



GARY POLLOCK, Mayor
JONATHAN GOOLSBY, Vice-Mayor
LAURA MOORE DELRIO, Councilwoman
CHRIS MICHELI, Councilman
CR "BETH" SAVEDRA, Councilwoman

JASON PENGELLY, City Manager
SAMANTHA NANCE, City Clerk
PATTI ZANDER, Deputy Clerk

PUBLIC MEETING NOTICE
Of the
CITY OF WELLS BOARD OF COUNCILMEN

The Board of Council of the City of Wells, County of Elko, State of Nevada, will meet in regular session on Tuesday, February 13, 2024, in the Council Chambers of Wells City Hall, 525 Sixth Street, Wells, Nevada
Beginning at 7:00 P.M.

Attached with this Notice is the agenda for said meeting of the Board.

This Notice and Agenda is posted pursuant to N.R.S. 241.020 as amended by the 2013 Legislature. This Notice and Agenda has been posted on or before 9:00 A.M. on the third working day before the meeting at the following locations:

WELLS CITY HALL, 525 Sixth Street, Wells, Nevada
WELLS FIRE STATION, 516 Seventh Street, Wells, Nevada
WELLS POST OFFICE, 201 Castle Street, Wells, Nevada
WELLS RURAL ELECTRIC COMPANY, 1451 Humboldt Avenue, Wells, Nevada
SILVER SAGE SENIOR CITIZEN CENTER, 213 First Street, Wells, Nevada
ROY'S MARKET, 647 Humboldt Avenue, Wells, Nevada

Supporting materials for this meeting may be reviewed at the office of the City Clerk, Wells City Hall, 525 Sixth Street, Wells, Nevada.

This institution is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office or call (866) 632-9992 to request the form. You may also write a letter containing all the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, and 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

NOTICE TO PERSONS WITH DISABILITIES

Reasonable efforts will be made to assist and accommodate physically handicapped persons desiring to attend the meeting. Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the City Manager, City of Wells, in writing at P.O. Box 366, 525 Sixth Street, Wells, Nevada 89835-0366, or by calling 775-752-3355 at least two (2) days in advance so that arrangements may be made.


Jason Pengelly, City Manager

TEL 775.752.3355

FAX 775.752.3419

finance@cityofwellsnv.com

MAILING P.O. BOX 366 • WELLS, NEVADA 89835 PHYSICAL 525 6TH STREET • WELLS, NEVADA 89835

The City of Wells is an equal opportunity employer

**AGENDA
REGULAR MEETING
CITY OF WELLS BOARD OF COUNCIL
TUESDAY, FEBRUARY 13, 2024 7:00 P.M.
COUNCIL CHAMBERS, WELLS CITY HALL
525 SIXTH STREET WELLS, NEVADA**

*Breaks and Recess Actions shall be called for at the pleasure of the Board
rather than by agenda schedule.*

Pursuant to N.R.S. 241.020, 6, notice is hereby given that items on the agenda may be taken out of order, that the Board may combine two or more agenda items for consideration, and that the Board may remove an item from the agenda or delay discussion relating to an item on the agenda any time and if the agenda is not completed, to recess the meeting and continue on another specified date and time.

Pursuant to N.R.S. 241.020, 7, any restriction on comments by the general public must be reasonable and may be restricted to the time, place and manner of the comments, but may not restrict comments based on viewpoint.

Citizens will be allowed to make public comment during each agenda item as well as at the formal Citizens to Address the Board of Councilmen agenda item at the beginning of the meeting.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Approval of minutes of previous meeting(s) **FOR POSSIBLE ACTION**

DELEGATION:

5. Citizens to address the Council

Pursuant to N.R.S. 241.020,2 (c) (3), this time is devoted to comments by the general 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 to be an action item.

NEW BUSINESS:

6. Discussion and possible action to approve or deny railroad track concept proposal for the heavy industrial park submitted by RailPros. **FOR POSSIBLE ACTION**
7. Discussion and possible action regarding City of Wells liquor license application for Chimney Rock Golf Course and which council member(s) will accompany the Golf Professional on the application for background checks. **FOR POSSIBLE ACTION**
8. Review of 2024 CDGB grant application, authorize mayor to sign and submit application to the State of Nevada CDBG; new senior center facility. **FOR POSSIBLE ACTION**
9. Discussion on Nevada State Park's splash pad grant and matters pertaining thereto.
DISCUSSION ONLY
10. Claims Committee Report and possible action to approve financial statement.
FOR POSSIBLE ACTION

11. Councilmen's Report

This time is devoted to comments by Board members for general information or update Purposes and may include reports of involvement in liaison actives/meetings with matter raised under this item of the agenda until the matter itself has been specifically included on a successive agenda and identified to be an action item.

12. Staff reports

This time is devoted to comments by city Staff for general information or updates purpose. No action may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on a successive agenda and identified to be action item.

13. Citizens to address the Council

Pursuant to N.R.S. 241.020,2 (c) (3), this time is devoted to comments by the general 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 to be an action item.

14. Adjournment

**MINUTES OF WELLS CITY COUNCIL
MEETING OF JANUARY 23, 2024**

CALL TO ORDER

Date: Tuesday, January 23, 2024
Time: 7:00 P.M.
Place: Council Chambers, Wells City Hall
525 Sixth Street Wells, Nevada
Type of Meeting: Regular Meeting of City of Wells Board of Councilmen
Presiding Officer: Gary Pollock, Mayor

ROLL CALL

Present: Gary Pollock, Mayor
Jonathan Goolsby, Vice-Mayor
Laura Moore-DelRio, Councilwoman
Chris Micheli, Councilman
CR Beth Savedra, Councilwoman

Absent: None

Quorum: Yes

Staff Present: Samantha Nance, City Clerk
Jason Pengelly, City Manager
Patti Zander, Deputy Clerk

PLEDGE OF ALLEGIANCE

Mayor Pollock led everyone in the Pledge of Allegiance.

APPROVAL OF MINUTES OF PREVIOUS MEETINGS

Councilman Micheli made a motion to approve meeting minutes dated January 9, 2024.
Councilman Goolsby provided the second and the motion passed unanimously.

CITIZENS TO ADDRESS THE COUNCIL

Sheriff Aitor Narvaiza was at the meeting to give an update on the numbers for the end of 2023. There were just under two thousand bookings in 2023, one hundred thirty-five coroner calls, three hundred fifty-nine domestic violence calls which was down sixty-four from the previous year. There were one thousand one hundred and ninety-three animal control calls which was up one hundred from 2022. There were twenty-four thousand ninety-three calls of service countywide compared to twenty-four thousand one hundred

Minutes of Wells City Council
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sixty-six for 2022. There were twenty-three fentanyl deaths in 2023. There are 2 deputies out on medical leave, 1 is in Carson City for post. Deputy Huddleston just retired after twenty-eight years of service and Sgt Silva will retire from the jail in February with close to twenty-five years of service.

DISCUSSION AND POSSIBLE ACTION TO APPROVE OR DENY SPECIAL LIQUOR LICENSE FOR THE BOYS & GIRLS CLUB COUNTRY ROMANCE DINNER ON FEBRUARY 7, 2024

This is an annual fundraiser event for the Wells Boys & Girls Club. Savedra made a motion to approve the special liquor license for the Boys & Girls Club Country Romance dinner on February 7, 2024. Micheli provided the second and the motion passed unanimously.

DISCUSSION AND ACTION TO ADOPT PROCLAMATION OF THE 2024 WELLS CITY GENERAL ELECTION. NOTICE OF TIME FOR CANDIDATES TO FILE, DECLARATION OF CANDIDACY FOR THREE (3) COUNCILPERSONS FOR A FOUR (4) YEAR TERM UNTIL THE 1ST MONDAY OF JANUARY 2029

WHEREAS the attention of the Council was called to the fact that under the provisions of Article V, Section 5.010 of the Charter of the City of Wells, a general election shall be held on November 5, 2024, for the election of the following City officials:

Three (3) Councilpersons who shall hold office for a period of four (4) years, until the first Tuesday after the first Monday in November, 2028, election and until his or her respective successor has qualified and entered upon the discharge of his or her respective duties upon the first Monday of January, 2029.

Thereupon, after a full discussion of the matter and a reference to the Charter provisions and provision of NRS Chapters 293 and 293C, the following resolutions were, on motion duly made by Councilman Goolsby and seconded by Councilwoman DelRio, unanimously passed and adopted as follows:

RESOLUTION NO. 1:

RESOLVED: That a general election is hereby called and ordered for November 5, 2024, for the City of Wells for the election of the following officers:

Three (3) Councilpersons who shall hold office for a period of four (4) years, until the first Tuesday after the first Monday in November, 2028,

election and until his or her respective successor has qualified and entered upon the discharge of his or her respective duties upon the first Monday of January, 2029.

That proclamation of said election be made substantially as follows:

PROCLAMATION OF WELLS CITY ELECTION

1. A general City election shall be held in the City of Wells, Nevada, on Tuesday, November 5, 2024, for the election at large by the qualified voters of the City of Wells of the following City Officials:

Three (3) Councilpersons who shall hold office for a period of four (4) years, until the first Tuesday after the first Monday in November, 2028, election and until his or her respective successor has qualified and entered upon the discharge of his or her respective duties upon the first Monday of January, 2029.

2. The voting or polling place for said election will be at the Wells Band Gym, 2012 Doza Street, Wells, Nevada.

3. The polling place shall be open at 7:00 o'clock a.m. and close at 7:00 o'clock p.m. on November 5, 2024, unless polling times are changed by Nevada law, in which event the polls shall open and close in accordance with such Nevada law.

4. Voter Registration Options:

a. In-Person and Mail Registration for this election shall close at 5:00 o'clock p.m. on October 8, 2024.

b. Online registration through the Nevada Secretary of State at www.registertovotenv.gov closes October 22, 2024.

Online same day registration is available October 23, 2024 to November 5, 2024 through the Nevada Secretary of State at www.registertovotenv.gov. You may only vote in person on a voting machine at any early voting site or Election Day Vote Center of your choice.

c. Same day registration is available on November 5, 2024 at the polling place, 2012 Doza Street, Wells, Nevada.

Qualified persons residing within the exterior boundaries of the City of Wells, Nevada, may register for this election at either the Wells City Clerk's Office, Wells City Hall, Wells, Nevada, or the Elko County Clerk's Office, Elko County Courthouse, Elko, Nevada, according to the law, prior to such close of registration.

5. Each of the officers elected by the popular vote shall qualify as required by the Charter of the City of Wells and the Constitution and laws of the State of Nevada and enter upon the discharge of their respective duties on the first Monday in January next following the election, and failing to do so within said time, such office shall be and become vacant. To qualify, each Candidate must:

- a. Be a bona fide resident of the City of Wells for at least two (2) years prior to the election;
- b. Be a qualified elector within the city; and,
- c. The candidate must actually, as opposed to constructively, reside in the City at least thirty (30) days immediately preceding the date of the closing of filing of declarations of candidacy for the office.

6. All persons interested in becoming a candidate for office in this election must file their Declaration of Candidacy and pay their \$25.00 filing fee at the Wells City Clerks' Office not earlier than 8:00 o'clock a.m. on Monday, March 4, 2024, and no later than 5:00 o'clock p.m. on Friday, March 15, 2024. No Declaration of Candidacy shall contain the name of more than one Candidate. The signer of each such Declaration shall swear or affirm that the statements therein made are true to the best of his/her knowledge and belief. Forms are available at:

<https://www.nvsos.gov/SOSCandidateServices/AnonymousAccess/CF/CandidateFiling.aspx>

7. Any registered voter who by reason of physical disability or inability to read or write English or who is unable to read election materials or mark a ballot or use any voting device may be assisted by a person of the voter's choice, with exceptions as set forth in NRS 293C.282.

IN WITNESS WHEREOF, the Mayor of the City of Wells has made this Proclamation pursuant to the Wells City Charter and the Order of the Board of Councilmen of the City of Wells, on January 23, 2024.

/s/ **GARY POLLOCK**, Mayor

ATTEST:

/s/ **JASON PENGELLY**, Wells City Manager

Said proclamation be published in the Elko Daily Free Press on January 27, February 3, 10, 17, 2024.

RESOLUTION NO. 2:

RESOLVED: In-Person and Mail Registration for this election shall close at 5:00 o'clock p.m. on October 8, 2024.

Online same day registration is available October 23, 2024 to November 5, 2024 through the Nevada Secretary of State at www.registertovotenv.gov. You may only vote in person on a voting machine at any early voting site or Election Day Vote Center of your choice.

Same day registration is available on November 5, 2024 at the polling place, 2012 Doza Street, Wells, Nevada, and that notice of registration and of close of registration for such election be given by publication thereof at least once a week for a period of four consecutive weeks prior to said date of closing of registration, in a newspaper published in said County of Elko, namely, the Elko Daily Free Press.

RESOLUTION NO. 3

RESOLVED: That Notice of Close of Voter Registration for said election on November 5, 2024, be given by the City Manager substantially in the manner following:

**NOTICE OF CLOSE OF VOTER REGISTRATION
FOR WELLS CITY GENERAL ELECTION NOVEMBER 5, 2024**

NOTICE IS HEREBY GIVEN that VOTER REGISTRATION for the Wells City Election to be held in and for the City of Wells, Nevada, November 5, 2024, will close as follows:

In-Person and Mail Registration for this election shall close at 5:00 o'clock p.m. on October 8, 2024.

Online same day registration is available October 23, 2024 to November 5, 2024 through the Nevada Secretary of State at www.registertovotenv.gov. You may only vote in person on a voting machine at any early voting site or Election Day Vote Center of your choice.

Same day registration is available on November 5, 2024 at the polling place, 2012 Doza Street, Wells, Nevada, and that notice of registration and of close of registration for such election be given by publication thereof at least once a week for a period of four consecutive weeks prior to said date of closing of registration, in a newspaper published in said County of Elko, namely, the Elko Daily Free Press.

All eligible persons residing within the City of Wells, Nevada, may register to vote in such election prior to such closing date and time by appearing before either the Wells City Clerk, Wells City Hall, Wells, Nevada, or the Elko County Clerk, Elko County Courthouse, Elko, Nevada, and registering in the manner provided by law.

DATED January 23, 2024

/s/ JASON PENGELLY, Wells City Manager

Published: October 8, 15, 22, and October 29, 2024

Posted: October 7, 2024

RESOLUTION NO. 4

RESOLVED: That Notice of Time for Candidates to File Declaration of Candidacy for Wells City General Election on November 5, 2024, be given by the City Clerk substantially in the manner following:

NOTICE OF TIME FOR CANDIDATES TO FILE DECLARATION OF CANDIDACY FOR WELLS CITY GENERAL ELECTION NOVEMBER 5, 2024

NOTICE IS HEREBY GIVEN that all persons wishing to be a CANDIDATE FOR THE FOLLOWING OFFICES in the Wells City Election to be held in and for the City of Wells, Nevada, November 5, 2024, must file a

Declaration of Candidacy and pay a \$25.00 filing fee at the City Clerk's Office, Wells City Hall, 525 Sixth Street, Wells, Nevada or online at www.nvsos.gov/soscandidateservices/loginuu.aspx.

Three (3) Councilpersons who shall hold office for a period of four (4) years, until the first Tuesday after the first Monday in November, 2028, election and until his or her respective successor has qualified and entered upon the discharge of his or her respective duties upon the first Monday of January, 2029.

Any interested Candidates must file the Declaration of Candidacy no earlier than 8:00 a.m., Monday, March 4, 2024, and not later than 5:00 p.m., Friday, March 15, 2024. No person shall be a candidate or have his name printed on the Official Ballot for such election unless such person has timely filed such Affidavit of Candidacy and paid the \$25.00 filing fee.

DATED January 23, 2024

/s/ JASON PENGELLY, Wells City Manager

Publish: on January 27, February 3, 10, 17, 2024.

Post: January 25, 2024

RESOLUTION NO. 5:

RESOLVED: That the City Clerk is authorized and instructed to cooperate with the County Clerk of the County of Elko in all matters pertaining to said registration and election, and to have all necessary printing done, publications made, ballots prepared, etc., as shall be proper and lawful under the circumstances.

RESOLVED: That as to any and all acts performed by the County Clerk of Elko County in connection with said registration or election, as may be required by law, the City of Wells shall reimburse said County Clerk for all proper expenses for which said City of Wells may be chargeable.

RESOLVED: That the following persons are hereby appointed as Clerks and Judges of Election, namely:

Clerks of Election: _____

Judges of Election: _____

RESOLUTION NO. 6:

RESOLVED: Any registered voter who by reason of physical disability or inability to read or write English or who is unable to read election materials or mark a ballot or use any voting device may be assisted by a person of the voter's choice, with exception as set forth in NRS 293C.282.

DATED at Wells, Nevada, on January 23, 2024.

/s/ **JASON PENGELLY**, Wells City Manager

APPROVED:

/s/ **GARY POLLOCK**, Mayor

CLAIMS COMMITTEE REPORT: ACTION TO APPROVE FINANCIAL STATEMENTS

Goolsby made a motion to approve the Warrant Register dated January 11, 2024 through January 23, 2024 in the amount of \$183,882.12. DelRio provided the second and the motion passed unanimously.

COUNCILMEN'S REPORTS

Savedra attended the Elko County School District Capital Improvement Plan Committee meeting on January 18th. Updates were given on all schools. More cameras were installed in the Wells schools. Locks are being changed to key cards for all school personnel. The Legislature passed AB519 effective July 1, 2023 establishing provisions governing capital projects for school districts. This bill required the county commissioners of certain counties to levy a property tax for capital projects of school districts and would create a fund to assist rural school districts in financing capital improvements. The county commissioners had the option to vote for a one cent to twenty-five cent increase for property taxes to go towards the school. The county commissioners voted for a twenty-two-cent increase on property taxes. On January 22nd, Savedra, Nance and Pengelly met with Dr. Stein who is the gentleman Savedra met at the NNRDA On Target event. Savedra also had a second meeting that day for the Jr./Sr.

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PTO. The Jr./Sr. PTO needs participants. On the 26th, Pengelly and Savedra will meet with Greg Zegus from the Nevada Clean Energy Fund and CEF on the geothermal and solar grants that are available through federal funding.

Micheli announced the car show this year will be July 26-28th, 2024 and is already making plans.

DelRio stated the Elko Boys & Girls Club has partnered with the Wells Boys & Girls Club to pilot a basketball program for 3rd & 4th graders. All practices and games will be in Wells. The school is trying to develop a parent/teacher organization for the junior high and high school. There is a good group of people with some good ideas and hope for more community involvement. The PTO hopes to bring back the Race to the Angel.

Pollock announced the Lt. Governor will be in Wells on February 1st at 10 a.m. for a meet and greet. Everyone is welcome. DelRio asked if the school kids would be able to attend the meet and greet. Pengelly stated he would contact the liaison and ask. The City Manager from Carlin has been invited as well as the Elko County Manager, county commissioners and Wells Rural Electric employees. Savedra thought maybe the student council from the school would be a good group to invite.

STAFF REPORTS

Pengelly stated when there was a report of an active shooter at the school months ago when school was not in session, Elko County deputies had problems getting access to the school. Pengelly contacted the school principal about getting a knox box put at the school for the sheriff department. Pengelly asked Narvaiza if he knew about that and if it had been done. Narvaiza stated that has been done.

The pump at the pool went out a couple of weeks ago. The motor and the pump have been replaced as well as other parts in the pump and still cannot get the pump working. One more part is on the way and hopefully it will be up and running soon.

The medical center construction is complete. Pengelly met with Nancy from Med X today and Intermountain started moving furniture into the building. March 7th is the tentative date for the open house.

The new senior center is sheet rocked; texturing has started then will be painting. Pengelly hopes the other \$150,000 from NGM can be provided to continue moving forward. Nance is working on the CDBG Grant for \$300,000. If the city gets that grant, it will hopefully be enough to finish the senior center. It could be open by late summer or early fall.

CITIZENS TO ADDRESS THE COUNCIL

Narvaiza stated that the legislature passed a new bill that took effect in July of 2023 allowing all incarcerated inmates the right to vote. Inmates must provide a letter of intent

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stating their desire to vote. That letter is given to the clerk's office who verifies that person is a registered voter. The ballot is sent to the sheriff's office then is given to the inmate in the jail. It is filled out; the sheriff's department takes possession of the ballot and drops it in the box then it is taken to the clerk's office. If an inmate wants to vote in person, the clerk's office can take a voting machine to the law library and the inmates can go in and physically vote. Every county that has a jail must allow inmates to vote.

Narvaiza stated calls had been received regarding voting being done at the Wells Indian Colony, on tribal land that is a sovereign nation. Ames and Narvaiza met with the BIA Chief regarding these concerns. There will be a BIA officer as well as a deputy on site on election day. Once all votes are cast, BIA will take possession of the ballots, give the sheriff deputy custody of the ballots who will transport them to the clerk's office to be counted. Narvaiza does not see having any issues for the people of Wells voting on the colony.

ADJOURNMENT

The meeting was adjourned at 7:37 p.m.

GARY POLLOCK, Mayor

ATTEST:

SAMANTHA NANCE, City Clerk

Agenda Item #6

Date of Meeting 2-13-24



RAILROAD TRACK CONCEPT PROPOSAL
CITY OF WELLS, NV

JANUARY 29, 2024

PREPARED BY:



www.railpros.com

January 29, 2024

Mr. Jason Pengelly, City Manager
City of Wells, NV
525 Sixth Street
Wells, NV 89835
Email: citymanager@cityofwellsnv.com

Subject: **Proposal for UPRR Railroad Concept Design (DEVCON) for City of Wells
Wells, NV**

Jason,

Thank you for the discussion last week regarding the City of Wells' ("CITY") desire to engineer a rail plan for a connection to the Union Pacific Railroad ("UPRR") and for potential rail spurs within the Wells Industrial Park.

RailPros, Inc. ("RailPros") is pleased to offer CITY this proposal to design a conceptual rail plan for the proposed UPRR connection and industrial spur tracks that is consistent with the UPRR Development Concept ("DEVCON") criteria and Industry Access guidelines. We have included a follow-up on-site investigation to review key local conditions and all coordination with the UPRR staff tasked with processing the conceptual plan.

SCOPE OF WORK:

RailPros proposes to perform the following scope of work at the location show below in **PROJECT LOCATION:**

- Follow up on-site investigation of the local conditions and meeting with CITY representatives;
- Review of Railroad ROW Maps to delineate infrastructure boundaries and obstructions;
- Engagement with UPRR Industrial Development staff (Mr. Marcinko);
- Provide CITY up to three (3) high-level sketches showing plausible track alignments (options) for further CITY internal discussion and consideration;
- Using CITY's preferred rail alignment option, develop a UPRR compatible DEVCON design;
- Submission of the preferred option as a DEVCON to the UPRR for review and comment;
- Develop a preliminary (Class 5) cost estimate detailing probable rail infrastructure costs;
- Preparation of a Final Design proposal for rail infrastructure to be submitted to CITY for CITY's further consideration and approval; and,
- Coordination and communication at key points with designated CITY and UPRR staff.

KEY UNDERSTANDINGS & ASSUMPTIONS:

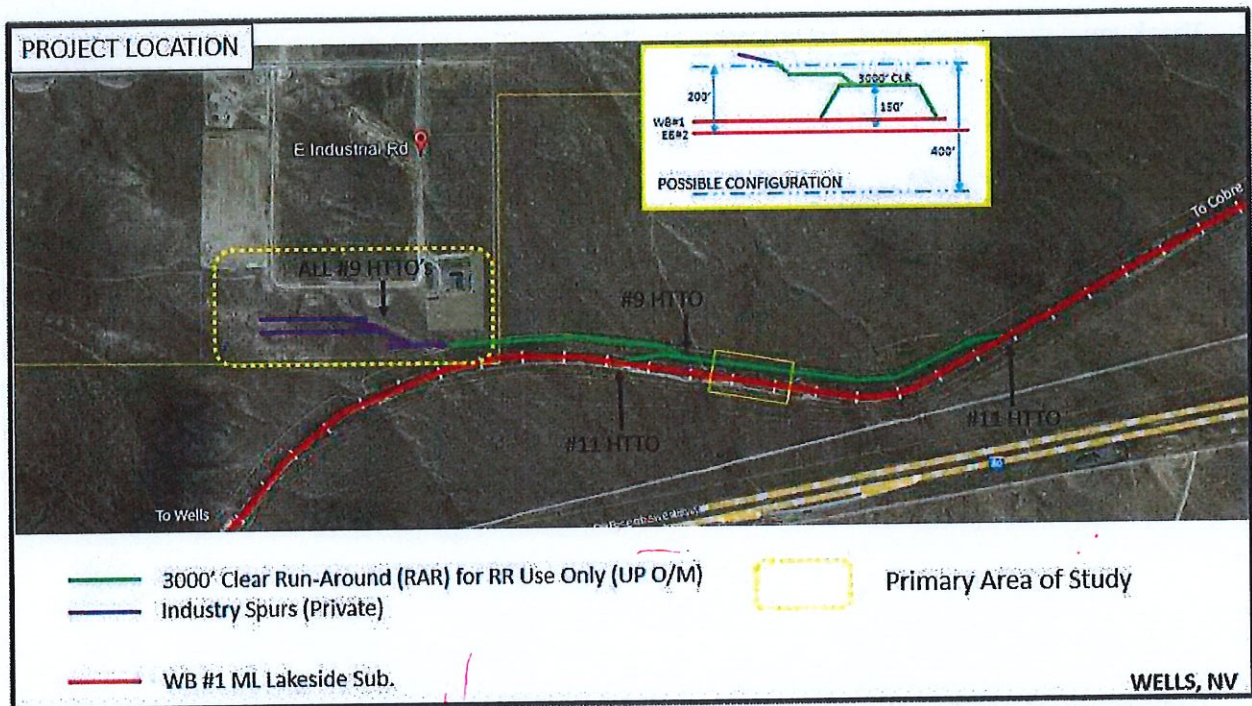
The following key understandings / assumptions apply in order to ensure a consistent understanding of our scope:

- Topographic, Geotechnical, Utility, Drainage, and Boundary survey tasks are excluded from our scope;
- Environmental review and/or local permitting research is excluded from our scope;

- Rail design services other than those tasks directly related to the UPRR DEVCON process and/or any rail design beyond the DEVCON level are excluded from our scope at this stage;
- RailPros shall provide CITY with a subsequent proposal covering Final Rail Design that is required to be submitted to the UPRR for review and approval;
- The RailPros Class-5 cost estimates shall be viewed as an engineer's opinion on probable rail infrastructure costs using 2024 dollar-figures. The costs shall be viewed as an opinion and not as a warranty; and,
- The submission of a DEVCON to the UPRR for review and comment does not constitute a guarantee by RailPros that the UPRR will agree to provide freight service to any project location under any specific terms and/or conditions.

PRIMARY PROJECT LOCATION:

The project location is noted as an area of multiple parcels of land east of downtown Wells, NV and south of the Wells Airport. This area of study for potential private rail spurs is shown within the dotted yellow segment below. The depiction of potential rail lines shown on the diagram below is for discussion purposes only. The actual rail configuration will vary based on a number of factors including UPRR service parameters.



FEE: RailPros shall perform the Scope of Work at the primary project location on a Time & Materials Basis (T&M) with a not to exceed limit of **\$10,000.00 USD**.

SCHEDULE: We are available to start immediately and anticipate full engagement and coordination with the UPRR staff (Mr. Marcinko) to arrange a follow up on-site meeting within ten working days from receiving CITY's Notice to Proceed with our Scope of Work.

INVOICE: RailPros shall invoice CITY on a monthly basis for on-going work. Payments of our invoices are due upon receipt or up to a maximum of 30 days post receipt. Invoices are subject to a 1% fee for every 30 days the payment is delinquent.

AGREEMENT & NOTICE TO PROCEED:

CITY may indicate acceptance of this proposal by signing and returning this proposal via email. RailPros shall regard a signed proposal as a NOTICE to PROCEED with the scope of work. Alternatively, if CITY elects to have RailPros enter into a standard CITY professional services agreement or other form of vendor services agreement ("vendor agreement"), RailPros is agreeable provided a full copy of this proposal is included in the vendor agreement as either an attachment or an exhibit. Should a vendor agreement be the desired course, please forward the agreement to my attention for immediate review and handling.

If you have any questions regarding this quote or would like further information, please feel free to contact me.

Thank you,

RAILPROS, INC.

Paul F. MacDonald

Director

AGREED TO AND ACCEPTED BY:

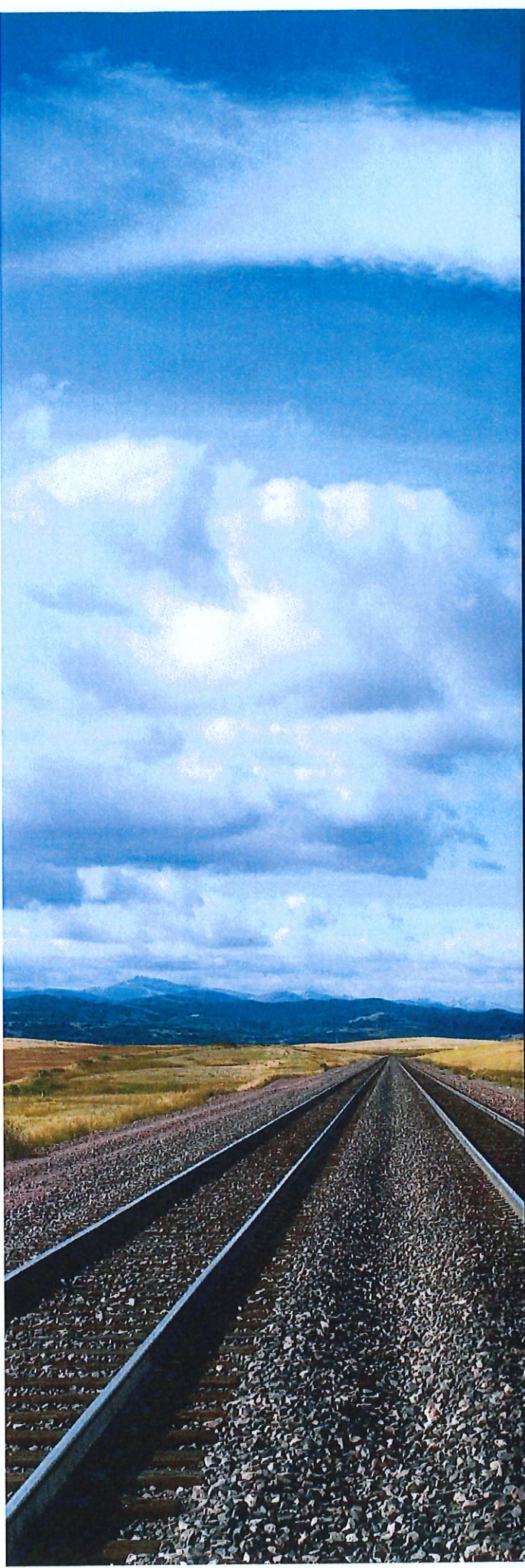
CITY Representative

Printed Name

Title

Date

Confidentiality and Ownership of Proprietary Information: Any and all information, data, materials, methodologies, ideas, concepts, techniques, know-how, plans, designs, or processes of any kind, nature, or description (hereinafter referred to collectively and with respect to each constituent item, portion, part, or element thereof as the "Information") contained in this document are owned by, proprietary to, and constitute the trade secrets of RailPros Field Services, Inc. and its affiliates ("RailPros"). The recipient will treat the Information as strictly confidential and will never disclose the Information to anyone without RailPros' prior written permission and consent. The recipient shall use the information only in furtherance of RailPros' business interests and will make no use of the Information in any other present or future activities or business ventures, regardless of whether such activities or ventures are intended to or actually inure to the benefit of the recipient or any other person or entity.



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*WE ARE COMMITTED TO
PROVIDING EACH CLIENT
WITH SUPERIOR
SERVICES WITH
ATTENTION TO
SPECIFICATIONS,
REGULATIONS, AND
TIMELINES IN ORDER TO
ENSURE CLIENT
SATISFACTION.”*

 **RAILPROS**

Jason Pengelly

From: Sara N. Sturtz <snsturtz@parks.nv.gov>
Sent: Friday, December 29, 2023 2:17 PM
To: Jason Pengelly
Cc: Elyse M. Jolly; Janice Keillor
Subject: Chimney Creek Golf Course - Possible LWCF Conversion
Attachments: Screenshot 2023-06-21 090611.png

Hi Jason,

I hope you are having a good holiday season! Just as an FYI, the LWCF funding round is almost open and we were able to submit your application for the splash pads to the NPS, our program officer is doing their pre-review now. We will be in touch to let you know if they have any questions regarding the splash pad application.

On another note, we have also been spending some time thinking about the City of Wells conversion. We originally we thought we may be able to show the NPS this was a simple land swap, and then come up with a plan to improve the parcel of land that was swapped (002-740-024). We were hoping to propose to the NPS that the City could improve the parking lot on the parcel by paving it (only if this is something the City would be able to do). In order to do that though we need to confirm that the parcels 002-740-026 and 002-740-024 existed prior to 1999, and that the City of Wells did **not** own parcel 002-740-024 at the time the golf course was encumbered with LWCF funds.

Given the lack of documentation for these parcels, it appears that 002-740-026 and 002-740-024 were originally part of 002-740-025 (and therefore part of the LWCF encumbered golf course). Then, I am assuming, in the 1990's parcel 002-740-025 was sectioned off (and given a new parcel number of 002-740-025) so that the newly created parcels 002-740-026 and 002-740-024 could be sold to Arm Tire Center. Then it looks like Arm Tire Center sold parcel 002-740-024 back to the City in 1999. If this is the case then we will have to consider the loss of outdoor recreation value for 002-740-026 and move forward with finding a replacement property, as it appears the City originally owned 002-740-024 when it was still part of the larger parcel.

With that, I have two questions for the City:

1. Since neither of the parcel records available online for 002-740-026 or 007-740-024 have any data prior to 1999, does this mean that these parcels were part of 002-740-025 before they were sectioned off?
2. Can the City of Wells obtain a title for 002-740-024 demonstrating that the City of Wells did not own 002-740-024 prior to 1999? And that the City did not own the land now known as parcel 002-740-024 when it was encumbered after receiving LWCF funds? Or can the City provide any other kind of documentation that would have this information?

Thank you for your time!

-Sara

Jason Pengelly

From: Elyse M. Jolly <emjolly@parks.nv.gov>
Sent: Thursday, January 25, 2024 12:03 PM
To: Jason Pengelly
Cc: Sara N. Sturtz; McDonald, Andrew J; Pace, Brandon L; Seitz, Brandon R
Subject: RE: Golf Course Parcels
Attachments: Boundary Map 32-00048.pdf

Hi Jason,

Thank you for your patience and for following up with us. Sara and I have been diving into the documents you provided and trying to brainstorm some ideas.

After reviewing the submitted documentation, it looks like what we were suspecting. The Golf Course used to be a larger parcel that was later sectioned out to create the parcels 002-740-024 and 002-740-026. I have attached a boundary map from an old inspection form that demonstrates the golf course used to encompass parcels 002-740-024 and 002-740-026.

This means that Wells cannot use parcel 0002-740-024 as a potential replacement property for Chimney Rock Golf Course conversion, as it was originally part of the golf course when it received LWCF funding. The City of Wells will need to look for another location to use for a replacement property that can make up for the loss of outdoor recreation acreage at the golf course.

We will have to ensure we are complying with federal regulations listed in [36 CFR 59.3 \(Conversion requirements\)](#). The regulations state:

- The fair market value of the property converted needs to be determined (i.e., appraised);
- The property proposed for substitution is of at least equal fair market value;
- The replacement property must be of reasonable equivalent recreation value (does not have to be a golf course, could potentially be a soccer field or park with playground equipment, etc.);
- The replacement property cannot have been previously designated for outdoor recreation.

So, we believe the first step should be to do a Yellowbook appraisal of the parcel 002-740-026 and locate a parcel that meets the requirements listed in 36 CFR 59.3(b).

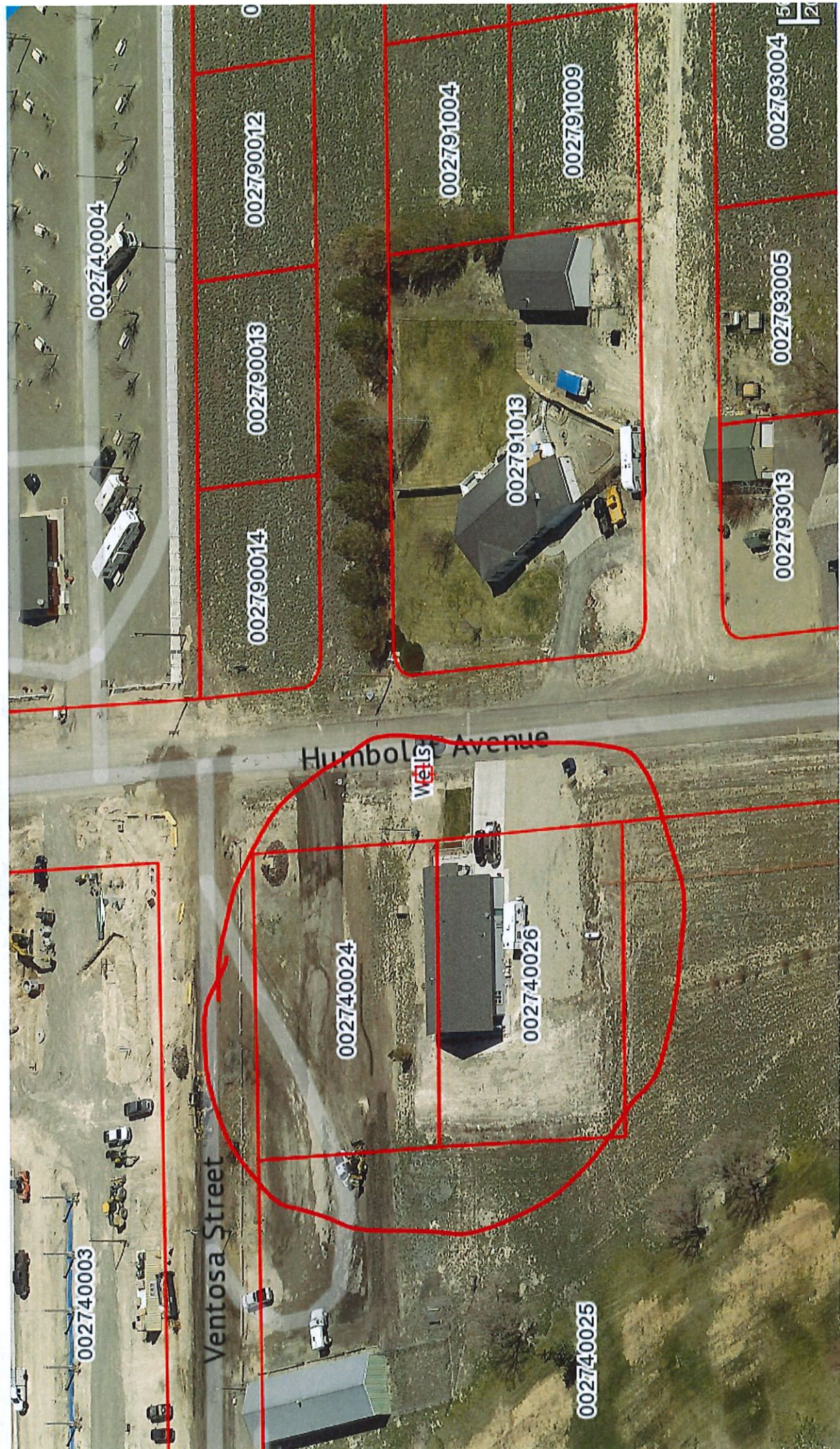
For more information on LWCF, please [click here](#) for the LWCF manual.

For City of Wells' records, we have uploaded the LWCF project file for Chimney Rock Golf Course (LWCF Legacy No. 32-00048) to our public FTP site. It is in the LWCF Folder → 32-00048 Chimney Rock Municipal Golf Course.

FTP URL: <https://dcnrftp.ndep.nv.gov/login>

The login info is:
Parks_public
Parks12345

Unfortunately, until the City of Wells can provide a potential replacement parcel, NDSP will not be able to submit Wells current application for the installation of a splash pad to the NPS for review/approval. We are happy to provide assistance, so please do not hesitate to contact us. Please let us know if you have any questions or concerns.



Wells Golf Course
Project Name

L&WCF No. 32-00-00048

Site Location: South end of the City of Wells, Elko County, Nevada, south of I-80, bounded by Shoshone Avenue and Humboldt Avenue	8(f)(3) Acreage 40	Matching Funds: \$ 3,000.00 (Sponsor)
Sponsor's Name/Address: City of Wells 279 Clover Avenue Wells, NV 89835	Project Type: Development	\$ 3,000.00 (L&WCF)
Phone No.: (702) 752-3355	Project Duration: Start: 08/30/73 End: 11/27/73	\$ 6,000.00 (Total Cost)
Description: This project involved the completion of a water system; and the seeding of five (5) holes of an eventual nine (9) hole golf course.		

