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ELKO COUNTY REGIONAL TRANSPORTATION COMMISSION

**ELKO COUNTY REGIONAL TRANSPORTATION COMMISSION,
COUNTY OF ELKO, STATE OF NEVADA, REGULAR MEETING TO BE HELD IN
THE ELKO COUNTY COURTHOUSE ROOM 105, 571 IDAHO STREET, ELKO,
NEVADA, BEGINNING AT 10:00 A.M., PACIFIC TIME.**

MEETING MINUTES

OCTOBER 19, 2005

The Regional Transportation Commission for the County of Elko, State of Nevada, met in a regular session on Wednesday, October 19, 2005 in Room 105 of the Elko County Courthouse, 571 Idaho Street, Elko, Nevada beginning at 10:00 A.M. (PST).

Commissioner Members Present: WARREN RUSSELL, Chair
 MIKE FRANZOIA
 CHARLIE MYERS

Others Present: ROBERT STOKES County Manager
 CASH MINOR Chief Financial Officer
 MARILYN TIPTON Deputy County Clerk
 MICHEAL MURPHY NDOT District Engineer
 CASEY KELLY NDOT Traffic Engineer
 OTIS TIPTON County Road Supervisor
 RANDY BROWN Co. Planning & Zoning
 DELMO ANDREOZZI Elko City Public Works
 CURTIS CALDER Elko City Manager
 STEVE BOWERS Elko School District
 BRYCE KIMBER, JR. West Wendover Public Works

The following proceedings were held:

Chairman Russell called the meeting to order at 10:00 a.m.

PLEDGE OF ALLEGIANCE

Commissioner Franzoia led the meeting participants in the Pledge of Allegiance to the American Flag.

COMMENTS BY THE GENERAL PUBLIC:

No public comments were submitted at this time.

APPROVAL OF PRECEDING MINUTES:

July 6, 2005 - Regular Meeting

MOTION: Commissioner Myers moved to approve the minutes from the preceding meeting held on July 6, 2005. Commissioner Franzoia seconded the motion. The motion was passed unanimously.

ELKO COUNTY REGIONAL STREET AND HIGHWAY FUND:

Cash Minor reviewed the Quarterly Financial Report relating to the Regional Street and Highway Fund. He reported the total collections for the last fiscal year were \$1,165,328.06 with \$17,431.53 accrued interest for the supplemental safety fund. He noted that they were required to record investments at fair market value. Cash Minor stated that in July, they collected receipts of \$127,701.34 which was higher than expected. Cash Minor reviewed page 4 of the project listing and stated they were making adjustments to the sign project in the approximate amount of \$2.00. Cash Minor asked them to review the budgets for the Bullion Bridge and the turning lanes on SR 227/Corral Lane/Lower Lamoille to see if those budgets were still valid. Commissioner Myers noted there was a reduction in the cost to the Bullion Bridge. Otis Tipton noted they took a portion of that funding for the bridge costs in Jarbidge. He stated in the spring they would have to put the money back in. He believed they would need that \$225,000 next year due to the material cost increases. Commissioner Myers asked that they show the Jarbidge bridge replacement reduction to have a paper trail of where the funding was applied.

Cash Minor noted page 5 contained the beginning balances and collections from current years.

Cash Minor reviewed the actual collections from the prior year, except for

the City of Elko who was working with current distributions. He noted the only appropriations at this time were for Elko County and for the items under the Supplemental Reserve. Cash Minor commented that the actual distributions over the past few years were on page 15 of his report.

MOTION: Commissioner Myers moved to approve the Quarterly Financial Report with the change in augmenting the \$1.98 for the miscellaneous sign project fund. Commissioner Franzoia seconded the motion. The motion was passed unanimously.

BURNER BASIN ACCESS ROAD:

Randy Brown presented a USGS quad map depicting the current Burner Basin Road alignment. He noted that the Spring Creek and Lamoille area was at 67% build-out and there were approximately 2100 parcels that were available for future development in that area. However, only 75% of those parcels could be built on. He reported that there were approximately 250 parcels in the Burner Basin/Last Chance area and only five parcels were partially developed. Randy Brown stated that the initial water studies performed showed broken aquifers and water at 250 to 300 feet deep. Randy Brown stated that road could be extended out to Boyd-Kennedy Road and travel could continue onto to Lower Lamoille Road. He noted that road would come out northerly on Last Chance Road which may present problems intersecting back into Elko. He commented that the current configuration of the road went into a "y". One road went down the City of Elko fence line through several properties. Randy Brown felt that if they used that route they would have to procure some rights-of-way. He noted that the roadway currently used had prescriptive right-of-way but it came out on Last Chance Road. Randy Brown stated there were some issues where they cross springs which would have to be mitigated.

Randy Brown commented there was a road toward Lamoille Highway which was Mr. Womack's road. He noted the City of Elko started annexation of an additional acreage which would encompass part of that roadway. Randy Brown stated they were reviewing that in the Master Plan and would like to come back to the next meeting with some more numbers.

Commissioner Russell inquired if the City of Elko had seen this map. Randy Brown noted that Mr. Womack sold the property and the people were annexing the property into the City of Elko. Commissioner Russell suggested that they notify the City of Elko. Randy Brown had spoken previously to Dennis Crooks of

the City Staff on this. Commissioner Russell inquired if it would be possible to do phases of the road and start acquiring those parcels. Randy Brown noted that the City of Elko and the BLM owned portions of that area. He stated some of that road was developed through the Spring Creek area with boundary line adjustments. He stated that there were six parcels which they may have to purchase easements or road rights-of-way through. Randy Brown stated the terrain would affect the alignment of that road.

Commissioner Russell inquired at what point he would suggest they purchase the property. Randy Brown replied after the review of the Master Plan then they should consider that. He would like to see the development of the existing parcels rather than pushing development of more land. He noted that the State Engineer considered 2.02 acre feet per parcel. Randy Brown stated they would have to consider where to push the population. He did not believe they wished to push more development out into Spring Creek. He commented that the Dixie Creek/Ten-Mile Basins were partially closed because water was reaching the point of 2.02 acre feet. He stated they estimated 1800 gallons per day for domestic use. Randy Brown commented that within the Master Plan process they had looked at an R-3 overlay (5 to 7 acre parcels) which were adjacent to Spring Creek and could be accommodated by Spring Creek water. He cautioned them about the water tables and noted that the Lamoille basin was closed. Randy Brown felt that the Dixie Creek and the South Fork water basins were reaching the point of being closed.

Commissioner Myers felt there should be a budget established for the Burner Basin Road. He believed that they needed a secondary access out of Spring Creek due to the threat of fire. He suggested they draw up the cost figures for the development of that road. Commissioner Myers felt that there would be an advantage of bringing it down the landfill fence line. Randy Brown noted at the end there would be extensive grading to bring that road down the fence line. He commented that on the road entering onto Last Chance Road, there was already a road in place. Commissioner Myers suggested Phase 3 be the continuation of the road to the Lamoille region. He felt there should be a secondary access for fire and safety. He noted it would open that area for future development depending upon the water situation. Randy Brown stated Boyd-Kennedy could become a major collector road in the future.

Commissioner Russell inquired if Commissioner Myers was considering taking a portion of the RTC County funding for the development of Burner Basin Road. Commissioner Myers felt it would serve both, the City of Elko and the County. He would like to speak to Randy Brown and Otis Tipton about obtaining

cost figures and then they need to discuss a budget for it. Commissioner Russell suggested they wait until the Spring Creek/Lamoille Master Plan procedure was completed. He suggested the technical group look at the budget for this. Commissioner Myers cautioned that if the road was put in then it would open up development and they would have to consider the development standards off of Last Chance Road. He believed that once it was developed it would be brought into the City. Randy Brown stated there was a one mile sphere of influence wherein the City and County cooperate. He stated that those development standards would specifically apply for any type of industrial or commercial development within that sphere.

NEVADA DEPARTMENT OF TRANSPORTATION:

Casey Kelly submitted a written traffic count report. He commented that the general trend in traffic counts had increased with the exception of North Fifth Street and the Mountain City Highway/SR225. He noted there was a monthly increase on Lamoille Highway SR 227.

Mike Murphy commented that during the October madness and rapid escalation of material prices there was a negative affect upon the road construction projects. He explained that on the SR 227-Lamoille Highway the contractor had stretched that project out. Mike Murphy stated the final surfacing would have to be delayed until next spring/summer. He noted that same contractor, F-N-F Construction, had started on the contract for the I-80 project but he felt that project would be shut out until next season due to the weather. He reported that the F-N-F contractor had put up guardrail on the Emigrant project but there probably would be no paving on that project also this season.

Mike Murphy reported that on US Highway 93 there was a double project. He stated the south end of that project above Wells, was almost completed and the contractor had made progress on the north end. Michael Murphy stated the contractor still had calendar days to complete the project next spring.

Michael Murphy stated south of Wells there was a widening project for safety reasons and he believed that contractor would make the November 1st deadline.

Michael Murphy stated on US 93A project near West Wendover the contractor would do bridge work in the winter and the majority of the work would be done during next year's construction season.

Michael Murphy stated the increase of costs had delayed some projects for a season further. He reported the Pequop project from Moore to Oasis would be

shifted for six months later. Michael Murphy cautioned that the product prices would affect the scheduling of the NDOT projects.

Commissioner Myers noted he had received a lot of phone calls on the Lamoille Highway project. He asked what the actual completion time for that project would be. Mr. Murphy replied it could be May of next year based on their lack of dirt work in the early phases. He noted this job was bid out as a sixty-day job. He commented the contractor never started work until mid-construction season and then ran into problems. Michael Murphy stated they had received numerous complaints and were so concerned that they had contractual people removed from the job due to safety issues.

Commissioner Myers inquired if that same contractor would be allowed to hold the contract on Emigrant based upon their performance in Lamoille. Mr. Murphy replied that the contractor would be allowed to finish the projects. However, the department had a rating system on the contracts. He stated that rating would be applied when considering the awarding of the future bids.

Michael Murphy stated on October 26th the NDOT planning group would meet and he invited the Board and staff to attend that meeting. He noted that they used some of the economic development money for the Jackpot project. He stated the Interstate 80 landscaping money was available. He commented that there was no landscaping project in District 3 so far and suggested in-kind service for the match.

Commissioner Russell inquired if NDOT would allow cost overrides next year on the projects if the prices start going up. Michael Murphy noted the contractor had to abide by the basic contract terms. He stated NDOT did have specific escalation costs which were in the bid specifications such as fuel cost escalation. He noted that change orders could be allowed for a cost benefit. Michael Murphy commented that fuel costs had escalated and those change orders were in progress now. Michael Murphy stated there were pre-negotiated prices on fuel increases. Michael Murphy explained that on all their projects they assessed liquidated damages and on the SR 227 job they were approaching \$300,000.00 dollars in liquidated damages to this date. He believed there would be discussion at the end of the contract regarding those assessments.

Commissioner Russell inquired if there were any other projects that the County might be involved with NDOT next year wherein the costs may go up. Michael Murphy did not believe there were at this time. He noted their Deputy Director commented that they had to estimate their costs and build-in estimated escalating product costs early on in the project. Michael Murphy noted at Jackpot they adjusted the project to stay in the scope of the budget.

ENTITY PROJECTS REPORTING:

The Board received reports on the status of entity projects being financed by Regional Street and Highway Fund apportionments.

A. City of Carlin:

No one present to submit a report.

B. City of Elko:

Delmo Andreozzi, stated they had several challenges on their projects with the weather and the prices of the products increasing. He stated that they were looking a future annexations and commercial projects. Delmo Andreozzi reported the City of Elko was going into maintenance issues now before winter. He commented they recently took their Snow and Ice Policy to the City Council. Delmo Andreozzi noted they were trying to strike a balance between the resources they have and yet retain a safe network of roads. He noted there were lighting contracts on their downtown project with Quantum Electric. He stated this was an NDOT stewardship project to be completed. Delmo Andreozzi thanked the County staff and the Commissioners for their efforts to resolve the Sagecrest relinquishment. Delmo Andreozzi stated the various departments of the City of Elko would conduct a clinic on December 7th for contractors with regards to development. He noted there would be several presentations and they would review the City's expectations. He invited the County to attend that clinic. Commissioner Russell asked that he send a notice to the County Planning Department.

Commissioner Myers asked about the project on Silver Street. Delmo Andreozzi replied that they were able to mill out several bad sections. However, it was challenging because that street was flat. Delmo Andreozzi noted the overlay on the East Idaho Street lasted longer than they had expected. He noted Silver Street was twenty years old and was deteriorating. Delmo Andreozzi felt they may wish to put a crown in that street. He stated Idaho Street was seeing failure also because the water would not shed. Commissioner Myers felt Silver Street was a regional road. Delmo Andreozzi reported upon the condition of east Idaho Street which had been overlaid. He commented that West Idaho Street by Franklin Lumber and Gateway RV Center was also failing. Commissioner Myers suggested they do some partnering for an overlay on Silver Street similar to the overlay the City did on East Idaho.

Commissioner Russell requested that the City of Elko keep in contact with Randy Brown during the Spring Creek/Lamoille Master Plan process specifically in

looking at the Burner Basin Road. Delmo Andreozzi supported the secondary access through Burner Basin, and felt there would be benefits to the City of Elko because it would alleviate traffic congestion on Fifth and Twelfth Streets.

C. City of Wells:

No one was in attendance.

D. City of West Wendover:

Bryce Kimber, Public Works Director for West Wendover, introduced Shay Stark of Aqua Engineering. Shay Stark reported that their city had a lot of projects this summer and also had experienced price increases. He noted that the Airport Way Project was in the hands of the Air Force because it was along Air Force property. Shay Stark stated the new intersection on US 93A may be included in the NDOT project next year. He noted that they also worked with the BLM since they owned the land under which the project would be located. Shay Stark stated they were out to bid on the Florence Way project which was located off of Exit 410. He reported that road would be widened to 45 feet and smoothed out. They would also be putting in sidewalks and lighting along Florence Way. Shay Stark commented that the project was partially funded by CDBG grants and RTC funds. He noted the trail was rough graded and the paving on that project would start next spring on the street. Shay Stark reported that they were currently working on several local projects on Butte Street and Pueblo Boulevard.

E. Town of Jackpot:

Robert Stokes reported that the 60% design plans for the highway widening project would be viewed next week in Carson City.

F. Spring Creek Association:

No one was present to give a report.

G. Elko County School District:

Steve Bowers reported that Phase I of the Middle School Project was being completed. He stated they would go out to bid next spring for the building.

H. Elko County:

Otis Tipton noted that Michael Murphy of NDOT had advised them on the progress of Lamoille Highway/SR227 project. He commented that the County had a \$400,000 investment in that project. Otis Tipton reported the first phase of the Interpretive Center's road had been completed. He stated the Bullion Bridge would go into 60% design phase after one and one-half years. Otis Tipton stated there was an engineering firm chosen to start work on the Jiggs Highway. He stated on that project they would look at the performance of the contractors during that bidding process. He noted they would keep in contact with NDOT on that project. Otis Tipton stated that it was unusual for NDOT to remove a supervisor

and traffic control supervisor on a job.

Commissioner Myers noted this afternoon the Commission would discuss another bus shelter on County property. He noted that they partnered with the Osino community for a bus shelter. He noted that came off of arterials and felt that they were safety projects. He inquired if they should come out of RTC funds. Otis Tipton cautioned them that they could build 100 of those shelters throughout the County. He noted the bus shelter in Osino was almost 100% volunteered. He reported that the gravel was donated and the people constructed the building with donated materials. He stated the County only purchased signs for the area. Otis Tipton believed the signs could be purchased through RTC safety funds.

GENERAL DISCUSSION OF ROUTINE RTC ISSUES:

Commissioner Russell felt they needed a way to infuse the money into the regional roads. He wondered if they thought about a County sales tax and put those revenues into a formula similar to RTC. He felt those funds could be put into the RTC and distributed through the RTC functions. He noted the process for County Sales Tax was different and that process might be easier. He noted that the more gallons of gas they sold raised their gas tax revenue. However, their roads continue to deteriorate. Commissioner Russell felt there would be a significant amount of money toward roads through their analysis with Cash Minor on the sales tax option. Commissioner Mike Franzioa noted the sales tax was more viable than gas tax and generated more revenues. He noted that they would not get State participation.

Commissioner Myers noted that those funds would grow with their continued growth. Commissioner Franzioa noted they did not pursue the previous sales tax issue during the last election but it did well without being pushed. Commissioner Russell requested an estimate of revenues from that option. Cash Minor replied the sales tax on a half cent would be approximately three million dollars. Commissioner Myers stated with the other developments in the County the ½ cent sales tax option would now probably bring in 3.75 million dollars in revenue. Commissioner Russell stated if the same RTC formula was used then 1.3 million would go to the City for the use of roads. He stressed that it would be a County sales tax. Cash Minor noted that Las Vegas was at 7 ¾% sales tax. He reviewed the funding specifically for roads and mass transit. Cash Minor commented that both Clark and Washoe counties had road master plans and they did tax overrides. Commissioner Russell noted if money was targeted for a specific problem, he would support. He suggested that they consider his recommendation

of half a cent sales tax for roads. Commissioner Franzoia noted that it was limited to State regulation. Curtis Calder commented that the sales tax option could only be used for road or highway maintenance and would be distributed in the same manner as consolidated tax. He noted that distribution was based on assessed valuation and population. Curtis Calder stated they supported anything that would increase funding for roads. Commissioner Franzoia noted it would be more advantageous through sales tax because most of the people buying goods were people working and the older people did not consume as much in society. Therefore, the elderly would not be as impacted.

Commissioner Russell noted they were doing some research in the County on the statute that impacts the RTC which was population specific. He understood that the statute limited use of RTC funding to construction once they reached a population of 50,000 people. Commissioner Russell believed that they may want to approach the legislators to address that population restriction. Commissioner Franzoia noted that was more of a federal issue. He noted that in a defined area such as Elko, Spring Creek and Lamoille reached the population of 50,000 then they would be required to create a metropolitan planning organization which would not be countywide. He did not think that would hamper RTC issues. He stated that would bring in federal funding. Otis Tipton gave a historical review of Linda Ritter and the County's efforts in changing the Nevada Revised Statutes so that the verbiage governing RTC funds would be applied for "maintenance" if their population was under 50,000 in the County. Commissioner Franzoia noted that if Elko County went over 50,000 there would have more laws and restrictions placed upon them from the State. Commissioner Russell felt they need to be proactive before they reach that population threshold. Commissioner Franzoia believed that they need to look at all the 50,000 population restrictions imposed by the State. He felt that threshold needed to be raised. He stated Elko County would be the only rural county over that threshold other than Clark and Washoe counties. Commissioner Franzoia recommended that the population threshold be raised to a population of 100,000.

Chairman Russell thanked everyone for adjusting their scheduled to meet on this date. He noted that the next regular quarterly meeting would be held on Wednesday, January 4, 2006 at 10:00 A.M. (Pacific Time).

ADJOURNMENT:

MOTION: Commissioner Franzoia moved to adjourn the meeting. Commissioner Myers seconded the motion. The motion was passed unanimously.

There being no further business to come before the Board, the meeting was adjourned.

APPROVED,
WARREN RUSSELL, Chairman

ATTEST:
MARILYN TIPTON, Deputy Clerk