

**NEVADA COMMISSION FOR THE RECONSTRUCTION OF THE V&T RAILWAY**  
**Minutes of the Tuesday, May 18, 2021 Regular Meeting**  
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A regular meeting of the Nevada Commission for the Reconstruction of the V&T Railway was held at 1:15 p.m. on Tuesday, May 18, 2021, in the Community Center Robert “Bob” Crowell Boardroom, 851 East William Street, Carson City, Nevada.

The meeting video is available on Carson City’s website by clicking on the link below:  
[https://carsoncity.granicus.com/MediaPlayer.php?view\\_id=2&clip\\_id=1785](https://carsoncity.granicus.com/MediaPlayer.php?view_id=2&clip_id=1785)

**PRESENT:** Chairperson David Peterson  
Vice Chair Clay Mitchell (Remote)  
Treasurer Deny Dotson  
Commissioner Stephanie Hicks  
Commissioner Jim Wells

**1. CALL TO ORDER**

Chairperson Peterson called the meeting to order at 1:15 p.m.

**2. ROLL CALL AND DETERMINATION OF A QUORUM**

Roll was called and all members were present, establishing a quorum.

**3. PLEDGE OF ALLEGIANCE**

Chairperson Peterson led the Pledge of Allegiance.

**4. PUBLIC COMMENT**

Chairperson Peterson entertained public comments; however, none were forthcoming.

**5. FOR POSSIBLE ACTION: APPROVAL OF MINUTES – APRIL 29, 2021 V&T RAILWAY COMMISSION MEETING**

Chairperson Peterson introduced the item and entertained comments, changes, or corrections. He noted that the minutes were late material. He also noted one correction under item 11 where “service” should be changed to “services”. No other changes were forthcoming.

**MOTION: Commissioner Wells moved to approve the minutes with the stated correction. The motion was seconded by Commissioner Hicks and carried 5-0-0.**

**CONSENT AGENDA**

Chairperson Peterson asked if other Commissioners would like to remove any items from the Consent Agenda. No removals were requested.

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**MOTION:** Treasurer Dotson moved to approve the Consent Agenda, including Items number 6 and 7, as submitted on today's agenda. The motion was seconded by Commissioner Hicks and carried 5-0-0.

**END OF CONSENT AGENDA**

**8. FOR POSSIBLE ACTION: DISCUSSION AND POSSIBLE ACTION REGARDING APPROVAL OF CONTRACT NO. FY21-C004 WITH ATYPICAL CONSULTING AND EVENTS, ADMIN/OPERATIONS COORDINATOR, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$552,992.11**

Chairperson Peterson introduced the item and entertained questions regarding Atypical Consulting and Events' contract, which is incorporated into the record by clicking on the following link: <https://vtrailway.com/wp-content/uploads/2021/05/20210518-VT-COMMISSION-AGENDA-ITEM-08.-Contract-No.-FY21-C004-with-Atypical-Consulting-and-Events.pdf>. Vice Chair Mitchell noted that the contract amount is higher than the original proposal. He added that he does not believe the amount is unreasonable and understands there are additional hours for various functions but requested additional clarification for the increase.

Chairperson Peterson stated that he and Commissioner Wells had in-depth conversations with Allyson Bolton of Atypical Consulting and Events, including blocking hours into separate billing "buckets". They also discussed integrating marketing, public relations and ongoing web maintenance into the contract, which had not originally been included. Chairperson Peterson added that Vice Chair Mitchell was correct that there are additional hours in the contract; however, he noted that the original proposal was short on hours. He then asked Commissioner Wells to further elaborate on their conversations.

Commissioner Wells agreed that the original contract of \$64,800 was light in places, especially relating to some of the operating components. He noted that, originally, there were separate budget line items for staffing and labor (\$25,000) and for marketing and website management (\$25,000) in addition to the \$65,000 for the Administrative/Coordinator/Manager position. Commissioner Wells explained that, through conversations with Mrs. Bolton, it was determined that these three line items should be rolled into a single contract for which Atypical would be responsible. This would give Atypical additional man hours, for instance, to have people at the Depot as needed, people running The Polar Express and assistance running the website. That totals \$115,000 for the first fiscal year of the contract, plus the final two months of fiscal year 2021. Atypical's hourly rate would be indexed starting in year three by three percent each year, which equates to the total contract value.

Vice Chair Mitchell expressed thanks for the clarification and reiterated that he did not believe the contract amount was excessive. He agreed that he felt the initial scope was light. He then asked whether the Commission was confident that the forecasted hours are sufficient for the level of service needed.

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Chairperson Peterson answered in the affirmative. He explained that there are many unknowns at this point, but the structure they have devised with the billing “buckets” should provide a reliable view of the hours needed by the end of fiscal year 2022. He then reminded attendees that the contract amount is “not to exceed” and explained that if expenses were to run heavy on the front end of the contract, the Commission would have the ability to amend and increase the contract amount in the future if needed. He stated that he is comfortable with the contract as presented.

Vice Chair Mitchell reiterated his support of the contract.

Chairperson Peterson asked if any Commissioners had questions for Mrs. Bolton. Treasurer Dotson asked Mrs. Bolton about communication, stating concern that there was some confusion from outside entities about proper contact information. Chairperson Peterson stated that those issues would be addressed very soon.

Mrs. Bolton stated that she was excited to be on board and eager to get started. She stated that she already has meetings scheduled with Commissioners and Rail Events and is looking forward to getting started right away.

Chairperson Peterson opened the floor for any further questions. There being none, he requested a motion.

**MOTION: Commissioner Hicks moved to award contract No. FY21-C004 to Atypical Consulting and Events. The motion was seconded by Treasurer Dotson and carried 5-0-0.**

**9. FOR DISCUSSION ONLY:**

**MONTHLY NON-ACTION ITEMS:**

**A. ATTORNEY’S REPORT**

Mike Rowe noted that the agenda did not include an approval of the agenda and suggested such be added to future agendas. He also stated that at the previous meeting, it was recommended to include a Discussion Only sub-item for an Engineer’s Report; however, such is not included on this agenda.

Chairperson Peterson stated that the Engineer’s Report was initially included on this agenda; however, Ken Door asked to remove it and instead add the item to the June agenda. Regarding the agenda item to approve the agenda, Chairperson Peterson stated that the Commission follows the example of Carson City with Agenda Management in lieu of such an agenda item; however, he stated that the item could be added to future agendas if Mr. Rowe believed it was necessary.

Chairperson Peterson asked Mr. Rowe if he had any recent communication regarding the Draco property. Mr. Rowe answered in the negative. Chairperson Peterson requested that Mr. Rowe follow up with the title company so that it could be determined whether the property would be

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part of the fiscal year 2021 budget. Mr. Rowe stated that, in his most recent communication, the funds had been deposited into the title company's trust account and the contract was referred to their legal department. He committed to following up on the matter.

Vice Chair Mitchell added that he also had not had recent communication with the title company but would work with Mr. Rowe to seek a resolution.

**B. UPCOMING MEETINGS**

Chairperson Peterson read the following into the record:

- **V&T Railway Commission: Thursday, June 24, 2021 at 1:00 p.m.**

**C. COMMISSIONER COMMENTS, ANNOUNCEMENTS, AND REQUESTS FOR INFORMATION FROM STAFF**

Chairperson Peterson opened the floor for Commissioner comments, announcements and requests for information from staff. Commissioner Wells referred to two emails sent in early April. The first email was from Mr. Dorr regarding storm water/sanitary sewage permits, and Commissioner Wells requested that the Administrative Manager ensure the necessary reports relating to these permits were submitted. The second email included a suggestion from Mr. Rowe that an amendment be added to the Railbikes contract requiring a monthly ridership report. Commissioner Wells asked if such an amendment would be forthcoming.

Chairperson Peterson stated that there is a report forthcoming detailing April ridership and revenue but a contract amendment had not been requested. Commissioner Wells asked that the amendment be pursued.

Mr. Dorr noted that Railbikes had provided ridership information to him the previous day and felt that the reports received were sufficient for this month. However, he agreed that a contract amendment would be helpful. He added that he intended to work with Atypical regarding NDEP permits and would provide Mrs. Bolton with the information needed to move forward with these permits. Mr. Dorr, attending the meeting remotely, also apologized for not attending the meeting in person.

Chairperson Peterson committed to sending the April ridership reports to the Commission and to working on a contract amendment requiring monthly reports on ridership and revenue.

Mr. Dorr stated that Railbikes is already planning to provide that information. He also noted that he would review FRA reports with Mrs. Bolton.

Chairperson Peterson opened the floor once again, and Commissioner Hicks stated that she spoke with Public Works regarding issues with landfill trash. She shared that Public Works committed to clean up the area and look into the issue of the trash blowing over the fence and onto V&T property. They are glad to assist. She also extended her thanks to Mr. Dorr and Gabe Willaman for providing a high rail tour for herself and Chairperson Peterson. She noted that she

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has a better understanding of track maintenance and railway operations as a result. Chairperson Peterson agreed.

Commissioner Wells stated that he also took part in a high rail tour with Mr. Willaman and extended his thanks as well. He also reminded the Commission of the need to update the ethics and conflict of interest policy.

Chairperson Peterson agreed and noted that the policy will be on the June meeting agenda and that Mr. Rowe was working on a new policy draft. Chairperson Peterson also stated that the online ticketing for Railbikes was now operational and that there is a high interest from the public regarding Railbikes, train operations and The Polar Express.

Treasurer Denton agreed that there is pent up demand for train operations but that there exists questions and confusion among the general public. He suggested setting up a call center/routing center to assist with this issue. Chairperson Peterson and Mr. Dorr agreed.

Vice Chair Mitchell asked if the Budget Hearing had taken place at 1:00 p.m. Chairperson Peterson responded in the affirmative and noted that the Hearing concluded at 1:05 p.m.

**10. PUBLIC COMMENT**

Chairperson Peterson entertained public comments; however, none were forthcoming.

**11. FOR POSSIBLE ACTION: TO ADJOURN**

**MOTION: Treasurer Dotson moved to adjourn. The motion was seconded by Commissioner Wells and carried 5-0-0.**

Chairperson Peterson adjourned the meeting at 1:45 p.m.