

**NEVADA LEGISLATURE**  
**LEGISLATIVE COMMITTEE ON PUBLIC LANDS' SUBCOMMITTEE TO**  
**STUDY THE FEASIBILITY AND DESIRABILITY OF A CHANGE IN THE**  
**BOUNDARY LINE BETWEEN NEVADA AND UTAH**  
(Senate Concurrent Resolution No. 20 [File No. 82, *Statutes of Nevada 2003*])

**SUMMARY MINUTES AND ACTION REPORT**

The first meeting of the Nevada Legislature's Committee on Public Lands' Subcommittee to Study the Feasibility and Desirability of a Change in the Boundary Line Between Nevada and Utah was held on Friday, January 9, 2004, at 10 a.m. (Mountain Standard Time) in the West Wendover Branch Library, 590 Camper Drive, West Wendover, Nevada. A copy of this set of "Summary Minutes and Action Report," including the "Meeting Notice and Agenda" ([Exhibit A](#)) and other substantive exhibits, is available on the Nevada Legislature's Web site at [www.leg.state.nv.us/Session/72nd2003/Interim](http://www.leg.state.nv.us/Session/72nd2003/Interim). In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (e-mail: [publications@lcb.state.nv.us](mailto:publications@lcb.state.nv.us); telephone: 775/684-6835).

**SUBCOMMITTEE MEMBERS PRESENT:**

Senator Dean A. Rhoads, Chairman  
Assemblyman John C. Carpenter

**SUBCOMMITTEE MEMBER ABSENT:**

Senator Michael A. Schneider

**LEGISLATIVE COUNSEL BUREAU STAFF PRESENT:**

Robert E. Erickson, Research Director, Research Division  
Gayle Nadeau, Senior Research Secretary, Research Division

**OPENING REMARKS**

Senator Dean A. Rhoads, Chairman, welcomed members and staff to the first meeting and stated the objective of the subcommittee is to explore potential impacts of changing the border line between the States of Nevada and Utah. Chairman Rhoads introduced the subcommittee members, and staff, and recognized distinguished representatives from federal, state, and local entities of both states.

**REVIEW OF SUBCOMMITTEE PROPOSED WORK PLAN AND DISCUSSION OF SUBCOMMITTEE ACTIVITIES AND MEETINGS DURING THE 2003-2004 LEGISLATIVE INTERIM**

- Robert E. Erickson, Research Director, Research Division, Legislative Counsel Bureau (LCB), Carson City, Nevada, outlined the responsibilities assigned the subcommittee pursuant to Senate Concurrent Resolution No. 20. The subcommittee is to review the 2002 Wendover Annexation Study conducted by Applied Development Economics of Berkeley, California. The economic, educational, fiscal, professional, and social health of the involved communities will be evaluated. The subcommittee is further directed to communicate and work cooperatively with the Utah State Legislature to achieve desired goals which may include preparation of draft language to be used in an interstate agreement or compact to alter the boundary if deemed appropriate.

**BRIEF REVIEW OF PAST ANNEXATION EFFORTS AND PROCEDURE REQUIRED FOR ANNEXATION**

- Chris J. Melville, City Manager, West Wendover, Nevada, presented an overview of past annexation efforts and the procedures required for annexation. In November 2001 the communities of West Wendover, Nevada, and Wendover, Utah, formed the Annexation Committee to determine a potential boundary line change. (Please refer to [Exhibit B.](#)) The committee reviewed a number of options, finally deciding to include 5,915 acres from the incorporated area of Wendover, Utah, 4,020 acres from Wendover, Utah, along with 180 acres of property currently owned by the Bureau of Land Management (BLM), which totals approximately 10,000 acres to be annexed into the city limits. The committee researched issues that the annexation process would affect, including concerns of county and municipal governments and matters pertaining to education and social services. By means of a grant from the Small Business Development funds from the United States Department of Agriculture (USDA), the annexation study was contracted by Applied Development Economics. (Please refer to [Exhibit C.](#)) The Annexation Committee moved for the adoption of resolutions in each community to allow for a citizen vote in November 2002, to approve the project. The annexation project moved forward following the vote of approval from both communities.

## **REMARKS CONCERNING THE FEASIBILITY AND DESIRABILITY OF A CHANGE IN THE BOUNDARY LINE BETWEEN NEVADA AND UTAH**

- Mike Nannini, Vice Chairman, Elko County Commission, Elko, Nevada, shared his perspective on the impact annexation would have on Elko County, focusing on the following areas of concern: (1) difficulties expressed by the Elko County Assessor (please refer to [Exhibit D](#)) in determining the accuracy of the Elko County tax roll assessments; (2) increased costs for indigent, social services, and welfare expenses which may be incurred by the citizens of West Wendover, Nevada; (3) financial impacts on the judicial court system; and (4) outstanding debts currently owed by Wendover, Utah, for the school districts and the Wendover Airport.
- Josephine E. Thaut, Mayor, City of West Wendover, Nevada, offered additional testimony addressing financial concerns that may fall to Elko County and the community of West Wendover for payment. Mayor Thaut discussed the following items: (1) the lack of participation on the part of the State of Utah and Tooele County, Utah, to resolve outstanding debts by either forgiving the amounts or initiating a plan for payment; (2) repair or replacement of water and sewer lines; (3) the building of roads and repair of existing roads; (4) the lack of infrastructure developed by the Wendover, Utah, community; and (5) a debt of approximately \$3 million borrowed by the State of Utah after the completion of the Annexation Study for maintenance of the water system.
- Steven B. Perry, Mayor, Wendover, Utah, testified that the officials of Tooele County and the superintendent of the school district are receptive to communicating with the Subcommittee to resolve the concerns mentioned.
- Gene White, Tooele County Commissioner, Tooele County, Utah, reported that the initial push for annexation started at the federal level and then gave an account of the split school arrangement between the two Wendover communities. Comments pertaining to the schools and related issues focused on: (1) the split school arrangement called for secondary school students to be enrolled within the Utah school system and elementary school students went to schools in Nevada; (2) the failure of the split school agreement was attributed to the inequity of per pupil expenditures of Nevada (\$7,000 per pupil) and Utah (\$4,000 per pupil); (3) the annexation would unify a school district for the betterment students of both communities; (4) a majority of the residents of Wendover, Utah, are employed in Nevada, so it is reasonable to expect the employers of Nevada to absorb responsibility for much of the cost for education, housing, and social services; and (5) the employment atmosphere of Nevada contributes to the need for a high percentage of bilingual teachers.
- Michael E. Christensen, Director, Office of Legislative Research and General Counsel, Utah State Legislature, explained the effects of House Bill (H.B.) 5003 passed during the 2002 Fifth Special Session of the Utah State Legislature. Highlights from Mr. Christensen's testimony included: (1) the passage of H.B. 5003 authorized Utah to call for a special election to resolve the issue of changing the boundary line between the states; (2) any boundary change must be approved and directed by the Federal Government before an effective vote of the

people; and (3) the passage of the previous Utah vote to change the boundary line is not legally binding and considered to be an advisory issue.

- Gene White (previously identified on page 3) discussed the county's ownership and current financial debt of \$2 million of the Wendover Airport. The day-to-day operation and financial records of the airport could be reviewed by representatives of Nevada's Legislature or Legislative Counsel Bureau. Major portions of the operation of the county's court and school systems are managed by Tooele County funds and personnel. The current law enforcement jurisdictions need to be fully understood prior to a boundary change.
- Dale Lotspeich, Member, Elko County School District, Elko, Nevada, spoke on previous fact-finding discussions between representatives of the two school districts relating to consolidation. Concerns were raised about any fiscal impact that would be placed on Elko County.
- Mike Johnson, Assistant Superintendent, Tooele County School District, Wendover, Utah, testified on the following issues: (1) the population of the Tooele School District is approximately 80 percent Hispanic; (2) there has been successful cooperation between the districts primarily with athletic facilities; (3) the district is pleased with the caliber of its educators and the achievement demonstrated by the academic improvement of the students; (4) the School Board Members are optimistic that the two districts will successfully work together for the improvement of the school systems if the community desires final annexation; and (5) primary consideration will be resolving the current debt of \$4.5 million incurred for the new construction of an elementary school.

## PUBLIC COMMENT

- Jamey Reilly, Member, City Council, City of West Wendover, Nevada, addressed the following topics: (1) residents of the community expressed to Ms. Reilly a range of concerns over the annexation issue; (2) resolution of the short-term financial problems is feasible, as well as, financial infrastructure concerns that will be resolved by property evaluations; (3) eliminating duplication of many social programs and services will save Federal grants and funds and be more cost effective with the completion of the annexation; (4) an increased population force would raise the feasibility of increasing several services in one community, i.e., expanded medical facilities, rather than establishing services in both areas; and (5) a majority of residents have expressed agreement that the community of Wendover considers its self as one community, whether they are a resident of Nevada or Utah.
- Lonnie Clark, Resident, West Wendover, Nevada, voiced support for the annexation citing the positive effect growth would have on both communities.
- Mr. Melville (previously identified on page 2) reiterated his willingness to work with LCB staff regarding the cost breakdowns as outlined in the Wendover, Utah/ West Wendover, Nevada Annexation Study. (Please refer to [Exhibit D.](#)) There are several financial details that need to be addressed; he views the list of positive factors of annexation as outweighing the negative and believes that residents will benefit in the long run.
- Laura Snyder, Resident, West Wendover, Nevada, expressed opposition to the annexation citing the dollar amounts residents will have to incur. The question arose whether or not residents will be furnished an exact cost breakdown for each property owner, before the final election on the subject.
- Sandy Caceres, Resident, Wendover, Utah, testified that the children of the two communities would see greater benefit if the residents worked together as one force.
- Assemblyman Carpenter expressed an interest in moving forward with the study by requesting staff to review the costs and update the Subcommittee on a breakdown of costs. Additionally, he would like to see involvement on behalf of the casino industry, also obtain information on a proposed Utah plant, and determine its viability since it may employ a number of residents from Wendover, Utah.

Mr. Nannini (previously identified on page 3) stated the current debt of the Wendover, Utah, airport and

- school district are serious issues that will require examination of the exact cost amounts. There must be specific resolution as to who will come up with the “up-front costs.” These will be important concerns to both communities and Elko County.
- Mr. Carpenter suggested the involvement of Joe Aguirre, Elko County Assessor, would be helpful and that his staff be requested to review the evaluations of the Utah property and possibly re-assess portions of the proposed annexation property. The assessment issue of the annexation process should be addressed by Elko County officials, since the property will affect the county’s tax rolls. Mr. Nannini confirmed that he will contact Mr. Aguirre.

**ADJOURNMENT**

Chairman Rhoads indicated that the date for the next meeting has not been set. There being no further business to come before the Subcommittee, the meeting was adjourned at 10:45 a.m.

Respectfully submitted,

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Gayle Nadeau  
Senior Research Secretary

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Ricka Benum  
Senior Research Secretary

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Scott Young  
Principal Research Analyst

APPROVED BY:

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Senator Dean A. Rhoads, Chairman

Date: \_\_\_\_\_

**LIST OF EXHIBITS**

[Exhibit A](#) is the “Meeting Notice and Agenda.”

[Exhibit B](#) is a map depicting the city boundaries of West Wendover, Nevada and Wendover, Utah, submitted by Chris J. Melville, City Manager, West Wendover, Nevada.

[Exhibit C](#) is a copy of the Wendover, Utah/West Wendover, Nevada Annexation Study, dated September 2002, prepared by Applied Development Economics, Inc. of Berkeley, California.

[Exhibit D](#) is a two-page letter dated June 4, 2001, to the Elko County Commissioners, from Joe Aguirre, Elko County Assessor, outlining the concern for accurate property assessment information.

This set of “Summary Minutes and Action Report” is supplied as an informational service. Exhibits in electronic format may not be complete. Copies of the complete exhibits, other materials distributed at the meeting, and the audio record are on file in the Research Library of the Legislative Counsel Bureau, Carson City, Nevada. You may contact the Library online at [www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm](http://www.leg.state.nv.us/lcb/research/library/feedbackmail.cfm) or telephone: 775/684-6827.