCE

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

There were no public comments.

I. PRESENTATIONS

- B. Presentation of a Years of Service Plaque to former Recreation Coordinator Jerod Linder, and matters related thereto. **INFORMATION ITEM – NON ACTION ITEM**

Mayor Johnson presented Jerod Linder with a plaque in recognition for all of his hard work.

- C. Presentation of an Appreciation Plaque to Golf Course Financial Advisory Board Member Janet Davis, and matters related thereto. **INFORMATION ITEM-NON ACTION ITEM**

Janet Davis was not present.

- A. Oath of Office Ceremony for Councilwoman Mandy Simons and Councilman Robert Schmittlein, and matters related thereto. **INFORMATION ITEM- NON ACTION ITEM**

Councilwoman Simons and Councilman Schmittlein were sworn in by Judge Mason Simons.

II. PERSONNEL

- A. Employee Introductions:

- 1.) Fire Department Badge Pinning, Erin Coleman

Chief Griego introduced Erin Coleman and explained that she has successfully completed her probationary period. Her husband pinned her new badge on her uniform.

Councilman Schmittlein administered the Firefighter Oath.

V. NEW BUSINESS

- F. Review, consideration, and possible authorization to co-designate Elias “Choch” Goicoechea, as a Municipal Judge of the City of Elko pursuant to NRS 5.020, or possibly be designated as a Municipal Judge Pro Tempore pursuant to NRS 5.023, effective date January 3, 2017, and matters related thereto. **FOR POSSIBLE ACTION**

A letter from Judge Mason E. Simons has been included in the agenda packet for review. CC

Councilwoman Simons disclosed because this is her husband’s department she recused herself from the vote.

Judge Mason Simons spoke regarding his letter included in the packet. He had an opportunity to speak to Attorney Coyle before the meeting. There is an issue of Mr. Goicoechea's residency. He lives in Spring Creek rather than Elko. NRS 5.020 talks about a Municipal Judge being a bonafide resident of the city for not less than one year preceding the election. The City of Elko doesn't elect Municipal Judges; they are appointed officers. The concern that Mr. Coyle had was that perhaps Mr. Stanton was going to highlight is the question about the City Charter not making reference to there being more than one Municipal Judge. He wasn't sure if a co-designation would pass muster. If that is going to be problematic, perhaps as a temporary measure, we can designate Mr. Goicoechea, beginning January 3, 2017, to be a Municipal Judge Pro Tempore. That would allow him to sit on some of these municipal cases until we get a more permanent solution figured out.

Dave Stanton, City Attorney, explained they have been having discussions and doing research on this topic. He felt the City Charter has enough flexibility built into it to create a second municipal judge office. Our City Charter has a provision that says the City Council may establish such other offices and appoint such other officers as it may deem necessary. That allows this City Council to create a new municipal judge office/department. It has to be done by ordinance. The charter does not allow for Co-municipal judges. We are in good shape to appoint Mr. Goicoechea as a Judge Pro Tempore, putting him on the list along with others that are already on the list.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidlein, to appoint Elias Goicoechea as the new Municipal Judge Pro Tempore for the Municipal Court position.**

The motion passed. (4-0 Councilwoman Simons abstained.)

Judge Simons asked if Council would be okay if the court administered the oath to Mr. Goicoechea and provided the certificate back to the City.

Mr. Stanton said the council could not act on that because it wasn't agenda'd.

- D. Review, consideration, and possible authorization to name the Centennial Project for the City of Elko the Chilton Centennial Tower, and matters related thereto.
FOR POSSIBLE ACTION

As the City of Elko prepares for the celebration of our centennial in 2017, and with fundraising for the tower nearing completion, Staff would recommend naming the centennial project the 'Chilton Centennial Tower' in honor of Mark Chilton who passed away on November 9, 2016. Mark accomplished many great things during his time in Elko from the completion of Project Lifesaver, to the supervision of the construction of South Fork Reservoir. Mark Chilton continually strived to improve Elko and was dedicated to serving this community and Staff feels is deserving of this honor. JD

Jeremy Draper, Development Manager, said this was brought up by Mr. Calder and he felt it was fitting way to honor Mr. Chilton in the downtown area. He was a great man. He recommended approval. With the help of YESCO we have a rendering on the overhead screen.

Councilman Keener said this has his full support. It is befitting for Mr. Chilton's legacy.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to rename the Centennial Project Tower to the Chilton Centennial Tower in observance of Elko's centennial celebration in 2017.**

The motion passed unanimously. (5-0)

I. PRESENTATIONS (Cont.)

- D. Presentation of the proposed Peace Park Stream Bank Stabilization Project, and matters related thereto. **INFORMATION ITEM-NON ACTION ITEM**

Andi Preeka, Coordinator Humboldt Watershed CWMA, handed out some paperwork (Exhibit "A"). They have secured some funding through Nevada Department of Environmental Protection. The money go towards a Stream Bank Stabilization Project within the Humboldt River Watershed. They had some issues finding a location and they settled on a location in Elko. She read from the handout.

III. APPROPRIATIONS

- D. Review, consideration, and possible action to issue final acceptance for the Ruby Vista Reuse Pipeline Replacement Project, and matters related thereto. **FOR POSSIBLE ACTION**

The project is complete. There was one change order for \$2,931.20. Staff recommends issuance of final acceptance. RL

Ryan Limberg, Utilities Director, explained Ruby Dome hustled to get this project in before the weather hit. We are pleased with the work. He recommended final acceptance.

**** A motion was made by Councilman Schmittlein, seconded by Councilman Rice, to issue final acceptance for the Ruby Vista Reuse Pipeline Replacement Project.**

The motion passed unanimously. (5-0)

- E. Review, consideration, and possible approval to enter into a Professional Services Agreement with YESCO for the design of the Centennial Tower, and matters related thereto. **FOR POSSIBLE ACTION**

Fundraising for the Centennial Tower has been successful to date and the committee is on target to having the tower funded in time for the spring

construction season. Staff is requesting authorization to have the design plans for the tower completed. JD

Jeremy Draper, Development Manager, explained YESCO has been kind to donate their services up to now. We reached out to YESCO to see if they could provide us with the structural design drawings for the tower. They proposed to do that for a cost of \$4,500. We would like to move forward with the design documents and go out to bid next year.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to approve a professional services agreement between the City of Elko and YESCO for the design of the Chilton Centennial Tower.**

The motion passed unanimously. (5-0)

- F. Review, consideration, and possible approval to purchase a new Hydro Excavation Truck by utilizing the joinder provision of NRS 332.195, and matters related thereto. **FOR POSSIBLE ACTION**

The City Water/Sewer Department is in need of a new vacuum truck. The new model would be used for hydro excavation only and not sewer main jetting. Our current units are used for both hydro excavation as well as jetting; however, they are not designed for the amount of hydro excavation they are subjected to. Staff intends to retain both older models to use for sewer jetting, thereby having one backup unit if one is out of service. Three brands/models of vacuum trucks were reviewed and demonstrated. This model is the model staff prefers and also happens to be the lowest cost of the three. RL

Ryan Limberg, Utilities Director, explained we do have this as a budgeted item. Staff reviewed three different models to see what features they would prefer on a truck. Based on that review, staff seems to prefer one model of truck. We are allowed by statute to go with a joinder provision and we would like to go that route for this purchase. The current trucks are being overused. This unit is designed to be heavier duty. We would like to keep the old truck so we can use both as needed.

**** A motion was made by Councilman Rice, seconded by Councilman Schmidtlein, to approve utilizing the joinder provision of NRS 332.195, National Joint Powers Alliance of Public Agency and Political Subdivision of the State of Minnesota for the purchase of a VacCon Hydro Excavation Truck as specified in the attached supplemental information.**

The motion passed unanimously. (5-0)

IV. UNFINISHED BUSINESS

- A. Review, consideration, and possible direction to Staff for the possible location and development of a permanent humanitarian campground, and matters related thereto. **FOR POSSIBLE ACTION**

Council has authorized Staff to proceed with the possible acquisition of approximately 1.42 acres of vacant property located between Douglas Street and Water Street for an appraised value of \$250,000 for the purposes of developing a permanent humanitarian camp. Subsequently, the Board of Friends in Service Helping (F.I.S.H) has taken action to notify the City that it does not support the development of a permanent humanitarian camp located adjacent to the existing F.I.S.H. facility. The Executive Director has articulated the Board's concerns in a letter that has been included in the agenda packet. SAW

Councilwoman Simons disclosed she is a member of the FISH Board and recused herself.

Scott Wilkinson, Assistant City Manager, explained staff needs direction from City Council at this point in time. We have a temporary use on the campground that is set to expire this spring. Ms. Smith is present from FISH, as well as, some other board members.

Mayor Johnson called for public comment.

Perri Hutsell, 287 Springfield Pkwy, Spring Creek, wanted the FISH letter read into the record.

Tim Hatch, Board Member of FISH, read the letter (included in the packet).

Ms. Hutsell, asked if the humanitarian camp, where it is currently located, is that for sale?

Mayor Johnson answered that is city owned property and a previous request to sell it was denied.

Ms. Hutsell asked why the improvements were done out there.

Mr. Limberg answered the WRF was required to do that with the Truck Load-Out building.

Ms. Hutsell said she has some concerns about the where the camp is now. She wondered why there is a ditch and a chain with a lock out there. Why is that necessary?

Scott Wilkinson answered it was due to safety concerns. They didn't want people taking their vehicles out there. He has had concerns about people getting drunk and driving their vehicles out there.

Ms. Hutsell says she is out there a few times a week and has only seen one vehicle. Is the mote and fence necessary?

Mr. Wilkinson answered they tried a less aggressive way of controlling the problems and was not successful in handling it. They had to take a tougher stance on it.

Ms. Hutsell felt that she is locked out.

Mr. Wilkinson said no one is locked out. They need to coordinate through FISH.

Councilman Rice didn't feel this particular discussion had been agenda'd.

Ms. Hutsell wondered if this will remain temporary or will it become permanent.

Mayor Johnson said the intent was to be temporary and it could end up being permanent.

Councilman Keener asked board members from FISH, your letter seems negative. Do you intend to continue your outreach to the homeless with some of the basic needs?

Mr. Hatch answered that nothing is changing. A lot of people don't know that the store is the main source of revenue in order to provide the services they do. If things stay the way they are, we see everything staying the same.

Councilman Rice said we established this camp as a temporary facility. We all agree that the current site is not ideal. It was the best thing we had to work with in the time allowed. The option of the property next to FISH was a good option and it is no longer an option. He is not interested in making a campground a permanent strategy for handling the homeless situation. He would like to look at extending the use of that property as we continue to look for more permanent solutions. We have Joshua Tree but their work is down the road.

Councilman Keener thought we had the strategy of going to that general area. It seemed like a good fit. It appears our strategy has broken down and we will have to look at other options.

Rice said there were some shortcomings. There could be more discussions regarding the points that were brought up. The City of Elko is stuck. He believes this council cares very much about the welfare of the homeless population in the city. We are doing everything we can with the resources available. We are limited to provide health and human services.

Mr. Wilkinson said this agenda item is direction on location and development for a permanent campground. If council doesn't have direction regarding a more permanent campground for staff, you can direct us not to pursue a permanent campground and that would force us to reconsider the temporary use as that comes due in the spring for the existing location. We do need to have a campground somewhere in the community.

**** A motion was made by Councilman Rice, seconded by Councilman Keener, to direct staff to discontinue its efforts to acquire approximately 1.42 acres of vacant property located between Douglas St. and Water St. in the City of Elko, and continue to look for other alternative sites within the city for a permanent humanitarian campground facility.**

The motion passed. (4-0 Councilwoman Simons abstained.)

V. NEW BUSINESS (Cont.)

- A. Review, consideration, and possible approval to temporarily transfer surface water rights held by the City of Elko to the South Fork Reservoir and Recreation Area to maintain water levels in the reservoir, and matters related thereto. **FOR POSSIBLE ACTION**

Water levels in South Fork Reservoir have dropped due to drought conditions. Chris Drake with Nevada Division of Wildlife has approached the City and requested this transfer to maintain water levels in the reservoir. Council approved a similar request in 2004 and 2007.

The temporary transfer would include all or portions of Permits 202, 234, 240, and 4060 from the Humboldt River and possibly all or portions of Permits 4070 and 4180 from the Hot Springs, if possible. NDOW will pay all associated fees to the City's water rights surveyor and also any required fees imposed by Nevada Division of Water Resources for the temporary transfer applications.

Staff further requests Council approve renewing this request on a yearly basis for a period of time not to exceed 2 years. RL

Ryan Limberg, Utilities Director, explained this is the same thing we have done in the past. We want to temporarily transfer surface water rights to South Fork Reservoir to help maintain water levels.

Mayor Johnson asked why not permanently convey these water rights to them.

Mr. Limberg answered there a couple of reasons for that. On that first or second permit that we have now, a portion of that water is currently being used for the Golf Course irrigation. We do have some use for these water rights. We want to keep them because we may want to use them in the future.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to approve a temporary transfer of city surface water rights to South Fork Reservoir and renew, on a yearly basis, for a period of time not to exceed two years, subject to the terms and conditions of Nevada Division of Water Resources.**

The motion passed unanimously. (5-0)

Councilman Rice left at 5:00pm.

- B. Consideration and possible approval for the Elko Police Department's sworn officers to wear a Centennial Badge from January 1, 2017, through December 31, 2017, and matters related thereto. **FOR POSSIBLE ACTION**

The Elko Police Department will celebrate its 100th year in 2017. A Centennial Badge was designed for sworn officers to wear on their uniforms beginning

January 1, 2017, through December 31, 2017, at which time the Centennial Badge would be offered to the employee for purchasing.

During the time the Centennial Badges are being worn the current Elko Police Department shields will be sent in for cleaning and refurbishment. BR

Ben Reed, Jr., Police Chief, said he usually doesn't bring uniform changes to council but this is a little different. We started a year ago to look for a way we could support the 100 year anniversary. We ultimately agreed upon the badge change. Our plan is to wear those from January 1 until December 31. Meanwhile, while we have the badges in our custody for the year, we will get the regular shields cleaned up and refurbished before the officers start wearing them again. After the year, the officers will be given the opportunity to purchase the badges to help reimburse the city for the expense.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to approve the Elko Police Department's sworn officers to wear the Centennial Badge from January 1, 2017 through December 31, 2017, and for them to have the option to purchase the Centennial Badge from the City of Elko after the centennial year ending December 31, 2017.**

The motion passed unanimously. (4-0)

- C. Review, consideration, and possible acceptance of a \$35,000 donation from the Downtown Business Association for the construction of the Centennial Tower, contingent on the tower being located on 7th Street between Railroad Street and Commercial Street, and matters related thereto. **FOR POSSIBLE ACTION**

The Downtown Business Association at their November meeting made a donation of \$35,000 plus the proceeds from an event that will be hosted next year to go toward the construction of the Centennial Tower, if the tower were to be constructed on 7th Street. At the November 16th Centennial Committee meeting, a recommendation was forwarded to Council to accept the donation from Downtown Business Association for the Centennial Tower and to relocate the tower to 7th Street. JD

Jeremy Draper, Development Manager, explained this is what the Centennial Committee has been working on lately, for that tower to be located at 7th Street. This is near the Movie Theatre. This will help kickstart the Centennial Park reconstruction. He recommended accepting the donation and relocating the tower.

Councilman Schmidlein said the DBA feels strongly about the tower being located on 7th Street. They are justified as to why they want it moved.

Councilman Keener is delighted to have the DBA support this project. This will be the most visible project in the downtown corridor since Project Lifesaver. The DBA is also doing an event in March, the Shamrock Shuffle, and the proceeds of that will go to the Centennial Project.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to accept with gratitude, the donation from the Downtown Business Association, and approve the location of the Centennial Tower to be located at 7th Street between Railroad Street and Commercial Street.**

The motion passed unanimously. (4-0)

- E. Review, consideration, and possible action to fill a vacancy on the Elko City Planning Commission, and matters related thereto. **FOR POSSIBLE ACTION**

On November 15, 2016, Council accepted a letter of resignation from Planning Commission member Jose Negrete effective November 15, 2016. Staff conducted the standard recruitment process and has received two letters of interest to serve on the Planning Commission, copies are included in the Council packet. The new member will finish out the remainder of Jose Negrete's term, which will expire at the end of July 2018. CL

Cathy Laughlin, City Planner, explained they received two letters but one applicant withdrew his letter of interest. We have Stefan Beck as our one and only applicant for this vacancy.

Stefan Beck, 532 9th St., has lived here for 12 years. He has traveled extensively. He knows a lot of people here and this is a really nice community. He is honored to help people out.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to appoint Mr. Stefan Beck to fill the vacancy on the Elko City Planning Commission with the term expiring on July 2018.**

The motion passed unanimously. (4-0)

- G. Review, discussion, and possible action to cancel the regularly scheduled December 27, 2016 City Council meeting, due to the Christmas Holiday, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidlein, to cancel the regularly scheduled meeting on December 27, 2016 due to the holiday.**

The motion passed unanimously. (4-0)

After the motion and before the vote, Councilman Schmidlein asked if this would impact anything.

Mr. Calder answered no.

Council voted on the motion.

- H. Review, consideration, and possible action to assist the SnoBowl Foundation with acquiring the necessary insurance policy for the 2016/2017 ski season, including a

possible donation from the City of Elko of up to \$7,500, and matters related thereto. **FOR POSSIBLE ACTION**

The City of Elko is actively seeking the acquisition of the SnoBowl facility for City recreational purposes. The Elko County Board of Commissioners took action to deed the property to the City of Elko, but a title search revealed multiple access easement problems that needed to be resolved. Although most of the issues have been resolved, there is one final easement that needs to be addressed prior to completing the transaction.

Since it appears the property transaction will not occur until 2017, the SnoBowl needs to obtain a new insurance policy to remain operational. The original quote was \$12,500. The SnoBowl has requested \$7,500 from the City of Elko. CC

Curtis Calder, City Manager, explained he placed a copy of the quote from Safehold (Exhibit "B"). The ski program starts up on January 7th. Dawn Leyva, who sits on the foundation, was present to answer any questions. He is hoping the purchase of the property this will be in contract in 2017. He was asking the city council to grant this request.

Councilwoman Simons asked if this would be for the whole year.

Mr. Calder answered this is a one-year policy. He feels we will be able to complete the transaction in 2017.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to assist the SnoBowl Foundation with acquiring the necessary insurance policy for the 2016/2017 Ski Season, including a maximum donation from the city of up to \$7,500.**

The motion passed unanimously. (4-0)

VI. RESOLUTIONS AND ORDINANCES

- A. Review, consideration, and possible approval of Resolution No. 34-16, a resolution amending various fees related to Ruby View Golf Course pursuant to Elko City Code, Title 8, Chapter 13, Section 3, and matters related thereto. **FOR POSSIBLE ACTION**

In an effort to offset rising costs associated with operating and maintaining services provided at Ruby View Golf Course, Staff is requesting an amendment to the current fee schedule. A draft resolution has been included in the agenda packet for review. JW

James Wiley, Parks and Recreation Director, explained we are proposing the increased rates in resolution. Most of the fees went up \$1 but some went up more. He went over all the fee changes.

Councilman Schmidtlein asked how much revenue is anticipated with these increases. Will these increases happen every two years?

Mr. Wiley answered these increases will be for one year. We will evaluate them next year after we see what revenue the increases will generate. Last year we had a 20% decrease in revenues.

Tony Araquistain, Board Member, said we were leery of the loss of play last year. We don't think the loss was due to the cost. We are trying to be responsible to the city but we also need to be responsible to the golfers.

Councilwoman Simons likes that the board evaluates this every year. She isn't a golfer but she does appreciate how they handle this.

Councilman Keener asked regarding the golf sheds. Are those facilities at capacity?

Mr. Wiley answered they struggle with storage out there. We always have a need for more storage.

Pete Dondero, Golf Course Superintendent, said the cart storage they have is aged and they found some damage just recently. There was a power outage last weekend that they discovered was due to vandalism. Down the road we may be looking at replacing the storage we have. We continue to enlarge our fleet as we make a profit off that.

**** A motion was made by Councilman Keener, seconded by Councilman Schmidtlein, to adopt Resolution N. 34-16, amending the fees charged by Ruby View Golf Course.**

The motion passed unanimously. (4-0)

Councilman Keener asked Mr. Wiley to make sure they make the change to add "per rider" next to the cart rental fee. It appeared to have been left off.

VII. PETITIONS, APPEALS, AND COMMUNICATIONS

- A. Review, consideration, and possible action to accept a petition for annexation of property to the City, filed and processed as Annexation No. 1-16 by Elko Inc, on behalf of Coach USA Inc., consisting of approximately 4.794 acres of property located southwest of the intersection of P and H Drive and West Idaho Street, and matters related thereto. **FOR POSSIBLE ACTION**

Jeremy Draper, Development Manager, explained this is Coach USA's property. We reached out to them once our waterline was in place for Cattle Drive. They have their own water system out there. Part of an agreement we have with them is once water was available they would consider annexing into the city. We have a representative from Coach present.

Rick Neal, Black Hawk Developers, 3001 Westwood Drive, Las Vegas, offered to answer questions.

**** A motion was made by Councilman Schmidtlein, seconded by Councilman Keener, to accept the petition for annexation and direct staff to commence the annexation process by referring the matter to the Planning Commission.**

The motion passed unanimously. (4-0)

- B. Review, consideration, and possible action to accept a petition for the vacation of a portion of the access easement currently used by County River Village A #1 Common Area APN 001-870-000, located on lots 3 & 4 for the Great Basin Estates Subdivision Phase 1A, APN 001-633-005 and 006, consisting of an area approximately 225 feet in width by 15 feet in depth, filed by The Capps Group, Inc. on behalf of Parrado Partners LP and processed as Vacation No. 2-16, and matters related thereto. **FOR POSSIBLE ACTION**

Country River Village has an access easement 15' wide along the rear lot lines of Great Basin Estates Subdivision Phase 1A. A portion of this easement is requested to be vacated in order for the two parcels to do a boundary line adjustment to allow access into the existing garages. CL

Cathy Laughlin, City Planner, explained you can see where the access easement comes in off Clarkson Drive. When the subdivision was done by the CAPPS Group, that access easement was maintained. If we had not maintained that access easement we probably would not have had the required depth on some of those lots. The access is used to access several of the carports back there. The property owners are proposing we vacate the easement and then do a boundary line adjustment and a zone change.

Councilman Schmidtlein asked with the land swap/vacation, if they will be able to maintain the minimum lot size. (yes)

**** A motion was made by Councilman Schmidtlein, seconded by Councilman Keener, to accept a petition for vacation and direct staff to commence the vacation process by referring the matter to the Planning Commission.**

The motion passed unanimously. (4-0)

- C. Review, consideration, and possible action to accept a petition for the vacation of a portion of 8th Street, adjacent to APN 001-352-006, consisting of an area approximately 100 feet in width by 17 feet in depth, filed by Craig Kidwell on behalf of Kidwell Center, LLC and processed as Vacation No. 3-16, and matters related thereto. **FOR POSSIBLE ACTION**

Ms. Laughlin explained this was brought to staff as an application to add some property to the Kidwell Center property. As the City Planner, she wanted to point out some things regarding the RDA plan. We have a parking deficiency in the RDA area. We would not have the provision in our City Code to allow them to count the corridor if we had sufficient public parking. There are

many businesses that do not have onsite parking because of the parking corridor. She talked to the applicant regarding this application. The applicant wants to own the area so he can replace the asphalt. As part of the RDA plan, the RDA does not support eliminating any public parking. With this vacation we are not guaranteed that this would remain public parking. They would be able to expand the building and eliminate the parking if they desired. One option would be to add restrictions to the deed.

Mr. Wilkinson said the RDA plan has a provision that the city council not take action conflicting with the RDA plan. The proposed vacation is not in conformance with the RDA plan or the City Code. If we go through the public hearings we will have the same issues we have brought to council tonight.

Councilman Schmidlein asked if there is a way to issue a revocable permit to allow them to maintain it.

Mr. Wilkinson answered we had issues with revocable parking. The property owner is responsible to carry the insurance under that license agreement. In most cases it is for the private parking for that specific business which would conflict with the RDA plan. We don't want to eliminate any public parking areas.

Craig Kidwell, Attorney, voiced his concerns. He is a member of the DBA. The DBA supports his position. He is willing to have a deed restriction and pay property taxes to the city.

Councilman Keener said he isn't ready to make a motion and wants more discussion. There were some good points brought up and maybe we should let the Planning Commission kick it around.

Mr. Wilkinson said the biggest concern is maintaining public parking. If he is willing to take on that liability, then maybe. We are planning on expanding the park. There are a lot of businesses in the area that do not have parking available. We are trying to preserve our public space.

Mayor Johnson wondered if the petition had merit for consideration. This should probably move forward to Planning Commission.

Councilman Schmidlein is on board with moving this to Planning Commission.

**** A motion was made by Councilman Schmidlein, seconded by Councilman Keener, to accept a petition for vacation and direct staff to commence the vacation process by referring the matter to the Planning Commission.**

The motion passed unanimously. (4-0)

VIII. 6:00 P.M. PUBLIC HEARINGS

- A. Review, consideration, and possible action to adopt Resolution No. 30-16, a resolution and order vacating a portion of Beverly Circle rights-of-way

approximately 249.59 feet in width by 5 feet in depth abutting APN 001-660-107, which is located within the City of Elko, Nevada, to the abutting property owner, Efren and Maria Aguirre, filed and processed as Vacation No. 1-16 by Efren and Maria Aguirre, and matters related thereto. **FOR POSSIBLE ACTION**

Council accepted a petition for the subject vacation at its regular meeting of October 25, 2016, and directed Staff to continue with the vacation process by referring the matter to the Planning Commission. The Planning Commission considered the vacation at its regular meeting of November 1, 2016, and took action to forward a recommendation to Council to adopt a resolution which conditionally approves Vacation No. 1-16 with findings in support of its recommendation. CL

Ms. Laughlin explained the Planning Commission forwarded a recommendation to conditionally approve the vacation.

Brian Zeiszler, 3302 Beverly Circle, asked what this means to him as far as the road is concerned.

Ms. Laughlin answered the county will still have jurisdiction over the road and we cannot require public improvements. Nothing will change.

**** A motion was made by Councilman Keener, seconded by Councilwoman Simons, to adopt Resolution No. 30-16, which also contains conditions as recommended by the Elko Planning Commission.**

The motion passed unanimously. (4-0)

- B. Second reading, public hearing, and possible adoption of Ordinance No. 805, an ordinance amending Title 3, Chapter 2, of the Elko City Code “GENERAL ZONING ORDINANCE” specifically Sections 3-2-2 Definitions, Section 3-2-3 General Provisions, 3-2-5 Residential Zoning Districts, 3-2-8 PQP Public, Quasi-Public District, 3-2-11 IBP, IC Industrial Districts, and 3-2-12 LI GI Districts by revising definitions, removing provisions that reference repealed statutory provisions and adding new development standards, and other matters appropriately related thereto, filed and processed as Zoning Ordinance Amendment No. 3-16, and to direct Staff to set the matter for public hearing, second reading and possible adoption, and matters related thereto. **FOR POSSIBLE ACTION**

August 2, 2016 meeting, the Planning Commission took action to initiate the amendment to the City Zoning Ordinance, specifically section 3-2-3 General Provisions, 3-2-5 Residential Zoning Districts, 3-2-11 IBP, IC Industrial Districts and 3-2-12 LI GI Districts. September 6, 2016 staff brought the ordinance back to the Planning Commission with adding the section of 3-2-2 Definitions. Planning Commission took action to initiate the amendment to the Elko City Zoning Ordinance with all of the sections as listed. October 4, 2016 Staff brought the

ordinance back to the Planning Commission with adding the section 3-2-8 PQP Public, Quasi-Public district. Planning Commission took action to initiate the amendment to the Elko City Zoning Ordinance with all of the sections as listed. The Planning Commission then held a public hearing on November 1, 2016, and took action to forward a recommendation to Council to adopt an ordinance which approves the zoning ordinance amendment. Council conducted First Reading of this ordinance at a special meeting on November 15, 2016 and directed Staff to set the matter for second reading, public hearing and possible adoption. CL

Ms. Laughlin said we have been working on this for several months. We started this process by wanting to develop some development standards within the IC district. It snowballed from there. Several changes were made. She offered to go over all of the changes again.

Councilman Keener asked about sexually oriented businesses listed. That does not fall under these zoning definitions. (NO)

**** A motion was made by Councilman Schmidtlein, seconded by Councilwoman Simons, to conduct second reading, public hearing and adopt Ordinance No. 805.**

The motion passed unanimously. (4-0)

VII. PETITIONS, APPEALS, AND COMMUNICATIONS (Cont.)

- D. Review, consideration, and possible acceptance of a petition from Jon Bailey, of Bailey Homes to modify the Street Design standards found in City Code 3-3-22 for the construction of Sagecrest Drive, and matters related thereto. **FOR POSSIBLE ACTION**

The Autumn Hills Subdivision approved by the City Council on December 8, 2015, included the construction of a portion of Sagecrest Drive. The approved design plans were in conformance with City Code 3-3-22 for maximum street grade and vertical curves. It would appear based on the as-builts provided by Bailey Homes that Sagecrest Drive was constructed without a vertical curve and has a maximum grade of 11.4% exceeding the maximum grades allowed of 9%. Mr. Bailey is requested a modification of the standards to allow for the acceptance of the roadway as constructed. JD

Jeremy Draper, Development Manager, explained Mr. Bailey is in the audience. He gave background information regarding the issues with Sagecrest Drive as it is now. Staff recommended denying the petition. We can work with Mr. Bailey to come up with a solution.

Councilwoman Simons asked if a reason was given as to why the design plans were not followed.

Jon Bailey, Bailey Homes, said he thought he had worked through the issues with the as-built. He just got the memo at 2:30 pm today. What happened out there is the curb is built to the

design specs. The roadway was not; it may not have been staked properly. Based on the speeds on the roadway, and the service of the roadway, he doesn't feel it called for rebuilding the road. He would rather discuss other options with Mr. Draper directly.

Councilman Keener asked if you are standing on the corner of Sewell and Sage drive, how that compares to this Sagecrest improvement.

Mr. Draper answered it is similar. Many parts of town were built prior to city code in place requiring the 9%. We are trying to stay consistent with city code. If that vertical curve was in place it would be easier to accept that. It is jarring to drive that at the posted 25 mph speed.

Mr. Bailey has a meeting scheduled with Staker tomorrow to see if that can be built up or what can be done. He would like to get a survey done to make sure the problem really exists.

Councilman Schmidtlein would like to see Mr. Bailey work with city staff to see what can be remedied. We have to be careful where we set precedence. In that intersection with the grade being incorrect on the roadway, he feels the ADA ramps will be off too.

Mr. Bailey said the shots matched what was designed. He felt we can make some adjustments and fix the grade.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to table agenda item VII. D.**

The motion passed unanimously. (4-0)

III. APPROPRIATIONS (Cont.)

- A. Review and possible approval of Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Simons, seconded by Councilman Keener, to approve the regular warrants.**

The motion passed unanimously. (4-0)

- B. Review and possible approval of Print 'N Copy Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to approve the Print 'N Copy warrants.**

The motion passed. (3-0 Councilman Keener abstained.)

- C. Review and possible approval of Great Basin Engineering Warrants, and matters related thereto. **FOR POSSIBLE ACTION**

**** A motion was made by Councilwoman Simons, seconded by Councilman Keener, to approve the Great Basin Engineering warrants.**

The motion passed. (3-0 Councilman Schmidlein abstained.)

IX. REPORTS

- A. Mayor and City Council
Councilman Keener enjoyed the City Christmas Party and the Ugly Sweater contest. He discussed plaques for donors to the Centennial Project.
- B. City Manager - 2017 Legislature Preparation
Curtis Calder updated Council on the 2017 Legislature. He will be attending a task force at the college to re-educate folks on the air service efforts. Mayor Johnson and he will be traveling to Southern Nevada to meet with legislatures down there to discuss the air service bill.
- C. Assistant City Manager
- D. Utilities Director
Ryan Limberg thanked the council for approving the Holiday Party at the Basque House. Thank you to everyone who helped put the party together.
- E. Public Works
- F. Airport Director
- G. City Attorney
- H. Fire Chief
Chief Griego handed out the latest version of his monthly newsletter (Exhibit "C").
- I. Police Chief
Chief Reed reminded council that the Police Department's Annual Award Ceremony is coming up. The Snowflake Festival had no significant problems to report. The shooting suspect is in custody and it appears to be a squabble over money owed. Ty Trouten will graduate from Quantico on Friday and will be back on Monday. In last year's budget, he had a line item for online reporting. You now have the ability to go online and make low level reports for certain things. The types of things that you can report is listed on the city website.
- J. City Clerk
Shanell Owen reminded council to file their financial disclosures.
- K. City Planner
Cathy Laughlin said they will be trying to get an RDA meeting set up in January. Janet Pescio withdrew her offer on the building located at 5th and Idaho Street and she will be demolishing the building herself.
- L. Development Manager
Jeremy Draper reported they are still working with the developer for the Police Station Building and finalizing the punch list.
- M. Administrative Services Director
- N. Parks and Recreation Director
- O. Civil Engineer

P. Building Official

Councilman Schmidtlein said he will not be attending any meetings in January.

Councilman Keener asked Ms. Stout about her experience with the new auditor.

Dawn Stout, Administrative Services Director, said overall they have done a good job. With the fact that they are not local we have had some issues. We did have to ask for an extension because they were so late getting the draft out to us. She wanted to make sure everything was as accurate as we could get it. The first meeting in January will be her final meeting with the City of Elko.

II. PERSONNEL (Cont.)

- B. Review, consideration, and possible approval of an Agreement between the City of Elko, and the Elko Police Officers Protective Nevada Association of Public Safety Officer Communications Workers of America AFL/CIO Local 9110, July 1, 2016 – June 30, 2017, and matters related thereto. **FOR POSSIBLE ACTION**

This item was tabled on July 26, 2016. The City of Elko has now concluded negotiations for FY 2016/2017. A redlined copy of the proposed Collective Bargaining Agreement has been included in the agenda packet for review. AB

Note: This portion of the meeting may be closed pursuant to NRS 288; therefore the Council may move to adjourn the meeting prior to consideration of this item.

**** A motion was made by Councilwoman Simons, seconded by Councilman Schmidtlein, to approve the contract with the Elko Police Officers Protective Nevada Association of Public Safety Officer Communications Workers of America AFL/CIO Local 9110 effective July 1, 2016 through June 30, 2017.**

The motion passed unanimously. (4-0)

COMMENTS BY THE GENERAL PUBLIC

Pursuant to N.R.S. 241, this time is devoted to comments by the public, if any, and discussion of those comments. No action may be taken upon a matter raised under this item on the agenda until the matter itself has been specifically included on a successive agenda and identified as an item for possible action. **ACTION WILL NOT BE TAKEN**

Councilman Keener and Councilwoman Simons wished everyone Merry Christmas!

There being no further business, Mayor Chris Johnson adjourned the meeting.

Mayor Chris Johnson

Shanell Owen, City Clerk

Eight Mile Creek Soil Bioengineering Workshop March 20 – 24th 2017 at the Great Basin College.

Over the years we have done a few streambank stabilization efforts at the Peace Park along eight mile creek, we've installed a rock gabion and willow plantings, but this past couple of years I have noticed continued streambank erosion. Since there was interest of holding another soil-bioengineering workshop in the area, the instructors and I looked at some potential workshop sites and eight mile creek was a perfect fit for a hand on laboratory exercise

The Humboldt Watershed Cooperative Weed Management Area successfully requested grant funding to hold a soil-bioengineering workshop, a specific site has been chosen – the area above and below the upper walkway bridge at the Peace Park. Working with city staff and other State partners, the necessary permits are in process of being secured, engineering design work is being drafted, and a cultural resources query sent to the State Historic Preservation Office, this regulatory process is needed to be done even when we plant trees.

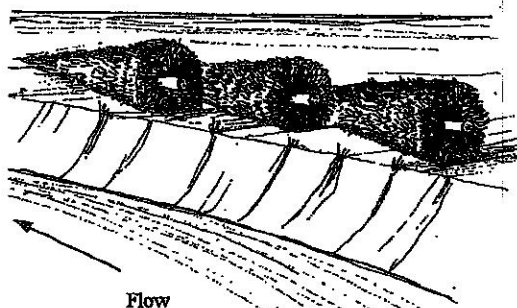
We plan on installing up to 200 feet of evergreen revetments almost to the upper bridge. To really protect the stream bank directly upstream from the upper walkway bridge we propose to install fifty feet of brush mattress, here we'll slope the back to a 2:1 grade.

Thank you for allowing the workshop participants such a convenient location to apply the knowledge they have acquired in the classroom – usually we have to drive two hours to the project site, and naturally a quarter of them miss the turnoff - thus I've got high hopes for 100% attendance at this workshop

Exhibit "A"

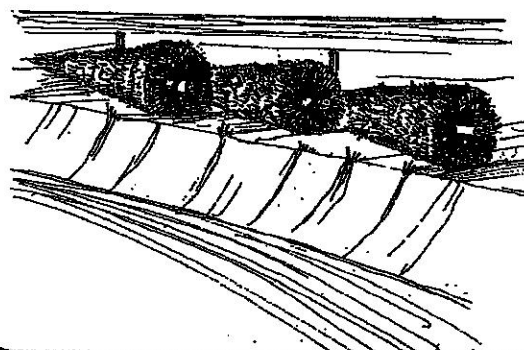
Procedure for Brush or Tree Revetment-Option A

Overlap the trunk of one tree into the main branches of the next tree.



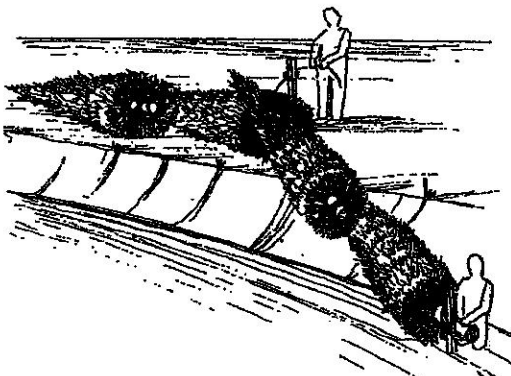
Step One: Harvest & Stage Material

Secure the trees together at the main trunks using wire. Place t-posts along the revetment and secure rope from the posts to the revetment



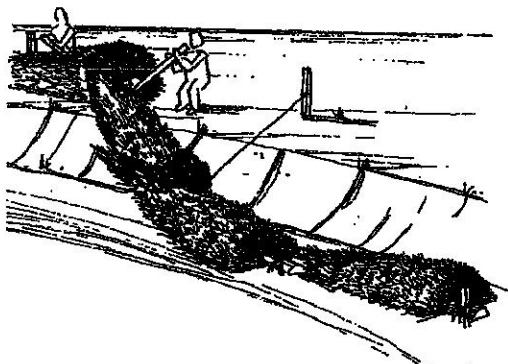
Step Two: Fastening Revetment

Lower revetment into stream and fasten end of revetment to a t-post placed at toe of bank.



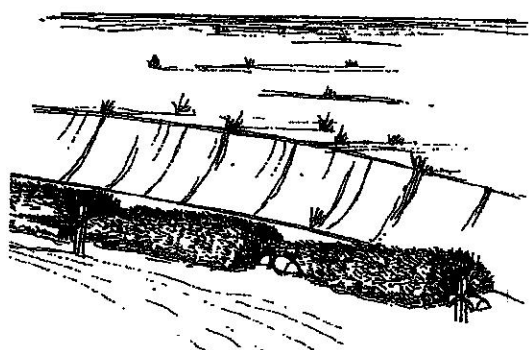
Step Three: Begin Placement

Lever the rest of the revetment into the stream, temporarily securing the revetment to the t-posts.



Step Four: Final Placement

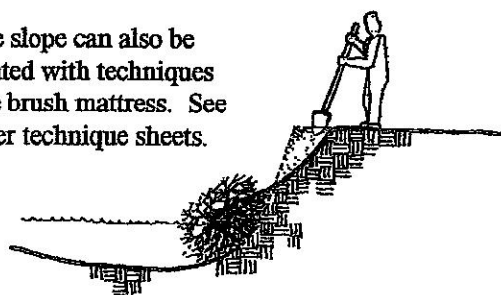
Pound t-posts next to the revetment and secure revetment to posts with wire.



Step Five: Final T-post Placement

Streambank can be knocked down on to the revetment. Slope should be seeded with grass and planted with willows.

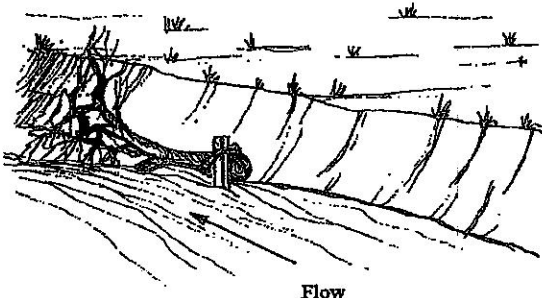
The slope can also be treated with techniques like brush mattress. See other technique sheets.



Step Six: Optional Bank Shaping

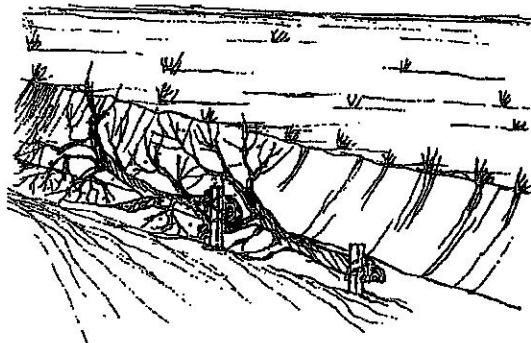
Procedure for Brush or Tree Revetment-Option B

Pound a t-post at the downstream end and secure the trunk of the first tree to the post using wire.



Step One: Placement of First Tree

Overlap the second tree onto the first tree so that no large gaps exist. Wire the trunks together.



Step Two: Placement of Second Tree

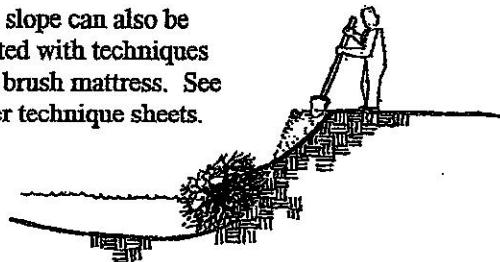
Pound a t-post near the second tree and secure tree to post. Continue placement of trees and posts till area is treated.



Step Three: Continue Placement

Streambank can be knocked down on to the revetment. Slope should be seeded with grass and planted with willows.

The slope can also be treated with techniques like brush mattress. See other technique sheets.

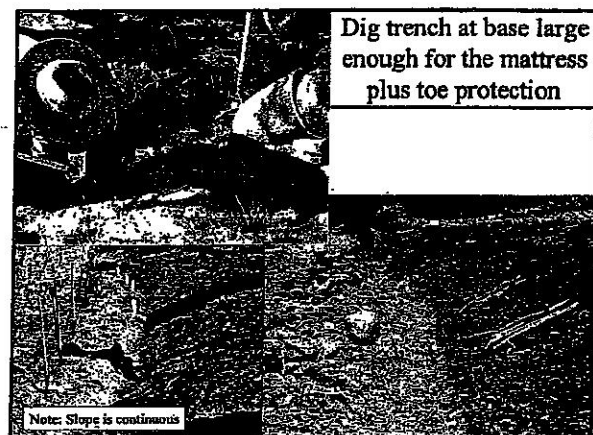
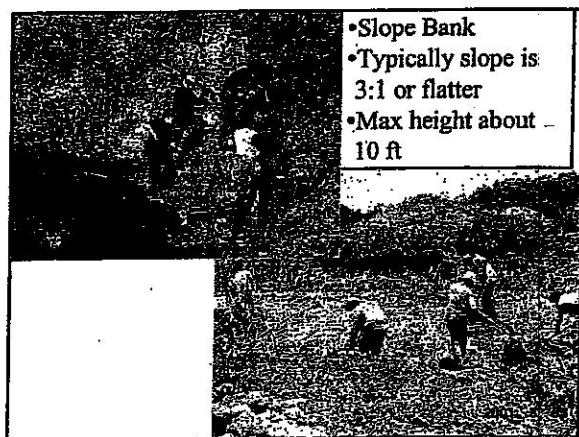
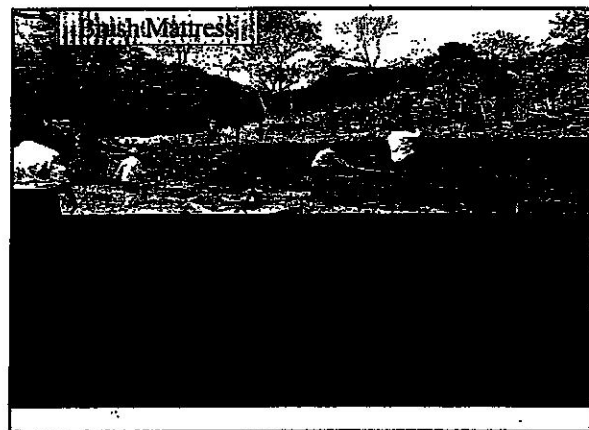
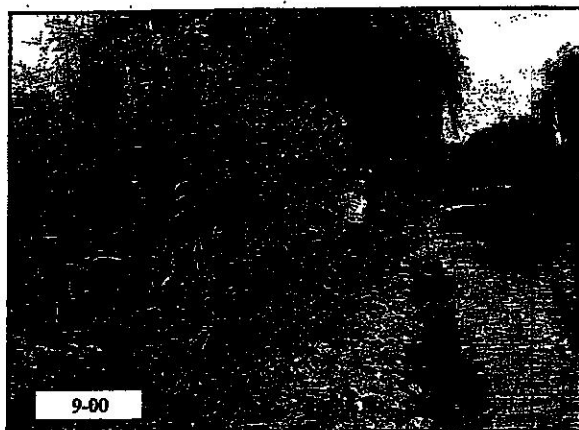
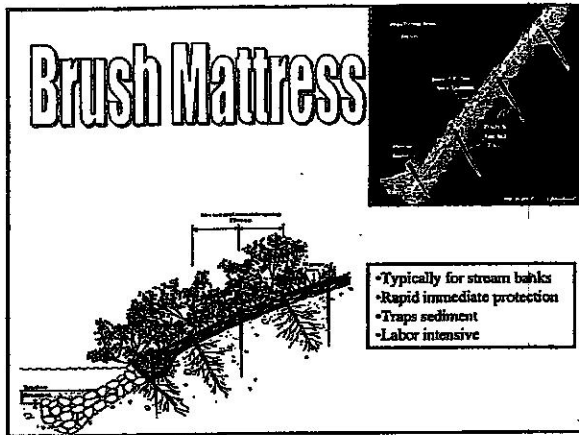


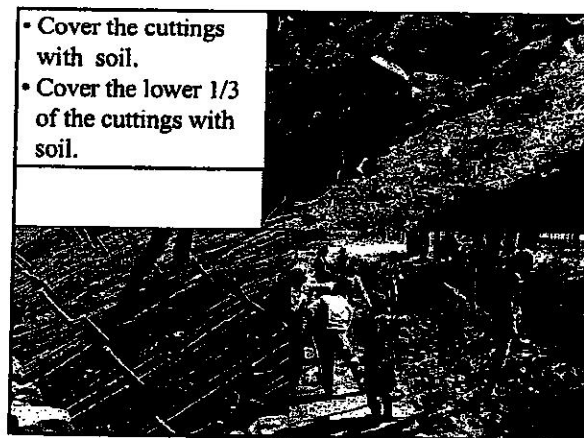
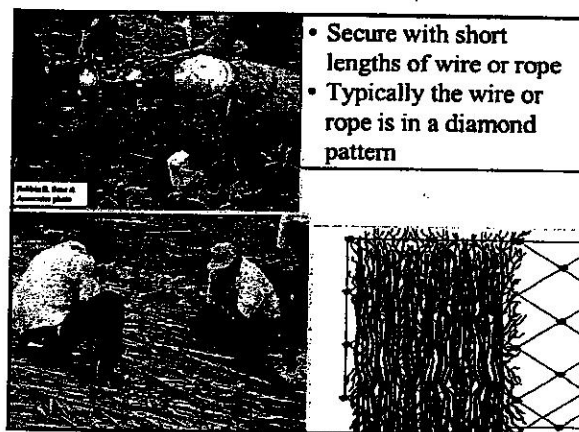
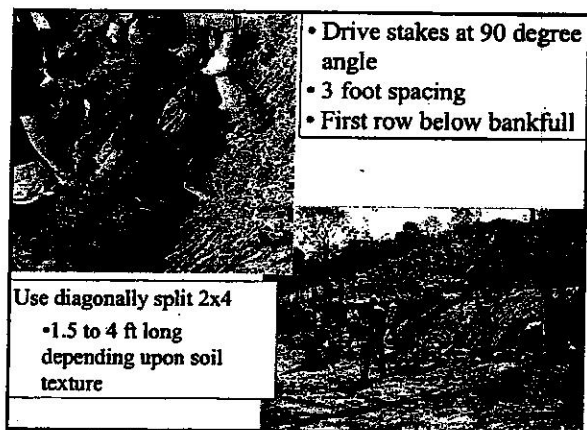
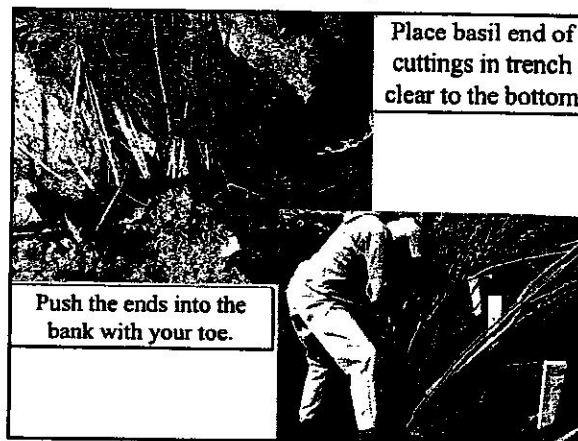
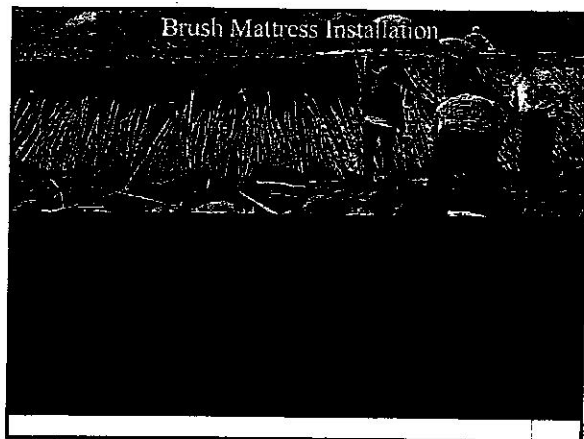
Step Four: Optional Bank Shaping

How To Install

1. Harvest the trees for the revetment and stage near site. Pound a t-post at the downstream end of the site. Secure the first tree to the post with the trunk pointing upstream.
2. Place the second tree so the branches overlap the trunk of the first tree. The goal is to provide for a continuous row of dense branches to protect the streambank. Wire the main trunks together, leaving the branches loose. Pound in another t-post to secure the trunk of the second tree.

3. Continue the process of placing and securing trees until area is treated. Fill in the space between the bank and the revetment with branches to create a dense matrix of brush or willow wattles.
4. (Optional) To enhance recovery of the treated area, knock down the sloughing streambank on to the revetment to create a more gentle streambank slope. Plant willow cuttings on the new slope using techniques such as willow wattles, vertical bundles or willow pole plantings (see other Technique Sheets).







A Custom Insurance Program For:

Elko Snobowl Foundation

Safehold Special Risk, Inc.
Sports and Recreation

Date Presented – December 13, 2016

The general description contained herein of proposed insurance coverage does not amend, alter, or replace the terms, conditions, exclusions and other provisions of the policies which would be issued to you, or which may be required by applicable laws, regulations, rating rules or plans. This proposal is merely a descriptive summary of coverage provided by the insurance companies being proposed and should be used for reference purposes only. Specific questions on policy terms, conditions or exclusions should be referred to your Safehold Special Risk insurance administrator, and the policy(s) should be reviewed thoroughly. This is a quotation of coverage only. It is not a binder. This proposal does not amend or alter the insurance contract.

Exhibit "B"

Named Insured

Elko Snobowl Foundation

This proposal of insurance coverage neither amends, alters, or replaces the terms, conditions, exclusions or other provisions of the policies which would be issued to you. Specific questions on all policy terms, conditions or exclusions should be referred to your Safehold Special Risk Insurance administrator, and the policy(s) should be reviewed thoroughly. This quote expires 01/01/2017.

Products and services are offered through Safehold Special Risk, Inc., dba Safehold Special Risk & Insurance Services, Inc. in California, a non-bank insurance agency affiliate of Wells Fargo & Company. CA NON RES LIC # 0G13561. Coverage is provided by unaffiliated insurance companies with the exception of crop and flood insurance which may be underwritten by Safehold Special Risk, Inc.'s affiliate, Rural Community Insurance Company. ©2014 Safehold Special Risk, Inc. All rights reserved.

Premium Summary

These quotations are valid until 01/01/2017.

	2015	2016	Comments
Liability: Limit- \$1,000,000	\$12,500.00	\$12,500.00	
Property/ Inland Marine: (includes taxes/fees)	\$ 727.30	\$ 696.13	
TOTALS:	\$13,227.30	\$13,196.13	

Optional Certified Acts of Terrorism: \$ 132.00
Plus Taxes/Fees See Terrorism Disclosure letters
(at the end of the proposal)

OPTIONS

\$1,000,000 Excess Liability: \$1,400 Annual Premium

Premiums are due to Safehold Special Risk, Inc. upon receipt of premium invoices.

Premium financing for 25% down and 3 equal monthly installments is available, generally less than current market rate. Other options are also available. Please request quote.

This proposal of insurance coverage neither amends, alters, or replaces the terms, conditions, exclusions or other provisions of the policies which would be issued to you. Specific questions on all policy terms, conditions or exclusions should be referred to your Safehold Special Risk Insurance administrator, and the policy(s) should be reviewed thoroughly. This quote expires 01/01/2017.

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Commercial Liability Coverage

Carrier:	Nova Casualty Company (Admitted, A, XV) (A subsidiary of The Hanover Insurance Group, Inc.)		
Coverage Form:	2013 ISO Commercial Liability—Occurrence Form with Resort Enhancements (See Exhibit A)		
Rating Basis:	FLAT		
Limits of Liability:	Each Occurrence	\$	1,000,000
	General Aggregate (except as indicated below)		NONE
	Products/Completed Operations Aggregate	\$	2,000,000
	Non-Employment Sexual Abuse/Molestation Liability Aggregate	\$	1,000,000
	Employee Benefits Liability Aggregate Retroactive Date: TBD (Claims Made Form) Deductible: \$1,000 Each Employee	\$	1,000,000
	Personal & Advertising Injury (Each Person)	\$	1,000,000
	Limited Pollution Aggregate	\$	1,000,000
	Self-Insured Retention:		
	Per Occurrence Including Claims Expense	\$	1,000
	Annual Aggregate		NONE
<hr/>			
Total Premium:		<u>\$</u>	<u>12,500.00</u>
Minimum Premium:	100%		

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Exhibit A

Extensions of Coverage – Including, but not limited to:

- Care, Custody and Control (\$250,000 limit)
- Fire Damage Legal Liability (including Standing Timber)
- Liquor Legal Liability
- Damage to Customers' Autos and Watercraft (\$1,000,000 Limit)
- Non-Employment Sexual Abuse/Sexual Molestation Liability
- Limited Pollution Liability
- Medical Personnel Coverage (including Volunteers)
- Blanket Additional Insured
(when required by written contract, agreement or lease)

Notable Exclusions – Including, but not limited to:

- Medical Payments
- Employment Related Practices
- Automobile Liability
- Employers Liability
- Aircraft Liability
(including, but not limited to owned Hot Air Balloons and Drones)
- Failure to Supply
- Watercraft Not Scheduled
- Mobile Equipment Racing
(including but not limited to Snowmobile Racing)
- Access or Disclosure of Confidential or Personal Information and
Data Related Liability

(For a complete listing of exclusions/limitations, please refer to the policy.)

Note: Higher limits are available. If desired, please request quote.

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Property & Inland Marine Coverage

Carrier: AIX Specialty Insurance Company (Non Admitted, A, XV)
(A subsidiary of The Hanover Insurance Group, Inc.)

Coverage Form: Special Form, including Earth Movement, Flood, and Surface Water; No coinsurance provision.

Covered Locations: 1996 Snobowl Rd., Elko, NV 89801

	Limit of Insurance	Deductible
Buildings & Business Personal Property (Blanket) <i>Per Statement of Values on file with Company</i>	\$ 121,974	\$ 1,000
Ski Lift Equipment -2012 Handle Tow ONLY	\$ 20,000	\$ 1,000
Snowmaking & Night lighting Equipment	Not Requested	
Scheduled Mobile Equipment <i>Per Schedule on file with Company</i>	Not Requested	
Rented Equipment	Not Requested	
Business Income and Extra Expense**	\$ 30,000	\$ 1,000
Utility Services Sub-limit	\$ 30,000	\$ 1,000
Mechanical Breakdown		\$ 10,000
Earthquake and Volcanic Eruption, and Flood:		
Per Occurrence - Each	\$ 171,974	\$ 25,000
Aggregate - Each	\$ 171,974	

Valuation: Replacement Cost – Buildings, Business Personal Property, Ski Lift Equipment

Business Income Clarification:** Note that Business Income coverage responds to loss of income caused by direct damage from a covered cause of loss, to insured property only. Coverage would not apply to uninsured lifts.

Notable Coverage Enhancements:

Mechanical Breakdown
Automatic Acquisition—60 days (limit \$250,000 for building)
Deductible—largest per loss applies

Policy Enhancements and Exclusions: See attached Exhibit B

Premium:	\$ 670.00
(3.5%) Surplus Lines Tax:	23.45
(0.4%) Surplus Lines Stamping Fee:	2.68
TOTAL:	<u>\$ 696.13</u>

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Exhibit B

*Policy Enhancements included:

At Replacement Cost

Awnings, canopies & fences; radio towers; antennas;
 Signs not attached to buildings; underground utility pipes, flues or drains; retaining walls;
 Bulkheads, pilings, piers, wharves or docks;
 Foundations below the surface of the ground

Ordinance or Law

- A. Loss in value to undamaged portion of building – included within blanket limit
- B. Demolition Cost Coverage – 25% of limit of insurance, or \$100,000 whichever is greater
- C. Increased Cost of Construction – 25% of limit of insurance, or \$100,000 whichever is greater

Property Enhancement Endorsement:

	<u>Sublimit</u>
Electronic Data	\$ 100,000
Accounts Receivable	\$ 100,000
Business Personal Property (off covered location)	\$ 100,000
Fine Arts (must be scheduled-market value)	\$ 100,000
Valuable Papers and Records	\$ 100,000
Add'l Debris Removal (if exceeds 25% of direct loss)	\$ 50,000
Fire Department Service Charge	\$ 50,000
Personal Effects and Property of Others	\$ 50,000
Consequential Loss	\$ 50,000
Fire Extinguisher Systems Expense	\$ 50,000
Inventory & Appraisal Expense	\$ 50,000
Pollution Cleanup and Removal	\$ 25,000
Property in Transit	\$ 50,000
Trees, Shrubs, Plants (Specified Cause of Loss)	\$ 25,000
Backup of Sewers and Drains	\$ 25,000

* Note that where these enhancements are extensions of your Building or Business Personal Property limits, the extensions only apply up to the limits for which you are insuring such property.

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Exhibit B - Continued

Mechanical Breakdown:

Expediting Expenses	\$100,000
Spoilage	\$100,000
Data Restoration	\$100,000 per accident
Hazardous Substance	\$100,000
Mold resulting from covered loss	Sublimit of \$15,000

Drying out of covered equipment necessitated by a covered loss

Notable Exclusions: **Property Not Covered:**

Bridges, roadways, walks, patios or other paved surfaces.
Permanent Snowmaking Equipment
Underground air and water pipe systems of permanent
Snowmaking Equipment
Night Lighting Equipment (not permanently attached
to Buildings or Lifts)
Following Ski Lifts: 1996 Adobe Hall Lift, 2002 Rope Tow,
and related lift equipment

Note: Coverage for these categories may be
available for an additional premium, subject
to additional underwriting information.

(For a complete listing of exclusions/limitations, please refer to the policy)

This proposal of insurance coverage neither amends, alters, or replaces the terms, conditions, exclusions or other provisions of the policies which would be issued to you. Specific questions on all policy terms, conditions or exclusions should be referred to your Safehold Special Risk Insurance administrator, and the policy(s) should be reviewed thoroughly. This quote expires 01/01/2017.

Products and services are offered through Safehold Special Risk, Inc., dba Safehold Special Risk & Insurance Services, Inc. in California, a non-bank insurance agency affiliate of Wells Fargo & Company. CA NON RES LIC # 0G13561. Coverage is provided by unaffiliated insurance companies with the exception of crop and flood insurance which may be underwritten by Safehold Special Risk, Inc.'s affiliate, Rural Community Insurance Company. ©2014 Safehold Special Risk, Inc. All rights reserved.

Driver Underwriting Guidelines (Vehicles and Mobile Equipment)

New Drivers should be reported immediately to Safehold Special Risk, Inc., Sports and Recreation.

Acceptable Drivers:

Drivers should be over 21 years of age and hold a valid license.

Drivers 19 and 20 years old are acceptable if they have clean MVR's

Unacceptable Drivers:

Based on accident/violation history, an individual driver may not be acceptable if one or more of the following conditions exists:

More than two (2) violations or at fault accidents in the last three (3) years.

Any Type A violations within the last five (5) years:

- a) Driving while intoxicated or under the influence of drugs
- b) Negligent homicide arising out of the use of a motor vehicle
- c) Using a motor vehicle for the commission of a felony
- d) Aggravated assault with a motor vehicle
- e) Operating a motor vehicle without the owner's authority
- f) Reckless driving
- g) Hit-and-run (Bodily injury or Property damage)

We recommend that you use these guidelines when determining who to entrust with the operations of your vehicles and mobile equipment. Having drivers that do not meet these guidelines can create unnecessary risk to your organization and a high percentage of such drivers may adversely affect your auto and liability premium.

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Safehold Special Risk, Inc. Team Contacts

Policy Coverage/Questions

William Curtis, Vice President	(800) 528-7730 (720) 963-6546 (303) 947-3698	<i>william.curtis@safehold.com</i> <i>Direct Line - office</i> <i>cell</i>
Loren Hunter, Account Executive	(800) 528-7730 (720) 963-6544	<i>Loren.hunter@safehold.com</i> <i>Direct Line</i>

Claims

Mistica Walker, Adjuster	(800) 528-7730 (720) 963-6543 (303) 589-7035	<i>mistica.walker@safehold.com</i> <i>direct line</i> <i>cell</i>
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Risk Reduction/Loss Control

Wally Shank	(800) 528-7730 (720) 963-6542 (303) 324-4571	<i>wally.shank@safehold.com</i> <i>direct line</i> <i>cell</i>
Tim Bruce	(800) 990-7465 (603) 559-1376 (603) 534-2054	<i>tim.d.bruce@safehold.com</i> <i>direct line</i> <i>cell</i>

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Transparency and Disclosure

Insurance is a highly regulated, competitive industry that fuels the US economy and protects individuals and commercial entities from losses. There is nothing more important to our industry and to Safehold Special Risk, Inc. than maintaining the trust of our customers and conducting business with the utmost integrity. We believe that our leadership role on disclosure should tie directly to our core values. Among these we state that we:

- Value and reward open, honest, two-way communication
- Do what is right for the customer
- Talk and act with the customer in mind
- Exceed our customers' expectations

Safehold Special Risk, Inc. is proactively providing customers with complete transparency on standard and contingent commission income. Safehold Special Risk, Inc. is taking a leadership role using the new National Association of Insurance Commissioners (NAIC) model act.

We receive compensation from the insurance companies we represent when placing your insurance. Our compensation is usually a percentage of the premium you pay for your insurance policy or bond (a "commission"), which is paid to us by the insurance companies for placing and servicing your insurance or bonds with them. We also may receive fees agreed to in writing from our customers. Intermediaries, such as wholesale brokers, may sometimes be used to access certain insurance companies. Such intermediaries will allocate a portion of the compensation from the insurance companies to us and may, in some cases, be an affiliated company.

We receive payments from insurance companies to defray the cost of services provided for them, including advertising, training, certain employee compensation, and other expenses.

We may earn interest on premiums received from you and forwarded to the insurance companies through our bank accounts.

Some of the insurance companies we represent may pay us additional commissions, sometimes referred to as contingent or bonus commissions, which may be based on the total volume of business we sell for them, and/or the growth rate of that business, retention rate, claims loss ratio, or other factors considering our entire book of business with an insurance company for a designated period of time.

The amount of premium you pay for a policy may change over the term of the policy. For example, your endorsement requests will affect the premium. Should the premium for any of your policies change, the amount of compensation paid to us by the insurance company would change accordingly.

This proposal of insurance coverage neither amends, alters, or replaces the terms, conditions, exclusions or other provisions of the policies which would be issued to you. Specific questions on all policy terms, conditions or exclusions should be referred to your Safehold Special Risk Insurance administrator, and the policy(s) should be reviewed thoroughly. This quote expires 01/01/2017.

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December 13, 2016

Notification of Surplus Lines Placement

Roche Bush
Elko Snobowl Foundation
1996 Snobowl Road
Elko, NV 89801

We have offered you insurance coverage with AIX Specialty Insurance Company. AIX is approved by the Safehold Special Risk, Inc. Security Committee. The Security Committee's function is to review the financial security of insurers with which Safehold Special Risk, Inc. agents/brokers place insurance.

AIX Specialty Insurance Company is rated A XV by A.M. Best Company, a rating organization that evaluates the strength of insurers. You should know that this rating is the opinion of the rating organization, based on past financial data. Ratings are neither a guarantee nor a prediction of the insurer's financial status, and insolvent insurers have had high ratings before they failed.

In the event this insurer becomes insolvent, the provisions of the state insurance guaranty associations will not apply. The state insurance guaranty associations provide a mechanism for the payment of covered claims under certain insurance policies in order to avoid excessive delay in payment and to lessen financial loss to claimants or policyholders because of the insolvency of an insurer.

We are providing you with this information so you are aware your insurance will initially be placed with a non-admitted surplus lines carrier.

Thank you.

Very truly yours,
Safehold Special Risk, Inc.
Sports and Recreation

William Curtis
Vice President, Sports and Recreation



AGENCY CUSTOMER ID: _____

INSURANCE SUPPLEMENT

AGENCY Safehold Special Risk, Inc.	CARRIER AIX Specialty Insurance Company	NAIC CODE 12833
POLICY NUMBER TBD	APPLICANT/NAMED INSURED Elko Snobowl Foundation	

**POLICYHOLDER DISCLOSURE
NOTICE OF TERRORISM INSURANCE COVERAGE**

You are hereby notified that under the Terrorism Risk Insurance Act, as amended, you have a right to purchase insurance coverage for losses resulting from acts of terrorism. As defined in Section 102(1) of the Act: The term "act of terrorism" means any act or acts that are certified by the Secretary of the Treasury—in consultation with the Secretary of Homeland Security, and the Attorney General of the United States—to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED BY THIS POLICY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM, SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES GOVERNMENT UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. HOWEVER, YOUR POLICY MAY CONTAIN OTHER EXCLUSIONS WHICH MIGHT AFFECT YOUR COVERAGE, SUCH AS AN EXCLUSION FOR NUCLEAR EVENTS. UNDER THE FORMULA, THE UNITED STATES GOVERNMENT GENERALLY REIMBURSES 85% THROUGH 2015; 84% BEGINNING ON JANUARY 1, 2016; 83% BEGINNING ON JANUARY 1, 2017; 82% BEGINNING ON JANUARY 1, 2018; 81% BEGINNING ON JANUARY 1, 2019 and 80% BEGINNING ON JANUARY 1, 2020, OF COVERED TERRORISM LOSSES EXCEEDING THE STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURANCE COMPANY PROVIDING THE COVERAGE. THE PREMIUM CHARGED FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS THAT MAY BE COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.

YOU SHOULD ALSO KNOW THAT THE TERRORISM RISK INSURANCE ACT, AS AMENDED, CONTAINS A \$100 BILLION CAP THAT LIMITS U.S. GOVERNMENT REIMBURSEMENT AS WELL AS INSURERS' LIABILITY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM WHEN THE AMOUNT OF SUCH LOSSES IN ANY ONE CALENDAR YEAR EXCEEDS \$100 BILLION. IF THE AGGREGATE INSURED LOSSES FOR ALL INSURERS EXCEED \$100 BILLION, YOUR COVERAGE MAY BE REDUCED.

Acceptance or Rejection of Terrorism Insurance Coverage

- ☐ I hereby elect to purchase terrorism coverage for a prospective premium of \$ 7.00.
- ☐ I hereby decline to purchase terrorism coverage for certified acts of terrorism. I understand that I will have no coverage for losses resulting from certified acts of terrorism.

_____ Policyholder / Applicant's Signature	_____ Print Name	_____ Date
_____ Policyholder / Applicant's Signature	_____ Print Name	_____ Date
_____ Policyholder / Applicant's Signature	_____ Print Name	_____ Date
		_____ Effective Date

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**INSURANCE SUPPLEMENT**

AGENCY Safehold Special Risk, Inc.	CARRIER NOVA Casualty Company	NAIC CODE 42552
POLICY NUMBER TBD	APPLICANT/NAMED INSURED Elko Snobowl Foundation	

**POLICYHOLDER DISCLOSURE
NOTICE OF TERRORISM INSURANCE COVERAGE**

You are hereby notified that under the Terrorism Risk Insurance Act, as amended, you have a right to purchase insurance coverage for losses resulting from acts of terrorism. As defined in Section 102(1) of the Act: The term "act of terrorism" means any act or acts that are certified by the Secretary of the Treasury—in consultation with the Secretary of Homeland Security, and the Attorney General of the United States—to be an act of terrorism; to be a violent act or an act that is dangerous to human life, property, or infrastructure; to have resulted in damage within the United States, or outside the United States in the case of certain air carriers or vessels or the premises of a United States mission; and to have been committed by an individual or individuals as part of an effort to coerce the civilian population of the United States or to influence the policy or affect the conduct of the United States Government by coercion.

YOU SHOULD KNOW THAT WHERE COVERAGE IS PROVIDED BY THIS POLICY FOR LOSSES RESULTING FROM CERTIFIED ACTS OF TERRORISM, SUCH LOSSES MAY BE PARTIALLY REIMBURSED BY THE UNITED STATES GOVERNMENT UNDER A FORMULA ESTABLISHED BY FEDERAL LAW. HOWEVER, YOUR POLICY MAY CONTAIN OTHER EXCLUSIONS WHICH MIGHT AFFECT YOUR COVERAGE, SUCH AS AN EXCLUSION FOR NUCLEAR EVENTS. UNDER THE FORMULA, THE UNITED STATES GOVERNMENT GENERALLY REIMBURSES 85% THROUGH 2015; 84% BEGINNING ON JANUARY 1, 2016; 83% BEGINNING ON JANUARY 1, 2017; 82% BEGINNING ON JANUARY 1, 2018; 81% BEGINNING ON JANUARY 1, 2019 and 80% BEGINNING ON JANUARY 1, 2020, OF COVERED TERRORISM LOSSES EXCEEDING THE STATUTORILY ESTABLISHED DEDUCTIBLE PAID BY THE INSURANCE COMPANY PROVIDING THE COVERAGE. THE PREMIUM CHARGED FOR THIS COVERAGE IS PROVIDED BELOW AND DOES NOT INCLUDE ANY CHARGES FOR THE PORTION OF LOSS THAT MAY BE COVERED BY THE FEDERAL GOVERNMENT UNDER THE ACT.

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Acceptance or Rejection of Terrorism Insurance Coverage

- ☐ I hereby elect to purchase terrorism coverage for a prospective premium of \$ 125.00.
- ☐ I hereby decline to purchase terrorism coverage for certified acts of terrorism. I understand that I will have no coverage for losses resulting from certified acts of terrorism.

_____ Policyholder / Applicant's Signature	_____ Print Name	_____ Date
_____ Policyholder / Applicant's Signature	_____ Print Name	_____ Date
_____ Policyholder / Applicant's Signature	_____ Print Name	_____ Date
		_____ Effective Date

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CLIENT AUTHORIZATION TO BIND COVERAGE

TO: Safehold Special Risk, Inc.
999 Third Ave., Suite 1000
Seattle, Washington 98104

RE: Elko Snobowl Foundation

PLEASE CHECK ONE IN EACH SECTION:

☐

After careful review of your proposal dated December 13, 2016, we have decided to accept your proposal as presented.

☐

Add \$2M Excess Liability

☐

After careful review of your proposal dated December 13, 2016, we have decided to accept your proposal with the following changes:

TERRORISM:

☐

I ACCEPT Terrorism Coverage for an additional premium per the attached letter.

☐

I REJECT Terrorism Coverage

For Liability: By signing below I/we understand and acknowledge that defense costs are within the Self Insured Retention.

Client Signature

Date

This proposal of Insurance coverage neither amends, alters, or replaces the terms, conditions, exclusions or other provisions of the policies which would be issued to you.

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FIRE WATCH

DECEMBER 2016



Happy Holidays

Incident Group	Year to Date
Fire	66
Explosion	3
Rescue/EMS	1523
Hazmat Condition	57
Service Call	133
Good Intent Call	455
False Alarms	186
Natural Disaster	0
Special Incident Type	11
TOTAL	2434
Transports	38
Aid Given	111

FIRE OPERATIONS— 2016

Incidents with Dollar Loss		
Type	Year to Date Value	Year to Date Loss
Commercial Fires	\$456,894.12	\$16,891.12
Residential Fires	\$1,443,679.47	\$426,588.30
Vehicle Fires	\$0	\$0
Other Fires	\$0	\$0
TOTAL	\$1,900,573.59	\$443,479.42

FIRE PREVENTION BUREAU

Inspection—By Type

New Business License	72
New Business License Re-Inspection	29
Annual Inspections	39
Annual Re-inspections	9
New Construction	0
New Construction Re-inspection	0
TOTAL	149



Elko Fire Department welcomes John Holmes, as our Fire Marshal. John joined us in October from Kingman AZ. John and his family are enjoying the snow fall we are receiving this year thus far.

Note: The statistics are from when John joined us on October 10th.

Permits

Construction	9
Fire Alarm	21
Fire Sprinkler	13
Assembly	0
Tent Membrane Structure	0
Carnival	0
TOTAL	43

Plan Reviews

In House—Building	14
In House—Fire	1
Third Party Review	0
TOTAL	15

All Other

New Construction/ Consultation/Inspection	0
Pre-Purchase Consultation	0
Fire Investigation	12
TOTAL	12

Christmas Tree Safety



As you deck the halls this holiday season, be fire smart. A small fire that spreads to a Christmas tree can grow large very quickly.

PICKING THE TREE

- » Choose a tree with fresh, green needles that do not fall off when touched.

PLACING THE TREE

- » Before placing the tree in the stand, cut 2" from the base of the trunk.
- » Make sure the tree is at least three feet away from any heat source, like fireplaces, radiators, candles, heat vents or lights.
- » Make sure the tree is not blocking an exit.
- » Add water to the tree stand. Be sure to add water daily.

LIGHTING THE TREE

- ❗ Use lights that are listed by a qualified testing laboratory. Some lights are only for indoor or outdoor use.
- ❗ Replace any string of lights with worn or broken cords or loose bulb connections. Read manufacturer's instructions for number of light strands to connect.
- ❗ Never use lit candles to decorate the tree.
- ❗ Always turn off Christmas tree lights before leaving home or going to bed.



Your Source for SAFETY Information
 NFPA Public Education Division • 1 Batterymarch Park, Quincy, MA 02169

www.nfpa.org/education ©NFPA 2016

After Christmas

Get rid of the tree after Christmas or when it is dry. Dried-out trees are a fire danger and should not be left in the home or garage, or placed outside against the home.

Check with your local community to find a recycling program.

Bring outdoor electrical lights inside after the holidays to prevent hazards and make them last longer.

FACTS

- ❗ **One quarter** of home Christmas tree fires are caused by electrical problems.
- ❗ Although Christmas tree fires are not common, when they do occur, they are more likely to be serious.
- ❗ A heat source too close to the tree causes roughly **one in every four** of the fires.

PUT A THERMOMETER ON FREEZE WINTER FIRES

Home fires occur more in winter than in any other season. As you stay cozy and warm this winter season, **be fire smart!**

Half of all home heating fires occur in the months of



Keep portable generators outside, away from windows, and **as far away as possible from your house.**

Install and test carbon monoxide alarms at least **once a month.**



Have a qualified professional clean and inspect your chimney and vents **every year.**

Heating equipment is involved in **1** in every **6** reported home fires and **1** in every 5 home fire deaths.



Store cooled ashes in a tightly covered metal container, and keep it outside at least **10** feet from your home and any nearby buildings.



Keep anything that can burn at least

3 feet from any heat source like fireplaces, wood stoves, radiators, or space heaters.



Plug only **1** heat-producing appliance (such as a space heater) into an electrical outlet at a time.



For more information on how to prevent winter fires, visit www.usfa.fema.gov/winter/ and www.nfpa.org/winter/



Public Service Events

Boy Scout
Pack 850
receiving
EMS training



“No Shave November” in full
swing!!!



Local Firefighter Union 2423
donates \$500 to the Enhanced 911
System.



Shop with a Cop—Capt James
Johnston, Fire Marshal John
Holmes, and DOI Stacy Wines



2016 Snowflake Festival and Parade