

JOINT MEETING WITH LOVELOCK CITY COUNCIL AND THE PERSHING COUNTY
SCHOOL DISTRICT

JANUARY 31, 2019

The joint meeting of the Pershing County Commission, Lovelock City Council, and Pershing County School District was called to order by Larry Rackley, Commission Chairman, at 5:00 p.m. Those present were Robert McDougal and Carol Shank, Commissioners; Bryce Shields, District Attorney; Karen Wesner, Administrative Assistant to the Commission; Lacey Donaldson, Clerk and Rene Childs, Recorder-Auditor.

The meeting was called to order on behalf of the City of Lovelock by Mayor Michael Giles. Those present were Dan Murphy, Pat Rowe and Starlin Gentry, Council Members; Kent Maher, Legal Counsel; and Lisa Booth, City Clerk.

The meeting was called to order on behalf of the School District by Walter Brinkerhoff. Those present were Walter Brinkerhoff, Joe Crim, Cindy Plummer, James Evans and Michael Mancebo, District Trustees; and Russell Fecht, School Superintendent.

Representing the Recreation Board were Commissioner McDougal, Councilman Murphy, Mr. Mancebo, and Maury Nelsen. Their legal counsel, Todd Banks was also present.

PUBLIC INPUT: There was no public comment at this time.

REVIEW OF ALL AGENDA ITEMS TO DETERMINE IF ANY DO OR DO NOT IMPOSE A DIRECT AND SIGNIFICANT ECONOMIC BURDEN ON A BUSINESS OR DIRECTLY RESTRICT THE FORMATION, OPERATION OR EXPANSION OF A BUSINESS: Mr. McDougal made a motion that no agenda items impose a direct and significant economic burden on a business or directly restrict the formation, operation, or expansion of a business. Motion seconded by Mrs. Shank and passed.

A like motion was made by the City of Lovelock.

DISCUSSION REGARDING MATTERS RELATING TO THE PERSHING COUNTY RECREATION BOARD: ** CONTENT TAKEN FROM THE CITY OF LOVELOCK MINUTES**

Mayor Giles noted it has been several years since the three entities have met concerning the Recreation Board. This meeting was called because there appears to have been some changes which have caused concern. Mayor Giles reminded those present that the Recreation Board was set up with annual contributions of one cent (\$0.01) of the City Tax Rate collected at the County rate and one cent (\$0.01) of the County Tax Rate (the tax rate contributions amount to approximately \$15,000 for each entity). The School District and the Tourism Board (formally known as the Fair and Recreation Board) each contributed \$7,500 annually. Once the initial contributions were collected, the funds were held and the Board operated on a cash only basis.

Mrs. Rowe stated that the School District was involved because most of the recreation programs and events are held on school premises.

Mayor Giles remarked that all the elected officials were in agreement that a Recreation Board was needed to administer the recreation functions in the community and that all the involved entities would help out. For example, the City has procured and administered grants for the swimming pool maintenance and repair. The Recreation Board has always taken care of the daily running of the ballfield and pool, with any major items being taken care of by the entity that owns the facility. It is understandable why the Recreation Board was surprised when they received a bill for \$14,000 in repairs that they knew nothing about.

Superintendent Fecht stated that even with the combining of the Tourism Board functions and the Recreation Board functions, the funds are still separated. The priority is keeping the pool and ballfield operating with room tax proceeds and any funds remaining are designated for tourism. The School District wants to make sure that the \$7,500 they contribute is going toward recreation functions.

Mayor Giles noted that when the Recreation Board received responsibility for the pool and ballfield there was never a problem with taking on the obligation, the only concern was how to fund the operations.

District Attorney Shields explained that when the Recreation Board assumed the Tourism Board functions, the Recreation Board was an advisory board. The Tourism Board had operated under NRS 244A, thus when the functions were combined, the Recreation Board continued as an advisory board.

Mr. Murphy stated that he has concerns about the Recreation Board as an advisory board because there are projects the Recreation Board is trying to put together, but without the ability to expend budgeted funds as needed, it is not possible. The Recreation Board understood that the pool repairs were an emergency, but the Board didn't know anything about the repairs until the bill was received. The Board had no input in the matter.

Mr. Shields agreed that communication has been a problem, noting that the bill for the pool repairs was incurred after the pool closed for the season.

Mr. Mancebo questioned why anyone would want to sit on a board that has no voice to be heard.

Mr. McDougal commented that the Commission has approved 99% of the vouchers and expenses of the Recreation Board. Mr. McDougal stated that the Recreation Board needs to identify what their budget is and what areas, repairs, and capital expenses come out of their budget. The Recreation Board paid for the restroom at the race tracks as it promotes tourism even though the race track is operated by a private entity. Mr. McDougal stated that the new restrooms and lights at the ballfield should be paid out of the County Buildings and Grounds budget, not the Recreation Board budget.

Mayor Giles noted that the Recreation Board has put money into capital projects, for example, the High School weight room, but it took a couple of years to get the funding together.

Mr. Shields said that tourism funds collected pursuant to NRS 244A are to be used only for tourism.

Mr. Maher advised that NRS 244A contemplates use of the funds collected for many recreation functions in addition to the promotion of tourism; the room tax is a city and county imposed tax which was previously collected for the city and the county by the Tourism Board (before it was dissolved). The funds are now collected by the City and transferred to the County for use by the Recreation Board.

Mr. Shields suggested the funds should be used for large capital projects.

Mrs. Shank said the Recreation Board wants to be independent and not be an advisory board. Mr. Shields noted the Recreation Board has always had authority to "write checks", and as an advisory board it has more authority than any other county advisory board.

Mr. Evans stated that former Deputy District Attorney Jack Bullock advised the Recreation Board that they had no authorization over anything. Mr. Evans remarked that the School District only contributes \$7,500 and it is returned to the school for programs. It costs the school \$70,000+ to have recreation events at the school. The Recreation Board doesn't have a voice in anything.

Superintendent Fecht was a Recreation Board member for 12 years; when the board voted on a project it was a certainty. As a member now in an advisory board capacity, there is no skin in the game. The Board needs to feel their voices are equal, there is a need to keep the events that are currently in place, the board needs to have a budget that the members agree upon, and there is a need to have a choice on what funding goes toward capital outlay and what funding is allocated for repairs.

Mr. McDougal stated that he believes the board does have that authority.

County Clerk Donaldson stated that all three boards (school board, city and county?) should make that decision.

Mayor Giles commented there is only one department that has an issue with everything the Recreation Board tries to do. Mrs. Shank stated that those problems were taken care of.

Mayor Giles reiterated that the funds being spent are tax money; paying for a prison crew and similar expenses should have been done in-house (by the entity contracting for the services). Communication seems to be the problem.

Mr. Murphy commented that most of the persons serving on the Recreation Board have a responsibility to their respective governing boards and if there are problems they should be taken back to the respective governing boards.

Superintendent Fecht acknowledged the contributions to the School District help with school programs and suggested it is crucial to work together because it is not cheap to host the various events. If the school were closed to those events, the costs (to host them at another venue) would be significant.

Mayor Giles and Commissioner McDougal thanked everyone for coming.

PUBLIC INPUT: Maury Nelson questioned why the County did away with a board (the Tourism Board) that was working under the state law and turned over the functions to a county board (the Recreation Board).

County Clerk Donaldson commented that there were a lot of joint meetings at which the combining of the functions of the two boards (tourism and recreation) was discussed. The Tourism Board experienced frequent difficulties with getting members to sit on the board and most of the time they didn't have the quorum necessary for a meeting.

Mr. Nelsen said he believes the Tourism Board always functioned well and now it seems that the rules are made up as they go along. Under the state law there are representatives for hotel, motel or business people, which is why the language was changed for small communities.

As there was nothing further to come before either board, the meeting was adjourned at 6:47 p.m.

Approved 4/03/19: _____ /s/
Larry Rackley, Chairman

Attest: _____ /s/
Lacey Donaldson, Clerk