

EUREKA COUNTY RECREATION BOARD
Special Meeting 9:00 A.M.
January 24, 2024

PRESENT

Elmer Porter
Robin Hicks
Richard McKay
Darlene Moody
Absent - Natosha Cluggage

Kim Todd, Comptroller
Present by Telephone - Dana Freund Events Coordinator

VISITORS

Garney Damele
Winnona Eversgerd

Agenda Item #1 – Call to Order

Chairman Elmer Porter called the meeting to order at approximately 9:03 a.m.

Agenda Item #2 – Approve Agenda. (For Possible Action)

Action – Motion made by Rich McKay, seconded by Darlene Moody to approve the agenda for the special meeting of January 24, 2024 as stated. Motion carried by all voting aye.

Agenda Item #3 - Public Comment & Discussion. (Discussion)

None.

Agenda Item #4 – (Review of Financial Status of Recreation Board. (Discussion)

Kim Todd, Comptroller, provided financial reports to the Board and noted: Recreation Fund \$46,258.59, Capital Outlay \$26,400.00, and Tourism Fund \$355.60.

Discussion followed regarding the current budget and increasing the amount for capital projects.

***Agenda Item #5 – Review & Approve Minutes of Regular Meeting December 12, 2023.
(For Discussion/Possible Action)***

Action – Motion made by Darlene Moody, seconded by Rich McKay to approve the minutes for the regular meeting of December 12, 2023. Motion carried by all voting aye.

Agenda Item #6 – Eureka Events Coordinator – Dana Freund

***Requesting reimbursement of \$115.00 for the BLM permit fee paid in advance to hold a biking event on the 25-mile loop from Bateman St. thru Windfall Canyon.
(For Discussion/Possible Action)***

Dana Fruend, Events Coordinator explained to the Board that she has been working with a new BLM Project Manager and that to date has not received an invoice for the permit fee. Therefore, she requested to Table this agenda item.

Chairman Porter asked about a date for the biking event.

Dana replied that the event would be held for the end of June. She also mentioned that there may be additional costs for insurance.

Action – Motion made by Rich McKay, seconded by Darlene Moody to Table this agenda item. Motion carried by all voting aye.

Agenda Item #7 - Eureka County Recreation Board

Discuss reimbursing Dana Fruend for payment of web services of \$72.00 for October 22, 2023 thru October 24, 2024 and previous charges of: \$120.00 December 3, 2023 thru December 3, 2024, \$47.88 December 3, 2023 thru December 3, 2024, and \$47.70 for two years March 8, 2021 thru March 8, 2023. (For Discussion/Possible Action)

Chairman Porter provided a brief background of the web services which in part was included in the contract services of March 2021.

Member McKay noted that the total costs listed on the agenda is \$287.58. The next meeting could include the amount for the 2023-2024 premium plan.

Action – Motion made by Robin Hicks, seconded by Darlene Moody to approve \$287.58, Recreation Fund, to reimburse Dana Fruend for payment of web services as outlined on the agenda item. Motion carried by all voting aye.

Agenda Item #8 – Eureka Events Coordinator – Dana Fruend

Discuss/Update on Tourism Visitors Guide which includes the Walking Tour Map. (For Discussion/Possible Action)

Dana provided a brief update on the Tourism Visitors' Guide and plans to present the final draft to the Board at the March meeting.

Action – None.

Agenda Item #9 – Eureka County Recreation Board

Discuss with Pernecia Johnson regarding room tax collections, defining businesses responsible for paying, and forecasting revenue for budget purposes. (For Discussion/Possible Action)

Pernecia Johnson, Eureka County Treasurer, provided to members an updated report of revenue received from room tax. As of January 24, 2024 the recreation fund received \$75,982.17 and tourism \$10,854.60.

Discussion followed regarding revenue decline. Also, property owners with trailer spaces being rented out for less than 28 days should be paying room tax. Further, suggestions were heard on how to notify property owners of Nevada Revised Statutes regarding room tax.

Pernecia suggested members drafting a list of property owners, outside of the meeting, and submitting to Chairman Porter in which he would forward to her.

Action – None.

Agenda Item #10 - Eureka County Recreation Board

Legal opinion regarding recreation/tourism funds being used to restore buildings being used For retail purposes and classes. (Discussion/Possible Action)

Member McKay reported on the legal opinion he received from Joel Locke, contracted attorney for the county. Following is the response:

Good afternoon, Rich-

We have had experience with these types of donations in the past with Counties, Cities, and School Districts. As long as it is a non-profit and it shares the same mission and goals, donations are ok. Where it gets dicey is when you are donating money for a capital project, which is subject to public bidding etc., exactly like if the County were to enter into an improvement like a Public Works project. It will be subject to all of the same statutory requirements and conditions as if the County were constructing the improvement or project.

When money is involved, it always gets more complicated.

Joel W. Locke, Esq.
Allison MacKenzie, Ltd.
402 N. Division Street
Carson City, NV 89703
775-687-0202
jlocke@allisonmackenzie.com

Chairman Porter commented that he didn't get a clear understanding of the response and read NRS 244A.597:

(a) To establish, construct, purchase, otherwise acquire, reconstruct, improve, extend and better fairgrounds, exposition buildings, convention halls, auditoriums, fieldhouses, amusement halls, public parks, playgrounds, swimming pools, golf courses, recreation centers, museums, zoos, historical sites, other recreational facilities and buildings therefor, and improvements incidental thereto;

Member Moody asked if it makes a difference if the building is being used for recreational purposes.

Chairman Porter indicated that the Board needs to determine what the goal is of the Board.

Dana Freund, Events Coordinator, commented that in regard to the Masonic building Eureka Restoration is separate from the business that is using the ground level room.

Garney Damele of Eureka Restoration suggested that the Board could make decisions about how they would donate regarding historic buildings.

Discussion ensued regarding the legalities of using room tax for restoration purposes.

10:35am – Chairman Porter called for a short recess.

10:45am – Chairman Porter reconvened the meeting.

During further discussion it was suggested having the county attorney present for the March meeting to provide clarification on funds used for restoration of buildings. In addition, it was pointed out that capital outlay cannot be used for restoration of a building that is not county owned. Recreation funds could be granted for an individual item under \$3,000.00 as anything over that amount falls under the county purchasing process of requesting bids.

In conclusion, Member McKay noted he would make arrangements to have the attorney present, in person or by telephone, for the March meeting.

Action – None.

Agenda Item #11 - Eureka Restoration – Garney Damele

Requesting \$7,000.00 to pay expenses for completing phase 1 restoring the ground level room of the Masonic building. Previously in June requested \$10,000.00 of which the Board approved \$5,000.00. (For Discussion/Possible Action)

Garney Damele of Eureka Restoration approached the Board to discuss her request of \$7,000.00 which was previously on the December agenda. In light of the previous discussion, she asked to reduce the request to \$2,000.00 to complete the power upgrade on the building. Board members previously received the Donation Request form.

Action – Motion made by Rich McKay, seconded by Robin Hicks to approve the request from Eureka Restoration of \$2,000.00, Recreation Fund, to complete the power upgrade on the Masonic building. Motion carried by Elmer Porter, Rich McKay, and Robin Hicks voting aye. Darlene Moody abstained from voting.

Agenda Item #12 - Eureka County Recreation Board

Discussion/set budget allocations for the tourism, recreation, and capital projects funds for next year based on collection of room tax. (For Discussion/Possible Action)

The Board and Kim Todd, Comptroller, discussed setting the budget for 2024-2025. Kim noted that the recreation fund currently has \$569,807.00 and tourism \$32,217.00.

Discussion continued about setting the budget based on room tax collections. Tourism budget would have to remain at \$10,000.00 since that is what is being received from the state.

Upcoming requests were discussed including the car show. Dana interjected that she could take back the event. Previously she was told that the Owl Club would host the car show. However, there has not been any response from Eleny. Dana will try to contact Eleny and plan to take back the car show if there is no response. She will request an agenda item for the March meeting and suggested having the show either June 14-15 or June 22.

Board members resumed discussion regarding the 2024-2025 budget as follows: Recreation Fund \$65,000.00, Tourism Fund \$10,000.00, and Capital Outlay Fund \$20,000.00.

Action – Motion made by Robin Hicks, seconded by Darlene Moody to approve setting the 2024-2025 budget as follows: Recreation Fund \$65,000.00, Tourism Fund \$10,000.00, and Capital Projects Fund \$20,000.00. Motion carried by all voting aye.

Agenda Item #13 - Eureka County Recreation Board

***Discussion regarding the scope of work for the position of Events/Tourism Coordinator and due to declining revenue to what extent the position will be funded for 2024-2025.
(For Discussion/Possible Action)***

Chairman Porter reported reviewed the resignation from Dana Fruend, Events Coordinator, and asked for comments regarding the position. Is the Board interested in re-designing the position especially due to declining revenue. If a new scope of work was drafted, the position would require re-advertising.

Member Moody indicated that the position is necessary.

Member McKay talked about a casual position that the county is contemplating which could benefit the recreation board.

Suggestions offered were:

Possibly the county could employ an individual to work out of the Opera House.
Recreation Board could provide funds for events, dog boxes, etc.
Scope of work for someone to just maintain the web site.
Website maintenance could be a remote position.
Casual county worker.

Discussion ensued regarding the position. It was suggested to include this agenda item for the March meeting.

Action – Motion made by Robin Hicks, seconded by Darlene Moody to include this item on the agenda for the March meeting. Motion carried by all voting aye.

12:55pm – Chairman Porter called for a short recess.

1:00pm – Chairman Porter reconvened the meeting.

***Agenda Item #14 - Eureka County Recreation Board & Dana Fruend, Events Coordinator
*Downtown Beautification Budget. (For Discussion/Possible Action)***

Dana reported on the Main Street project. She noted that the project is an effort which involves the community, strengthening businesses, tourism, etc. helping to preserve the town. This also assists with finding available grants.

Chairman Porter feels that the county really needs to be involved with the project. He inquired to Dana about the time being spent on the project.

Dana talked about her reasons for attending the Main Street meetings to see availabilities of grants and how to help Eureka.

Action – None.

Agenda Item #15 - Public Comment & Discussion. (Discussion)

None.

Agenda Item #16 - Review Funds Expended and Set Next Meeting Date. (Discussion)

Funds expended were as follows: Recreation Fund 4,287.57.00 remaining balance \$41,971.02, Tourism Fund balance \$355.60, and Capital Outlay Fund balance \$26,400.00.

Member Hicks noted that at the December meeting they had scheduled Tuesday March 12, 2024, starting at 9:00am for the next regular meeting.

None.

Agenda Item #17 - Adjournment. (For Possible Action)

Action - Motion made by Rich McKay, seconded by Darlene Moody to adjourn the meeting. Motion carried by all voting aye.

Meeting Adjourned

EUREKA COUNTY RECREATION BOARD

_____ ***Secretary***