

1           The Honorable Board of Lander County Commissioners met in  
2 regular session in the Commission Chambers of the Lander County  
3 Courthouse and Administration Building in Battle Mountain,  
4 Nevada, 50 State Route 305, on August 25, 2016, at 9:00 a.m.  
5 Transcript produced by Tiffany Elkington, C.C.R., #930.  
6

7           **PRESENT: PATSY WAITS, COMMISSIONER**  
8                   **SEAN BAKKER, COMMISSIONER**  
9                   **ART CLARK III, COMMISSIONER**  
10                  **DOUG MILLS, COMMISSIONER**  
11                  **KEITH WESTENGARD, EXECUTIVE DIRECTOR**  
12                  **SADIE SULLIVAN, COUNTY CLERK**  
13                  **THEODORE HERRERA, DISTRICT ATTORNEY**  
14                  **ELIZABETH DIAS, FINANCE DIRECTOR**  
15

16           **ABSENT: STEVEN STIENMETZ, COMMISSIONER**  
17

18           (Let the record reflect the presence of a quorum of four  
19 commissioners. Let the record reflect the presence of Austin  
20 via teleconference.)  
21

22           CHAIRMAN BAKKER: -- Lander County Commissioners meeting,  
23 Town Board of Battle Mountain, and Austin Board of Highway  
24 Commissioners, August 25th, 2016.

25           Doug, will you lead us in the pledge, please.  
26

27           (Pledge of Allegiance)  
28

29           CHAIRMAN BAKKER: Can I have a moment of silence, please.  
30

31           (Moment of silence)  
32

33           CHAIRMAN BAKKER: Lander County Commissioners will break  
34 for lunch from 12:00 p.m. to 1:15 p.m.  
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36

### 37 COMMISSIONER REPORTS

38

39           CHAIRMAN BAKKER: Commissioner reports on meetings,  
40 conferences, and seminars attended. Doug?

1 COMMISSIONER MILLS: Yesterday I went to a meeting for the  
2 rec center. Got to do a tour of the site. Things are looking  
3 pretty good. I think that's on the agenda today.

4 And then, for the hospital, they were scheduled to have a  
5 meeting on September 7<sup>th</sup>, but that's going change to  
6 September 1<sup>st</sup>, unless it changes again. But there was some --  
7 some scheduling conflicts for some of the board members. So we're  
8 changing that to the first. So just so you know about that.  
9 That's all I've got.

10 CHAIRMAN BAKKER: Okay. Patsy.

11 COMMISSIONER WAITS: Thank you.

12 On August 15<sup>th</sup>, I was invited to a luncheon here in Battle  
13 Mountain at our Cookhouse museum. And that was with the Nevada  
14 Chapter of Women in Mining. They were from all over the state.  
15 It was an excellent get-together and wonderful presentation.

16 I did have an opportunity to meet with NDOT last week  
17 regarding the Austin Visitors Center. And they have agreed to put  
18 up three different signs, one on each end of town and one in the  
19 middle, advertising that we do have the public restrooms open  
20 24/7. So that's something that they'll start working on.

21 Regarding NACO, my meeting is tomorrow, but there are several  
22 things I wanted to share. One was that on September 9<sup>th</sup>, they  
23 have a NACO workshop coming up, Understanding Federal Public Lands  
24 Laws. And then they have a webinar on September 28<sup>th</sup> regarding  
25 integrity and civility as a practice.

26 And then, of course, the annual convention is coming up in  
27 Pahrump November 15<sup>th</sup> through the 17<sup>th</sup>.

28 We did receive a letter from Adam Laxalt, the attorney  
29 general. And he asked to -- not become a member of the NACO, but  
30 he wanted to forge a closer relationship and formalize the  
31 alliance between the NACO organization and his office.

32 So that's also on the agenda. And that was -- was very  
33 exciting. We've never had any state government offices that have  
34 asked to do that.

35 We also have a -- September 7<sup>th</sup> -- it is oral arguments for  
36 our lawsuit that we have gone together with Elko regarding ORNI  
37 (indiscernible) Ormat geothermal.

38 And this is regarding their request to come back and  
39 retroactively ask for abatements. And there was some -- some  
40 concern about coming back to do that.

1 We understand how we're going forward. But the law wasn't  
2 real clear about it. So their attorney simply said, we will see  
3 you in court. And that's basically what's happening. So  
4 they're open for oral arguments before the Nevada Supreme Court  
5 and that's --

6 DISTRICT ATTORNEY HERRERA: And I will --

7 COMMISSIONER WAITS: -- coming up --

8 DISTRICT ATTORNEY HERRERA: -- be there.

9 COMMISSIONER WAITS: -- on September 7<sup>th</sup>.

10 Okay. Thank you. That is exciting after all this time.

11 It's interesting because all we've had so far is the hearing.  
12 But that was with the Department of -- of Energy. And, of course,  
13 they turned us down. So they're going to take a look at that and  
14 see whether it's worth considering on or not. Thank you.

15 CHAIRMAN BAKKER: Thank you.

16 COMMISSIONER CLARK: I had a State Lands Advisory Committee  
17 meeting. One of the topics of interest was water. And again,  
18 the water laws that we have this legislative session, they're  
19 going to change. They're not going to be the same after the  
20 next legislative session. And Clark County's pushing for a lot  
21 more water.

22 The main focus of the meeting was on the R.S. 2477 roads.  
23 There's a lot of concern over closures or partial closures of  
24 county roads, 2477 roads, and public access.

25 I took the information to Keith and we met with Anna, Jan,  
26 and Bert. And we're going to get our plan rolling, because if we  
27 don't have our roads qualified, we have -- we stand a chance of  
28 them being shut down.

29 It was reported that there have been and are closures  
30 happening throughout the 11 western states and in Nevada.

31 One thing that's popping up along the way is partial  
32 closures. For various reasons or excuses, the federal  
33 government decided to close some 2477 roads and public access.

34 And the example was one road was 20 miles long. And what  
35 happened is that, intermittently, there were washouts or there  
36 were water holes or there were streams, seeps. And the government  
37 was going in, closing them off, and fencing them off, which  
38 effectively shut down travel on those 20 miles.

39 So what we have to do is get our plan in place and -- and get  
40 our roads, our 2477 roads, our trails, and our public accesses

1 qualified.

2 CHAIRMAN BAKKER: Thank you.

3  
4  
5 **STAFF REPORTS**

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7 CHAIRMAN BAKKER: Staff reports on meetings, conferences,  
8 and seminars attended.

9 KEITH WESTENGARD: Okay. We had a safety meeting the other  
10 day. It's -- safety in the county's going really, really good.  
11 We haven't had any -- any accidents to report in the last month.

12 Last week and this week I -- last week I had a conference  
13 call regarding the sage grouse issue. And I have another one this  
14 afternoon.

15 And you're welcome to sit in on those two- to three-hour  
16 conference calls, if you'd like. It's the six western states.  
17 And they're discussing the -- the whole sage grouse issue.

18 On September 8<sup>th</sup>, and this is on -- on an agenda item  
19 tomorrow. We're going to have to look at changing our meeting  
20 because the attorney general will be -- will be here in Battle  
21 Mountain to talk to the county. So that's a future agenda item,  
22 though.

23 Let me see.

24 The -- the other things I have: the air ambulance, these --  
25 those folks are here to talk to us.

26 We did have an opengov meeting to discuss that program that  
27 will allow public access of our financial documents. We're  
28 finalizing that to bring it to the commission to look over.

29 Other than that, the rest is on the agenda. Thank you.

30 CHAIRMAN BAKKER: Thank you.

31  
32  
33 **PUBLIC COMMENT**

34  
35 CHAIRMAN BAKKER: Public comment for non-agendized items  
36 only.

37 Persons are invited to submit comments in writing and/or  
38 attend to make comments on any non-agenda item at the board  
39 meeting, if any, and discussion of those comments at the  
40 discretion of the board. All public comment may be limited to

1 three minutes per person, again at the discretion of the board.  
2 Reasonable restrictions may be placed on public comment based  
3 upon time, place, and manner, but public comment based upon  
4 viewpoint may not be restricted.

5 Any public comment?

6 (No comment.)  
7  
8

9 **CONSENT AGENDA**

10  
11 CHAIRMAN BAKKER: Okay. Consent agenda. All matters  
12 listed under the consent agenda are considered routine and may  
13 be acted upon by the Board of County Commissioners with one  
14 action, without extensive discussion. Any member of the board  
15 or any citizen may request that any item be taken from the  
16 consent agenda, discussed, and acted upon separately during this  
17 meeting. Consent agenda materials are available at the Lander  
18 County Clerk's Office for viewing and copies are available for a  
19 nominal charge.

20 One, approval of agenda notice, August 25<sup>th</sup>, 2016; two,  
21 July 28<sup>th</sup>, 2016, meeting minutes; three, August 11<sup>th</sup>, 2016,  
22 meeting minutes; four, payroll change requests.

23 We need to take out August 11<sup>th</sup>. Right? I didn't get those.  
24 Did you?

25 Okay.

26 So with that?

27 COMMISSIONER MILLS: Make a motion to approve the consent  
28 agenda, excluding the August 11<sup>th</sup>, 2016, meeting minutes.

29 COMMISSIONER WAITS: I'll second that motion.

30 CHAIRMAN BAKKER: Doug made a motion. Patsy seconded.

31 Any public comment?

32 (No comment.)

33 CHAIRMAN BAKKER: All in favor?

34 COMMISSIONER MILLS: Aye.

35 CHAIRMAN BAKKER: Aye.

36 COMMISSIONER WAITS: Aye.

37 COMMISSIONER CLARK: Aye.  
38  
39  
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1 COMMISSIONERS

- 2  
3 1) Discussion and possible action to approve/disapprove the  
4 closing of West Humboldt Street on October 13, 2016, for the  
5 Lander County Flu POD, and all other matters properly related  
6 thereto.  
7

8 CHAIRMAN BAKKER: Okay. Agenda Item Number 1.  
9 Commissioners. Discussion and possible action to  
10 approve/disapprove the closing of West Humboldt Street on  
11 October 13<sup>th</sup>, 2016, for the Lander County Flu POD, and all other  
12 matters properly related thereto.

13 KERRY TUCKETT: Yeah. So the flu POD is going to be on  
14 October 13<sup>th</sup>. It's the afternoon.

15 COMMISSIONER CLARK: We need your name.

16 KERRY TUCKETT: Oh. Kerry Tuckett. Okay.

17 CHAIRMAN BAKKER: Okay.

18 KERRY TUCKETT: Okay.

19 COUNTY CLERK SULLIVAN: Can I get the spelling of your  
20 first name?

21 KERRY TUCKETT: It's K-E-R-R-Y.

22 COUNTY CLERK SULLIVAN: Thank you.

23 KERRY TUCKETT: Yep. And so it is October 13<sup>th</sup> from  
24 4:00 o'clock until 8:00 o'clock. And we would like permission  
25 to close down West Humboldt. I have a map here. Can I bring it  
26 up?

27 CHAIRMAN BAKKER: Uh-huh.

28 COMMISSIONER MILLS: Thank you.

29 KERRY TUCKETT: The red rectangles are the -- the road  
30 closures, and the yellow triangles would be the signs and/or  
31 people in those places to help direct traffic.

32 And it'll be held at the Dr. Peters building, the ambulance  
33 barn, is where we'll be doing the flu shots.

34 CHAIRMAN BAKKER: Is it exactly how you did it last year?

35 KERRY TUCKETT: Yep.

36 CHAIRMAN BAKKER: Okay.

37 KERRY TUCKETT: Yep. Just we're -- we -- we are moving the  
38 signs because they found that last year some of the locations of  
39 the signs made things confusing. And so we're moving the signs  
40 this year to hopefully make it a little bit smoother.

1 COMMISSIONER WAITS: And who's actually doing the  
2 immunizations?  
3 KERRY TUCKETT: It will be the -- Abby, from the health  
4 department, that is in charge of that. And she'll be lining up  
5 the shooters for that.  
6 COMMISSIONER WAITS: They didn't happen to tell you when  
7 they had a date for Austin; did they? Or the southern part of  
8 the county?  
9 KERRY TUCKETT: I'm sure they did, but that wasn't part --  
10 COMMISSIONER WAITS: I know without --  
11 KERRY TUCKETT: -- of my --  
12 COMMISSIONER WAITS: -- her here --  
13 KERRY TUCKETT: -- responsibilities.  
14 COMMISSIONER WAITS: I thought -- I didn't want to put you  
15 on the spot. But I thought maybe it might have been mentioned  
16 in the -- in --  
17 KERRY TUCKETT: Yeah. I'm sure they do.  
18 COMMISSIONER WAITS: -- the conversation.  
19 KERRY TUCKETT: And I remember talking about it, but that's  
20 out of my responsibilities. So I don't know.  
21 COMMISSIONER WAITS: Thank you, Kerry.  
22 CHAIRMAN BAKKER: Okay.  
23 COMMISSIONER MILLS: Okay. I'll make a motion to approve  
24 the closing of West Humboldt Street on October 13<sup>th</sup>, 2016, for  
25 the Lander County flu POD.  
26 COMMISSIONER CLARK: Second.  
27 CHAIRMAN BAKKER: Doug made a motion. Art seconded.  
28 Any public comment?  
29 (No comment.)  
30 CHAIRMAN BAKKER: All in favor?  
31 COMMISSIONER MILLS: Aye.  
32 CHAIRMAN BAKKER: Aye.  
33 COMMISSIONER WAITS: Aye.  
34 COMMISSIONER CLARK: Aye.  
35 CHAIRMAN BAKKER: Thank you, Kerry.  
36 COMMISSIONER WAITS: Thank you.  
37 KERRY TUCKETT: Okay.  
38 COMMISSIONER MILLS: Thanks, Kerry.  
39 KERRY TUCKETT: I have this also, just a written.  
40 COMMISSIONER MILLS: Oh, okay.

1 CHAIRMAN BAKKER: You're going to have to make a motion.  
2 COMMISSIONER MILLS: For...  
3 KERRY TUCKETT: It's just the --  
4 CHAIRMAN BAKKER: Do I have to sign that?  
5 COMMISSIONER MILLS: No, there's nothing to sign.  
6 CHAIRMAN BAKKER: Okay. Thank you.  
7 KERRY TUCKETT: Okay, thank you.  
8 CHAIRMAN BAKKER: Give that to Keith when we're done.  
9

10 2) Discussion and possible action to approve/disapprove  
11 Resolution 2016-11, the transfer of Lander County 2016  
12 Private Activity Bond Volume Cap to the Nevada Rural Housing  
13 Authority, and all other matters properly related thereto.  
14

15 CHAIRMAN BAKKER: Okay. Two. Discussion and possible  
16 action to approve/disapprove Resolution 2016-11, the transfer of  
17 Lander County 2016 Private Activity Bond Volume Cap to the  
18 Nevada Rural Housing Authority, and all other matters properly  
19 related thereto.

20 KEITH WESTENGARD: This was discussed at an earlier  
21 commission meeting. You guys did approve it. But it does  
22 require us -- or you to put a resolution into place.

23 So that's what we're here to do today is put the resolution  
24 in place and then get that resolution recorded and to the Nevada  
25 Rural Housing Authority.

26 CHAIRMAN BAKKER: Okay.

27 COMMISSIONER WAITS: I'll make a motion that we approve  
28 Resolution 2016-11, the transfer of Lander County 2016 Private  
29 Activity Bond Volume Cap to the Nevada Rural Housing Authority  
30 and authorize our chairman to sign.

31 COMMISSIONER MILLS: I'll second.

32 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded.  
33 Any public comment?

34 (No comment.)

35 CHAIRMAN BAKKER: All in favor?

36 COMMISSIONER MILLS: Aye.

37 CHAIRMAN BAKKER: Aye.

38 COMMISSIONER WAITS: Aye.

39 COMMISSIONER CLARK: Aye.  
40

1     **3)     Update from Summit Engineering regarding the Lander County**  
2     **Levee Project and all other matters properly related thereto.**  
3

4             CHAIRMAN BAKKER:   Okay.   Three.   Update from Summit  
5     Engineering regarding the Lander County Levee Project and all  
6     other matters properly related thereto.

7             TOM GALLAGHER:   Commissioners.   Tom Gallagher with Summit  
8     Engineering Corporation.

9             COMMISSIONER CLARK:   Morning, Tom.

10            COMMISSIONER WAITS:   Good morning, --

11            CHAIRMAN BAKKER:   Morning, --

12            COMMISSIONER WAITS:   -- Tom.

13            CHAIRMAN BAKKER:   -- Tom.

14            TOM GALLAGHER:   How are you?   First and old business, still  
15     haven't heard anything from the Corps.   Okay.

16            In new business, we have remodeled the whole basin and --  
17     using several different models, modifications thereof,  
18     conversations with the people that develop the models and  
19     everything else.   We do have the whole thing working, the model  
20     that is approved by FEMA, no question about it.   We have had it  
21     verified by two independent hydrologists.

22            And Interstate 80 is not over top now.   And we think we can  
23     build the whole levee with no impact on the jurisdictional  
24     portion that the Corps is keeping us out of.

25            The only impact we will be having on that is we will be using  
26     that portion of the levee as a cutoff berm, which will eliminate  
27     the need for a cutoff wall underneath the levee, which should  
28     lessen the cost of it a great deal.

29            The last time I heard from the Corps, they were talking  
30     about a 60-foot-deep cutoff wall next to Interstate 80, which I  
31     think we'd have to have Newmont come in and dig it or somebody  
32     with some really big equipment.

33            And so that's -- that's, I think, in our opinion, is going to  
34     eliminate that portion of it.

35            We don't have to move any houses.

36            COMMISSIONER MILLS:   Good.

37            TOM GALLAGHER:   We will be extending the levee out -- out  
38     8A, tying back in, which will take quite a bit of land out there  
39     out of the floodplain.

40            And that -- that portion of it is not jurisdictional.   So we

1 can build that in the original alignment, the original easement.

2 One thing that I want to bring to your attention is that  
3 Rex Massey contacted me about a possible grant from FEMA. Okay.  
4 And if I remember right, it was somewhere around 3 million that  
5 we -- we may be able to get out of FEMA.

6 The only thing FEMA will support is taking areas that are  
7 occupied out of the floodplain. They won't support anything  
8 taking new -- new land out of the floodplain.

9 So my current opinion is that we talk to Rex. And we  
10 actually will need to prepare two sets of plans: one for the  
11 center portion, which we'll go after a grant from a FEMA on that,  
12 and one for the balance of it, which will be funded by Lander  
13 County.

14 And no, I don't have a final number. We do have  
15 approximately a 30 percent plan set here, which we went ahead with  
16 as soon as we got the good news.

17 And we're going to forge ahead and do the thing unless the  
18 commission wants us to take some alternative route, like wait some  
19 more, if you want to do that.

20 COMMISSIONER MILLS: We've tried that.

21 TOM GALLAGHER: I'm getting to the point, --

22 COMMISSIONER MILLS: Yeah.

23 TOM GALLAGHER: -- quite frankly, where I'm going to start  
24 charging more for waiting than I am for just designing the thing  
25 and building it.

26 It looks like we can do it fairly economically because we can  
27 put the borrow site on -- on county ground.

28 And most of the levee we're probably going to be able to  
29 build with scraper dirt, which is going to be a lot cheaper than  
30 importing material and doing that type of thing.

31 So I'm -- I don't know if the Corps is ever going to call  
32 back, if we're ever going to hear from them again.

33 And hopefully, FEMA will still have some funds left after the  
34 recent flood and things like that.

35 I don't know how much it costs to get the president there.  
36 And I'm not sure if that's FEMA-funded or not.

37 But anyway, that's where we are. And if anybody has any  
38 questions, be --

39 CHAIRMAN BAKKER: Tom, --

40 TOM GALLAGHER: -- glad to attend to and answer them.

1           CHAIRMAN BAKKER:  -- does FEMA -- have they seen this map?  
2   Or this design?  
3           TOM GALLAGHER:  They are -- they have been in the loop.  
4           CHAIRMAN BAKKER:  Okay.  
5           TOM GALLAGHER:  And we're going to have a conference call  
6   with them, I think, next week.  
7           And then within three weeks, we're going to go meet with them  
8   and be sure they agree with all our numbers.  
9           CHAIRMAN BAKKER:  Right.  
10          TOM GALLAGHER:  And these are FEMA-approved models.  They  
11   have been independently verified.  And I would have shared this  
12   with you previously.  
13          But I -- number one, I didn't really believe it.  Finally  
14   got everything to work.  
15          But I was waiting for the verification from the other  
16   hydrologist that this is something that's going to be acceptable  
17   to FEMA.  
18          CHAIRMAN BAKKER:  Okay.  
19          TOM GALLAGHER:  They're the ones we've got to please.  
20          CHAIRMAN BAKKER:  Right.  To lower.  
21          COMMISSIONER MILLS:  Uh-huh.  
22          CHAIRMAN BAKKER:  And once FEMA approves it, it will lower  
23   flood insurance?  
24          TOM GALLAGHER:  As soon as we get it built.  
25          CHAIRMAN BAKKER:  Right.  
26          TOM GALLAGHER:  I mean, they're going to con- --  
27   conceptually approve it, I mean, what we're doing.  
28          Then after we get it built, you apply for a letter of map  
29   revision, a condition -- it's called a CLOMAR, which we will apply  
30   for as soon possible, a conditional letter of map revision.  
31          And the final letter of map revision when it's constructed.  
32          CHAIRMAN BAKKER:  Good deal.  Okay.  
33          COMMISSIONER MILLS:  So looking at this, it looks like the  
34   levee would be about 12 feet high?  
35          TOM GALLAGHER:  Height varies.  
36          COMMISSIONER MILLS:  Yeah.  Give or take.  Hold up.  
37          TOM GALLAGHER:  Of course, --  
38          COMMISSIONER MILLS:  Is that higher than the current levee?  
39          TOM GALLAGHER:  Well, right now, what we did -- we have the  
40   flood elevation.  We're backing it up to see where it hits out

1 8A, for instance.

2 COMMISSIONER MILLS: Uh-huh.

3 TOM GALLAGHER: On -- on -- the only other end, past the  
4 fairgrounds. Okay.

5 So it's going to vary in height.

6 But the portion at Interstate 80, we put right at the grade  
7 of the road, which I think we have more freeboard than we need  
8 if we do that.

9 So it -- this is subject to -- to change. And I gave you  
10 that 30 percent and that's --

11 COMMISSIONER MILLS: Uh-huh.

12 TOM GALLAGHER: -- to be taken literally at 30 percent.

13 COMMISSIONER MILLS: Right.

14 TOM GALLAGHER: Because we're quite a ways from having a  
15 final design.

16 We're going to need to build a couple of walls by the  
17 railroad and by Interstate 80 to deflect the flood within the  
18 right-of-way and stay out of the -- the jurisdictional area  
19 where FEMA built the levee -- or where the Corps built the  
20 original levee.

21 I don't think we would -- any of us live long enough to see  
22 the Corps come up with something we would get to build the levee  
23 over the top of theirs. But it is going to serve as a seepage  
24 berm, which will save a lot of money in the construction, I  
25 believe.

26 COMMISSIONER MILLS: Okay.

27 CHAIRMAN BAKKER: Good work, Tom. Keep it up.

28 TOM GALLAGHER: Getting luckier.

29 COMMISSIONER MILLS: Yeah.

30 COMMISSIONER WAITS: We keep moving along.

31 Thank you.

32 TOM GALLAGHER: Thank you.

33 COMMISSIONER CLARK: Thanks, Tom.

34

35 4) Discussion and possible action to approve/disapprove the  
36 update of the job description for Archives Record/Election  
37 Clerk, and all other matters properly related thereto.

38

39 CHAIRMAN BAKKER: Okay. Four. Discussion and possible  
40 action to approve/disapprove the update of job descriptions for

1 Archive Records/Election Clerk, and all other matters properly  
2 related thereto.

3 COUNTY CLERK SULLIVAN: Good morning.

4 CHAIRMAN BAKKER: Good morning, Sadie.  
5 Sadie Sullivan, Lander County clerk.

6 I've submitted this -- this job for the archives record  
7 clerks has not been updated for quite some time.

8 And so this is something that needed to be done.

9 CHAIRMAN BAKKER: And what did you change? Or update?

10 COUNTY CLERK SULLIVAN: I've added the election duties to  
11 this.

12 Before, it was just strictly archives. And with things  
13 advancing and the technology and that type of thing, I need to  
14 have that extra additional duties added to that position.

15 CHAIRMAN BAKKER: Good deal.

16 COMMISSIONER WAITS: I'll make a motion that we approve the  
17 update of the job description for Archives Record, slash,  
18 Election Clerk.

19 COMMISSIONER MILLS: Second.

20 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded.  
21 Any public comment?

22 (No comment.)

23 CHAIRMAN BAKKER: All in favor?

24 COMMISSIONER MILLS: Aye.

25 CHAIRMAN BAKKER: Aye.

26 COMMISSIONER WAITS: Aye.

27 COMMISSIONER CLARK: Aye.

28 CHAIRMAN BAKKER: Okay.

29 COMMISSIONER WAITS: Thank you, --

30 COUNTY CLERK SULLIVAN: Thank you.

31 COMMISSIONER WAITS: -- Sadie.

32 CHAIRMAN BAKKER: Thank you, Sadie.

33 COMMISSIONER MILLS: Thank you, --

34 COMMISSIONER WAITS: Thank you.

35 COMMISSIONER MILLS: -- Sadie.

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1 PUBLIC WORKS

2  
3 5) Update from the public works director regarding the status of  
4 projects, and all other matters properly related thereto.  
5

6 CHAIRMAN BAKKER: Public works. Update from the public  
7 works director regarding the status of projects, and all other  
8 matters properly related thereto.

9 BERT RAMOS: Morning.

10 Bert Ramos, for the record.

11 CHAIRMAN BAKKER: Good morning, Bert.

12 BERT RAMOS: All right. As far as our public works right  
13 now, we're still sealing roads. And hopefully we have more to  
14 come. That's on upcoming items.

15 But the few things I want addressed, in the last meeting we  
16 had -- last two meetings, actually, I've addressed rumor and  
17 gossip that has been in town about my updates, to try to head  
18 that off at the pass.

19 And then at the very last meeting, a gentleman stood up in  
20 the back and asked a question. And after he asked his question,  
21 he said, I stand corrected, and sat back down.

22 It makes me think that, first of all, I think that this  
23 county has never been more transparent than it is currently.  
24 We've never agendized things that we're agendizing now for the  
25 public to see.

26 And in my opinion, the only reason for the -- so much  
27 turmoil and so much animosity in a county this small is because  
28 people are listening to whispers and reporting on them and/or  
29 believing them, and spreading half-truths.

30 So I'm not going to address any more rumor or gossip. If  
31 somebody wishes to ask a question, they can stand, state their  
32 name, and I will happily answer it as honest and as  
33 straightforward as I can. And if I can't, I will find -- do --  
34 do the research, and I will report back on it at the next  
35 meeting.

36 But I won't go forward with addressing gossip and those  
37 people who think they can operate behind the scenes and in the  
38 dark by asking questions and hoping that I will address them  
39 without their name being stated in these meetings.

40 And with that, if you guys have any questions on anything,

1 I'll happily answer them.

2 COMMISSIONER CLARK: Yeah. I have a question.

3 When we -- we give you your budget at the beginning of the

4 year and then you encounter a change, now you're bringing that

5 to us to let us know and for us to vote on approval; isn't that

6 the way it's --

7 BERT RAMOS: Yes. That is correct. And that's -- if

8 it's -- so in the past -- and a lot of our past practices were

9 improper and -- including myself, I've been upset about it from

10 time to time because you -- all of us get in our way of doing

11 things. And then when we get corrected, it's easy to get upset

12 about. Hey, this is how I've done it forever. Well, that

13 doesn't make it right.

14 So in the past, if it was within our budget and it -- and --

15 and what we're calling a change order, if we were expanding this,

16 we -- as long as we did not change the scope of work, we just

17 moved forward with that and kept it within our budget.

18 Now we're bringing everything. It's -- it's for everybody to

19 see right here in front of you.

20 CHAIRMAN BAKKER: A little transparency goes a far way.

21 Bert, I appreciate your comments. You're doing an awesome job.

22 You don't have any questions from me.

23 COMMISSIONER MILLS: Appreciate --

24 COMMISSIONER CLARK: The roads --

25 COMMISSIONER MILLS: -- the work you're doing. You've got

26 our support, I think.

27 BERT RAMOS: Well, thank you.

28 COMMISSIONER CLARK: The roads look great.

29 BERT RAMOS: All right.

30 COMMISSIONER CLARK: You're doing a good job.

31 CHAIRMAN BAKKER: The best --

32 COMMISSIONER CLARK: You're on --

33 CHAIRMAN BAKKER: -- they've ever --

34 COMMISSIONER CLARK: -- the right --

35 CHAIRMAN BAKKER: -- looked.

36 COMMISSIONER CLARK: -- road.

37 BERT RAMOS: And I would like to address one thing Ms.

38 O'Kane brought up in public comment last time on our water.

39 So the state sent out a letter saying that we were out of

40 compliance.

1           And in the past -- for the past 10 years or 15 years, the  
2 state has -- all of our compliance reports have been done within a  
3 quarter.

4           Well, the state moved our compliance to within -- a month  
5 within the quarter un- -- unknown to us or our certified operator,  
6 who is SPB.

7           We had taken all of our samples, sent them in to SPB. SPB  
8 had went and delivered them within that quarter, but not within  
9 that month.

10          In the state's eyes that is considered a failed compliance  
11 test. So they send out this letter.

12          SPB has since sent us letter saying that it was their fault.  
13 This was -- from -- went from quarterly to monthly and that it  
14 won't happen again.

15          This was over a year ago when this happened. I didn't feel  
16 that there was any need to spend \$600 in envelopes and stamps to  
17 send the rest of the community a letter that they already have  
18 with the county's phone number on it to contact me so I could  
19 explain that to them if there was any concerns about our  
20 drinking water.

21          But we -- as far as the county side of it, we've always taken  
22 our tests on time. We've always turned them in. We've always  
23 passed all of our tests. It is not within -- that month that we  
24 turned it in is where we were out of compliance with the state.  
25 And, like I say, it's a change -- from our certified operator to  
26 us, there was -- there was a breakdown in communication there.

27          CHAIRMAN BAKKER: The government changing.

28          BERT RAMOS: Yep.

29          COMMISSIONER MILLS: So just to -- just to clarify, the  
30 noncompliance was due to paperwork and timing, not due to water  
31 quality?

32          BERT RAMOS: Exactly.

33          COMMISSIONER MILLS: Okay.

34          BERT RAMOS: Yes.

35          CHAIRMAN BAKKER: Perfect.

36          COMMISSIONER CLARK: Thanks, Bert.

37          BERT RAMOS: Did that answer your --

38          JENNIFER O'KANE: Very well said.

39          BERT RAMOS: Thank you.

40          COMMISSIONER WAITS: Thank you, Bert.

1 CHAIRMAN BAKKER: Hey, Bert. Oh, never mind. Okay.  
2 Discussion and possible action to approve --  
3 JUDIE ALLEN: Excuse me .  
4 CHAIRMAN BAKKER: -- disapprove Change Order 1 from Shaw  
5 engineering in the amount of -- oh, public comment. Sorry.  
6 JUDIE ALLEN: Judie Allen.  
7 And I think Bert knows what this is about.  
8 So Bert, explain to me the situation with the county roller.  
9 And either SNC using it to pave the bank parking lot or apparently  
10 another project or another location.  
11 BERT RAMOS: Okay, so I --  
12 DISTRICT ATTORNEY HERRERA: This is isn't public comment.  
13 JUDIE ALLEN: Excuse me, --  
14 DISTRICT ATTORNEY HERRERA: This is --  
15 JUDIE ALLEN: -- Ted.  
16 DISTRICT ATTORNEY HERRERA: -- an interrogation.  
17 JUDIE ALLEN: This is a public comment for --  
18 DISTRICT ATTORNEY HERRERA: A person can make a public  
19 comment, but they can't ask --  
20 JUDIE ALLEN: Okay. I will rephrase it, then.  
21 JENNIFER O'KANE: He also invited -- he also invited it.  
22 JUDIE ALLEN: He invited this public --  
23 CHAIRMAN BAKKER: Hey.  
24 JUDIE ALLEN: -- comment.  
25 CHAIRMAN BAKKER: One person at a time.  
26 JUDIE ALLEN: So the county roller was brought up from  
27 Austin. And it was seen used by SNC paving the bank parking  
28 lot. Two private entities using county equipment.  
29 And I guess I would like clarification on that.  
30 I -- the other comment I have regarding that is, if SNC is  
31 borrowing county property, I do have an issue with that even if it  
32 is on a county project because we are paying them for their  
33 equipment. They bid the job. They are responsible for their own  
34 equipment.  
35 And if we are lending them something, yeah, we can be good  
36 old boys, but that is also costing the county wear and tear on our  
37 equipment. And not qual- -- or how would you say -- these people  
38 have not been approved to operate county equipment. They are not  
39 a county employee.  
40 So our equipment that our taxpayers pay for should not be

1 loaned out to private entities.  
2 And I would like to know specifically where that roller was  
3 used and for what purpose.  
4 BERT RAMOS: And I would like to address it. That's  
5 another one of these partial truths that come throughout the --  
6 the community. And it's good to be addressed in an open  
7 meeting.  
8 First of all, I am authorized to lend equipment to a  
9 contractor that are doing work for the county. I have that  
10 authority to do that.  
11 SNC had a roller break down while they were doing patchwork  
12 for us. And we have no local rental companies anywhere. So they  
13 borrowed a roller from us on one day on a county project to  
14 continue their patchwork while their roller was being fixed.  
15 That kept our project moving forward. And that is what it  
16 is. They are not using it on a private job.  
17 And SNC is on their way. And that -- I have no problem  
18 with them sitting up here and answering any of your questions as  
19 well.  
20 JUDIE ALLEN: Okay.  
21 CHAIRMAN BAKKER: I don't see a problem with that either.  
22 JUDIE ALLEN: I'd like to know how you have the authority  
23 to lend out county equipment. This is taxpayer money that pays  
24 for this, to private companies.  
25 I was told by the company that it was not used on that  
26 project.  
27 And I guess my question is, Bert, is: If that roller were  
28 meant to be used out on that job, why was it not delivered there?  
29 Why was it delivered right next door to the bank?  
30 BERT RAMOS: It was actually delivered in the McDonald's  
31 parking lot, which I think you're well aware of.  
32 JUDIE ALLEN: Yes.  
33 BERT RAMOS: And they picked it up from there when they  
34 dropped off their roller.  
35 JUDIE ALLEN: Okay.  
36 BERT RAMOS: Because that's where they staged all of their  
37 equipment.  
38 JUDIE ALLEN: Okay.  
39 CHAIRMAN BAKKER: Keith, I would like to look into the past  
40 five years of county loaning out equipment and who was in charge

1 and loaned out equipment to other entities.  
2 KEITH WESTENGARD: Okay. I'll -- I can do that.  
3 And I -- I want to let everybody know, Bert and I -- Bert  
4 ran this by me before he did it. And I had no problem with it.  
5 We talked about it after the -- it was brought forward to me.  
6 So this -- this has been discussed with me as well.  
7 And I'll look into that stuff.  
8 CHAIRMAN BAKKER: Okay.  
9 Good job. Good job, Bert, Keith.  
10 Any other public comment?  
11 (No comment.)  
12  
13 6) Discussion and possible action to approve/disapprove Change  
14 Order 1 from Shaw Engineering in the amount of \$640,205.06  
15 for the Battle Mountain 2016 Road Maintenance Project, and  
16 all other matters related thereto.  
17  
18 CHAIRMAN BAKKER: Okay. With that, six. Discussion and  
19 possible action to approve/disapprove Change Order 1 from Shaw  
20 Engineering in the amount of \$640,205.06 for the Battle Mountain  
21 2016 Road Maintenance Project, and all other matters related  
22 thereto.  
23 BERT RAMOS: I think we're asking to table this.  
24 Bert Ramos, for the record.  
25 I think we're asking to table this one for tomorrow.  
26 CODY BLACK: It's been reagendized and --  
27 CHAIRMAN BAKKER: State your name.  
28 CODY BLACK: Oh, sorry. Cody Black with Shaw Engineering.  
29 CHAIRMAN BAKKER: Thanks, Cody.  
30 CODY BLACK: We had a little bit of a communication and  
31 delay getting final pricing on part of this change order. And  
32 so this has been reagendized for the special meeting tomorrow.  
33 CHAIRMAN BAKKER: Okay. Then with that, I need a motion.  
34 COMMISSIONER CLARK: I'll make a motion to defer it --  
35 CHAIRMAN BAKKER: Table it?  
36 COMMISSIONER CLARK: -- until tomorrow's meeting.  
37 COMMISSIONER MILLS: I'll second.  
38 CHAIRMAN BAKKER: Art made a motion. Doug seconded.  
39 Public comment?  
40 (No comment.)

1 CHAIRMAN BAKKER: All in favor?  
2 COMMISSIONER MILLS: Aye.  
3 CHAIRMAN BAKKER: Aye.  
4 COMMISSIONER WAITS: Aye.  
5 COMMISSIONER CLARK: Aye.  
6

7 7) Discussion and possible action to approve/disapprove Change  
8 Order 1 from Shaw Engineering in the amount of \$164,489.40  
9 for the Kingston 2016 Road Maintenance Project, and all other  
10 matters properly related thereto.  
11

12 CHAIRMAN BAKKER: Okay. Seven. Discussion and possible  
13 action to approve/disapprove change order 1 from Shaw  
14 Engineering in the amount of \$164,489.40 for the Kingston 2016  
15 Road Maintenance Project, and all other matters properly related  
16 thereto.

17 CODY BLACK: All right. Good morning, everyone.  
18 Cody Black, again, with Shaw Engineering.  
19

20 (Simultaneous indiscernible conversations.)  
21

22 CODY BLACK: We put a budget together for both of these  
23 projects north and south.  
24

25 (Simultaneous indiscernible conversations.)  
26

27 CODY BLACK: And --

28 CHAIRMAN BAKKER: Hey. Guys. Judie. Give these guys the  
29 room, please.

30 CODY BLACK: So we put a budget together for these  
31 projects, north and south, based on some, you know, reasonable  
32 bid prices we had seen going on in the area in past years.

33 I'm sure everybody knows about the oil market right now.  
34 Oil's ridiculously cheap. So that's turning into a big benefit  
35 for some of these projects. We're seeing paving prices tank.  
36 Sealing prices are great.

37 I mean RTC just did a project in Washoe County. They're --  
38 it's almost like here. They're painting almost every road in  
39 town. And I use "painting," in -- obviously -- in a figurative  
40 sense.

1           So when we had prices come in on this project, you know, my  
2 jaw dropped when we opened bids. We came here for the opening  
3 and award. And man, we got some great prices.

4           And -- and, you know, and it was from reputable firms that do  
5 good work for us. So what we've done -- and just like we've done  
6 in past years, you know, when we have bid prices come in way under  
7 budget, we look at, you know, hey, can we take advantage of this  
8 if the county has money left on the table for this -- in this  
9 category of sealing projects?

10           And that's what we're doing here. We're going to expand  
11 the scope, do additional roads, do some extra sealing on the  
12 chip seal, and just kind of expand this quantity and make, you  
13 know, make use of these great bid prices we've had, rather than  
14 have to hold this money and hold these projects until next year  
15 when prices can escalate and we have to go through a whole  
16 nother round of bidding process and document creation and more  
17 engineering hours and more time. Time is money. And, you know,  
18 additional mobe costs that will get built into that.

19           And, you know, I don't know if you guys know about the  
20 market in Nevada, but people get busier every year. Last year  
21 at this time, nothing like it is this year.

22           So I think we're getting a much better bang for our buck  
23 by, you know, pushing these -- extending these unit prices.

24           SNC's agreeing to, you know, use these same low unit prices  
25 we had to do additional roads.

26           And, you know, I -- I think it's a -- it's a great  
27 opportunity for the county to utilize remaining budget and --  
28 and get some more roads sealed.

29           So we tried to keep it to the same areas, which is why --  
30 Kingston we basically had roads laid out before we went to bid  
31 that we actually took off because of when I put my estimate  
32 together, I didn't want bids to open up. And we couldn't even  
33 afford to hire the contractor because bids came in, you know,  
34 way above. Bid prices came in much lower than historical lows.  
35 And so we basically took those figures that I was -- had on the  
36 back burner for a future project. And that's what we're looking  
37 at doing here, which is hitting the rest of the paved roads in  
38 that area where they're at.

39           And the same goes for here, but that can be a discussion  
40 more for tomorrow.

1           So with that, we're recommending to extend these unit  
2 prices on two additional roads and to get some more sealing  
3 done.

4           BERT RAMOS: One thing I'd like to add to that is even with  
5 what agendized for tomorrow, we will still be over \$400,000  
6 under what we budgeted for --

7           CODY BLACK: For these --

8           BERT RAMOS: -- for our --

9           CODY BLACK: -- these projects, north and south. Yes.

10          BERT RAMOS: So --

11          CHAIRMAN BAKKER: Good job.

12          KEITH WESTENGARD: Commissioner, I just want clarification.  
13 We -- we're not expanding the scope; correct? We're --

14          CODY BLACK: There is --

15          KEITH WESTENGARD: -- not changing the scope or anything?

16          CODY BLACK: Yeah, w- -- so, yeah, with change orders,  
17 obviously, though, is there's always a concern, you know. We're  
18 not going to change-order our road project and go build a  
19 building somewhere.

20          So I would say, we're not -- we're extending unit prices on  
21 the majority of these.

22          There is a small scope change, which is the fog sealing.  
23 Fog sealing was not included for the chip seal. We were trying  
24 to get chip down for the cheapest price possible. Fog seal  
25 wasn't in the original bid. It's a pretty minor thing. You  
26 guys have seen, you know, some final oil coat that gets sprayed  
27 to help lock in the chips. So --

28          KEITH WESTENGARD: Okay.

29          CODY BLACK: I would say in the general scope of a sealing  
30 project, the scope isn't changing. In the technical scope of a  
31 line item, there's a slight scope change. But that's just me  
32 being overly analytical about it.

33          KEITH WESTENGARD: Okay.

34          COMMISSIONER WAITS: That was one of my concerns, was  
35 because it wasn't just a change order with what we were doing,  
36 but we were expanding. But the -- the terminology is if we're  
37 not expanding the scope, even though we're going more miles,  
38 different areas, it's -- it's okay. It's all within it. We  
39 don't have to go back out for bid.

40          CODY BLACK: No. We don't have to go back out for bid.

1 And actually, we could change the scope.  
2 We could add patching, we -- like in Kingston, we didn't  
3 have any patch work going on.  
4 COMMISSIONER WAITS: I saw that.  
5 CODY BLACK: If we decided to -- while they're down there,  
6 they -- SNC said, hey, this guy hired us to pave a parking lot  
7 in Round Mountain. Do you guys want us to extend that piece in  
8 that cul-de-sac or whatever?  
9 We could even add those scope items, even though we weren't  
10 doing that stuff. And we have the ability to do that.  
11 So we have the ability to change the terms of the contract,  
12 the scope of the work, the -- you know, the -- the areas that  
13 we're paving. But what we do -- and there's no prohi- --  
14 prohibition in NRS that says you can or can't do that.  
15 So we are totally within the legal realms. And if even if  
16 we wanted to add a cattle guard, we could add that.  
17 So that's -- that's at the county's discretion. That's  
18 outlined in our contract documents.  
19 But I think to keep all of us from having the AGC knock on  
20 our door and say, "Why aren't you bidding these projects?" we  
21 keep it focused on the scope of a road project.  
22 And it's -- it's more of a general scope because, you know,  
23 we wouldn't want to have a building contractor from Elko say,  
24 "Why'd you guys just give SNC this random building in your  
25 paving project?"  
26 You know, we're not going to -- you know, we don't want to  
27 face those questions. And that's not the right thing to do for  
28 the public and the --  
29 COMMISSIONER WAITS: Well, --  
30 CODY BLACK: -- public (indiscernible).  
31 COMMISSIONER WAITS: -- that was my concern. So we're  
32 looking for you to keep us straight. So I appreciate that.  
33 CODY BLACK: Yes.  
34 COMMISSIONER WAITS: The only other question I had, Cody,  
35 was on -- on the original documents, when the bid bond came in,  
36 and how it was written. Because the original price -- and we  
37 have a bid bond for that original price and usually change  
38 orders; right? But it goes up to a maximum; does it not?  
39 And since we're exceeding -- I'm -- I was concerned --  
40 CODY BLACK: Yeah, so --

1 COMMISSIONER WAITS: -- how it's written.  
2 CODY BLACK: -- on -- a bid bond refers to the 5 percent  
3 surety when they submit their bid.  
4 But we have a payment and performance bond, which are in  
5 place during the project.  
6 So I'll -- I want to use the correct terminology here. But  
7 I'm going to speak to -- to your question.  
8 So we have payment and performance bonds. The contract  
9 documents that we have outline the requirements that per this  
10 contract that bond amount is required to be increased to the  
11 contract amount as it gets adjusted. And the responsibility is  
12 on the contractor to contact their bonding agency and ensure  
13 they increase limits.  
14 And, you know, it's not our job to call the bonding company  
15 --  
16 COMMISSIONER WAITS: Okay.  
17 CODY BLACK: -- and increase that. But per the contract  
18 they've signed, their bonding limit will go up. And the way  
19 that these bonds are typically written, they say, like, the  
20 project name -- I don't have a copy of the bond here, but we get  
21 the same ones from SNC. They use the same bonding company on  
22 all these projects.  
23 But it basically say- -- it ties it to the project name and  
24 PWP number. So we're still within that.  
25 So what happens is that bond is actually enforceable for  
26 the contract amount. So this change order, by increasing the --  
27 the contract price so we pay them at the end of the day, it --  
28 it in essence also increase their bond limit per the  
29 requirements of the contract.  
30 COMMISSIONER WAITS: Thank you.  
31 CODY BLACK: So those do get increased automatically.  
32 COMMISSIONER WAITS: Thank you.  
33 CHAIRMAN BAKKER: Thanks, Cody.  
34 CODY BLACK: No problem.  
35 COMMISSIONER MILLS: Okay. Question.  
36 In our -- in our paperwork here, it shows that it's going  
37 to cost us an extra \$40,500 to complete this project.  
38 Is that -- am I reading that correctly?  
39 CODY BLACK: For the...  
40 COMMISSIONER MILLS: For the Kingston roads.

1 CODY BLACK: We had -- change order amount is 164,- --  
2 COMMISSIONER MILLS: Right.  
3 CODY BLACK: -- -489.40.  
4 COMMISSIONER MILLS: But that brings us to a total of 512-.  
5 CODY BLACK: Yes.  
6 COMMISSIONER MILLS: 512,000, which is 40,000 more than the  
7 original budgeted amount 472,000.  
8 CODY BLACK: Yes.  
9 COMMISSIONER WAITS: Right.  
10 COMMISSIONER MILLS: Is that correct?  
11 CODY BLACK: Yes.  
12 COMMISSIONER MILLS: So where do we have the 40,000 to  
13 cover that --  
14 CODY BLACK: The --  
15 COMMISSIONER MILLS: -- expense?  
16 CODY BLACK: -- county's overall sealing budget between  
17 north and south when you combine those together --  
18 COMMISSIONER MILLS: Okay.  
19 CODY BLACK: -- and --  
20 COMMISSIONER MILLS: So those are -- those are combined?  
21 They're not separated north, south?  
22 CODY BLACK: It'll just be -- it'll be an accounting  
23 exercise when you guys do your final budget documents to submit  
24 to the state at the end of the year, where you balance  
25 everything out. So --  
26 COMMISSIONER MILLS: Okay.  
27 KEITH WESTENGARD: There was a total amount that was  
28 awarded countywide.  
29 COMMISSIONER WAITS: It's coming out of our overage that  
30 we're going to approve tomorrow.  
31 COMMISSIONER MILLS: With the -- with the Battle Mountain  
32 side of the road --  
33 COMMISSIONER WAITS: We're going to spend some of --  
34 COMMISSIONER MILLS: -- projects.  
35 COMMISSIONER WAITS: -- the overage, but we still have some  
36 left.  
37 COMMISSIONER MILLS: Okay.  
38 COMMISSIONER WAITS: So --  
39 CODY BLACK: Yeah.  
40 COMMISSIONER MILLS: So we are able to -- to look at it as

1 a whole? We don't have to separate Battle Mountain and  
2 Kingston.

3 CODY BLACK: Yeah. And that's just cap accounting  
4 procedures on the fin- -- in the financial -- in the finance  
5 office.

6 COMMISSIONER MILLS: Okay.

7 CODY BLACK: Doesn't apply strict- -- directly to the  
8 project.

9 COMMISSIONER MILLS: So addressing that now because it'll  
10 come up.

11 CODY BLACK: Yep.

12 COMMISSIONER MILLS: So...okay.

13 CHAIRMAN BAKKER: Okay.

14 COMMISSIONER MILLS: I'll make a motion to approve the  
15 Change Order 1 from Shaw Engineering in the amount of  
16 \$164,489.40 for the Kingston 2016 Road Maintenance Project.

17 COMMISSIONER WAITS: I'll second that motion.

18 CHAIRMAN BAKKER: Doug made motion. Patsy --

19 COMMISSIONER MILLS: Oh.

20 CHAIRMAN BAKKER: -- seconded it.

21 COMMISSIONER MILLS: Do we have to sign?

22 CHAIRMAN BAKKER: Oh.

23 COMMISSIONER MILLS: And authorize the chair to sign.

24 CHAIRMAN BAKKER: Doug made a motion. Patsy seconded.  
25 Any public comment?

26 JOHN MONTES: Yes.

27 CHAIRMAN BAKKER: Come -- come up here and state your name,  
28 please.

29 JOHN MONTES: John Montes.

30 I just wanted to com- -- make sure I understand. Thank you,  
31 Mr. Mills. I think you pretty much clarified that this change  
32 order is going to cost an extra 40,000 off the original -- off of  
33 what we were -- what was originally budgeted and allocated for  
34 this job. And so the total change order on this is an additional  
35 \$40,000 to the county.

36 BERT RAMOS: Not necessarily.

37 CODY BLACK: Well, the change order itself is -- increases  
38 SNC's contract by \$164,000.

39 JOHN MONTES: I --

40 CODY BLACK: The line item budget for the county when --

1 when they do their conformed budget to submit to the state and  
2 their -- all their auditing, it -- those amounts will be  
3 adjusted.

4 JOHN MONTES: Okay. So basically what I'm trying to  
5 understand, they came in under our original budget --

6 CODY BLACK: Yes.

7 JOHN MONTES: -- far enough to where we're able to do this  
8 change order --

9 CODY BLACK: Yes.

10 JOHN MONTES: -- for an additional \$40,000? To -- from our  
11 original budget?

12 CODY BLACK: Yes.

13 Yes, the original county-approved budget, we're \$40,000 over  
14 the original county-approved budget.

15 JOHN MONTES: And that's just what I was trying to  
16 understand.

17 CODY BLACK: Okay.

18 JOHN MONTES: Mr. Mills answered most of it. I just wanted  
19 to make sure I'm clarifying this that \$40,000 more than what we  
20 originally budgeted --

21 BERT RAMOS: For the southern half of Lander County.

22 JOHN MONTES: For the southern half --

23 CODY BLACK: Yeah.

24 JOHN MONTES: -- to get this completed.

25 CODY BLACK: That's correct.

26 JOHN MONTES: All right. Thank you.

27 CODY BLACK: Yep.

28 BERT RAMOS: Just for clarification, that is still within  
29 the en- -- the whole budget when you add Battle Mountain to  
30 that.

31 COMMISSIONER CLARK: Right.

32 COMMISSIONER MILLS: Right.

33 CHAIRMAN BAKKER: Right.

34 COMMISSIONER CLARK: The approved budget.

35 BERT RAMOS: Yes.

36 COMMISSIONER CLARK: Yeah.

37 JUDIE ALLEN: Casey?

38 CHAIRMAN BAKKER: State your name.

39 JUDIE ALLEN: Judie Allen.

40 What -- how does Shaw Engineering bill? charge?

1           What -- what are the fees that Shaw Engineering charges us  
2 for these projects?  
3           Is it on a percentage basis? Or is it flat rate?  
4           CODY BLACK: Yeah. Would you guys like me to answer that?  
5           CHAIRMAN BAKKER: Yeah.  
6           CODY BLACK: Yes. Okay.  
7           DISTRICT ATTORNEY HERRERA: Well, Commi- --  
8           CHAIRMAN BAKKER: Hold on.  
9           DISTRICT ATTORNEY HERRERA: Mr. Chairman, the reason Cody's  
10 asking that is because public comment needs to be addressed to  
11 the county commission.  
12          JUDIE ALLEN: Okay.  
13          DISTRICT ATTORNEY HERRERA: If the county commission wishes  
14 a witness to respond to it, then -- then you would direct the  
15 witness to --  
16          CHAIRMAN BAKKER: Judie, will you --  
17          DISTRICT ATTORNEY HERRERA: -- respond.  
18          CHAIRMAN BAKKER: -- redirect your question.  
19          JUDIE ALLEN: Yes. I would like to know how Shaw -- Shaw  
20 Engineering's fees are calculated on projects.  
21          CHAIRMAN BAKKER: Cody, will you please answer that?  
22          CODY BLACK: No problem.  
23          For these projects, in particular, everything we bill the  
24 county for and have for years, we do time and materials with unit  
25 rates. We have unit rates that we attach and update.  
26          My current billing unit rate is \$125 per hour. For this  
27 project, in particular, when Bert requested me to create these  
28 documents, I sent him a proposal with the total budget amount of  
29 \$7,500 for Shaw Engineering to do all the bid documents for the  
30 Kingston project. Then, in addition, we had a second proposal  
31 for \$7,500 to do the bid documents for the Battle Mountain  
32 project.  
33          I've been billing those projects at time and materials at  
34 \$7,500.  
35          With all these change orders that have come up, I ran out of  
36 budget. I'm not billing for it.  
37          My trip out here today is not getting billed.  
38          So I told you guys that I would do a scope of work for  
39 \$7,500. I billed \$7,500 and change orders. You guys got great  
40 prices. I haven't asked Bert for more -- more money on this.

1 It's just the right thing to do. And I want to be here to  
2 answer the questions rather than getting a phone call while  
3 I'm -- when I'm in the middle of 20 other things.  
4 There's no extra cost for Shaw Engineering for this. And  
5 we are not billed based on -- we do not get pricing based on a  
6 percentage of the con- -- construction cost.  
7 CHAIRMAN BAKKER: Well, thank you.  
8 CODY BLACK: So --  
9 COMMISSIONER WAITS: Thank you for the --  
10 CODY BLACK: No problem.  
11 COMMISSIONER WAITS: -- clarification.  
12 COMMISSIONER CLARK: Thanks.  
13 JUDIE ALLEN: So basically 7500 for Battle Mountain and  
14 7500 for Austin, total.  
15 CODY BLACK: That's correct.  
16 JUDIE ALLEN: Great. Thanks.  
17 CODY BLACK: Uh-huh.  
18 CHAIRMAN BAKKER: Good job, Cody. Appreciate it.  
19 COMMISSIONER CLARK: That ought to clear --  
20 CHAIRMAN BAKKER: Taxpayers will appreciate it.  
21 COMMISSIONER CLARK: Yeah. That should clear up some  
22 things.  
23 CODY BLACK: I hope so.  
24 CHAIRMAN BAKKER: Any more public comment?  
25 (No comment.)  
26 CHAIRMAN BAKKER: All in favor?  
27 COMMISSIONER MILLS: Aye.  
28 CHAIRMAN BAKKER: Aye.  
29 COMMISSIONER WAITS: Aye.  
30 COMMISSIONER CLARK: Aye.  
31 CHAIRMAN BAKKER: Thank you, guys.  
32 COMMISSIONER MILLS: Thank you.  
33 CODY BLACK: Thank you.  
34 COMMISSIONER WAITS: Thank you.  
35  
36  
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40

1 **BUILDING**

2  
3 8) **Update from the Lander County building official regarding**  
4 **projects and all other matters related thereto.**  
5

6 CHAIRMAN BAKKER: Building. Update from the Lander County  
7 building official regarding projects and all other matters  
8 related thereto.

9 ANNA PENOLA: Good morning.

10 CHAIRMAN BAKKER: Good morning, Anna.

11 COMMISSIONER WAITS: Good morning, Anna.

12 COMMISSIONER CLARK: Good morning, Anna.

13 ANNA PENOLA: Anna Penola with the Building Department.

14 It's been a while since I gave you an update. So I think  
15 I'll do this quarterly. It's just with the move and everything.  
16 Things have settled down but --

17 From January to today, we have 111 permits that have been  
18 permitted, 16 inspections for gas and electrical.

19 Some ongoing projects that have been ongoing for a while  
20 still: AT&T at Stony Point, Antelope Valley, and Cortez Mine.

21 AT&T, adding and replacing antennas at those places.  
22 T-Mobile at Stony Point. And a new commun- -- a new  
23 communication tower is going in at Bald Mountain. That was last  
24 year. I haven't heard anything, but I have all the paperwork.  
25 They're just slow.

26 But things that are happening in Austin. The ambulance barn,  
27 the outside got painted. And a new insulated door and phone and  
28 fax.

29 Youth center got painted and the roof got sealed.

30 The senior center got new flooring throughout the building.  
31 It hadn't been done for -- since the building was built. And  
32 it's beautiful. And they're very happy.

33 The pool needs a new boiler and a new pump. And it's been  
34 ordered. And it's ready for next year.

35 And going to bring in -- I'm going to bring you guys a  
36 contract from D&D out of Fallon that our -- had been really good  
37 about coming up and doing the pool maintenance on the boilers  
38 and that kind of stuff.

39 Getting blinds for the lower half of the courthouse this year  
40 and then up- -- upstairs next year.

1 Concrete apron will be done by October for the sheriff's  
2 office.

3 We're going to do the apron for the ambulance barn this year.  
4 That will be done.

5 The Road and Bridge, the new offices upstairs and downstairs  
6 are complete. It's a great facility. They seem to be happy. And  
7 they're moved in. All the interior electrical is completed.

8 There's three stick homes being built in Kingston that I've  
9 been looking at.

10 A new mobile home in Austin on a full foundation is in the  
11 works.

12 Austin Airport is getting ready to start their fuel project.  
13 AT&T tower for the sheriff's office is -- pre-slab building  
14 is there. The footings are done. The electrical's done. We're  
15 just kind of waiting on a final.

16 Some stuff in Battle Mountain. The conveyor truck reload  
17 for Dyno Nobel just got finalized.

18 The Battle Mountain fuel system, obviously, you know, has  
19 been completed.

20 Battle Mountain Phase II, they're doing the framing and  
21 insulation and drywall inside. So everything's mostly interior  
22 now.

23 Thompson Dental finally got completed.

24 The Indian casino is still on track. It's no jurisdiction  
25 for me, but water and sewer will be involved with the county.

26 The old admin building, we're getting quotes for the repair  
27 to bring it up to the way it was before it was flooded out.

28 The old preschool now is the new WIC office.

29 And the old annex, the construction will be starting next  
30 week for the preschool to move in by October.

31 AT&T by the sheriff's office is complete. We're just waiting  
32 for the generator people to come out and hook up. And that will  
33 be finalized.

34 The Battle Mountain high school bus barn is erected and  
35 waiting on doors. That's going to house 12 buses.

36 Just received AED machines. And John Lynch with CORE is  
37 going to help me install those.

38 And working on escape evacuation plans that will be installed  
39 soon. And we'll get training on that.

40 Working on getting a company together to help with the

1 gopher removal. And nobody seems to want to come to Battle  
2 Mountain. I don't understand. But that's in the works.  
3 Did a post-season walk-through with Little League. It went  
4 really well. They left everything in great shape. They're happy.  
5 And next year should be a lot smoother.  
6 CHAIRMAN BAKKER: Any --  
7 ANNA PENOLA: We're --  
8 CHAIRMAN BAKKER: -- problems?  
9 ANNA PENOLA: No pro- -- no, they left it in great shape.  
10 CHAIRMAN BAKKER: Okay.  
11 ANNA PENOLA: We may have to get a walk-in for Lemaire.  
12 That's been giving us fits all year. But I'll have it budgeted  
13 for.  
14 CHAIRMAN BAKKER: Okay.  
15 ANNA PENOLA: And --  
16 CHAIRMAN BAKKER: Good deal.  
17 ANNA PENOLA: -- working with Keith on the tailgate  
18 safeties, including Austin.  
19 And that's what's been happening in my world.  
20 CHAIRMAN BAKKER: Good deal.  
21 COMMISSIONER MILLS: Sounds like a lot of activity and --  
22 ANNA PENOLA: I'm --  
23 COMMISSIONER MILLS: -- that's --  
24 ANNA PENOLA: -- running.  
25 COMMISSIONER MILLS: -- that's great.  
26 ANNA PENOLA: I should be a lot thinner than I am.  
27 COMMISSIONER MILLS: Good.  
28 COMMISSIONER WAITS: Could you clarify on -- on the safety  
29 meetings for me.  
30 Does that come under you when they --  
31 ANNA PENOLA: I'm just helping facilitate.  
32 COMMISSIONER WAITS: Okay. Because I -- I know there's a  
33 misunderstanding in the southern end, when we said -- you gave  
34 me a note one time and said we're going to do fire  
35 extinguishers. So we came for that. And then all of sudden a  
36 trainer came back --  
37 ANNA PENOLA: It's not -- it's not training. They're just  
38 meetings.  
39 COMMISSIONER WAITS: They're just --  
40 ANNA PENOLA: They're not --

1 COMMISSIONER WAITS: Okay.  
2 ANNA PENOLA: -- training.  
3 COMMISSIONER WAITS: But we didn't know about it and --  
4 ANNA PENOLA: That's my fault.  
5 COMMISSIONER WAITS: -- and I'm thinking --  
6 ANNA PENOLA: And I'm -- it's new for me and --  
7 COMMISSIONER WAITS: Is that coming through you?  
8 ANNA PENOLA: Yep.  
9 COMMISSIONER WAITS: Is it supposed to be monthly?  
10 ANNA PENOLA: Yes.  
11 COMMISSIONER WAITS: Are we supposed to be --  
12 ANNA PENOLA: It will be -- September 1<sup>st</sup> will be a  
13 workplace safety -- safety meeting.  
14 COMMISSIONER WAITS: Okay. So it's at the same time every  
15 month? Or you're going to notify us and we'll get on that  
16 track? Okay.  
17 ANNA PENOLA: Yep. I have you --  
18 COMMISSIONER WAITS: Thank you.  
19 ANNA PENOLA: -- on speed dial.  
20 COMMISSIONER WAITS: Okay.  
21 CHAIRMAN BAKKER: Okay.  
22 COMMISSIONER WAITS: Thank you. Great job.  
23 CHAIRMAN BAKKER: Any questions? Thank you, Anna.  
24 ANNA PENOLA: You're welcome.  
25 CHAIRMAN BAKKER: Appreciate it.  
26 ANNA PENOLA: The next one's me too.  
27 CHAIRMAN BAKKER: Oh.  
28 COMMISSIONER MILLS: Oh.  
29 CHAIRMAN BAKKER: That's right. It's just --  
30 ANNA PENOLA: I like being up here. Yeah.

31  
32 9) Discussion and possible action to approve/disapprove the  
33 payment of \$1,470 overage of invoice for the remodeling bill  
34 for 370 South Mountain, Battle Mountain, Nevada 89820, and  
35 all other matters related thereto.  
36

37 CHAIRMAN BAKKER: Discussion and possible action to  
38 approve/disapprove the payment of \$1,470 overage of an invoice  
39 for the remodeling bill for 370 South Mountain, Battle Mountain,  
40 Nevada 89820, and all other matters properly related thereto.

1 ANNA PENOLA: Okay. That was the construc- -- the remodel  
2 for the WIC office. It was -- it di- -- it went over by 1740  
3 because of unforeseen things. When Scott started to get in  
4 there and started remodeling, there was no insulation in the  
5 attic. And I'm sure that's going to reduce our electrical costs  
6 this winter.  
7 So I -- I authorized him to go ahead and put the spray in and  
8 get that up to code.  
9 And a -- the door got broke into couple months ago.  
10 Destroyed the lock and everything. So we have to get a new door  
11 and that was unforeseen too. So that's where those costs come  
12 from.  
13 CHAIRMAN BAKKER: Do they know who broke in?  
14 ANNA PENOLA: No.  
15 CHAIRMAN BAKKER: Okay.  
16 ANNA PENOLA: Never do.  
17 COMMISSIONER MILLS: And where from the budget is this  
18 \$1470 --  
19 ANNA PENOLA: I'm hoping the --  
20 COMMISSIONER MILLS: -- going to come from?  
21 ANNA PENOLA: -- preschool will be -- come under the 20- --  
22 you allotted 50- for both projects.  
23 I'm hoping it will fall into that.  
24 CHAIRMAN BAKKER: What's the --  
25 KEITH WESTENGARD: I was just going to say, Commissioner  
26 Mills, we -- we have additional money that we can draw from in  
27 case of these overages.  
28 COMMISSIONER MILLS: Additional money...  
29 KEITH WESTENGARD: Out of the 029, out of the Building  
30 Fund.  
31 COMMISSIONER MILLS: Okay.  
32 CHAIRMAN BAKKER: Oh.  
33 KEITH WESTENGARD: Yes.  
34 COMMISSIONER MILLS: All right.  
35 CHAIRMAN BAKKER: Building and Maintenance.  
36 KEITH WESTENGARD: I should clarify --  
37 ANNA PENOLA: Yes.  
38 KEITH WESTENGARD: -- that.  
39 CHAIRMAN BAKKER: Yeah, Building and --  
40 COMMISSIONER MILLS: I just want to --

1 CHAIRMAN BAKKER: -- Maintenance.  
2 COMMISSIONER MILLS: -- know where the money's --  
3 CHAIRMAN BAKKER: Okay.  
4 COMMISSIONER MILLS: -- coming from.  
5 CHAIRMAN BAKKER: Yeah.  
6 KEITH WESTENGARD: 029, Building Fund. Yes.  
7 COMMISSIONER MILLS: Okay.  
8 CHAIRMAN BAKKER: What's the bid for the preschool?  
9 ANNA PENOLA: 23,000.  
10 Oh, for the new one? The annex?  
11 CHAIRMAN BAKKER: Yeah.  
12 ANNA PENOLA: Around 23-.  
13 CHAIRMAN BAKKER: Okay.  
14 So we should be close.  
15 ANNA PENOLA: Should be good.  
16 CHAIRMAN BAKKER: Okay.  
17 COMMISSIONER MILLS: Okay. I'll make a motion that we  
18 approve the payment of \$1,470 overage of invoice for the mod- --  
19 remodeling bill for the 370 South Mountain, Battle Mountain,  
20 Nevada, building.  
21 COMMISSIONER WAITS: I'll second that motion.  
22 CHAIRMAN BAKKER: Doug made a motion. Patsy seconded.  
23 Any public comment?  
24 (No comment.)  
25 CHAIRMAN BAKKER: All in favor?  
26 COMMISSIONER MILLS: Aye.  
27 CHAIRMAN BAKKER: Aye.  
28 COMMISSIONER WAITS: Aye.  
29 COMMISSIONER CLARK: Aye.  
30 ANNA PENOLA: Thanks, --  
31 CHAIRMAN BAKKER: Thank you, --  
32 ANNA PENOLA: -- guys.  
33 CHAIRMAN BAKKER: -- Anna.  
34 COMMISSIONER MILLS: Thank you.  
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1 COMMISSIONERS

2  
3 10) Discussion and possible action regarding the NACO Rural  
4 Impact County Challenge and all other matters properly  
5 related thereto.  
6

7 CHAIRMAN BAKKER: Ten. Discussion and possible action  
8 regarding the NACO Rural Impact County Challenge and all other  
9 matters properly related thereto.

10 KEITH WESTENGARD: Commissioner, I've asked that we --  
11 take -- bypass this or -- or table it. We've -- we've -- the  
12 deadline's tomorrow. So we won't have time to do it. So we'll  
13 just let it go.

14 CHAIRMAN BAKKER: Okay.

15 KEITH WESTENGARD: Not address it, I should say.

16 CHAIRMAN BAKKER: Okay.

17 KEITH WESTENGARD: Thanks.  
18

19 11) Discussion regarding the placement of a veterans memorial  
20 statue in Lander County and all other matters properly  
21 related thereto.  
22

23 CHAIRMAN BAKKER: Eleven. Discussion regarding the  
24 placement of a veterans memorial statute in Lander County and  
25 all other matters properly related thereto.

26 KEITH WESTENGARD: I was approached by -- I don't --

27 UNIDENTIFIED PARTICIPANT: Dr. Ed's here.

28 KEITH WESTENGARD: Is he here?

29 JEANNE FALZONE: He's right here.

30 CHAIRMAN BAKKER: Do --

31 KEITH WESTENGARD: Oh, here he is. Okay. Yes. I was  
32 looking for him.

33 DR. ED: I don't know if I need to apologize. But  
34 Mr. Gilliam and I both have somewhat of a hearing deficit.

35 JOHN GILLIAM: Quite a bit of a (indiscernible).

36 DR. ED: And there's a bit of an echo in here so you may  
37 have to speak up loudly. And we'll try and interpret.

38 CHAIRMAN BAKKER: You guys are --

39 COMMISSIONER CLARK: That's --

40 CHAIRMAN BAKKER: -- good.

1 COMMISSIONER CLARK: -- why we have these.  
2 KEITH WESTENGARD: Would you like --  
3 JOHN GILLIAM: Pardon?  
4 DR. ED: I have --  
5 JOHN GILLIAM: I've got --  
6 COMMISSIONER CLARK: They're right there.  
7 CHAIRMAN BAKKER: You got hearing aids.  
8 DR. ED: I've got one.  
9 JOHN GILLIAM: Yeah, but they just don't --  
10 CHAIRMAN BAKKER: You guys are good. So --  
11 COMMISSIONER MILLS: Okay.  
12 DR. ED: Well, I greatly appreciate the opportunity of  
13 presenting this to -- to the commissioners.  
14 And I'd like to briefly say why am I here promoting something  
15 for the veterans and also maybe my involvement with the sculptor.  
16 To begin with, two of my brothers in Canada were World War  
17 II veterans.  
18 And when I first migrated to the United States to Arizona  
19 in the mid '70s, I applied at Veterans Hospital for a position.  
20 Previously, I had been -- had 15 years of medical practice  
21 in Canada.  
22 And they gave me the position of director of the  
23 rehabilitation department, as well as attending veterans on the  
24 war.  
25 So for two years, I was in very close contact with the  
26 veterans. I got to know many of them very well. And it increased  
27 my appreciation for and respect, you know, for the -- who these  
28 people really are.  
29 I think most of us agree that veterans in our military are  
30 underappreciated and -- and don't get the respect they deserve.  
31 I think in part this is reflected by the high suicide rate  
32 among veterans and in the military today. So...  
33 Anyways, when I left the VA hospital, I went into private  
34 practice because I -- I enjoyed looking after whole families.  
35 So I was very blessed when the Gilliam family became part of my  
36 practice.  
37 We stayed in touch through the years because -- even though  
38 they moved to Idaho about 30 years ago -- and it became evident  
39 that Mr. Gilliam was one of the most talented sculptors in our  
40 country today.

1           And when Mr. Westengard told me that he was putting this on  
2 the agenda today, I called him and I said, "Any possibility of  
3 you being here?"

4           Well, a 500-mile trip wasn't about to happen, I don't think.  
5 However, they're on their way today to Salt Lake City to attend  
6 their grandson's wedding, I believe.

7           So -- and his son, Nathan, graciously agreed to fly him down  
8 here this morning so he could attend this meeting. So very  
9 appreciate what happened here.

10          JOHN GILLIAM: Thank you.

11          DR. ED: Now, this particular sculpture, I think, is -- is  
12 very unique in that it sends a real message and is tribute to  
13 our veterans. And I know you've designated as a veterans  
14 memorial. But I think it's more than that. I think it also has  
15 a contemporary application, in that it really draws attention to  
16 who our military and our veterans really are.

17          So just before you probably ask Mr. Gilliam, you know, to get  
18 some first information, I've got something here that I think  
19 you've forgotten about.

20          I acquired this from you -- oh, must have been 30 years ago.

21          JOHN GILLIAM: Oh, my goodness.

22          DR. ED: Anyway, this was before he went into his life-size  
23 sculptures.

24          So if you just want to take a peek at this.

25          It's a deer. And the subscription [verbatim] here is  
26 "Tranquility." So obviously before the hunting season, I guess.  
27 Yeah.

28          COMMISSIONER WAITS: It's beautiful.

29          DR. ED: So I think that in -- in this particular  
30 sculpture, I think Mr. Gilliam has really captured what the  
31 military is all about.

32          The -- the soldier, I mean, holding a boy on his knee who he  
33 just patched up. Very affectionately. And with a rifle on the  
34 other knee, which means that he's ready to resume combat at any  
35 minute. So it really tells a -- it tells a story.

36          JOHN GILLIAM: You might want to put that.

37          DR. ED: And I believe that this particular sculpture, if  
38 it was put in a prominent place in Battle Mountain, it would  
39 have very significant impact on -- on our community as well as  
40 people who pass through here.

1 So, in a sense, I'm representing the community, I think.  
2 Because everybody I've spoken to has been very positive of this  
3 particular project.

4 So I would just like to introduce to you Mr. Gilliam, one of  
5 the most talented sculptors in our land today.

6 JOHN GILLIAM: Well, I appreciate the kind words.

7 I don't want to take a lot of your time. But when I first  
8 heard about this, I had done a snow sculpture of this in McCall,  
9 Idaho, a big one. And I didn't think much about it until I had it  
10 about finished. And this older guy walked up. And apparently, he  
11 was no doubt a Vietnam vet. Pretty soon big tears running.

12 Man, this must be effective.

13 So I presented it to the veterans home in Lewiston, Idaho.  
14 And they wanted it right away.

15 And what I wanted to depict, that our soldiers are tough.  
16 That's good. We know all that. And most of your memorials are  
17 showing how -- what they do in wartime. But they never mention  
18 the compassionate aspect of the American soldier.

19 And so what I've done here, he's patching up -- this is  
20 basically the Iraqi war. And he's patched up one of the people  
21 that, you know, the natives that got hurt.

22 This is kind of characteristic, I think, of the American  
23 soldier. This is something that I think the American soldier's  
24 kind of famous for.

25 DR. ED: If I might just interrupt you, your son served  
26 in the -- in Iraq during the invasion; didn't he?

27 JOHN GILLIAM: Well, what it is -- I think I have a picture  
28 of it here -- I hope I do -- that might be interesting.

29 Well, anyway, we wanted to -- he -- he was not a soldier. He  
30 was an F- -- he was with the -- he's a drug agent is what he is.  
31 The -- the department of drugs. And they sent him over to  
32 investigate Saddam.

33 Well, while he was there, I -- we wanted -- we knew we was  
34 going to put this sculpture up and we needed some -- we was trying  
35 to get some tile from Iraq that we could make an inscription on.

36 And so we contacted United Parcel and asked them how much it  
37 would cost to ship that back. And they said, well, you can ship  
38 50 pounds for \$5,000. Immediately we forgot.

39 But my son was there. And he said, "Well, Dad, I'll just  
40 put a bunch in my knapsack." He was staying in one of Saddam's

1 palaces and so he brought it back. So that was --

2 I had a picture of it here somewhere. I just don't know  
3 where I have it.

4 But there is -- do you have that little piece in here that  
5 I gave you?

6 I -- if you don't mind, I'd like to read this.

7 One of our people in Lewiston wrote this.

8 I -- the name of the piece is "I Am an American." I wanted  
9 to emphasize this is America. Okay.

10 "I Am an American" bronze monument is a memorial tribute to  
11 those Americans who have exemplified what America stands for,  
12 which is the compassion of the American soldier. This monument  
13 stands for the good and ethical accomplishments that are sometimes  
14 overlooked.

15 We are at a time in history where America is suffering from a  
16 lack of patriotism and devotion to the American dream.

17 The time has come to remind our fellow Americans that the  
18 whole world, for that matter -- and what we are made of. And "I  
19 Am an American" bronze does that.

20 Support has come from all branches of the military, both  
21 active and retired veterans.

22 By contract [verbatim] -- and this is my son -- a DEA  
23 agent, who had spent several months in Baghdad investigating  
24 Saddam Hussein, made the remark -- this bothers me a little bit  
25 -- our soldiers are a very impressive lot, accomplishing  
26 humanitarian deeds that the American people never see.

27 And I think that's what this bronze brings out.

28 Should one of these monuments stand in every capital in the  
29 nation?

30 This is our people in Lewiston talking.

31 We will honor the men and women who have fought so fiercely  
32 for our freedom. But let us not forget that these warriors are  
33 also capable of giving love and compassion.

34 So the neat thing about a bronze that you may not be aware  
35 of -- one of the best ways to view a bronze is your fingertips.

36 Now this bronze here, it's not unusual to see little kids  
37 climbing all over this thing and looking it over. And that's  
38 something that, to me, is very important.

39 Because it -- it speaks to the people, all types of people,  
40 whether little kids or old people or whatever.

1           So I don't want to take a bunch more of your time, but when  
2 Dr. Ed contacted me about this, I thought, sure. I'll bring it  
3 down and present it.  
4           But, I'm -- I'm an artist, not a speaker. Or a salesman.  
5           So it's --  
6           DR. ED: Well, you certainly make up for it in your talent,  
7 John.  
8           JOHN GILLIAM: Oh, I want to show you one other thing.  
9           This -- this is -- just recently, I had done a life-sized  
10 sculpture of Mother Theresa. And this one right here now is  
11 going to Rome. We know it should be shipped out any day now.  
12 So gives you an idea of the kind of -- and most of my work in  
13 the past has been western. Of course, I was raised on a cow  
14 outfit. And that was what I loved to do.  
15           And in fact, I -- I'm doing one of a -- probably don't have  
16 it either -- of a 7-foot cowboy. It's called "Hot Iron." he's  
17 pulling an iron out of the fire. So I'm -- I'm kind of into the  
18 large sculptures lately, rather than the little ones. So...  
19           DR. ED: Well, thank you so --  
20           CHAIRMAN BAKKER: Thank you.  
21           DR. ED: -- much, John, for being here today.  
22           CHAIRMAN BAKKER: Sadie, did you get his --  
23           DR. ED: You may want to question him about the specifics  
24 and so on. The -- of the --  
25           CHAIRMAN BAKKER: Sir, --  
26           DR. ED: -- of acquiring this. So...  
27           CHAIRMAN BAKKER: Oh. Sir -- oh, sorry. Thank you. I  
28 appreciate it. Will -- will you spell you name for the record,  
29 for Sadie.  
30           JOHN GILLIAM: Pardon?  
31           CHAIRMAN BAKKER: Will you spell your name for the record.  
32           JOHN GILLIAM: John. It's J-O-H-N. Gilliam.  
33 G-I-L-L-I-A-M.  
34           DR. ED: Yeah. It's pronounced Gil-lum.  
35           Have you -- any of you have seen his sculptures? It wasn't  
36 passed around. It was?  
37           I see you've got it.  
38           KEITH WESTENGARD: Yes.  
39           DR. ED: Okay.  
40           CHAIRMAN BAKKER: Very beautiful.

1 DR. ED: Yeah.

2 JOHN GILLIAM: Incidentally, my dad had a ranch up here out  
3 at Imlay -- my goodness -- 50 years ago, I guess. Been a long  
4 time.

5 DR. ED: So are there any...

6 CHAIRMAN BAKKER: Where you would like to see --

7 DR. ED: We haven't talked about financials or anything  
8 regarding this, which I think comes up.

9 CHAIRMAN BAKKER: How much would a scul- -- or a memorial  
10 like that cost?

11 JOHN GILLIAM: How much does it cost?

12 CHAIRMAN BAKKER: Yeah.

13 DR. ED: Seven --

14 JOHN GILLIAM: I mean, --

15 DR. ED: 70,000.

16 JOHN GILLIAM: Yeah. I can deliver it down here for  
17 70,000. I prefer to deliver any of my sculptures, if I can. I  
18 like to know where it's going and it's been put out right.

19 As far as site prep, that would be up to the -- where it was.

20 CHAIRMAN BAKKER: Like a base.

21 JOHN GILLIAM: Yeah. And I -- for instance, one of the  
22 ways they paid for it -- I had a picture here, maybe.

23 Out in the front of where this memorial is, they got memorial  
24 bricks. And each one, so much money. And so that paid for a  
25 great portion of this up there.

26 You know, people -- Uncle Joe and so on and so forth buy  
27 these bricks.

28 I'll leave some of --

29 CHAIRMAN BAKKER: And --

30 JOHN GILLIAM: -- these pictures here, if -- if you want me  
31 to.

32 COMMISSIONER WAITS: Mr. Gilliam, let me -- let me add that  
33 you most certainly are a talented individual, --

34 JOHN GILLIAM: What was that?

35 COMMISSIONER WAITS: -- but this particular one that you  
36 are showing for us is extremely moving.

37 JOHN GILLIAM: I'm not hearing you.

38 COMMISSIONER WAITS: It's extremely moving. It's  
39 beautiful.

40 JOHN GILLIAM: Oh.

1 COMMISSIONER WAITS: Can you tell me, how large -- how --  
2 the dimensions of it?

3 JOHN GILLIAM: If he stood up, he would be 8 foot tall.  
4 Life-sized sculptures, when you put them outside, are too  
5 small. They're just kind of intimidating.  
6 But they should be larger than life.  
7 So that's why the cowboy I'm doing, he's 7 foot tall.  
8 This guy, of course, he's setting down. But he would be 8  
9 foot tall.

10 Now, Mother Theresa, she's actually -- the actual life  
11 size -- because she'll be inside. I'll just give you that.

12 CHAIRMAN BAKKER: Where would you like to see this?

13 DR. ED: Pardon?

14 CHAIRMAN BAKKER: Where would you like to see this?

15 DR. ED: Oh. Well, personally, you've got such a beautiful  
16 courthouse here. I think if it was in the proximity of this  
17 building, it would complement the building and vice versa.  
18 Also it would have very, you know -- a high profile  
19 visibility and easy accessibility for people going through this  
20 town, you know. Yeah.

21 CHAIRMAN BAKKER: Okay.

22 DR. ED: So that -- that --

23 JOHN GILLIAM: So it would be --

24 DR. ED: -- that's my suggestion. But I mean, I --

25 JOHN GILLIAM: I'd like to make a su- -- this here, if  
26 you'll notice, there's a drive-through to this veterans home.  
27 So there's a wall right here. It's really good to place this in  
28 front of a wall or something rather than out -- you know, it  
29 just gets lost out there and it just helps define it a little  
30 bit better.

31 CHAIRMAN BAKKER: Thank you.

32 COMMISSIONER WAITS: Well, I know we do not have it on the  
33 agenda for any type of action. But I -- I think all of us are  
34 in agreement that it's something that's absolutely --

35 DR. ED: Right.

36 COMMISSIONER WAITS: -- breathtaking.

37 DR. ED: Yeah.

38 COMMISSIONER WAITS: I said there's no action item for us  
39 to do.

40 DR. ED: Yeah.

1 COMMISSIONER WAITS: But I'm -- I'm sure we will --  
2 CHAIRMAN BAKKER: We'll put it on the next --  
3 COMMISSIONER WAITS: -- consider --  
4 CHAIRMAN BAKKER: -- agenda --  
5 COMMISSIONER WAITS: -- it further --  
6 DR. ED: Right.  
7 CHAIRMAN BAKKER: -- to take an action.  
8 DR. ED: Consider it. Yeah.  
9 CHAIRMAN BAKKER: Yes.  
10 DR. ED: Great.  
11 COMMISSIONER WAITS: And thank you, gentlemen, for --  
12 CHAIRMAN BAKKER: Thank you very --  
13 COMMISSIONER WAITS: -- coming --  
14 CHAIRMAN BAKKER: -- much.  
15 COMMISSIONER WAITS: -- and for what you --  
16 DR. ED: We appreciate --  
17 COMMISSIONER WAITS: -- do --  
18 DR. ED: -- the opportunity very much.  
19 JOHN GILLIAM: Here's a couple of brochures.  
20 DR. ED: If you don't mind, --  
21 JOHN GILLIAM: It gives you some --  
22 DR. ED: -- I'll take the --  
23 JOHN GILLIAM: -- of my other art.  
24 COMMISSIONER WAITS: Well, actually, it's okay if you  
25 wanted to leave it behind. But it's beautiful. Thank you.  
26 JOHN GILLIAM: Why don't I just leave this stuff here? I'm  
27 not trying to be a salesman. I just want -- so you know what.  
28 CHAIRMAN BAKKER: Thank you.  
29 COMMISSIONER CLARK: Sean?  
30 DR. ED: Thank you very much.  
31 Thank you.  
32 COMMISSIONER CLARK: Bathroom break.  
33 CHAIRMAN BAKKER: Keith, next agenda. Okay.  
34 Austin, we're going to take a five-minute break.  
35 MITESHELL LANHAM: Okay.  
36 CHAIRMAN BAKKER: Okay. Thank you.  
37  
38 (Break taken from 10:09 a.m. to 10:22 a.m.)  
39  
40 CHAIRMAN BAKKER: I call this meeting back to order.

1     **12) Discussion for possible action to approve/disapprove the**  
2     **lease agreement between Lander County and the Austin Roping**  
3     **Club, and all other matters properly related thereto.**  
4

5           CHAIRMAN BAKKER: Item Number 12. Discussion for possible  
6 action to approve/disapprove the lease agreement between Lander  
7 County and the Austin Roping Club, and all other matters  
8 properly related thereto.

9           COMMISSIONER WAITS: We have Corrie here from Austin.

10          CORRIE BEHIMER: I'm here.

11          CHAIRMAN BAKKER: Oh, come up here.

12          CORRIE BEHIMER: Hi.

13          CHAIRMAN BAKKER: Hi.

14          CORRIE BEHIMER: How are you?

15          CHAIRMAN BAKKER: Good. You?

16          CORRIE BEHIMER: Very well.

17          My name's Corrie Behimer. I'm president of the Austin  
18 Roping Club.

19          I did get a copy of the lease agreement yesterday and am in  
20 agreement with it.

21          I did have one question and that was regarding the  
22 restrooms that we have. It states in the lease agreement that  
23 Lander County shall be responsible for maintenance and utilities  
24 for the restrooms on a seasonal basis.

25          There has been some dilapidation of those restrooms over the  
26 past couple years.

27          And I actually went down there, took some pictures yesterday,  
28 which I can email you later. And so I was just addressing it  
29 right now because there will be some maintenance that's needed  
30 there. And I don't know how to go about getting that done.

31          I don't know it's on the -- because we have Dessie that takes  
32 care of most of our maintenance on our buildings in town. And I  
33 don't know if it's in his contract and agreement to handle that.  
34 Seems like it's kind of in limbo.

35          CHAIRMAN BAKKER: I would say that would be -- it's between  
36 Keith and Anna.

37          CORRIE BEHIMER: Okay. So that's something we can discuss  
38 after signing the lease agreement --

39          CHAIRMAN BAKKER: Yeah.

40          CORRIE BEHIMER: -- is what I was --

1 CHAIRMAN BAKKER: Yeah.  
2 CORRIE BEHIMER: Okay. That was my only question about it,  
3 who I would talk to about that after --  
4 CHAIRMAN BAKKER: And then they would --  
5 CORRIE BEHIMER: -- lease was signed.  
6 CHAIRMAN BAKKER: -- figure out a cost or whatever. And  
7 then it would come back and then kind of go from there.  
8 But, yeah, as far as the lease agreement today, yeah,  
9 that's fine. But afterwards just get with Keith.  
10 CORRIE BEHIMER: Okay. Perfect.  
11 CHAIRMAN BAKKER: Awesome.  
12 CORRIE BEHIMER: Yeah.  
13 COMMISSIONER MILLS: Okay. And just one comment. On page  
14 2 of the agreement, number 4, it says the rent is \$12 per year,  
15 but the number typed in there is 120. You might want to fix  
16 that.  
17 CORRIE BEHIMER: Yes. I was going with the number. And I  
18 actually overlooked the 12 because the numbers are right there.  
19 Thank you.  
20 COMMISSIONER MILLS: Unless you want it to be \$120?  
21 CORRIE BEHIMER: I think that it's supposed to be \$120 a  
22 year.  
23 COMMISSIONER MILLS: Oh. Well, whichever one it's supposed  
24 to be. It should be in agreement.  
25 CORRIE BEHIMER: Yes, \$120 --  
26 COMMISSIONER WAITS: Yeah.  
27 CORRIE BEHIMER: -- per year.  
28 CHAIRMAN BAKKER: Okay.  
29 Any other questions?  
30 COMMISSIONER WAITS: I -- I don't think it was 120; was it?  
31 COMMISSIONER MILLS: I don't think --  
32 COMMISSIONER WAITS: I -- I'm sure it was lower. Because  
33 at one time it was 10.  
34 CORRIE BEHIMER: At one time it was --  
35 COMMISSIONER WAITS: And I --  
36 CORRIE BEHIMER: -- 10.  
37 COMMISSIONER WAITS: -- can't imagine us jumping from 10 to  
38 120.  
39 CORRIE BEHIMER: I'm s- --  
40 COMMISSIONER WAITS: I just wanted a clarification, Corrie.

1 Is there -- is there --  
2 JEANNE FALZONE: Ten dollars --  
3 COMMISSIONER WAITS: -- anybody --  
4 JEANNE FALZONE: -- per year.  
5 COMMISSIONER WAITS: -- that's still living on that  
6 property?  
7 JEANNE FALZONE: (Indiscernible) \$10.  
8 COMMISSIONER WAITS: We had an RV there for a while.  
9 CORRIE BEHIMER: Yes, there is.  
10 COMMISSIONER WAITS: And -- and that's county property.  
11 You can't rent county property out.  
12 CORRIE BEHIMER: No.  
13 And so in the back part of the lease agreement is Austin  
14 Roping Club licensee agreement.  
15 And...  
16 DISTRICT ATTORNEY HERRERA: Commissioner Waits, in -- in  
17 the old agreement, it was rent of \$10 per year upon execution of  
18 this agreement.  
19 So --  
20 CORRIE BEHIMER: Thank you.  
21 DISTRICT ATTORNEY HERRERA: -- if you guys could just --  
22 CHAIRMAN BAKKER: Am- --  
23 DISTRICT ATTORNEY HERRERA: -- tell me how to change it.  
24 CHAIRMAN BAKKER: Yeah, it needs --  
25 DISTRICT ATTORNEY HERRERA: If you --  
26 CHAIRMAN BAKKER: -- \$12?  
27 DISTRICT ATTORNEY HERRERA: -- approve --  
28 COMMISSIONER MILLS: (Indiscernible.)  
29 UNIDENTIFIED PARTICIPANT: A dollar a month.  
30 DISTRICT ATTORNEY HERRERA: It -- it's -- twelve dollars --  
31 basically the idea behind that, it's a dollar a month.  
32 COMMISSIONER MILLS: Right.  
33 DISTRICT ATTORNEY HERRERA: So whatever you guys want to  
34 do. But I -- I just wanted to -- in response to Commissioner  
35 Waits, it used to be \$10.  
36 COMMISSIONER MILLS: And if I remember correctly, the \$12  
37 amount is fairly consistent with some other organizations we've  
38 got.  
39 DISTRICT ATTORNEY HERRERA: Yes.  
40 COMMISSIONER MILLS: Just to keep things consistent would

1 be nice.

2 CORRIE BEHIMER: So with the Austin Roping Club licensee  
3 agreement, at one time we had a watchman's service there and so  
4 we would rent that out because we like to have somebody down  
5 there keeping an eye on the premises itself. We've had issues  
6 with theft -- theft of water and other things.

7 And so we voted in -- and it is in our minutes -- in February  
8 that John Baron Zamora was going to be our new watchman.

9 I wasn't at that meeting. I became president right after  
10 that.

11 And he has not been evicted. He is still living there.

12 And with this new lease agreement, I was assuming that's  
13 what this licensee agreement for the Austin Roping Club was is  
14 so that we would be able to go about them living there the right  
15 way.

16 COMMISSIONER WAITS: No, the --

17 CORRIE BEHIMER: Because they are there.

18 COMMISSIONER WAITS: That was not the intention, I know.  
19 And we've gone through this a few -- a few times --

20 CORRIE BEHIMER: Yes.

21 COMMISSIONER WAITS: -- on it. The water now is locked; is  
22 it not?

23 CORRIE BEHIMER: The water?

24 COMMISSIONER WAITS: The water?

25 CORRIE BEHIMER: The water is still on on the bottom half  
26 of the property.

27 Other than that, Baron pays his own water and electricity.  
28 And then the Austin Roping Club pays for the rest of the --

29 COMMISSIONER WAITS: I do believe our --

30 CORRIE BEHIMER: -- premises.

31 COMMISSIONER WAITS: -- our building inspector actually  
32 gave him a notice to leave some time ago.

33 CORRIE BEHIMER: That's -- and if so, I would like a copy  
34 of that so I can help out with whatever we need --

35 COMMISSIONER WAITS: Is Anna s- --

36 CORRIE BEHIMER: -- to do to take action on this. Because  
37 I was under the assumption that no paperwork was ever given to  
38 him about needing to leave. That's what I've been told. And --

39 COMMISSIONER WAITS: Okay.

40 CORRIE BEHIMER: -- I have not seen any paperwork.

1 COMMISSIONER WAITS: Well, Anna's still here. So...  
2 CORRIE BEHIMER: Yes.  
3 ANNA PENOLA: Anna Penola, Building. It was a verbal to --  
4 CORRIE BEHIMER: Baron?  
5 ANNA PENOLA: Susie.  
6 CORRIE BEHIMER: Oh, to Susie. Okay.  
7 ANNA PENOLA: Thirty days to find a place or to stay in  
8 contact. I've been in contact with you.  
9 CORRIE BEHIMER: Yes.  
10 ANNA PENOLA: She was going to get the right paperwork and  
11 proceed for a watchman's quarter, special-use permit.  
12 (Indiscernible) --  
13 CORRIE BEHIMER: So if --  
14 ANNA PENOLA: -- where it's been left last.  
15 CORRIE BEHIMER: Okay. So you have notified them. And  
16 when was --  
17 ANNA PENOLA: When was Donna's last day with Road and  
18 Bridge?  
19 CORRIE BEHIMER: Oh, Lord.  
20 ANNA PENOLA: And Susie --  
21 CORRIE BEHIMER: And that's (indiscernible).  
22 ANNA PENOLA: -- was aware of it. Yeah.  
23 CORRIE BEHIMER: Okay.  
24 So what do I do to go about the right procedures to --  
25 ANNA PENOLA: Get with Jan.  
26 CORRIE BEHIMER: -- make things correct?  
27 ANNA PENOLA: Get an application and get on the planning  
28 commission agenda.  
29 CORRIE BEHIMER: And approve it through that. Okay.  
30 COMMISSIONER WAITS: So I guess the -- the legal question  
31 for me, then, is if it's still county property, she's a  
32 licensee, but I didn't think that they had the option to -- to  
33 -- basically rent out the property or have somebody else on the  
34 property if it's county property.  
35 DISTRICT ATTORNEY HERRERA: It is county property.  
36 COMMISSIONER WAITS: It's still county property.  
37 DISTRICT ATTORNEY HERRERA: It's county property.  
38 COMMISSIONER WAITS: So --  
39 DISTRICT ATTORNEY HERRERA: And -- and --  
40 COMMISSIONER WAITS: -- so does that fall -- special-use

1 permits falls under somebody that owns their property and you  
2 want somebody else to --

3 DISTRICT ATTORNEY HERRERA: You can do it either way,  
4 Commissioner Waits.

5 You can contract to allow them to do that or you can  
6 contract that prohibits them from doing that.

7 But you're right. It's county property. And what you're  
8 doing is -- is this lease just gives them the right to use the  
9 property.

10 And what they're saying is that included in that use is -- is  
11 they want somebody to live on there. But you don't have to allow  
12 that.

13 COMMISSIONER WAITS: Okay. But we do have to address it --  
14 DISTRICT ATTORNEY HERRERA: Yes.

15 COMMISSIONER WAITS: -- one way or the other.

16 DISTRICT ATTORNEY HERRERA: Yes, it should be addressed.

17 COMMISSIONER WAITS: Okay.

18 CHAIRMAN BAKKER: So can we just change the contract to  
19 allow them to have a watchman?

20 DISTRICT ATTORNEY HERRERA: Or to prohibit them from having  
21 one.

22 CHAIRMAN BAKKER: Well, to allow -- can we do it to allow  
23 them to have a watchman?

24 DISTRICT ATTORNEY HERRERA: Either -- either way --

25 CHAIRMAN BAKKER: Okay.

26 DISTRICT ATTORNEY HERRERA: -- Commissioner.

27 ANNA PENOLA: My opinion is not to charge rent because  
28 that's taking away from the RV parks that supply that service in  
29 Austin.

30 I mean, if they want a watchman's quarter, I don't have a  
31 problem with that, doing it the right way.

32 But to charge rent I don't think is the right way to do it.

33 COMMISSIONER MILLS: So are you charging rent?

34 CORRIE BEHIMER: We are, \$125 a month.

35 COMMISSIONER MILLS: Okay.

36 COMMISSIONER WAITS: So these people are there all the  
37 time?

38 CORRIE BEHIMER: Full-time.

39 COMMISSIONER WAITS: Do they work?

40 CORRIE BEHIMER: Yes.

1           Susie is the secretary at the Road and Bridge in Austin. And  
2 Baron is one of the maintenance workers at the state department,  
3 which --  
4           COMMISSIONER WAITS: So they're not there during the day?  
5           CORRIE BEHIMER: No, they're there at night.  
6           COMMISSIONER CLARK: And that's when most of the pilfering  
7 --  
8           CORRIE BEHIMER: Yes.  
9           COMMISSIONER WAITS: What kind of problems have you had  
10 there?  
11          CORRIE BEHIMER: Mostly theft of water or water left  
12 running. There has been some panels stolen. There has been  
13 fence wires cut on corrals. Those are the most recent big  
14 things.  
15          COMMISSIONER WAITS: Recent like how?  
16          CORRIE BEHIMER: The cutting of the wire on the corrals was  
17 about two and a half months ago.  
18          COMMISSIONER WAITS: But they've been there longer than  
19 that?  
20          CORRIE BEHIMER: Yes.  
21          COMMISSIONER WAITS: So it didn't deter it at all?  
22          CORRIE BEHIMER: Not really.  
23          To be honest, yes. You're right.  
24          COMMISSIONER WAITS: Yeah. I -- I guess I have --  
25          CORRIE BEHIMER: And so I'm --  
26          COMMISSIONER WAITS: -- a problem with it.  
27          CORRIE BEHIMER: And that's why I'm here. I wanted -- I  
28 want to do what's best for you guys also. Because it's in my  
29 best interest -- I really am involved in it because I want  
30 the -- I want to be able to use that for 4-H and for public  
31 events and whatnot.  
32          COMMISSIONER WAITS: I mean, if you --  
33          CORRIE BEHIMER: Having the watchman, I felt, was going to  
34 help out. But -- because things do happen at night and not  
35 everybody has eyes on things. So we did get a couple of game  
36 cameras and have set those up.  
37          So the option of having that, to be able to lease to the  
38 watchman service, is definitely part of this lease agreement.  
39 And I need to be on the same page as everybody with it. And --  
40          DISTRICT ATTORNEY HERRERA: Com- -- Commissioner, the

1 intent of the scrivener or the writer -- me, in this case -- and  
2 the county commission of Article 21 where it says, in pertinent  
3 part, the Austin Roping Club may, however, enter to -- enter  
4 into licensing agreements allowing individuals to use the  
5 grounds and buildings -- the intent of that is when they put  
6 rodeos and events on. The intent was not to allow them to -- to  
7 have people stay there in a trailer.

8 So if -- if they're asking for that now, you would have to --  
9 you -- deal with that specifically at this time because --

10 COMMISSIONER WAITS: Okay.

11 DISTRICT ATTORNEY HERRERA: -- that is not the intent.

12 COMMISSIONER WAITS: No, I didn't read it that it included  
13 it. But the other thing you have to look at is if you're  
14 charging rent, you should be charging room and board tax.  
15 Because all RVs are subject to room and board tax.

16 COMMISSIONER CLARK: This is --

17 CORRIE BEHIMER: Okay.

18 COMMISSIONER WAITS: So I'm -- I mean, --

19 CHAIRMAN BAKKER: How about we approve or disapprove the  
20 contract before us? They can go to the planning commission, get  
21 a special-use permit --

22 COMMISSIONER WAITS: Well, --

23 CHAIRMAN BAKKER: -- or apply for one.

24 COMMISSIONER WAITS: -- they -- they don't own the  
25 property.

26 COMMISSIONER MILLS: They don't.

27 COMMISSIONER WAITS: We do.  
28 They -- they can't ask for a special-use permit for them when  
29 they don't own --

30 CHAIRMAN BAKKER: Okay. Then amend the contract. Then I'm  
31 going to need a motion to amend the contract one --

32 DISTRICT ATTORNEY HERRERA: Well, it --

33 CHAIRMAN BAKKER: -- way or another. To allow or not to  
34 allow.

35 CORRIE BEHIMER: Because --

36 DISTRICT ATTORNEY HERRERA: It --

37 CORRIE BEHIMER: -- right now, it says it's allowed.

38 DISTRICT ATTORNEY HERRERA: No, it doesn't.

39 COMMISSIONER WAITS: No. It does not --

40 DISTRICT ATTORNEY HERRERA: It --

1 COMMISSIONER WAITS: -- say --  
2 DISTRICT ATTORNEY HERRERA: -- certainly --  
3 COMMISSIONER WAITS: -- it's allowed.  
4 DISTRICT ATTORNEY HERRERA: -- does not.  
5 CORRIE BEHIMER: It doesn't state that.  
6 DISTRICT ATTORNEY HERRERA: No.  
7 CORRIE BEHIMER: It just --  
8 DISTRICT ATTORNEY HERRERA: It says you can put on events.  
9 You need -- you need -- if you're going to put on a rodeo or  
10 certain events, --  
11 CORRIE BEHIMER: Right.  
12 DISTRICT ATTORNEY HERRERA: -- that's what this allows --  
13 CORRIE BEHIMER: That's what it's --  
14 DISTRICT ATTORNEY HERRERA: -- you to do.  
15 CORRIE BEHIMER: -- meaning.  
16 DISTRICT ATTORNEY HERRERA: Yes.  
17 CORRIE BEHIMER: So that people can come stay in their  
18 horse trailer at the property for an event?  
19 DISTRICT ATTORNEY HERRERA: Events.  
20 CORRIE BEHIMER: Events. Yes.  
21 DISTRICT ATTORNEY HERRERA: The events themselves.  
22 CORRIE BEHIMER: Yes.  
23 DISTRICT ATTORNEY HERRERA: That's what this --  
24 CORRIE BEHIMER: Yes.  
25 DISTRICT ATTORNEY HERRERA: -- means.  
26 CORRIE BEHIMER: Not to lease --  
27 DISTRICT ATTORNEY HERRERA: Not --  
28 CORRIE BEHIMER: -- a space.  
29 DISTRICT ATTORNEY HERRERA: Right.  
30 CHAIRMAN BAKKER: Not day-to-day.  
31 DISTRICT ATTORNEY HERRERA: Right.  
32 CORRIE BEHIMER: Full-time.  
33 COMMISSIONER MILLS: Do we have any --  
34 CORRIE BEHIMER: Okay.  
35 COMMISSIONER MILLS: -- other examples of --  
36 CORRIE BEHIMER: So if we do agree to this today, then that  
37 means we have to have -- maybe I could get a written notice for  
38 an eviction on the property so that I could follow through with  
39 it?  
40 ANNA PENOLA: Yes.

1 DISTRICT ATTORNEY HERRERA: So --  
2 CORRIE BEHIMER: Yes.  
3 DISTRICT ATTORNEY HERRERA: -- if -- if you --  
4 CORRIE BEHIMER: And if they're --  
5 DISTRICT ATTORNEY HERRERA: If you would like to request a  
6 provision be added or negotiated into it, that -- that's the  
7 proper procedure.  
8 CORRIE BEHIMER: Okay.  
9 Is that something you would be willing to do?  
10 CHAIRMAN BAKKER: Is that something you want?  
11 COMMISSIONER MILLS: I'm not sure --  
12 ANNA PENOLA: Hey. Hey. I've got to make a clarification.  
13 Even with your events, --  
14 CORRIE BEHIMER: Uh-huh.  
15 ANNA PENOLA: -- there are RV park- -- you're still not  
16 allowed to bring your horse trailer or your RV and camp out even  
17 at the events. You're supposed to use the facilities that are  
18 provided.  
19 CORRIE BEHIMER: In town?  
20 ANNA PENOLA: Yes.  
21 CORRIE BEHIMER: Yes.  
22 DISTRICT ATTORNEY HERRERA: Right.  
23 COMMISSIONER MILLS: Do we have any other examples of  
24 people living on county property?  
25 KEITH WESTENGARD: No.  
26 COMMISSIONER MILLS: This is an isolated case?  
27 KEITH WESTENGARD: Yes. That's correct.  
28 COMMISSIONER MILLS: So I'm not a hundred percent sure I  
29 like the idea.  
30 CORRIE BEHIMER: I, personally, --  
31 COMMISSIONER WAITS: Well, --  
32 CORRIE BEHIMER: -- don't either.  
33 But we're talking about somebody's home and livelihood and  
34 two people that work in the community.  
35 ANNA PENOLA: But if they --  
36 COMMISSIONER MILLS: True.  
37 ANNA PENOLA: -- pay rent to you, though, --  
38 CORRIE BEHIMER: And so --  
39 ANNA PENOLA: -- they can pay rent to --  
40 CORRIE BEHIMER: -- I don't mind following through with --

1 COMMISSIONER MILLS: What's --  
2 CORRIE BEHIMER: -- anything that I need --  
3 COMMISSIONER MILLS: -- what's --  
4 CORRIE BEHIMER: -- to do, but I want --  
5 COMMISSIONER MILLS: -- what's the rent at the other RV  
6 facilities in town?  
7 CORRIE BEHIMER: It's more along the lines of four to five  
8 hundred dollars a month.  
9 CHAIRMAN BAKKER: Huh?  
10 COMMISSIONER MILLS: Four to five hundred dollars a month?  
11 CHAIRMAN BAKKER: Oh.  
12 CORRIE BEHIMER: Yeah, it depending on if --  
13 CHAIRMAN BAKKER: Four --  
14 COMMISSIONER MILLS: Four to five hundred --  
15 CORRIE BEHIMER: -- if it's a nightly --  
16 CHAIRMAN BAKKER: Yeah. I was like \$4500?  
17 CORRIE BEHIMER: No, four --  
18 CHAIRMAN BAKKER: Four --  
19 CORRIE BEHIMER: -- to --  
20 CHAIRMAN BAKKER: -- to five hundred.  
21 CORRIE BEHIMER: Four to five hundred. Yeah. Depending --  
22 COMMISSIONER MILLS: So they're getting a discount even to  
23 be on county property. I'm not sure I like that either. But...  
24 CORRIE BEHIMER: Yes.  
25 And this all happened before I was actually president of the  
26 roping club. And so I'm trying to go through the motions to make  
27 it proper and was very unclear on where we actually stood with  
28 these.  
29 COMMISSIONER WAITS: Well, we had -- we had one earlier.  
30 And we did have to evict them.  
31 CORRIE BEHIMER: Yes.  
32 COMMISSIONER WAITS: And that caused a lot of controversy  
33 of why we shouldn't. So to --  
34 CORRIE BEHIMER: Yes.  
35 COMMISSIONER WAITS: -- do it now and -- we made other  
36 people leave. Also, we set a precedent. And that kind of looks  
37 bad. Oh, these people do this so it's okay to leave these  
38 folks.  
39 COMMISSIONER MILLS: So we do have --  
40 CHAIRMAN BAKKER: Hey, I --

1 COMMISSIONER MILLS: -- precedence of kicking --  
2 COMMISSIONER WAITS: Of -- yes, of --  
3 COMMISSIONER MILLS: -- people off (indiscernible).  
4 CHAIRMAN BAKKER: How many are RV parks are there?  
5 COMMISSIONER MILLS: That's got some weight to it, --  
6 CORRIE BEHIMER: Yes.  
7 COMMISSIONER MILLS: -- I think.  
8 CORRIE BEHIMER: It actually happened to --  
9 ANNA PENOLA: Three or --  
10 CORRIE BEHIMER: -- be my --  
11 ANNA PENOLA: -- four?  
12 CORRIE BEHIMER: -- grandmother.  
13 CHAIRMAN BAKKER: Three or four.  
14 COMMISSIONER MILLS: Oh.  
15 ANNA PENOLA: That's why you don't put a face -- you don't  
16 put a face to it. And you just -- you abide by the rules.  
17 CORRIE BEHIMER: Yes.  
18 COMMISSIONER MILLS: Yeah.  
19 CORRIE BEHIMER: And that's what I want.  
20 CHAIRMAN BAKKER: Okay.  
21 Then --  
22 COMMISSIONER MILLS: That seems --  
23 CHAIRMAN BAKKER: -- I think we have the same --  
24 COMMISSIONER MILLS: It seems the best course of action --  
25 CHAIRMAN BAKKER: Yeah. I agree.  
26 COMMISSIONER MILLS: -- on, you know, in just discussing it  
27 in two minutes here.  
28 COMMISSIONER WAITS: I'll make a motion we approve the  
29 lease agreement between Lander County and the Austin Roping  
30 Club.  
31 CHAIRMAN BAKKER: With the correction --  
32 COMMISSIONER WAITS: And --  
33 CHAIRMAN BAKKER: -- of the \$12.  
34 COMMISSIONER WAITS: Nope. Oh. With the exception -- I  
35 mean, the amendment of \$12, the clarification of \$12. And do we  
36 need to authorize?  
37 COUNTY CLERK SULLIVAN: Yes, please.  
38 COMMISSIONER WAITS: Who --  
39 CHAIRMAN BAKKER: Authorize --  
40 COMMISSIONER WAITS: -- signs it?

1 CHAIRMAN BAKKER: -- the chair to sign.  
2 KEITH WESTENGARD: Sean.  
3 CHAIRMAN BAKKER: Okay.  
4 KEITH WESTENGARD: You sign. The chair to sign.  
5 COMMISSIONER WAITS: Authorize the chair to sign.  
6 CHAIRMAN BAKKER: Okay.  
7 COMMISSIONER MILLS: I'll second.  
8 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded.  
9 Any public comment?  
10 (No comment.)  
11 CHAIRMAN BAKKER: All in favor?  
12 COMMISSIONER MILLS: Aye.  
13 CHAIRMAN BAKKER: Aye.  
14 COMMISSIONER WAITS: Aye.  
15 COMMISSIONER CLARK: Aye.  
16 COMMISSIONER WAITS: Thank you, Corrie. Thanks --  
17 CHAIRMAN BAKKER: Thank you, --  
18 COMMISSIONER WAITS: -- for --  
19 CHAIRMAN BAKKER: -- guys.  
20 COMMISSIONER WAITS: -- coming up.  
21 CHAIRMAN BAKKER: And then Anna will fix the eviction part.  
22 Okay.  
23 CORRIE BEHIMER: Thank you for your time.  
24 CHAIRMAN BAKKER: Thank you.  
25 COMMISSIONER MILLS: Thank you.  
26 COMMISSIONER WAITS: Clarification. The prices are much  
27 lower than that.  
28 CORRIE BEHIMER: Good. That's good to hear.  
29 KEITH WESTENGARD: (Indiscernible.)  
30 ANNA PENOLA: Yes. (Indiscernible.)  
31 KEITH WESTENGARD: (Indiscernible.)  
32 ANNA PENOLA: Yes. (Indiscernible.)  
33 KEITH WESTENGARD: (Indiscernible.)  
34 CHAIRMAN BAKKER: Okay.  
35  
36 13) Discussion and possible action to approve/disapprove  
37 modifications to elected officials' offices concerning  
38 security measures for: a) Sadie Sullivan, Lander County  
39 Clerk; b) Lura Duvall, Lander County Assessor; and all other  
40 matters related thereto.

1 CHAIRMAN BAKKER: Thirteen. Discussion and possible action  
2 to approve/disapprove modifications to elected official offices  
3 concerning security measures for: A, Sadie Sullivan, Lander  
4 County clerk; B, Lura Duvall, Lander County assessor.  
5 DISTRICT ATTORNEY HERRERA: They can't sign that contract.  
6 CHAIRMAN BAKKER: Is Lura here?  
7 JEANNE FALZONE: Corrie (indiscernible).  
8 DISTRICT ATTORNEY HERRERA: (Indiscernible.)  
9 JEANNE FALZONE: I just got to fix it. (Indiscernible.)  
10 DISTRICT ATTORNEY HERRERA: (Indiscernible.)  
11 JEANNE FALZONE: I'll change the page.  
12 DISTRICT ATTORNEY HERRERA: Okay.  
13 CHAIRMAN BAKKER: Keith, is Lura here?  
14 KEITH WESTENGARD: Just -- do you know if Lura's here,  
15 Sadie?  
16 COUNTY CLERK SULLIVAN: I have no idea.  
17 KEITH WESTENGARD: Let me go look.  
18 CHAIRMAN BAKKER: Sadie?  
19 COUNTY CLERK SULLIVAN: Yes.  
20 You ready for me?  
21 CHAIRMAN BAKKER: Whenever you're ready.  
22 COUNTY CLERK SULLIVAN: Oh. Okay. I thought you was  
23 waiting for Lura.  
24 Sadie Sullivan, Lander County clerk, for the record.  
25 Just getting my notes from the last item. Sorry.  
26 This was something that I touched base with Keith after Grace  
27 Powrie had came before the board as far as being able to secure.  
28 And we had talked about it.  
29 And he said he was going to do like a blanket to where if  
30 there was any elected officials or departments that needed to do  
31 this. And so I had said to him that I'd go ahead and fill out  
32 an agenda request. So that way I can secure the election  
33 meetings and then the confidentiality -- or confidential files.  
34 And so this is where Keith had placed it on here.  
35 And I can't speak for Lura. I'm only speaking for myself,  
36 for the Clerk's Office.  
37 CHAIRMAN BAKKER: Okay.  
38 Any questions?  
39 COMMISSIONER WAITS: What is it that you would like to do?  
40 COUNTY CLERK SULLIVAN: Be able to secure my office as

1 well. As Grace is going to be able to secure her office because  
2 of the monies, I would like to be able to -- if it is approved  
3 today, we could have the same person, instead of several trips  
4 or whatever have you, be able to come and secure --  
5 COMMISSIONER WAITS: So you're --  
6 COUNTY CLERK SULLIVAN: -- the clerk's --  
7 COMMISSIONER WAITS: -- looking --  
8 COUNTY CLERK SULLIVAN: -- office as well.  
9 COMMISSIONER WAITS: -- at deadbolts and such?  
10 COUNTY CLERK SULLIVAN: Yes. That's what was approved on  
11 the meeting was deadbolts. It was cheaper than doing a camera  
12 system.  
13 COMMISSIONER WAITS: We certainly have spent a lot of money  
14 on this courthouse. And -- and to think that these things are  
15 not secure is more than troublesome.  
16 I mean, if somebody wanted to get in, couldn't they just come  
17 in, cut your --  
18 COUNTY CLERK SULLIVAN: Well, I spoke with the Secretary of  
19 State --  
20 COMMISSIONER WAITS: -- window-type or something?  
21 COUNTY CLERK SULLIVAN: And so they gave, you know, the  
22 thoughts of cameras or -- I felt deadbolts was much cheaper,  
23 so...  
24 COMMISSIONER WAITS: I mean, there's so many areas that  
25 still have very private information. Our HR --  
26 COUNTY CLERK SULLIVAN: Absolutely.  
27 COMMISSIONER WAITS: -- has private information with social  
28 security numbers and all kinds of things. And like -- so every  
29 division here could find something that probably should be  
30 protected.  
31 And to think now we're going to start changing everything and  
32 put deadbolts everywhere because we're afraid that somebody's  
33 going to be coming in. I -- I think we need to address this a  
34 little bit differently. I'm really concerned about this.  
35 DISTRICT ATTORNEY HERRERA: This is about access,  
36 Commissioner Waits.  
37 It's that certain people think that if there are cards out  
38 there that allow access. That's what concerns them. That's my  
39 understanding.  
40 COUNTY CLERK SULLIVAN: Correct.

1 COMMISSIONER WAITS: Then we need to take away the cards.  
2 Then, I mean, --  
3 DISTRICT ATTORNEY HERRERA: That -- that's an approach.  
4 COMMISSIONER WAITS: I -- I just can't see us --  
5 COUNTY CLERK SULLIVAN: But how do I know that those cards  
6 are going to be taken away and we have a general election coming  
7 up? So that's my concern is that we need to cover for the  
8 elections. And, like you said, there's several offices that  
9 have the confidentiality.  
10 And when I did talk to Keith, you know, it was spoke of as  
11 a blanket, as an overall, to where they could, you know, a  
12 department head or elected official could go ahead and secure.  
13 I went ahead and I put the agenda request in just to cover  
14 myself because it is my bottom for the elections.  
15 And that's what it boils down to. And those are much cheaper  
16 than cameras so...  
17 And I don't feel that you could pick and choose, you know,  
18 which offices. I mean, like you said, all -- there are several  
19 offices that have secured information on our voter affidavits.  
20 We have driver's license and social securities. We have our --  
21 COMMISSIONER WAITS: Probably every --  
22 COUNTY CLERK SULLIVAN: -- confidential --  
23 COMMISSIONER WAITS: -- one of them.  
24 COUNTY CLERK SULLIVAN: -- files. You know a lot of the  
25 offices do have that. So...  
26 COMMISSIONER WAITS: And most certainly our --  
27 COUNTY CLERK SULLIVAN: And I have state and --  
28 COMMISSIONER WAITS: -- district attorney's office. I  
29 mean. I -- I can't think of too many --  
30 COUNTY CLERK SULLIVAN: And I've stated -- stated on other  
31 meetings, you know, addressed the concern as well so...  
32 And I was told that on the motion that it was approved  
33 Grace only, which is correct.  
34 COMMISSIONER WAITS: That's correct.  
35 COUNTY CLERK SULLIVAN: So that's why I'm coming --  
36 COMMISSIONER WAITS: It said treasurer --  
37 COUNTY CLERK SULLIVAN: -- coming before you. Because I  
38 guess, you know, we need to individually discuss it or do it as  
39 a blanket -- a blanket, whatever you guys, you know, may need to  
40 do.

1 COMMISSIONER MILLS: So is -- is there a general lack of  
2 confidence in the security of this building amongst the -- the  
3 people that are in this facility?  
4 Max is shaking his -- no.  
5 UNIDENTIFIED PARTICIPANT: No.  
6 COMMISSIONER MILLS: There's no lack of confidence from the  
7 rest of the building?  
8 And you have a general lack of confidence in the security of  
9 your office?  
10 COUNTY CLERK SULLIVAN: I want to secure my office because  
11 of election equipment.  
12 Because it's my bottom if --  
13 COMMISSIONER MILLS: But you're feeling there's a lack of  
14 security for your office.  
15 COUNTY CLERK SULLIVAN: Yes and no. It -- it would go back  
16 to even over there at the courthouse. I have to secure our  
17 stuff.  
18 Nobody had keys to the archives where our machines were. So  
19 nobody could access. Whether they are just stored there or  
20 whether it's during the time of PRELAT or when we go to the civic  
21 center, I go ahead and I put locks on those doors. Because the  
22 state requires that they -- nobody can have access to those  
23 machines.  
24 So when I have early vote, they completely clear out the  
25 closet over there for early vote for two weeks.  
26 There's nothing in there for them to be able to go in and  
27 get any items. Only my staff can go in there.  
28 And plus, they have cameras. And that is a part of the  
29 security for the elections.  
30 Elections are huge. You all know that. And --  
31 COMMISSIONER CLARK: I thought we have cameras in the  
32 hallway.  
33 COUNTY CLERK SULLIVAN: You do.  
34 But I also have locks on top of the cameras at the civic  
35 center, is what I was addressing.  
36 COMMISSIONER CLARK: In this building, we have hallway  
37 cameras.  
38 COUNTY CLERK SULLIVAN: Correct.  
39 COMMISSIONER CLARK: And if anybody went into your office,  
40 it would be on the camera. And if anybody used a card, you

1 would have a time stamp. And you would be able to go to the  
2 video and see who it was, if there was a problem.

3 COUNTY CLERK SULLIVAN: Right. Okay.

4 COMMISSIONER CLARK: Okay.

5 COUNTY CLERK SULLIVAN: So then my point also is that that  
6 can't hold up my elections.

7 So say for some reason something was to happen. Because I  
8 come back each night and I have my reports that I have to do --  
9 (Simultaneous indiscernible conversation.)

10 COUNTY CLERK SULLIVAN: -- to the secretary of state, --

11 CHAIRMAN BAKKER: Hold on, Sadie.

12 COUNTY CLERK SULLIVAN: Yeah.

13 CHAIRMAN BAKKER: Hey, guys. Sorry.

14 COUNTY CLERK SULLIVAN: -- I need to be able to secure that.  
15 Because the secretary of state needs reports. You guys approve  
16 the canvass of the vote within -- I want to say it's like ten or  
17 fifteen days. I'd have to look at it for sure.

18 And if we don't have that secure and we can't provide that,  
19 then we're in violation of it.

20 I'm wanting to secure, as elected official, the election  
21 equipment, which the secretary of state has addressed with me.  
22 And they had asked if we had put cameras going into my vault in  
23 the election room, at the beginning of it.

24 And that was something that we didn't think of putting in  
25 there. And it was an afterthought.

26 A gentleman -- the chief deputy from the secretary of state  
27 was here and had asked that question. That wasn't something  
28 that I had even thought of. And so here we are.

29 COMMISSIONER MILLS: So it sounds like, in a roundabout  
30 way, you're saying the state doesn't have confidence in our  
31 security of our building.

32 COUNTY CLERK SULLIVAN: The state would like to have  
33 secured election equipment, overall. It doesn't matter what  
34 county it is, what area. It's -- it's elections.

35 COMMISSIONER MILLS: Right.

36 COUNTY CLERK SULLIVAN: So --

37 COMMISSIONER MILLS: But still, the question is, they're  
38 not confident in the security of this building.

39 COUNTY CLERK SULLIVAN: He stated --

40 COMMISSIONER MILLS: Is that what they're saying?

1 COUNTY CLERK SULLIVAN: -- he stated to me, when he came  
2 by, he said, do you have a camera that's specifically going in  
3 to where you have all your election stuff? And I said, no, I  
4 don't. And he said, okay. And he says, is there a problem to  
5 putting in a camera? And I said, I can look into that. And he  
6 said, well, there does need to be some more security for that,  
7 specifically.

8 So I was following suit with Grace because I felt this was  
9 much cheaper to go this direction versus the cameras.

10 COMMISSIONER MILLS: So in that case, did -- did he mention  
11 locks?

12 Did he mention a deadbolt?

13 COUNTY CLERK SULLIVAN: He said --

14 COMMISSIONER MILLS: Is a --

15 COUNTY CLERK SULLIVAN: -- as long as --

16 COMMISSIONER MILLS: -- deadbolt going to satisfy them?

17 COUNTY CLERK SULLIVAN: I would say yes. Because there's  
18 nobody that'd have access to that office except for my staff,  
19 with the deadbolt. And that's what their concern is.

20 CHAIRMAN BAKKER: I'm going to open up for public comment.

21 COMMISSIONER CLARK: Anna has something to say.

22 CHAIRMAN BAKKER: That's --

23 ANNA PENOLA: Anna Penola with the Building Department.

24 Just as you guys know what's in your office, you guys are the  
25 only ones that have a key. And it's not just this.

26 As in my office, no one has a key to your office unless you  
27 give it out. Your office and your --

28 COUNTY CLERK SULLIVAN: Right.

29 ANNA PENOLA: So no one can get in.

30 And maybe -- and no one really should be able to get in. I  
31 can swipe your door and I'm not going to get in.

32 COUNTY CLERK SULLIVAN: Right.

33 COMMISSIONER CLARK: Right.

34 Nobody has a card except the people --

35 COUNTY CLERK SULLIVAN: If you guys don't want to secure  
36 the election stuff, --

37 ANNA PENOLA: They --

38 COUNTY CLERK SULLIVAN: -- I'm okay with that.

39 ANNA PENOLA: It is secure.

40 COUNTY CLERK SULLIVAN: But I will let --

1 ANNA PENOLA: It --  
2 COUNTY CLERK SULLIVAN: -- the Secretary of State know.  
3 ANNA PENOLA: It is secure because only you have a key to  
4 your office and the storage facility in your office.  
5 COUNTY CLERK SULLIVAN: How I do know that factual?  
6 ANNA PENOLA: Because I'm telling you that.  
7 COUNTY CLERK SULLIVAN: Okay.  
8 ANNA PENOLA: So that's all I have to say.  
9 CHAIRMAN BAKKER: Thank you, Anna.  
10 JENNIFER O'KANE: Jennifer O'Kane, for the record.  
11 I believe under -- and you can correct me -- under the  
12 Patriot Act, it's a \$10,000 fine for any information that leaves a  
13 secure area. What I believe that Sadie is saying is that let's  
14 double-check. Let's lock it. Because, yeah, there probably is  
15 and could be problems in the future. Everybody knows that there's  
16 problems.  
17 But a \$10,000 violation for driver's license, social  
18 securities, those are serious acts to the state -- to the state,  
19 as well as the election board.  
20 That's just all I have to say. Thank you.  
21 CHAIRMAN BAKKER: Any other public comment?  
22 JUDGE MAX BUNCH: Max Bunch, for the record.  
23 When -- when we designed and went through the security  
24 portion of this, it took numerous -- numerous pre-meetings. And  
25 then there was a meeting before the prior commission and anybody  
26 who wanted to be at the meeting.  
27 And when Sadie and I have talked about this, numerous times  
28 before we ever got to this building, there is a -- an area in the  
29 storage closet of the community meeting room that is -- I believe  
30 it has a V-key -- for voter key or -- or whatever it was. And  
31 when the elections were going to occur in this building, there was  
32 an area for her to lock everything up, every single unit to be  
33 locked up.  
34 A key was given to each department. And they were all told  
35 that at the time of election that Sadie would be coming around to  
36 get that key from each department when everything had to be locked  
37 up. Do you agree with that?  
38 COUNTY CLERK SULLIVAN: Yep. Absolutely.  
39 JUDGE MAX BUNCH: Okay. So -- so there is an area for the  
40 election stuff to be locked up, downstairs in the community

1 meeting room.

2 And each department has a key. And they are to turn it over.

3 When -- when I handed out that key to each department, I told them

4 that they would be -- Sadie would be coming by to get it during

5 the elections. And then after the elections were over and

6 whenever everything was done, they would get -- that department

7 would get their key back so that they could get in there to use

8 the tables or the chairs or whatever needed to be done.

9 That was the original plan for this building.

10 COMMISSIONER WAITS: So our keys do not open up the

11 community room?

12 COUNTY CLERK SULLIVAN: It's a storage.

13 JUDGE MAX BUNCH: It's a storage. It's a big storage room.

14 COMMISSIONER WAITS: Just a storage room, you're saying.

15 COUNTY CLERK SULLIVAN: Within the community meeting room.

16 COMMISSIONER WAITS: Oh.

17 JUDGE MAX BUNCH: Yes.

18 COMMISSIONER WAITS: Okay.

19 JUDGE MAX BUNCH: Next to it. So our -- you could have

20 community meetings going on. You could turn around and put a --

21 a lock and a hasp on there if you wanted to.

22 COMMISSIONER WAITS: But our key doesn't open up the

23 storage area?

24 JUDGE MAX BUNCH: No.

25 COUNTY CLERK SULLIVAN: No, but there's other people's keys

26 -- correct? -- that I need to go collect if we were to store

27 them in there?

28 JUDGE MAX BUNCH: You would have to collect from -- each

29 department has one. Keith has one for his department. I have

30 one from my department. Every elected official has one key.

31 And I believe it has a V on it. And it might be VS, voting

32 storage.

33 I -- I can't remember off the top of my head because the

34 keys -- the gentleman who was doing the keys had different names

35 for them. And that's what I recall that we did so that there

36 would be safety.

37 Now, you know, what you also have to keep into

38 consideration -- and I'll give you a couple more factors. What

39 is this doing by allowing deadbolts to go on these doors with

40 the -- with the fire system? If you do do that, I think that

1 you also need to tell them that they've got to have their --  
2 their key in the KNOX-BOX. Because I think the federal fire  
3 codes do not allow you to put deadbolts on doors.  
4 But that's something you guys are going to have to look at  
5 and research and make that decision.  
6 Because when -- if you approve it, how are they going to come  
7 in to put out a fire if it's in the middle of the night and they  
8 can't get into that room?  
9 COMMISSIONER CLARK: They're going to break down the door.  
10 COMMISSIONER WAITS: Break it down.  
11 JUDGE MAX BUNCH: I understand they're going to break it  
12 down. But there's a KNOX-BOX on the back of the building that  
13 allows them to be able to, at this point, has a card in there  
14 that you put the card on the door, allows you to go in and put  
15 out the fire without damaging everything that's there.  
16 These doors are not cheap. They're very, very expensive  
17 doors.  
18 COMMISSIONER CLARK: So every public official -- elected  
19 official got one key -- one key like this to their office.  
20 JUDGE MAX BUNCH: No. The -- the elected officials here  
21 got every key to their offices.  
22 So --  
23 COMMISSIONER CLARK: Okay.  
24 JUDGE MAX BUNCH: -- the treasurer got every key to her --  
25 COMMISSIONER CLARK: But they have --  
26 JUDGE MAX BUNCH: -- office.  
27 COMMISSIONER CLARK: -- keys like this.  
28 JUDGE MAX BUNCH: Right.  
29 COMMISSIONER CLARK: And keys like this.  
30 JUDGE MAX BUNCH: Yes.  
31 COMMISSIONER CLARK: And these keys say, Do not duplicate.  
32 JUDGE MAX BUNCH: That's correct.  
33 COMMISSIONER CLARK: Okay.  
34 COUNTY CLERK SULLIVAN: With that, Commissioner Clark, in  
35 the old building we had several keys that said, do not  
36 duplicate, and people were able to go duplicate even though it  
37 did state that.  
38 COMMISSIONER CLARK: You can only make your best effort,  
39 okay?  
40 COUNTY CLERK SULLIVAN: Right. Right.

1 COMMISSIONER CLARK: This building is secure like Tom  
2 Cruise couldn't get into it, is the way I see it.  
3 COUNTY CLERK SULLIVAN: Max, I --  
4 COMMISSIONER CLARK: In the administrative building, we all  
5 have offices. And we had individual keys to our offices. And  
6 I'm sure we all have some things in there that are confidential.  
7 All the commissioners' doors are open 99 percent of the  
8 time. Nilla needed more file space. I gave her my filing  
9 cabinet in there. And I don't care if people walk in and out of  
10 there. Anything confidential I have locked up and secure. So  
11 --  
12 CHAIRMAN BAKKER: Keith, is the fire code thing --  
13 KEITH WESTENGARD: I'd have to look into that just to be  
14 100 percent sure. Yes.  
15 COUNTY CLERK SULLIVAN: And what I was going to state is  
16 Max had talked with me all throughout the building process to  
17 try to get it to where we could have elections over here. He  
18 totally put forth that effort. You know, we had worked together  
19 so then we could have it there and not have to worry about  
20 having it at a different location. And so that's why he did do  
21 the storage room within the community meeting room. So, I mean,  
22 he did put forth all the efforts. It just didn't turn out quite  
23 like we were hoping for.  
24 COMMISSIONER CLARK: Max.  
25 COMMISSIONER MILLS: What's -- what's the problem that it's  
26 not working like you hoped it would? Because it sound- --  
27 you -- you preplanned. You built it. Everything was hunky-dory  
28 and now it's not. Why is it not okay?  
29 COUNTY CLERK SULLIVAN: Okay. So for instance, for early  
30 vote, for two weeks, we had talked about it being in the  
31 community meeting room. Within that two weeks, we would have to  
32 deactivate -- this is what I am guessing -- we would have to  
33 deactivate all the card readers and not have night meetings in  
34 there for that two-week period.  
35 COMMISSIONER MILLS: Wasn't that preplan- -- we knew about  
36 that in advance; right?  
37 JUDGE MAX BUNCH: We did discuss that --  
38 COMMISSIONER MILLS: Okay.  
39 JUDGE MAX BUNCH: -- that -- that we would have to not --  
40 COMMISSIONER MILLS: And that's --

1 JUDGE MAX BUNCH: -- allow meetings to be there. They  
2 could maybe be shifted over here.  
3 COMMISSIONER MILLS: And that's doable?  
4 JUDGE MAX BUNCH: I would --  
5 COMMISSIONER MILLS: Right.  
6 JUDGE MAX BUNCH: -- assume.  
7 COMMISSIONER MILLS: I'm -- I'm --  
8 JUDGE MAX BUNCH: I'm not --  
9 COMMISSIONER MILLS: I mean, --  
10 JUDGE MAX BUNCH: -- sure that the --  
11 COMMISSIONER MILLS: -- if we're going --  
12 JUDGE MAX BUNCH: -- community meeting room --  
13 COMMISSIONER MILLS: -- to be doing a bunch of guessing  
14 here, we're guessing that that's doable.  
15 COUNTY CLERK SULLIVAN: I would assume, you know, but I  
16 don't know how -- I guess --  
17 JUDGE MAX BUNCH: But -- but my understanding was -- is  
18 that those machines were going to be rolled into the --  
19 COUNTY CLERK SULLIVAN: I think Max was hoping. We were  
20 trying to work really hard together; trust me. But each night  
21 if you're tearing down a machine or putting them on a thing to  
22 roll them in, it's electronics. So you are taking a risk of  
23 messing up your touchscreens, messing up anything electronic.  
24 So the less that you have to move your machines, the better  
25 electronic-wise.  
26 Also, it's additional time that I'm paying staff to go  
27 ahead and unplug, move them in there, more time in the morning,  
28 unplug, move them back out. That would be during the early  
29 vote.  
30 And then the day of election, what Max and I had talked  
31 about is you would come into the front foyer. And at the civic  
32 center, we have the five precincts set up the tables, and then  
33 we could direct whatever precincts to the commission -- or to  
34 the community meeting room. And then the remaining would be a  
35 flow over here. We'd have the chairs stacked up. And then they  
36 would be directed this way.  
37 Max and I have talked of this. You go out in the front  
38 foyer. You get two people talking. And that even -- the sound  
39 bounces off the walls. That's not something that we even had  
40 thought of.

1           So you get people coming in to sign in. There is loud  
2 commotion. So if you can imagine, the day of election and all  
3 the -- the people, plus the front foyer, by the time I did put  
4 those tables, there truly isn't a -- enough room for the flow  
5 for the -- every, in my opinion, everyday public people that  
6 have to come in for DMV, any other office, that's kind of  
7 holding up that flow.

8           And then, you know, we were hoping to -- once they broke off  
9 into this room and the other room for the election day, which I  
10 have to set up -- it'd be all the day before the election, both  
11 meeting rooms. Nobody could have keys. So everybody that has the  
12 PA key to come in here, which is the same as the whole thing, I  
13 would somehow have to secure these doors. Because my machines go  
14 up the day before election. And then we're here all day for  
15 election. And so then there's keys for those doors as well.

16           COMMISSIONER CLARK: During the last election, were your  
17 machines secure?

18           COUNTY CLERK SULLIVAN: Yes.

19           COMMISSIONER CLARK: Did you have a problem?

20           COUNTY CLERK SULLIVAN: No. We had it at the --

21           COMMISSIONER MILLS: No, she --

22           COUNTY CLERK SULLIVAN: -- civic center --

23           COMMISSIONER MILLS: -- did it at the civic center.

24           COMMISSIONER CLARK: Your machines were secure?

25           COUNTY CLERK SULLIVAN: Correct.

26           COMMISSIONER CLARK: And you didn't have any problems?

27           COUNTY CLERK SULLIVAN: Correct.

28           COMMISSIONER CLARK: But you had a card reader problem?  
29 Now, during the last election, there was a problem because there  
30 were two counts.

31           Pull the paperwork and look. And you'll see that the  
32 absentee votes were voted twice. Remember?

33           COUNTY CLERK SULLIVAN: Not on the last election.

34           COMMISSIONER CLARK: The last general election when --

35           COUNTY CLERK SULLIVAN: The last general --

36           COMMISSIONER CLARK: -- we were elected.

37           COUNTY CLERK SULLIVAN: Okay. On the last general  
38 election -- I can explain that to you -- on the last general  
39 election --

40           CHAIRMAN BAKKER: Hey.

1 COUNTY CLERK SULLIVAN: We had the card --  
2 CHAIRMAN BAKKER: Sadie.  
3 COUNTY CLERK SULLIVAN: Yeah, it's not --  
4 CHAIRMAN BAKKER: I --  
5 COUNTY CLERK SULLIVAN: -- on the --  
6 CHAIRMAN BAKKER: -- know you want to explain it. And Art  
7 --  
8 COUNTY CLERK SULLIVAN: Okay. It's actually not --  
9 CHAIRMAN BAKKER: But let's just stick to the locks --  
10 COUNTY CLERK SULLIVAN: -- on the item, huh?  
11 CHAIRMAN BAKKER: -- on the --  
12 COUNTY CLERK SULLIVAN: Sorry.  
13 CHAIRMAN BAKKER: -- locks for the clerk and locks -- or  
14 modifications to their offices.  
15 JUDGE MAX BUNCH: The -- the --  
16 COMMISSIONER CLARK: My point is that no matter how hard  
17 you try, you can still have problems.  
18 COUNTY CLERK SULLIVAN: And that was on the actual card  
19 reader.  
20 COMMISSIONER CLARK: Uh-huh.  
21 CHAIRMAN BAKKER: I agree.  
22 JUDGE MAX BUNCH: I mean, my concern is, is that we put out  
23 a lot of money for this system. You know that -- that it's  
24 about as secure as it -- it can be. People want to say it's  
25 not.  
26 I can -- for example, we have the treasurer's report that  
27 was completed as a result of the last meeting, and it's 191  
28 pages. It's -- it's there. It has information on it. They'll  
29 know if anybody's told you or you've heard anything about it.  
30 But it -- it all has to do with the locks that went on there.  
31 There were -- there were -- there were five times from April  
32 10<sup>th</sup>. And all of those times were accounted for with it being  
33 the cards that -- that I have that are issued to the people who  
34 are working.  
35 They were here. It was during work hours, with the one  
36 exception, which on a weekend, where a gentlemen went through  
37 Grace's office, who's an electrician. All the lights were out  
38 in certain areas of the building. He went through. He went  
39 back to the electrical. He fixed it. And he come back through  
40 Grace's office on a Saturday. Nothing was reported missing.

1 Nothing was gone.

2 But there are five instances from May through August 10<sup>th</sup>,  
3 whenever we got the report. And three of those times our  
4 employees are sitting in the office when somebody went in there.

5 Two of them are on a Saturday when we had to -- when they  
6 drove out from Reno to fix the power that went off on Friday with  
7 the relay.

8 And it also showed that there were people who attempted to  
9 get into the office that were denied access.

10 COMMISSIONER CLARK: Did you have these kind of concerns  
11 come up when you talked with your -- with -- with these  
12 officials when the design was being made?

13 JUDGE MAX BUNCH: You know, there were -- it was an open  
14 meeting, I believe, that -- that everybody had an opportunity to  
15 be there. I know that CORE Construction was there. I believe  
16 that Van -- somebody from Van Woert and Bigotti was there. They  
17 had -- they had their people from California who were the  
18 security people who do courtrooms and courthouses in California.

19 So those people are -- are -- are the ones who -- who gave us  
20 the information. So it wasn't like we just dreamed up this  
21 program ourselves.

22 CHAIRMAN BAKKER: Okay. Issue at hand here. What do you  
23 guys want to do?

24 COMMISSIONER MILLS: I'm not sure what to do. I just look  
25 it as we've, you know, like Max says, we spent a lot of money on  
26 the system. And now we're getting people expressing a lack of  
27 confidence in it. And I don't know how to make you feel  
28 confident in the system.

29 COUNTY CLERK SULLIVAN: I'm just covering my bottom.  
30 That's all I'm asking for.

31 COMMISSIONER MILLS: And that's understandable. But we  
32 have -- I'm -- how -- how do we make you feel confident that the  
33 system works?

34 I don't know how to make you feel that.

35 COUNTY CLERK SULLIVAN: So if I don't have the -- have the  
36 deadbolts put on, which was the cheaper way, then I'll go ahead  
37 and I'll purchase cameras that will be for entering into my  
38 office. So...

39 COMMISSIONER CLARK: We allowed one person to do it. So...

40 COUNTY CLERK SULLIVAN: That's, in my opinion, is just the

1 two ways, whether it's deadbolts or cameras. That's what I --  
2 so --

3 COMMISSIONER MILLS: Well, --

4 Because in a -- in a sense what we're -- what we're talking  
5 about is just scrapping the system that we have. And we may as  
6 well put deadbolts on everything. Just go back to the  
7 old-fashioned lock and key. And that, honestly, is not any more  
8 secure than the system we have now.

9 Locks can be -- you'll be up here going, locks can be picked.  
10 And -- and --

11 COMMISSIONER CLARK: Yeah.

12 COMMISSIONER MILLS: -- people can make copies, even though  
13 it says, Do not duplicate.

14 And it's -- it's -- it doesn't solve anything.  
15 So --

16 JOHN MONTES: John Montes, for the record.

17 Just wanted to state, yeah, we put together an excellent  
18 system here, I believe.

19 What we're trying -- I think -- I think sitting in the --  
20 listening to this, it seems that what we need to accomplish here  
21 is to make the state inspector happy.

22 The voting in- -- in- -- instructor who did the -- the state  
23 walk-through with Sadie. And if we make him happy, I believe, as  
24 you said, our system is fairly secure.

25 I am a little concerned -- and I agree with you, Mr. Mills,  
26 100 percent in terms of I'm against the keys.

27 We don't seem to have kept a really good -- listening to the  
28 conversation, we don't seem to have a good answer in terms of who  
29 does have keys. Who has keys to this sec- -- this storage room  
30 off the public meeting place?

31 I'm a big fan of the card readers and being able to turn  
32 them -- turn cards on, off, disable cards, and being able to track  
33 it. I think -- and that is primarily the type of system we have  
34 in place here, which is, in my experience, a very good system, one  
35 of the better ones, much better than locks and keys.

36 As Ms. O'Kane had stated, the potential fines for not having  
37 the state happy with the -- with the security of the building  
38 system especially in an election year, that's -- that's our  
39 biggest potential issue that I see.

40 Not that I see us having a major security problem or anything

1 of that nature.

2 But just as a member of the community sitting here,  
3 listening, I think if we can figure out a way -- if you -- if  
4 you're able to come up with a -- the least expensive, most  
5 effective way to make the state happy, that our election stuff is  
6 secure, that that would be our best ma- -- mode of action to take.

7 COMMISSIONER CLARK: Can you request something in writing  
8 from the state saying that our building is not secure?

9 COUNTY CLERK SULLIVAN: I don't believe --

10 COMMISSIONER WAITS: And that -- and that we need to do  
11 something different.

12 COUNTY CLERK SULLIVAN: I can request anything. I don't  
13 believe that they are going to tell you that your building's  
14 not --

15 COMMISSIONER CLARK: But you said you were going to contact  
16 the state and tell them that the commissioners decided not to  
17 secure your room.

18 COUNTY CLERK SULLIVAN: No. No. I just said I would let  
19 them know what direction that I needed to go. Sorry if I didn't  
20 make that clear.

21 COMMISSIONER CLARK: Well, --

22 COUNTY CLERK SULLIVAN: And I don't believe that they would  
23 make a statement that the building isn't secure. I think that  
24 they would possibly --

25 COMMISSIONER CLARK: Well, --

26 COUNTY CLERK SULLIVAN: -- just state --

27 COMMISSIONER CLARK: -- your -- your office isn't secure.  
28 That's -- that's your concern.

29 COUNTY CLERK SULLIVAN: Well, and I like said, he just had  
30 asked, you know, do something. So I can say, yes, I secured it,  
31 whether it's cameras or locks.

32 And I do want you guys to know, Max called me time and time  
33 again. We did come over here. We thought we had it figured  
34 out. We thought we had a good system. It's not that he did not  
35 try 210 percent. Because we did. We came over here. We  
36 thought, okay, how are we going to do this? You know, we didn't  
37 think to measure to see how the tables would fit, if it would be  
38 a good flow. We didn't know there would be echoing out front.  
39 These are things that we will kind of run into from here until  
40 we're all gone. You know, there will be items that we didn't

1 know it wasn't going to work. And it's not that it was  
2 anybody's fault. You just don't know until you're in the  
3 situation.

4 CHAIRMAN BAKKER: Okay. Guys?  
5 Someone needs to make a decision.  
6 One way or the other. Or (indiscernible).

7 COMMISSIONER CLARK: I'd like -- I'd like to see something  
8 from the state that Sadie's office is not secure. And then, I  
9 think it would be an easy decision.

10 COMMISSIONER WAITS: Did -- you said somebody from the  
11 secretary of state actually recommended that you have --

12 COUNTY CLERK SULLIVAN: Chief.

13 COMMISSIONER WAITS: -- video. Is that where it was?

14 COUNTY CLERK SULLIVAN: Chief Deputy Scott Anderson had  
15 came through. He was passing through. And it was before we had  
16 even moved in.

17 Anyway, we had came up real quick. He had a second. And  
18 he was asking where things were, where our machines were going  
19 to be, and what have you.

20 And he's like, Oh, okay. And he's like, Great. This is  
21 awesome. This is going to work. You're not having to shuffle  
22 the machines from an archive building to the civic center.  
23 You're going to be able to have them here, you know, less  
24 moving, what have you.

25 And so he had asked of the camera system. And I said, that  
26 was not something that was thought of. I didn't approach it  
27 with Max. It -- it just wasn't something that had crossed my  
28 mind to have a separate camera going into that room. And that's  
29 just for the storage portion of it. That's during, you know,  
30 the times that it's not election.

31 COMMISSIONER WAITS: So if you -- if you purchased a camera  
32 for just that, it's only during election time. And there's a  
33 lot of smaller security things you can have on your internet and  
34 such and your computer; right?

35 COUNTY CLERK SULLIVAN: That camera would be for all the  
36 time. Because it's for that room to secure them off of the  
37 election time.

38 Then when the elections are going on, then we have the  
39 other camera system and extra locks.

40 So for instance, at the civic center, for instance, that

1 two weeks, everything's moved out of the storage closet. We put  
2 our equipment in there. It doesn't get moved for that whole two  
3 weeks. And we put our own locks on it. And whoever's managing  
4 it at that time knows they aren't able -- they can't go in  
5 there. They have no access. And they have my number if they do  
6 need to.

7 And then the night -- or the day before elections, we go  
8 ahead, we set up all the stuff. And again, we get all the doors  
9 locked. I put my locks -- my own locks, again, on those doors.

10 And it's secured for the night. And then we have to hurry up  
11 and tear down that night of election and be out of there so they  
12 can be ready to roll. So there's a process with all of it, for  
13 sure.

14 COMMISSIONER MILLS: Do you intend to ever have the  
15 elections done here in this building? Or you're just going to  
16 continue doing it at the civic center?

17 COUNTY CLERK SULLIVAN: Well, I can have them here, if I  
18 get everybody's PA keys for these doors or I'm able to secure  
19 them, is what I would guess.

20 Because everybody that has keys to the front door, back  
21 doors, have keys to the commission room; is that correct?

22 JUDGE MAX BUNCH: PA keys work the front, the back, and  
23 these doors.

24 COUNTY CLERK SULLIVAN: And these doors. So everybody  
25 would have to turn in their PA keys that have PA keys.

26 And then, card readers to, you know, that can access here.

27 COMMISSIONER MILLS: Well, the card readers can be shut  
28 off.

29 COUNTY CLERK SULLIVAN: Right.

30 COMMISSIONER MILLS: So you don't have to collect them.

31 COUNTY CLERK SULLIVAN: Right. And if there's any keys for  
32 the community meeting room. I'm not for sure who has those.  
33 I'd have to ask for those keys also.

34 COMMISSIONER MILLS: Aren't the keys for the community room  
35 all card readers?

36 COUNTY CLERK SULLIVAN: Is that a PA key also?

37 ANNA PENOLA: The community meeting room's not locked. You  
38 can go in and out.

39 COUNTY CLERK SULLIVAN: So if I --

40 ANNA PENOLA: So getting out, you need to swipe your card

1 --  
2 COUNTY CLERK SULLIVAN: So if I needed to secure it and --  
3 ANNA PENOLA: -- and (indiscernible).  
4 COUNTY CLERK SULLIVAN: -- lock it, what key is? An actual  
5 -- is there any key?  
6 JUDGE MAX BUNCH: I -- I don't know. I can't answer that  
7 because I don't -- I don't know off the top of my head.  
8 COUNTY CLERK SULLIVAN: Okay.  
9 JUDGE MAX BUNCH: But I'm assuming it's probably --  
10 COUNTY CLERK SULLIVAN: The PA?  
11 JUDGE MAX BUNCH: I don't know if it's a PA or a PA1.  
12 COMMISSIONER CLARK: So for two weeks, commissioners  
13 wouldn't have keys. Because we have keys to get in the  
14 community room.  
15 COUNTY CLERK SULLIVAN: And you wouldn't be able to have --  
16 COMMISSIONER CLARK: We wouldn't be able to --  
17 COUNTY CLERK SULLIVAN: -- your meetings or --  
18 COMMISSIONER CLARK: -- get into the building.  
19 COUNTY CLERK SULLIVAN: -- specials.  
20 COMMISSIONER CLARK: We wouldn't be able to get into our  
21 office.  
22 COUNTY CLERK SULLIVAN: Right. If I have to take --  
23 COMMISSIONER CLARK: So --  
24 COUNTY CLERK SULLIVAN: -- all the PA keys.  
25 CHAIRMAN BAKKER: Are you -- you can continue doing the  
26 election at the civic center?  
27 COUNTY CLERK SULLIVAN: At this time, yes.  
28 CHAIRMAN BAKKER: So when it's not during elections, the  
29 machines are in your office?  
30 COUNTY CLERK SULLIVAN: Correct.  
31 CHAIRMAN BAKKER: But during elections, it's at the civic  
32 center?  
33 COUNTY CLERK SULLIVAN: Correct.  
34 CHAIRMAN BAKKER: And the civic center's secure. So  
35 everything's up to code, how it's supposed to be for elections?  
36 COUNTY CLERK SULLIVAN: There was one thing that I had  
37 addressed it, which this isn't on this item. But I was going to  
38 have -- I'll talk about that later. This has not anything to do  
39 with this item.  
40 CHAIRMAN BAKKER: Okay.

1 COUNTY CLERK SULLIVAN: Just an ADA compliant for the  
2 doors, for the handicapped over at the civic center. That was  
3 something that I was trying to get a -- a thing together so we  
4 could be in compliance with that, with it being the general and  
5 they look at the disability and be able to have those automatic  
6 doors for the civic center. But that's another item -- would  
7 need to be brought forward.

8 CHAIRMAN BAKKER: Okay. So...

9 COMMISSIONER MILLS: Well, I think at this point, I'd --  
10 I'd just as soon as put my confidence in the current security  
11 system in the building and not make any changes.

12 CHAIRMAN BAKKER: Patsy?

13 COMMISSIONER WAITS: Well, that was my original concern.  
14 But my understanding is if we don't allow you to go through  
15 all the locks and everything, there isn't any way that our doors  
16 are set up where you can put an extra lock through or anything for  
17 something temporary? Is that my understanding? They're all like  
18 this?

19 COUNTY CLERK SULLIVAN: I haven't looked at the outside of  
20 this door to know.

21 COMMISSIONER WAITS: Because I'm wondering if we could --

22 COUNTY CLERK SULLIVAN: I don't know how I could secure  
23 that one.

24 CHAIRMAN BAKKER: As long as we leave it at the civic  
25 center, it -- it doesn't matter.

26 COUNTY CLERK SULLIVAN: Right.

27 COMMISSIONER WAITS: But as far as anything permanent with  
28 any extra locks, I'm -- I'm not in favor of that. But if we  
29 don't approve that, you still are going to get the cameras?

30 COUNTY CLERK SULLIVAN: I'll need to get the cameras for --

31 COMMISSIONER WAITS: Okay.

32 COUNTY CLERK SULLIVAN: -- my office.

33 COMMISSIONER WAITS: Okay.

34 CHAIRMAN BAKKER: Okay.  
35 Art?

36 COMMISSIONER CLARK: I'm fine with system that we have. I  
37 always have been.

38 CHAIRMAN BAKKER: Sadie?  
39 Okay.

40 GRACE KEMP: Grace Kemp, Lander County treasurer.

1 I did get a report for my office, for the treasurer's  
2 office. Any time one person, two people, go through without  
3 permission, it's one time too many, too much.

4 Second thing, any key -- master key overrules our magnetic  
5 system. So the only way that I can guarantee with a hard key no  
6 one's going through my door and superseding the magnetic key is  
7 putting deadbolts. That was my whole purpose a month ago when I  
8 came in here.

9 It's still the same way. Magnetic cards can be turned on,  
10 turned off. If there's any master keys roaming around, they can  
11 get into any door in this building.

12 So I think that's a concern of the clerk with -- with  
13 the -- with the voting machines, is the fact is we're entrusted  
14 to take care of these offices. We're not department heads.  
15 We're elected officials. We have extreme confident stuff in our  
16 offices.

17 And if a deadbolt's the only way we can keep somebody from  
18 doing a card reader, right or wrong, or if someone actually has  
19 a key out there, during construction or otherwise, we have to  
20 make sure we're okay.

21 There's no guarantee how many keys are out there, hard keys  
22 that go through these doors.

23 That is my biggest concern. And I will thank you for putting  
24 the deadbolts on my doors. That is the one thing I can guarantee  
25 as an elected official. I give that key to my staff only. The  
26 new elected treasurer down the road will get that key. And they  
27 will have sole ownership of that key. No other elected official,  
28 no -- no commissioner, not the DA, not anyone, will have a key to  
29 those doors that were entrusted to me.

30 COMMISSIONER CLARK: Nobody has a key now except you.

31 GRACE KEMP: Well, that's true.

32 But the thing is there is master keys that access doors. And  
33 even -- even the Justice of the Peace Max made a comment that  
34 people did enter my building, enter my office since May, twice on  
35 the weekend without me knowing anything about it.

36 The thing is, is the server went down as of April 1<sup>st</sup>, is  
37 what I was told. So from December 7<sup>th</sup> to April 1<sup>st</sup>, there's no  
38 record of who's come and gone in these offices. The internal  
39 controls in this building have not been very good.

40 COMMISSIONER CLARK: I'm going to tell --

1 GRACE KEMP: And that's my -- that has been proved to me by  
2 the system. The gentleman the other day told me that they  
3 didn't even have it running as a full-fledged system.  
4 COMMISSIONER CLARK: There's no guarantees in life, Grace.  
5 GRACE KEMP: Yeah, but you know what, if I put my best  
6 effort out there, I can at least look at you in the eye and say,  
7 I did everything I could do.  
8 COMMISSIONER CLARK: I think we have.  
9 GRACE KEMP: You have. But that -- Sadie's elected  
10 position is no less or more than mine, nor is Ted's, nor is Max,  
11 nor is Leslie, nor is Lura. I believe we all have that right to  
12 protect our offices as we feel it should be done.  
13 CHAIRMAN BAKKER: Jennifer, --  
14 GRACE KEMP: Thank you.  
15 CHAIRMAN BAKKER: -- if you're going to be disruptive, you  
16 can take it outside.  
17 JENNIFER O'KANE: I'm not being disruptive.  
18 CHAIRMAN BAKKER: Don't.  
19 JENNIFER O'KANE: Okay.  
20 CHAIRMAN BAKKER: You can have public comment.  
21 JENNIFER O'KANE: Absolutely. Thank you.  
22 Jennifer O'Kane, for the record.  
23 I absolutely agree. As elected officials, as my husband  
24 said a couple years ago, you guys ultimately are the ones  
25 responsible. And that's -- that's what they're asking here.  
26 And they did ask in other meetings in the past. This system is  
27 not right yet.  
28 And basically, you're asking a question: Is this system  
29 down? Are they -- they're afraid to answer that question, maybe  
30 because they're going to lose their jobs or they've been  
31 threatened. Yeah, basically in the long run, this system does not  
32 work all the way yet.  
33 And when we do have an outage, who is to say that they're not  
34 going to go in your office or his office?  
35 Deadbolts are very cheap.  
36 Thank you.  
37 COMMISSIONER WAITS: So if we have master keys out there or  
38 we have vendors or electricians, whoever, that have these keys,  
39 that's what we have to get back so that nobody else has access?  
40 COMMISSIONER MILLS: Well, the way the system works, we

1 don't have to get them back. They can just be shut off, if  
2 that's what we choose to do. And they're completely  
3 ineffective.

4 COUNTY CLERK SULLIVAN: And that's the key reader portion  
5 of it.

6 CHAIRMAN BAKKER: Well, Sadie. Unless you guys changed  
7 your mind?

8 I'm sorry.

9 COUNTY CLERK SULLIVAN: Okay. Thank you.

10 CHAIRMAN BAKKER: Thank you.  
11

12 **14) Update from Reach regarding AirMed Care Services and all**  
13 **other matters properly related thereto.**  
14

15 CHAIRMAN BAKKER: Fourteen. Update from Reach regarding  
16 AirMed Care Services and all other matters properly related  
17 thereto.

18 CHRIS BAIRD: Good morning. Chris Baird is my name.  
19 Program manager for Reach Air Medical Services.

20 CHAIRMAN BAKKER: Did you fly in or drive?

21 CHRIS BAIRD: I drove in. The medical crew and the pilot  
22 flew in. Unfortunately, they left me to drive. So I have some  
23 other duties to take care of in the area so -- so I will be  
24 driving back.

25 But with that being said, we do have an aircraft here. We  
26 do have one of our aircraft here that are going to be open for a  
27 show-and-tell kind of after I kind of give you a real brief  
28 overview. And if you guys have any other further questions.

29 And I'm sure that Keith kind of gave you guys a good  
30 overview of kind of what the CareConnect and Reach Air Medical  
31 Services, kind of what our responsibilities are here -- are in  
32 the area.

33 We purchased Summit Air Ambulance just about a year ago. As  
34 many of you may or may not know that Summit Air base was  
35 previously an Access Air Ambulance base that had been in the  
36 region for about 15 years.

37 Through the iterations of Access Air Ambulance and Summit  
38 Air Ambulance and now Summit Air Ambulance, each one of those --  
39 each one of those companies has brought additional resources and  
40 commitments to the community.

1 We are here to kind of reaffirm our commitment to the  
2 northeastern Nevada region and through a -- through a membership  
3 plan and also through additional resources that we do bring with  
4 that.

5 We are the only full-service air ambulance service here in  
6 northeastern Nevada providing both fixed-wing and rotor wing that  
7 are dedicated to this region that don't get repositioned to  
8 California.

9 We do have other assets that are in the Reno area and that  
10 can fly down from Montana to cover this -- to cover this area.

11 Each one of those -- Montana is about an hour-an-20-minute  
12 flight. Reno is just under -- just about a 40-minute flight  
13 from Reno to -- to Elko.

14 Flight time by rotor wing here is 20 minutes that either  
15 goes to the hospital or kind of Battle Mountain proper.

16 Austin is a little bit further.

17 We do have the -- both those resources are both available for  
18 911 response along with the interfacility transport from the  
19 critically ill -- critically ill and injured patients that may  
20 arrive -- arrive at Battle Mountain.

21 So with that being said, the membership program now has  
22 everybody in your county covered. So they'll have no  
23 out-of-pocket expense. So no balance billing will happen.

24 Their insurance will be billed. And people who are  
25 uninsured get billed at a Medicaid rate, so -- which is pennies  
26 on the dollar. We do a compassionate billing policy. So those  
27 people that can't even afford the Medicaid rate, you know, will  
28 not -- will not be responsible for a bill. So with that being  
29 said, are there any other questions, concerns, comments that I  
30 may address?

31 CHAIRMAN BAKKER: Have you guys had any patients fly out of  
32 here recently?

33 CHRIS BAIRD: We flew five in the last ten days, I believe.  
34 Out of -- out of -- out of Battle Mountain Hospital.

35 CHAIRMAN BAKKER: Good deal.

36 COMMISSIONER CLARK: Keith, this is the -- the first time  
37 that we passed this, it was the \$1100. And now it's \$2200 for a  
38 year?

39 COMMISSIONER WAITS: No, this isn't that company.

40 COMMISSIONER CLARK: This isn't that company?

1 KEITH WESTENGARD: No, this is -- our \$2200 membership is  
2 through Humboldt General --  
3 COMMISSIONER CLARK: Okay.  
4 KEITH WESTENGARD: -- Hospital.  
5 COMMISSIONER CLARK: Okay.  
6 KEITH WESTENGARD: This is an additional coverage. It was  
7 40- -- 4500? I believe?  
8 CHRIS BAIRD: Yeah. I think 4400-something.  
9 KEITH WESTENGARD: Forty-four hundred --  
10 CHRIS BAIRD: Just under 45-. Yeah.  
11 KEITH WESTENGARD: -- and some change to cover the entire  
12 county.  
13 One thing I did want to bring out -- and you might be able to  
14 elaborate on it a little more -- this is just for Lander County  
15 right now. If you want to be covered nationwide, it's an  
16 additional \$35 out of your pocket and they will cover you actually  
17 cover you, actually, internationally, I think it --  
18 CHRIS BAIRD: Yep, we have --  
19 KEITH WESTENGARD: Internationally.  
20 CHRIS BAIRD: -- another -- yeah, we have another 350 bases  
21 throughout -- throughout the north -- North American region. We  
22 also have an international component to that, that does  
23 international flights. So -- that will go, actually, and  
24 recover you. And that's -- that is in addition, another \$35  
25 upgrade for -- for the -- for the residents of the county.  
26 COMMISSIONER CLARK: Can we get that paperwork for people  
27 that are interested in doing it?  
28 KEITH WESTENGARD: Yes.  
29 COMMISSIONER CLARK: Okay.  
30 CHRIS BAIRD: So what we're looking to do is we're looking  
31 to partner with you guys in the county. We're going to have a  
32 -- kind of an aggressive campaign go out that kind of -- that  
33 kind of elaborates more on the -- the relationship we have with  
34 you guys.  
35 Part of that campaign is bringing the aircraft. It's going  
36 to be out here for several events. If you guys have any other  
37 events or scouting events, church events, we'll be -- we'll be  
38 more than willing to bring that aircraft out and kind of do --  
39 kind of do a quick show-and-tell of just the aircraft and its  
40 capabilities and, you know, just general -- general questions

1 about our capabilities and --  
2 CHAIRMAN BAKKER: I know there's a car --  
3 CHRIS BAIRD: -- what we're --  
4 CHAIRMAN BAKKER: -- show this --  
5 CHRIS BAIRD: -- able to do.  
6 CHAIRMAN BAKKER: -- weekend.  
7 CHRIS BAIRD: What's up?  
8 CHAIRMAN BAKKER: There's a car show this weekend.  
9 CHRIS BAIRD: Give me --  
10 CHAIRMAN BAKKER: Saturday.  
11 CHRIS BAIRD: Give me a time and date.  
12 CHAIRMAN BAKKER: Okay.  
13 CHRIS BAIRD: So give me a time and date, we'll be more  
14 than willing to come set up a booth for people to get -- get  
15 that information, see the aircraft, meet the crews, and then go  
16 from there. So...  
17 CHAIRMAN BAKKER: I think it starts at 10:00 on Saturday.  
18 KEITH WESTENGARD: Another -- another advantage to Reach is  
19 they have the fixed-wing aircraft, which can fly in weather that  
20 the rotor wing -- the rotor-wing aircraft is not able to fly in.  
21 So that's a big, big positive --  
22 CHRIS BAIRD: Yeah.  
23 KEITH WESTENGARD: -- as well.  
24 CHRIS BAIRD: Yeah. So it is -- yeah -- as -- as Keith  
25 stated, that is -- that is a huge factor. Again, we're the only  
26 full-service. You have one that does rotor and one that does  
27 fixed. So it's kind of a -- it's kind of a no-brainer.  
28 That being said, our fixed-wing does also do 911 response.  
29 We've flown it down to Austin several times. And the ambulances  
30 were (indiscernible) to be right at the airport with our  
31 fixed-wing asset, along with our rotor-wing asset. So...  
32 COMMISSIONER WAITS: So clarify for me the -- the proper  
33 name. This is the one that we had with Summit for the last few  
34 years; right?  
35 CHAIRMAN BAKKER: Summit, yes.  
36 So Summit Air Ambulance was purchased by Reach Air Medical.  
37 So you are correct.  
38 COMMISSIONER WAITS: And you're called Reach Air Medical?  
39 CHRIS BAIRD: Yeah. Reach Air Medical. So we're based out  
40 of California where we have 50 bases across the California

1 region: Nevada, Montana, --  
2 COMMISSIONER WAITS: Okay.  
3 CHRIS BAIRD: -- and -- and Colorado.  
4 We also have -- our sister companies have bases throughout  
5 the East and the Midwest.  
6 COMMISSIONER WAITS: Are you also meeting with our  
7 sheriff's department before you go back?  
8 CHRIS BAIRD: Yes, we are. Actually, our pilot was doing  
9 that this morning.  
10 COMMISSIONER WAITS: Okay.  
11 CHRIS BAIRD: He was talking about communications with  
12 them. That's something we would definitely like to be involved  
13 in as kind of a -- a emergency management asset that you guys  
14 can utilize, not only just with your sheriff's department, but  
15 also with your EMS division and also with the hospital and just  
16 with the county in general to kind of --  
17 COMMISSIONER WAITS: Okay. So when we put out an emergency  
18 call for you, where will you be coming from?  
19 CHRIS BAIRD: We -- our assets right now are stationed in  
20 Elko. So we have about a 20-minute flight from here to Elko.  
21 So --  
22 COMMISSIONER MILLS: How are we communicating this to the  
23 people in the community?  
24 KEITH WESTENGARD: As -- as he spoke, we -- they're going  
25 to do an aggressive campaign with mailers --  
26 COMMISSIONER MILLS: Okay.  
27 KEITH WESTENGARD: -- to -- to the --  
28 COMMISSIONER MILLS: Okay.  
29 KEITH WESTENGARD: -- community.  
30 COMMISSIONER MILLS: Because --  
31 KEITH WESTENGARD: And it'll explain the program. It'll  
32 also explain the \$35 additional charge if you want to be covered  
33 throughout the country.  
34 And then, we'll have them at events like -- like he was -- we  
35 were talking about in order to let people know that it's out  
36 there.  
37 They talked with the sheriff's department with the  
38 communications end of it. So we're -- we're trying to cover all  
39 our bases.  
40 COMMISSIONER MILLS: Okay.

1           COMMISSIONER WAITS: Can you also land at the Kingston  
2 Airport?  
3           CHRIS BAIRD: Yes.  
4           COMMISSIONER WAITS: That's all gravel, but that's okay?  
5           CHRIS BAIRD: Yes.  
6           COMMISSIONER WAITS: It's long enough?  
7           CHRIS BAIRD: Yep. So --  
8           COMMISSIONER CLARK: So --  
9           CHRIS BAIRD: So we have that ability. Obviously we have  
10 the ability to land on the road with rotor or the fixed-wing,  
11 depending on which one's -- which one's available at the time.  
12           COMMISSIONER WAITS: Okay.  
13           COMMISSIONER CLARK: Lander County residents are covered?  
14           KEITH WESTENGARD: Yes. They're double covered. We --  
15 they have coverage.  
16           COMMISSIONER MILLS: Right.  
17           COMMISSIONER CLARK: I like --  
18           COMMISSIONER MILLS: See that's --  
19           COMMISSIONER CLARK: -- this. I liked this when Mendanoli  
20 [phonetic] came. And I like this even more. Use it one time.  
21 Saved my wife's life. Indispensable.  
22           COMMISSIONER MILLS: My concern is, when I talk with people  
23 about the air ambulance service, they get really confused  
24 about -- because there's so many different services.  
25           CHRIS BAIRD: There -- there is a little bit of --  
26           COMMISSIONER MILLS: And when they go to the hospital, they  
27 don't know who's going to come pick them up.  
28           CHRIS BAIRD: Yes. There is a little bit of --  
29           COMMISSIONER MILLS: And --  
30           CHRIS BAIRD: -- a challenge. And we kind of talked about  
31 this. And that's kind of why Keith kind of brought us --  
32 brought us into the fold, is because even with our membership  
33 prior -- membership program prior to, we have -- we have about  
34 33 percent penetration through -- through Lander County with our  
35 membership program for the -- for the full membership.  
36           Often, you know, we can be encumbered. The other service  
37 can be encumbered. And I encourage kind of -- you know, people  
38 that ask me about membership programs, I encourage them to go --  
39 go get both their sources and probably be covered by both  
40 because there are -- there are times where, you know, these

1 assets are going to be encumbered.  
2 With that being said, we do have the luxury of having two  
3 assets that are here locally here in Elko that fly directly out  
4 of there. We have another one going from Reno that's another 40  
5 minutes out. And it repositions. Once both these assets become  
6 encumbered it reposition -- repositions to the Elko area.  
7 Because there are a number of assets that are already in  
8 the -- in the -- in the Reno area that aren't our assets but we  
9 reposition to come out here. So --  
10 We -- we -- we definitely have some additional flexibility  
11 to some of the -- and a lot of the other providers don't have.  
12 COMMISSIONER MILLS: Right.  
13 COMMISSIONER WAITS: So you have some brochures and such  
14 that you're dropping off today?  
15 CHRIS BAIRD: I can --  
16 COMMISSIONER WAITS: -- that we --  
17 CHRIS BAIRD: I have --  
18 COMMISSIONER WAITS: -- can take?  
19 CHRIS BAIRD: I have some brochures I can drop off. But  
20 again, what's going to happen is we're going to have an  
21 aggressive mailing campaign that -- that's going to let people  
22 know of the service. They're also going get a -- a card they  
23 can carry in their wallet and a sticker they can put on -- on  
24 their vehicle to let them know they are members.  
25 And then we'll continue that campaign with the events.  
26 I know one thing that we would maybe like to do is maybe  
27 get a mailing that goes out in the taxes also on top of that to  
28 really let the people know the service that is being provided.  
29 COMMISSIONER CLARK: Excellent.  
30 COMMISSIONER WAITS: Thank you.  
31 CHAIRMAN BAKKER: Thank you.  
32 CHRIS BAIRD: Great.  
33 CHAIRMAN BAKKER: Any public comment?  
34 JOHN MONTES: John Montes.  
35 Just a quick question, if you would. Is there any  
36 possibility or is there a purp- -- a reason why the -- the  
37 service is based out of Elko and not, say, out of our own Battle  
38 Mountain Airport?  
39 COMMISSIONER WAITS: Because that's --  
40 CHRIS BAIRD: I -- I --

1 COMMISSIONER WAITS: -- where we live.  
2 CHRIS BAIRD: So -- so our first response to that is,  
3 actually we did have -- we did have a aircraft that was  
4 stationed here for a little bit. It went -- the utilization of  
5 that aircraft was actually quite low.  
6 And then, with that being said, our maintenanc- -- we have  
7 no maintenance facilities here. Our only two maintenance  
8 facilities right now are in Reno and in Elko for -- so for us to  
9 be able to stay on top of our maintenance and have 24/7  
10 maintenance coverage, you know, it kind of makes sense to  
11 centralize some of those assets and not have them spread all the  
12 way across.  
13 Now, with that being said, if there was -- if there was an  
14 increased need and there was an increased flight demand out of  
15 here, we'd actually consider bringing a full-time aircraft into  
16 this area.  
17 But that's something that obviously -- sometimes can be a  
18 challenge. Smaller rural -- rural cities, you know, it turns  
19 into a regional asset instead of really a city asset. So --  
20 CHAIRMAN BAKKER: Okay. Thank you.  
21 CHRIS BAIRD: Any questions?  
22 CHAIRMAN BAKKER: Any other public comment?  
23 (No comment.)  
24 CHAIRMAN BAKKER: Okay.  
25 CHRIS BAIRD: Great.  
26 CHAIRMAN BAKKER: Thank you.  
27 CHRIS BAIRD: Thank you very much.  
28 KEITH WESTENGARD: They do --  
29 CHAIRMAN BAKKER: Thank you.  
30 KEITH WESTENGARD: -- have the helicopter here too for --  
31 CHAIRMAN BAKKER: Did you want to do that now?  
32 KEITH WESTENGARD: Maybe we ought to -- 15 and 16 could  
33 probably go pretty quick. And then maybe we could break for  
34 lunch and -- that would work or --  
35 CHAIRMAN BAKKER: Yep.  
36 CHRIS BAIRD: Great. Thank you.  
37 COMMISSIONER MILLS: Okay. Thanks.  
38 DISTRICT ATTORNEY HERRERA: They -- they can't go into  
39 that -- waiting for a long time.  
40

1 15) Discussion and possible action to approve/disapprove the use  
2 of the old Lander County jail for the Sober Senior Haunted  
3 House in October 2016, and all other matters properly related  
4 thereto.  
5

6 CHAIRMAN BAKKER: Discussion and possible action to  
7 approve/disapprove the use of the --

8 DISTRICT ATTORNEY HERRERA: (Indiscernible.)

9 CHAIRMAN BAKKER: -- old Lander County jail for the Sober  
10 Senior Haunted House in 2016, --

11  
12 (Simultaneous indiscernible conversation.)  
13

14 CHAIRMAN BAKKER: -- and all other matters properly related  
15 thereto.

16 ALICIA PRICE: Alicia Price. I'm with the Sober Seniors.

17 CHAIRMAN BAKKER: Good morning.

18 ALICIA PRICE: Are you guys familiar with what they do?

19 COMMISSIONER MILLS: Sober Seniors?

20 ALICIA PRICE: Yeah. So Sober Seniors is a group of kids,  
21 when they graduate this spring in 2017, each year since, I  
22 think, '97, they've done this. They do a party for the kids  
23 that is no alcohol, keeps them in, locks them down for the night  
24 after graduation. And it's a nice, safe environment. They win  
25 prizes. I know you're familiar because your daughter did pretty  
26 well at the last one; right, Doug?

27 So the kids work really hard for fundraisers and us parents  
28 put time in too. I had a couple other kids here. I have one  
29 back here in the corner and the others were here this morning,  
30 but they went to work so --

31 What we're asking is one of the kids brought to me at our  
32 last car wash fundraiser that they said, you know, it would be a  
33 really great idea to do a haunted house in the old jail for a  
34 fundraiser at Halloween. So that is why I'm here to request to  
35 see if we could possibly use it from -- it'd probably take from  
36 October 16<sup>th</sup> to the 30<sup>th</sup>, just so we could decorate and, you  
37 know, get that set up. So --

38 CHAIRMAN BAKKER: Okay.

39 COMMISSIONER WAITS: Probably need a little longer so you  
40 can take down the decorations?

1 ALICIA PRICE: Yeah, well, taking down's a lot easier than  
2 putting up.

3 COMMISSIONER MILLS: Yeah. Have you -- have you looked at  
4 that? You know what the flow is like and how you might --

5 ALICIA PRICE: We have --

6 COMMISSIONER MILLS: -- plan that out?

7 ALICIA PRICE: -- not. So that would be something, if you  
8 guys approved it, we'd go look. And I -- I guess if it wasn't,  
9 we wouldn't do it. But we're getting close to Halloween. And  
10 so I thought that --

11 COMMISSIONER MILLS: Yeah.

12 ALICIA PRICE: -- we'd get on the agenda and see.

13 COMMISSIONER MILLS: Because it's -- it's been a while  
14 since I've been in that building.

15 ALICIA PRICE: Yeah.

16 COMMISSIONER MILLS: But I don't remember what the flow was  
17 like, whether we --

18 ALICIA PRICE: I have not been in there.

19 COMMISSIONER MILLS: We have to go in and come out the same  
20 door might jam up your flow, which I don't know -- I don't  
21 remember --

22 ALICIA PRICE: You know what?

23 COMMISSIONER MILLS: -- how it --

24 ALICIA PRICE: I did --

25 COMMISSIONER MILLS: -- flows.

26 ALICIA PRICE: -- one at my house in town and there wasn't  
27 good flow in there. But every kid --

28 COMMISSIONER MILLS: It worked okay?

29 ALICIA PRICE: -- at Eleanor Lemaire school came and, yeah.  
30 We -- we managed.

31 So.

32 COMMISSIONER MILLS: Right.

33 CHAIRMAN BAKKER: Well, Keith?

34 COMMISSIONER MILLS: The --

35 CHAIRMAN BAKKER: You and Anna go take a look with Alicia  
36 and --

37 KEITH WESTENGARD: Sure. You bet.

38 ALICIA PRICE: Okay. Great.

39 COMMISSIONER MILLS: The oth- -- the other thing I'd kind  
40 of be concerned about is just some communication. Who -- would

1 you be our point of contact for --  
2 ALICIA PRICE: I'm it.  
3 COMMISSIONER MILLS: -- any -- you're -- you're it, then?  
4 ALICIA PRICE: I'm the --  
5 COMMISSIONER MILLS: Okay.  
6 ALICIA PRICE: -- lucky winner.  
7 COMMISSIONER MILLS: Because sometimes the -- we start  
8 these kinds of things and the communication breaks down.  
9 ALICIA PRICE: Yeah. No.  
10 COMMISSIONER MILLS: We don't want to --  
11 ALICIA PRICE: I --  
12 COMMISSIONER MILLS: We don't want to do that.  
13 ALICIA PRICE: I'm it. So --  
14 COMMISSIONER MILLS: Okay.  
15 ALICIA PRICE: We have a couple of other board members,  
16 which is Leslie Fischer and Holly Heese and Candy Tooley. But  
17 I'm usually the man that does this. And they do the other, you  
18 know, keeping track of kids and money and stuff.  
19 COMMISSIONER MILLS: Okay.  
20 ALICIA PRICE: I'm the coordinator.  
21 COMMISSIONER MILLS: And as -- as the county do we have any  
22 issues with liability or anything like that? Or --  
23 KEITH WESTENGARD: I don't think so, Ted.  
24 DISTRICT ATTORNEY HERRERA: Well, potentially, of course.  
25 KEITH WESTENGARD: Well, --  
26 COMMISSIONER MILLS: But we're --  
27 DISTRICT ATTORNEY HERRERA: But Anna could probably go look  
28 at the place first --  
29 COMMISSIONER MILLS: Okay.  
30 DISTRICT ATTORNEY HERRERA: -- to decide that. Without  
31 looking at it, viewing it, I -- I can't answer that.  
32 COMMISSIONER MILLS: And is that -- is that building  
33 currently empty? That part of --  
34 CHAIRMAN BAKKER: It's supposed to be.  
35 COMMISSIONER MILLS: -- it anyways. Is it --  
36 KEITH WESTENGARD: Well, that is a question. And Sadie's  
37 not here. I -- do you -- did you guys clean out all that --  
38 it's all cleaned out, archives and all that? Okay. That did  
39 come up in an earlier conversation.  
40 COMMISSIONER MILLS: Okay.

1 ALICIA PRICE: And we could go take a look and get put back  
2 on the agenda for the next meeting, if that works for you guys  
3 too, and make sure it's going to work. And then --  
4 CHAIRMAN BAKKER: Well, I think we could probably approve  
5 it and then let them, Keith and --  
6 KEITH WESTENGARD: Well, --  
7 CHAIRMAN BAKKER: -- Anna decide.  
8 COMMISSIONER MILLS: As long as you know no one else is  
9 using it, it's fine. I just want to be --  
10 ALICIA PRICE: Okay.  
11 COMMISSIONER MILLS: -- sure it's empty and not, you know,  
12 --  
13 ALICIA PRICE: Yeah, and I --  
14 COMMISSIONER MILLS: -- we don't have a bunch --  
15 ALICIA PRICE: -- it'd be a --  
16 COMMISSIONER MILLS: -- of junk in --  
17 ALICIA PRICE: -- great --  
18 COMMISSIONER MILLS: -- your way.  
19 ALICIA PRICE: -- fundraiser for those kids. And it -- the  
20 more kids we can get involved, the better.  
21 COMMISSIONER MILLS: Right.  
22 ALICIA PRICE: And this is something they all, I think  
23 would enjoy. So they're not loving the car washes a whole lot  
24 anymore.  
25 COMMISSIONER CLARK: Keep them busy.  
26 ALICIA PRICE: We do.  
27 CHAIRMAN BAKKER: Okay.  
28 ALICIA PRICE: So then all this, I'll get with Keith and  
29 Anna and maybe get an appointment where we can run over there  
30 one day this week when they're not busy and -- which I know  
31 isn't very often, but --  
32 KEITH WESTENGARD: Actually, this afternoon would probably  
33 be --  
34 ALICIA PRICE: Okay.  
35 KEITH WESTENGARD: -- good.  
36 ALICIA PRICE: Is Anna in here? Or --  
37 KEITH WESTENGARD: Anna's not here.  
38 ALICIA PRICE: Okay.  
39 COMMISSIONER MILLS: Yeah.  
40 ALICIA PRICE: Well, if we can find out and then we --

1 KEITH WESTENGARD: Yeah, we -- we --  
2 ALICIA PRICE: You have my number.  
3 KEITH WESTENGARD: I do.  
4 ALICIA PRICE: So okay. Good.  
5 COMMISSIONER MILLS: (Indiscernible) suitable for what you  
6 really want to do.  
7 ALICIA PRICE: Yeah. Yeah. Okay.  
8 COMMISSIONER MILLS: So...  
9 ALICIA PRICE: Thanks, guys.  
10 CHAIRMAN BAKKER: Thanks, Alicia. You guys --  
11 COMMISSIONER MILLS: We need a motion on that?  
12 CHAIRMAN BAKKER: Yeah, give me a motion.  
13 COMMISSIONER WAITS: Go ahead.  
14 COMMISSIONER MILLS: I'll make a motion that we approve the  
15 use of the old Lander County jail for the Sober Senior Haunted  
16 House on October 2016.  
17 COMMISSIONER CLARK: Second that.  
18 CHAIRMAN BAKKER: Doug made a motion. Art seconded. Any  
19 public comment?  
20 (No comment.)  
21 CHAIRMAN BAKKER: All in favor?  
22 COMMISSIONER MILLS: Aye.  
23 CHAIRMAN BAKKER: Aye.  
24 COMMISSIONER WAITS: Aye.  
25 COMMISSIONER CLARK: Aye.  
26  
27 **16) Update from the Battle Mountain Civic Center manager and all**  
28 **other matters properly related thereto.**  
29  
30 CHAIRMAN BAKKER: Okay. Sixteen. Update from the Battle  
31 Mountain Civic Center manager and all other matters properly  
32 related thereto.  
33 ROBIN SMITH: Hello. Robin Smith, civic center manager.  
34 First of all, --  
35 COMMISSIONER CLARK: Good morning, --  
36 ROBIN SMITH: -- I'd like --  
37 COMMISSIONER CLARK: -- Robin.  
38 ROBIN SMITH: -- to thank you guys for the opportunity to  
39 manage the civic center.  
40 Since moving in on July 11<sup>th</sup>, we have been working on

1 cleaning up the outside. We've weeded the flower beds, the  
2 parking lot, done some painting.

3 First impressions for people start in the parking lot. We  
4 want them to be proud to come to Lander County and keep their  
5 events with us. So we've been working really hard at cleaning  
6 up.

7 The month of July, we hosted several Barrick meetings.  
8 They went really well. And MSHA requests their course for  
9 Lander County.

10 We hosted a funeral and a baptism. Things went really  
11 smooth.

12 The month of August, we have filled the civic center every  
13 Tuesday with SMD. They're doing safety meetings.

14 I think there are about 130 to 150 people per meeting. So  
15 they've been pretty big. They've been very, very good.  
16 Everybody's been really happy.

17 We've got Newmont in there today.  
18 We've got -- we did another funeral.  
19 We had -- the Quilt Guild Club was there.  
20 We had a bingo fundraiser.  
21 Everything's going good.  
22 Our next couple months are filling up and getting booked,  
23 and I'm loving it.

24 COMMISSIONER CLARK: It shows.

25 ROBIN SMITH: We been talking with Anna. Doug Cook is  
26 going to come in and paint the metal on the building. That's  
27 going to be happening soon.

28 We're going to be getting the paving lot resurfaced and  
29 stripped. So it'll be really nice. It's going to look great.  
30 Everybody seems to be happy when they come in.

31 COMMISSIONER CLARK: Are they happy when they leave?

32 ROBIN SMITH: Yes, of course. They're ecstatic because  
33 they were with me all day.

34 CHAIRMAN BAKKER: Well good job, Robin.

35 ROBIN SMITH: All right. Thank you.

36 CHAIRMAN BAKKER: Thank you.

37 COMMISSIONER CLARK: Thank you.

38 COMMISSIONER WAITS: Thank you.

39 COMMISSIONER MILLS: Thank you.

40 CHAIRMAN BAKKER: Any public comment?

1 (No comment.)

2 CHAIRMAN BAKKER: Okay. Did you want a break?

3 KEITH WESTENGARD: You know, we're -- we're moving along  
4 pretty good. I don't -- what are your guys' time frames like?  
5 You're good?

6 UNIDENTIFIED PARTICIPANT: We're -- we can go with the  
7 flow.

8 KEITH WESTENGARD: Okay. Why don't we just keep going  
9 because --

10

11 **17) Update on travel expenses utilized by the Lander County**  
12 **Commissioners and all other matters properly related thereto.**  
13

14 CHAIRMAN BAKKER: Okay. Seventeen.

15 KEITH WESTENGARD: You've got to be (indiscernible).

16 CHAIRMAN BAKKER: Update on travel expenses utilized by the  
17 Lander County Commissioners and all other matters properly  
18 related thereto.

19 COMMISSIONER CLARK: I asked for this agenda item because I  
20 want to address this issue, which is transparency. Because  
21 rumors in the community are the commissioners go to all the  
22 junkets and spend tens of thousands of dollars.

23 If you look at this, you can see that the total is \$8,329.29  
24 for five commissioners for the year.

25 It's not tens of thousands of dollars. And I think that  
26 we're pretty frugal with the travel money that we have.

27 CHAIRMAN BAKKER: Thank you, Art.

28 COMMISSIONER WAITS: I would like to make a comment on  
29 that.

30 Our budget has always been right around 20,000? Something  
31 like --

32 KEITH WESTENGARD: That's correct.

33 COMMISSIONER WAITS: -- that?

34 KEITH WESTENGARD: It's 20,000 for all five of you.

35 COMMISSIONER WAITS: And we have -- we have never --

36 COMMISSIONER CLARK: Never.

37 COMMISSIONER WAITS: -- never exceeded that for where I  
38 know.

39 But, of course, one of the things that -- that is so  
40 important is when you come into public service, we come in as

1 civilians and we don't know anything about the county. And it's  
2 our responsibility to certainly bring ourselves up to date on it  
3 with training and -- and workshops and staying in tune with our  
4 state and federal counterparts that make such a difference with  
5 all of the laws that come down and affect this county.

6 So I think our institutes that we attend and our leadership  
7 roles that we -- we need to explore, I'm hoping that, as they say,  
8 we can spend a little bit more money. Because we certainly have  
9 been frugal on it.

10 And I know many of our commissioners do not turn in their  
11 travel expenses. I, actually -- since I was one of the highest  
12 ones, I looked to see what I did. And I had \$1922 that I have  
13 not turned in that you -- you do. You go to things. You pay  
14 for things. You don't -- you don't nickel and dime it.

15 You -- you want to -- to be there doing what's best for the  
16 county and -- and getting yourself trained so that you can be and  
17 being out there so that we have, certainly, the credibility with  
18 all of our -- our counterparts.

19 But, as they say, I don't want us to be penny -- penny wise  
20 and pound foolish, so to speak.

21 So when -- when they do look at this commissioners' budget  
22 and our travel, I think that they should be very proud of what  
23 we do do.

24 And I want to make a -- a note that everything is  
25 transparent.

26 Every one of us that puts in travel expenses puts in every  
27 dime. And it's accounted for with our agendas and -- and our  
28 backup material so that we know -- you know, we're not jumping on  
29 Air Force One and taking all the kids to a birthday party in  
30 Tahiti. We truly are doing everything we're supposed to be doing  
31 for this county.

32 COMMISSIONER CLARK: And -- and I didn't know until just  
33 recently but NACO works with county commissioners and gets them  
34 travel deals; right?

35 COMMISSIONER WAITS: On all of our travel expenses for  
36 NACO. Any time we attend any NACO Institute or meeting or  
37 anything, it's always --

38 COMMISSIONER CLARK: But the national trip, don't you get  
39 special airfare and room rates and so on?

40 COMMISSIONER WAITS: Um.

1 COMMISSIONER CLARK: Through NACO?

2 COMMISSIONER WAITS: Everything -- every time that there's  
3 a meeting where they can work with a hotel, supposedly the  
4 hotels are less.

5 COMMISSIONER CLARK: Right.

6 COMMISSIONER WAITS: But as far as special airfare, no, we  
7 don't get that.

8 But even then, it's like, when we went back to Washington,  
9 the -- I guess we had a good rate, but the rooms were over \$350  
10 a night.

11 And so I -- I opted to share that with the White Pine  
12 commissioner because she didn't think that she could even afford  
13 to go with -- with their expenses the way they were looking at it.

14 So we saved right on that about \$750 right off the bat off  
15 ours, which is true. It's not always good to be sharing. And I  
16 should say it was a "she" that I was sharing with. I should  
17 make that very clear, I guess.

18 But we do look for all kinds of -- of discounts. And yes,  
19 NACO tries to do that for us whenever they can, like all large  
20 conventions would.

21 But I'm -- I'm hoping we can attend more.

22 Actually, NACO has two annual meetings a year. The  
23 legislative conference was the first one I've attended. And  
24 it's open to all commissioners. And -- and I'd like to see us  
25 stagger that and take advantage of, certainly, the things that  
26 are coming up. And of course, I'll put in a plug again for the  
27 NACO workshop in Pahrump, which is coming up. And that's close  
28 enough where we don't need airfare. So I hope all of us can  
29 attend with our new commissioner.

30 CHAIRMAN BAKKER: Okay. Any public comment?

31 (No comment.)

32

33 **18) Update regarding the status of the Battle Mountain**  
34 **Recreational Center Project and all other matters properly**  
35 **related thereto.**

36

37 CHAIRMAN BAKKER: Okay. Eighteen. Update regarding the  
38 status of the Battle Mountain Recreational Center Project and  
39 all other matters properly related thereto.

40

1 19) Discussion and possible action to choose the interior color  
2 scheme for the Battle Mountain Recreational Center Project  
3 Phase II, including the colors and types of paint to include:  
4 1) translucent wall panels, color selection; 2) four-inch  
5 rubber base, color selection; 3) volleyball padding/wall  
6 padding/backboard padding, color selection; 4) scoreboard  
7 (itself), color selection; 5) paint interior and exterior,  
8 color selection; 6) quartz solid surface/plastic laminate  
9 surfaces, color selection; 7) wood gym flooring, color  
10 selection; 8) lockers, color selection; 9) high-pressure  
11 laminate (racquetball court walls and ceiling), color  
12 selection; 10) glazing, color selection; and all other  
13 matters properly related thereto.  
14

15 CHAIRMAN BAKKER: Nineteen. Discussion and possible action  
16 to choose the interior color scheme for the Battle Mountain  
17 Recreational Center Project Phase II, including the colors and  
18 types of paint to include: one, translucent wall panels, color  
19 selection; two, four-inch rubber base, color selection; three,  
20 volleyball pad, wall padding, backboard padding, color  
21 selection; four, scoreboard, itself, color selection; five,  
22 paint interior/exterior, color selection; six, quartz solid  
23 surface, plastic laminate surfaces, color selection; seven, wood  
24 gym flooring, color selection; eight, lockers, color selection;  
25 nine, high-pressure laminate, racquetball court walls and  
26 ceiling, color selection; ten, glazing, color selection; and all  
27 other matters properly related thereto.

28 BRAD VAN WOERT: We need a couple minutes to set up.

29 CHAIRMAN BAKKER: Hey, Kathy, let's take a two-minute  
30 break.

31  
32 (Break taken from 11:42 a.m. to 11:51 a.m.)  
33

34 CHAIRMAN BAKKER: Brad, I'm going to let you take it away.  
35 State your name for the record.

36 BRAD VAN WOERT: This is Brad Van Woert from Van Woert  
37 Bigotti Architects. And my partner Angela Bigotti's here today.

38 And last meeting we were here and went through all the  
39 colors, all the materials. And basically --

40 CHAIRMAN BAKKER: Keith.

1 BRAD VAN WOERT: -- got approvals, I'd say, on about 95  
2 percent of it. And they're --

3 CHAIRMAN BAKKER: Hey.

4 BRAD VAN WOERT: A few others that were pending or  
5 open-ended. And we've brought those back to you today.

6 So hopefully we can kind of close this chapter and catch up  
7 with Casey, who's building this thing at breakneck speed.

8 So we'll go through some slides like we did last time. And  
9 then we have a couple of other samples to talk about.

10 There are, like, only six items we need to go through here  
11 very quickly.

12 Just to refresh your memory, there's the -- the exterior  
13 rendering with kind of that deep charcoal-gray sidewalls and  
14 then the accent colors for the pool, the gym, and the center  
15 entrance.

16 If you go into the inside, we use these more -- we call  
17 them bright, kid-centric colors to make it bright and nice.

18 And you can start to see the way we bended the colors up  
19 over across the ceiling as well. And you'll start to see what  
20 we did in the gymnasium when we do that.

21 The pool uses those same colors, but with a -- a little  
22 more discretion. But the bright colors and the stripes really  
23 make it kind of a playful area.

24 The big contention that we had last time was choosing colors  
25 for the gymnasium. And this was the original piece that we  
26 brought that met all the criteria of the specifications and kind  
27 of the price point that we were looking at. And it was just kind  
28 of dull.

29 So we went through some other options. And we chose some.  
30 Out of that came a couple of decisions that we have incorporated  
31 in these next few renderings. One is the striping on the gym  
32 floor is a dark green, as you can see. We'll call it Battle  
33 Mountain green. And then the cushions and padding for the -- and  
34 painting of the standards for the basketball hoops are -- is that  
35 dark green as well.

36 And also the structure, which you can see marches along like  
37 at 30-foot increments for the structural steel, that was chosen to  
38 be the dark Battle Mountain green.

39 And you -- and the -- we called it clean green at the time  
40 over the entrance, which is on the left-hand side, a little

1 brighter green was accepted as well. That would go up the side of  
2 the wall and then the ceiling would be painted all the way across.  
3 What we all -- we've added in this particular scheme, there  
4 was talk about how do we get Battle Mountain yellow into this or  
5 Battle Mountain gold?  
6 COMMISSIONER CLARK: Gold.  
7 BRAD VAN WOERT: I guess we're calling it gold. Okay.  
8 And as you can see we can't leave anything alone. But we  
9 have a couple of schemes here of how we would introduce that  
10 color along with some others. And then we'll just go through  
11 them. This scheme shows this is another view. But that takes  
12 the Battle Mountain gold and then a -- a smaller sliver of the  
13 darker green, puts them together, and it runs itself over the  
14 top of the ceiling. So this is a view coming in from the  
15 entrance. This is what you -- you would see.  
16 CHAIRMAN BAKKER: Looks good.  
17 BRAD VAN WOERT: Yeah. So if you keep going, you know, we  
18 -- this one has no color, but it introduces the Battle Mountain  
19 gold in striping integral with the clean green on the left. And  
20 then all the dark green structural system and striping remains  
21 as we agreed to the last week.  
22 You can see there how it would be incorporated.  
23 And then the last scheme is a little bit of what we had  
24 talked about and maybe making that entire wall Battle Mountain  
25 gold.  
26 And when we did the renderings, it was -- it kind of blew us  
27 away. So this is just another scheme that would take the clean  
28 green, which we all agreed to on the left. And the center panel,  
29 only on the wall panel, would be Battle Mountain gold.  
30 And then the next panel over, which would be centered -- the  
31 two would be centered in the court -- would be Battle Mountain  
32 dark green.  
33 And then all the structure, supports, and the like would  
34 remain the same.  
35 This is the county seal again. And it's -- it's a little  
36 warped here because --  
37 CHAIRMAN BAKKER: Hold -- Hold on, Brad.  
38 BRAD VAN WOERT: Yes. I'm sorry.  
39 CHAIRMAN BAKKER: Do you guys want to back up and choose a  
40 -- each --

1 ANGELA BIGOTTI: As we go.  
2 CHAIRMAN BAKKER: As we go? Or you want to just approve it  
3 at the end? There's three options right here that we need to do  
4 so --  
5 BRAD VAN WOERT: Yeah, this is -- this is option A.  
6 ANGELA BIGOTTI: To be --  
7 COMMISSIONER CLARK: Needs some clerical?  
8 BRAD VAN WOERT: Option A, the other view.  
9 This is option B. Option B.  
10 And then option C.  
11 CHAIRMAN BAKKER: I like A.  
12 BRAD VAN WOERT: We have a vote for A. Any others?  
13 CHAIRMAN BAKKER: Doug?  
14 COMMISSIONER MILLS: I could go for A.  
15 CHAIRMAN BAKKER: Patsy?  
16 BRAD VAN WOERT: Which is this one.  
17 Yeah, we -- we like it. Looks good.  
18 CHAIRMAN BAKKER: Go to the other view, please.  
19 BRAD VAN WOERT: We have it. There.  
20 Yes. And the architects agree with this as well.  
21 CHAIRMAN BAKKER: Art?  
22 COMMISSIONER CLARK: Looks good.  
23 CHAIRMAN BAKKER: Patsy?  
24 COMMISSIONER WAITS: I like it.  
25 BRAD VAN WOERT: All right.  
26 Option A it is.  
27 CHAIRMAN BAKKER: Ted, do we need a motion or we just --  
28 DISTRICT ATTORNEY HERRERA: Well, it depends on how you  
29 want to do it. You could take a motion and vote on each one or  
30 you can --  
31 COMMISSIONER CLARK: Do it at the end.  
32 DISTRICT ATTORNEY HERRERA: -- list them all at the end --  
33 CHAIRMAN BAKKER: Okay.  
34 DISTRICT ATTORNEY HERRERA: -- and make a motion --  
35 CHAIRMAN BAKKER: Okay.  
36 DISTRICT ATTORNEY HERRERA: -- for it.  
37 CHAIRMAN BAKKER: Let's do that, Brad. A for --  
38 BRAD VAN WOERT: Okay.  
39 CHAIRMAN BAKKER: Okay.  
40 BRAD VAN WOERT: So colors in the gym taken care of.

1 Let's scroll forward.

2 The other thing we offered was this. We said we would  
3 bring back a court layout for all the various activities that go  
4 there.

5 The aspect ratio here is a little off. So you see an oval  
6 for the center court. But the center court, again, to go over  
7 that, has the Battle Mountain -- it is a white background. So  
8 it'll be a white round circle onto the floor, the -- the maple  
9 floor with the Lander County seal and then the three sponsors'  
10 logos on the other three sides.

11 CHAIRMAN BAKKER: And do you have a picture without the  
12 white?

13 BRAD VAN WOERT: There.

14 CHAIRMAN BAKKER: Can you zoom in?

15 BRAD VAN WOERT: We don't -- maybe not.

16 And our talk was this is you can start to see the logos kind  
17 of -- they bleed out into the maple.

18 COMMISSIONER WAITS: CORE's wasn't in the circle; was it?

19 COMMISSIONER CLARK: Yeah.

20 CHAIRMAN BAKKER: I don't know.

21 Casey, come up here.

22 COMMISSIONER WAITS: Casey?

23 I don't think we did it.

24 CASEY GUNTHER: Casey Gunther, for the record.

25 In speaking with Croft Beck, who is doing the gym flooring  
26 and the striping. We got this yesterday, sent it to Tara. I  
27 just sent it to you guys. I don't know if you've seen your  
28 email yet. They -- to get it that small, they will not be able  
29 to get it inside the center circle itself. They did provide a  
30 layout. I just sent it to you guys. I don't know if you have  
31 access to email or anything yet.

32 But the -- pretty much the entire logo takes up the center  
33 circle. No circle itself. The logo is there. You can still see  
34 the circle lines.

35 As soon as I get that, I can get it printed out and bring  
36 it back to everybody.

37 CHAIRMAN BAKKER: But we're all in agreeance that everyone  
38 likes this logo in the center of the basketball court? Okay.

39 BRAD VAN WOERT: Yeah.

40 CHAIRMAN BAKKER: That's all you really need for now.

1 BRAD VAN WOERT: That's right.  
2 CHAIRMAN BAKKER: Yeah.  
3 BRAD VAN WOERT: Yeah. We're not quite getting there.  
4 ANGELA BIGOTTI: What -- what -- what can't be done or what  
5 can be done?  
6 CASEY GUNTHER: They can't get the detail in the seal that  
7 small to fit within the circle.  
8 ANGELA BIGOTTI: Oh, the seal.  
9 CASEY GUNTHER: Yes. So...  
10 BRAD VAN WOERT: Oh. Yo.  
11 ANGELA BIGOTTI: See.  
12 BRAD VAN WOERT: Okay. We're going to have a big seal.  
13 ANGELA BIGOTTI: So what happens? Do we not need the  
14 circle, I guess?  
15 CHAIRMAN BAKKER: Well, --  
16 CASEY GUNTHER: The -- the circle --  
17 COMMISSIONER MILLS: You have to have --  
18 CASEY GUNTHER: -- part --  
19 COMMISSIONER MILLS: -- the center --  
20 CASEY GUNTHER: -- is still --  
21 COMMISSIONER MILLS: -- for a circle.  
22 CASEY GUNTHER: -- around there. And then they can just  
23 fade out with it. The seal itself.  
24 ANGELA BIGOTTI: Yeah.  
25 CASEY GUNTHER: Same way they do on a lot of the larger  
26 basketball courts for --  
27 ANGELA BIGOTTI: Okay. If everybody -- if everybody's  
28 happy.  
29 CHAIRMAN BAKKER: Okay. But I mean, everyone's in  
30 agreeance that they like the seal and --  
31 BRAD VAN WOERT: Yeah.  
32 CHAIRMAN BAKKER: Okay.  
33 BRAD VAN WOERT: We'll get the seal in there. It really --  
34 CHAIRMAN BAKKER: Okay.  
35 BRAD VAN WOERT: -- it's a nice touch.  
36 CHAIRMAN BAKKER: Get the seal in there. Yeah, I think so.  
37 BRAD VAN WOERT: Okay.  
38 CHAIRMAN BAKKER: Okay. Next.  
39 BRAD VAN WOERT: So the striping, you can see there are  
40 various colors. There's -- there's green and there's black and

1 I think, --  
2 ANGELA BIGOTTI: White.  
3 BRAD VAN WOERT: -- there's white.  
4 ANGELA BIGOTTI: So in the --  
5 BRAD VAN WOERT: And --  
6 ANGELA BIGOTTI: -- seal it's white. You can see it  
7 actually better -- excuse me -- Angela Bigotti, for the record.  
8 (Indiscernible.) Let's see here. So let me look at the  
9 renderings. You can see that white.  
10 CHAIRMAN BAKKER: Right.  
11 ANGELA BIGOTTI: So you have the black -- or excuse me --  
12 you have the dark green, border, dark green kind of in the main  
13 court. And then you have white for -- it looks like  
14 (indiscernible).  
15 CASEY GUNTHER: Volleyball.  
16 BRAD VAN WOERT: It looks like volleyball.  
17 ANGELA BIGOTTI: Volleyball.  
18 BRAD VAN WOERT: So --  
19 ANGELA BIGOTTI: And then you have green. The -- the clean  
20 green for the side courts.  
21 The two colors are dark green, clean green, and white for --  
22 CHAIRMAN BAKKER: Okay.  
23 BRAD VAN WOERT: And it will handle basketball, volleyball,  
24 pickle ball. And then basketball going the opposite direction.  
25 So that's that.  
26 Any -- any comments?  
27 CHAIRMAN BAKKER: I think it looks good.  
28 BRAD VAN WOERT: Yep.  
29 CHAIRMAN BAKKER: Doug?  
30 COMMISSIONER CLARK: Looks great.  
31 BRAD VAN WOERT: All right.  
32 CHAIRMAN BAKKER: Everyone wanted different-colored  
33 striping. So...  
34 COMMISSIONER CLARK: Looks good to me.  
35 BRAD VAN WOERT: We have two other items to catch up on.  
36 And one is the actual padding that goes around the basketball  
37 glass and around the runoff areas. And we just got those  
38 samples. And we proposed forest green, which matches Battle  
39 Mountain green.  
40 CHAIRMAN BAKKER: Right. I like it.

1 BRAD VAN WOERT: So just kind of disappears there.  
2 CHAIRMAN BAKKER: Yep.  
3 BRAD VAN WOERT: So that's good.  
4 And then the last item is the tile in the locker rooms. And  
5 we have taken a cost savings through value engineering and had  
6 gone with this from a Marazzi -- Marazzi tile company for  
7 these.  
8 These are the original colors, which were the bright gloss.  
9 And they cost too much. And we were told that some of those tiles  
10 had been -- the colors had been discontinued.  
11 So we happened to have the Crossville tile company come in  
12 to our office. And basically they affirmed to us that none of  
13 the colors have been discontinued. And they will match the  
14 lower price to make the job possible.  
15 So we are recommending that our original selections of the  
16 Crossville tile with the bright gloss colors be accepted as we  
17 originally designed it and specified it. And there will be no  
18 additional cost to the project.  
19 CHAIRMAN BAKKER: Okay. I agree.  
20 COMMISSIONER MILLS: Great.  
21 CHAIRMAN BAKKER: Patsy?  
22 BRAD VAN WOERT: Oh.  
23 CHAIRMAN BAKKER: Art?  
24 COMMISSIONER WAITS: Looks good.  
25 COMMISSIONER CLARK: Looks good to me.  
26 CHAIRMAN BAKKER: Okay. I just want to make sure.  
27 COMMISSIONER CLARK: Well, I'm just excited to have three  
28 gymnasiums in proximity. Because that opens up the possibility  
29 of having big tournaments here.  
30 BRAD VAN WOERT: And we have -- apologies. We have one  
31 more item.  
32 CHAIRMAN BAKKER: You're good.  
33 BRAD VAN WOERT: Last week or last meeting, we picked  
34 the -- the translucent panels that go into the gym and such.  
35 And this one was selected.  
36 I probably forced it down everyone's throat.  
37 It was the whitest one that looked really good.  
38 What we're finding out, that it only allows -- because it's  
39 a sandwiched panel -- about 7 percent light transmission into  
40 the areas.

1           And we went back to our other projects. And we've used  
2 this on many projects in other gymnasiums. And we used this  
3 one. So -- and this lets in an abundance of light.  
4           So the difference, you can start to see them.  
5           Inside, you can kind of tell the difference. Outside and in  
6 the environment, they're almost -- they read architecturally  
7 identical.  
8           COMMISSIONER CLARK: The one on your left, that only allows  
9 7 percent?  
10          BRAD VAN WOERT: Seven percent light transmission. So I  
11 think we were in error in trying to --  
12          COMMISSIONER CLARK: Okay.  
13          BRAD VAN WOERT: -- use this one as -- and you can see how  
14 solid it is. It's almost like an opaque white.  
15          COMMISSIONER CLARK: Right.  
16          BRAD VAN WOERT: This one is -- will allow much more light  
17 in. So we are now recommending this one --  
18          ANGELA BIGOTTI: But it's still --  
19          BRAD VAN WOERT: -- with the -- yeah, and it's -- it --  
20 it'll allow a lot more light in and will have the same  
21 architectural effect.  
22          COMMISSIONER WAITS: What is a lot more light? I mean 9  
23 percent is a lot more. But what are your --  
24          BRAD VAN WOERT: I think twice the transmission.  
25          COMMISSIONER WAITS: Fourteen percent light?  
26          BRAD VAN WOERT: Yeah. I think so. And then that's really  
27 a good thing because it cuts down glare in the gymnasium and  
28 gives a nice even light.  
29          COMMISSIONER WAITS: But you can't see through it?  
30          BRAD VAN WOERT: That's correct.  
31          ANGELA BIGOTTI: But we have some, to be -- Angela, again,  
32 here. We do have some clear glass.  
33          But we have so much of the facade that we were trying to  
34 bring natural lighting. We wanted to reduce some of it because  
35 too much light is not good in a space either for recreation.  
36          COMMISSIONER WAITS: Okay, where -- where do we have -- I  
37 can't tell the difference on the gym one -- where -- where do  
38 you have the clear glass?  
39          ANGELA BIGOTTI: We have the clear glass in a portion of --  
40 let's see here. The gymnasium is actually all diffused. I

1 don't think we have any clear in the gymnasium itself. The  
2 clear glass, you'll have some of it in this space. You can see  
3 it there on the back wall.

4 There's a -- most of it's -- around the perimeter of the  
5 opening is this diffused light. But then there's a piece of it  
6 that we put just a -- some clear glass to have some kind of a  
7 transmission of activity of what's going on in the inside when  
8 you're on the outside of the building.

9 COMMISSIONER WAITS: Okay.

10 So is there any clear glass -- I can see, then, on the one  
11 side. And that's fine.

12 ANGELA BIGOTTI: Uh-huh.

13 COMMISSIONER WAITS: But I'm -- I'm concerned about people  
14 standing outside at night and watching the swimmers.

15 ANGELA BIGOTTI: Uh-huh.

16 COMMISSIONER WAITS: Will they --

17 ANGELA BIGOTTI: You would be able --

18 COMMISSIONER WAITS: -- be able to see in?

19 ANGELA BIGOTTI: The -- prim- --

20 COMMISSIONER CLARK: Yeah.

21 ANGELA BIGOTTI: Primarily you get more -- you get more  
22 clear glass on the south side. So somebody would actually have  
23 to be in the splash pad area to do that.

24 COMMISSIONER WAITS: Okay. I guess I'm just thinking, I --  
25 I don't want, you know, people just standing outside watching --

26 ANGELA BIGOTTI: Peering in.

27 COMMISSIONER WAITS: -- everybody swim inside. I mean,  
28 it's not that kind of a fish bowl.

29 ANGELA BIGOTTI: Yeah, I think it's -- it's --

30 COMMISSIONER WAITS: I want some privacy while they're in  
31 there.

32 ANGELA BIGOTTI: You do have some, Patsy. There are  
33 some -- there is some, but it's very --

34 COMMISSIONER WAITS: No, --

35 ANGELA BIGOTTI: -- small.

36 COMMISSIONER WAITS: -- that's okay. Because that's, you  
37 know, that's just a little bit.

38 ANGELA BIGOTTI: And that's -- that's all you have on --

39 COMMISSIONER WAITS: But -- but --

40 ANGELA BIGOTTI: -- that side.

1 COMMISSIONER WAITS: But like this whole side. Because I  
2 can't see it. Is it --  
3 ANGELA BIGOTTI: Yes.  
4 COMMISSIONER WAITS: -- starting with clear coming all the  
5 way down?  
6 ANGELA BIGOTTI: Yeah, this -- we have to probably bring  
7 back a -- a better rendering if you're concerned. Because we --  
8 we do have cons- -- we probably have -- I'm going to say a third  
9 to half of the glass on the south side that's controlled by the  
10 splash pad control area. There's a fence. So you can't really  
11 get up there and, like, peer in. You'd have to be on the  
12 outside of the splash pad to be able to see in. So you're not  
13 going to get direct view into the other actual people in there.  
14 But you will have some clear glass in there, sure, on that south  
15 side.  
16 UNIDENTIFIED PARTICIPANT: (Indiscernible.)  
17 ANGELA BIGOTTI: Uh-huh.  
18 UNIDENTIFIED PARTICIPANT: (Indiscernible.)  
19 COMMISSIONER WAITS: And will it be clear like right in the  
20 main pool? Or can you put it up higher where they couldn't see  
21 it or something?  
22 UNIDENTIFIED PARTICIPANT: Yeah.  
23 ANGELA BIGOTTI: Yeah. Well, part of the idea is some  
24 control. So you've got the splash pad activity. So in these  
25 recreation buildings it's nice to have connected visuals --  
26 visual lines of sight. So when you're -- when you've got kids  
27 out in that splash pad area, you have better control over visual  
28 just -- and connectivity from what people are on the inside,  
29 whether it's, you know, instructors or staff.  
30 COMMISSIONER WAITS: Yeah. I understand between the two.  
31 ANGELA BIGOTTI: So it's kind of a catch-22. I get what  
32 you're saying to try to minimize the amount of, I guess, lines  
33 of sight from the outside in.  
34 COMMISSIONER WAITS: Voyeurism. Yeah. I mean, it's a  
35 concern.  
36 ANGELA BIGOTTI: Uh-huh.  
37 BRAD VAN WOERT: We can take that, consider it, and  
38 maybe --  
39 ANGELA BIGOTTI: Yeah.  
40 BRAD VAN WOERT: -- bring back a little sketch.

1 ANGELA BIGOTTI: To clarify it.  
2 BRAD VAN WOERT: A little more accurate and clarify it for  
3 you.  
4 CHAIRMAN BAKKER: Okay.  
5 BRAD VAN WOERT: Let's do that.  
6 CHAIRMAN BAKKER: But I'm fine with the other translucent  
7 --  
8 BRAD VAN WOERT: Yeah.  
9 CHAIRMAN BAKKER: -- panel.  
10 COMMISSIONER MILLS: Click the --  
11 CHAIRMAN BAKKER: Yeah.  
12 BRAD VAN WOERT: Using the substitute.  
13 COMMISSIONER MILLS: -- (indiscernible).  
14 CHAIRMAN BAKKER: But I think, yeah, maybe get a line of  
15 sight for --  
16 BRAD VAN WOERT: Yeah.  
17 CHAIRMAN BAKKER: -- and then bring it back, a rendering.  
18 BRAD VAN WOERT: Okay.  
19 CHAIRMAN BAKKER: Okay.  
20 BRAD VAN WOERT: We will do that.  
21 And that's it.  
22 CHAIRMAN BAKKER: Okay. With that...  
23 COMMISSIONER CLARK: Let's go to lunch.  
24 CHAIRMAN BAKKER: No, I need to entertain a motion.  
25 DISTRICT ATTORNEY HERRERA: But you need to list all the  
26 decisions you made in a motion.  
27 CHAIRMAN BAKKER: Doug's got it.  
28 COMMISSIONER MILLS: I think I've got it.  
29 DISTRICT ATTORNEY HERRERA: Okay. Good.  
30 COMMISSIONER MILLS: So I'll make a motion that for the  
31 Battle Mountain rec center we approve paint scheme A for the  
32 gymnasium, the logo being in the center of the court with a  
33 white background.  
34 CHAIRMAN BAKKER: No, not with white.  
35 COMMISSIONER MILLS: I thought we were doing the white  
36 background.  
37 CHAIRMAN BAKKER: We don't know yet. They're going to  
38 bring that --  
39 COMMISSIONER MILLS: Oh.  
40 CHAIRMAN BAKKER: -- back.

1 COMMISSIONER MILLS: Okay.  
2 CHAIRMAN BAKKER: But approve the logo.  
3 COMMISSIONER MILLS: So we'll approve the logo in the  
4 center court.  
5 CHAIRMAN BAKKER: That's what I meant. Don't tie it down  
6 yet.  
7 COMMISSIONER MILLS: Okay.  
8 Approve the court striping as presented.  
9 The padding for the gymnasium for the basketball standards  
10 and other items in the gymnasium to be the forest green.  
11 The locker room tile to go with the original colors with the  
12 high gloss.  
13 And the wall panel tiles. Are those -- those translucent  
14 wall panel tiles are just for the gymnasium? Or is  
15 that throughout?  
16 BRAD VAN WOERT: And the pool as well.  
17 COMMISSIONER MILLS: That's --  
18 CHAIRMAN BAKKER: Do --  
19 COMMISSIONER MILLS: -- throughout.  
20 CHAIRMAN BAKKER: -- them both.  
21 BRAD VAN WOERT: Yes.  
22 COMMISSIONER MILLS: To go with the (indiscernible) tile  
23 that allows the more lighting --  
24 BRAD VAN WOERT: Correct.  
25 COMMISSIONER MILLS: -- through.  
26 BRAD VAN WOERT: Yes. Perfect.  
27 CHAIRMAN BAKKER: Okay.  
28 Doug made a motion.  
29 COMMISSIONER CLARK: I'll second.  
30 CHAIRMAN BAKKER: Art seconded.  
31 Any public comment?  
32 (No comment.)  
33 CHAIRMAN BAKKER: All in favor?  
34 COMMISSIONER MILLS: Aye.  
35 CHAIRMAN BAKKER: Aye.  
36 COMMISSIONER WAITS: Aye.  
37 COMMISSIONER CLARK: Aye.  
38 I'm hungry.  
39 CHAIRMAN BAKKER: Hold on. We got two more.  
40 Thank you, Brad. Thank you, Angela.

1 BRAD VAN WOERT: Thank you.  
2 COMMISSIONER MILLS: Thank you, guys.  
3 CHAIRMAN BAKKER: Hopefully that can get you guys on your  
4 way where you know where --  
5 BRAD VAN WOERT: Yes.  
6 CHAIRMAN BAKKER: -- we're going.  
7 BRAD VAN WOERT: Very close.  
8 CHAIRMAN BAKKER: And then we'll have to get pricing  
9 differences, Casey, on stuff.  
10 But this way you guys at least know what colors. Okay.  
11  
12

13 **FINANCE**

14  
15 **20) Update on budget review, contracts, financial update, and**  
16 **other matters properly related thereto.**  
17

18 CHAIRMAN BAKKER: Twenty. Update on budget review,  
19 contracts, financial update, and other matters properly related  
20 thereto.

21 Ms. Liz.

22 I just made you nervous, huh?

23 ELIZABETH DIAS: You made me nervous? Good afternoon,  
24 Commissioners. So I'm going to give you an update --

25 CHAIRMAN BAKKER: Name, please.

26 ELIZABETH DIAS: Oh, excuse me. Liz Dias, fiscal officer.  
27 I'd like to give you guys an update of where I'm at in my  
28 learning process. And so I continue to work with Gene. He's  
29 been absolutely amazing, very informative.

30 I am in the process of looking at attending more trainings  
31 so I can become, of course, more knowledgeable and familiar with  
32 everything that entails this position.

33 I am excited because I'm getting very familiar with the  
34 position and with the system.

35 I have been working with the auditors, who are scheduled to  
36 be here the week of September 26<sup>th</sup> through the 30<sup>th</sup>. So I've  
37 been submitting information that they're requesting.

38 Also, this is on a very positive note, I enjoy working with  
39 the staff in the administration office. They have been very  
40 helpful.

1 Cindy is great. Laken is a new part to the team, and she  
2 doing very, very well. And Nilla and Tammy are in the office.  
3 And they're just amazing to work with.

4 And above all, Becky Johnson has been very helpful as well.

5 So -- and not to say anything bad about Keith, but he's  
6 been over the top very helpful and my partner in crime in all  
7 these trainings. So it's been very nice coming into a -- a  
8 welcoming environment.

9 So...

10 CHAIRMAN BAKKER: Good.

11 ELIZABETH DIAS: That's my update for to- --

12 CHAIRMAN BAKKER: So do you need anything from us?

13 ELIZABETH DIAS: Not at this time, other than thank you.

14 CHAIRMAN BAKKER: Thank you.

15 COMMISSIONER CLARK: Thanks, Liz.

16 COMMISSIONER MILLS: Thank you.

17 CHAIRMAN BAKKER: Awesome.

18 COMMISSIONER WAITS: Thank you.

19 CHAIRMAN BAKKER: Thank you.

20 Any public comment?

21 (No comment.)

22 CHAIRMAN BAKKER: For that item.

23  
24  
25 **COMMISSIONERS**

26  
27 **21) Correspondence, reports, potential upcoming agenda items.**

28  
29 CHAIRMAN BAKKER: Okay.

30 Commissioners. Twenty-one. Correspondence, reports,  
31 potential upcoming agenda items.

32  
33 (The following correspondence was received:

34 1. United States Department of the Interior, Bureau of  
35 Land Management, Tonopah Field Office to Interested Public,  
36 regarding proposed decision regarding Stone Cabin water hauls.

37 2. Nevada Department of Transportation, agenda, August 8,  
38 2016.

39 3. Tri-County Meeting Agenda, Friday, August 19, 2016.)  
40

1 COMMISSIONER MILLS: I would like to see an update from our  
2 committee of the old courthouse. We haven't heard anything from  
3 them for quite some time.  
4 COMMISSIONER CLARK: It would be --  
5 COMMISSIONER MILLS: I'd like --  
6 COMMISSIONER CLARK: -- the subcommittee.  
7 COMMISSIONER MILLS: The subcommittee. And -- and see  
8 what --  
9 CHAIRMAN BAKKER: What happened --  
10 COMMISSIONER MILLS: -- they've --  
11 CHAIRMAN BAKKER: -- with --  
12 COMMISSIONER MILLS: -- been --  
13 CHAIRMAN BAKKER: -- the --  
14 COMMISSIONER MILLS: -- doing.  
15 CHAIRMAN BAKKER: -- study. Yeah.  
16 COMMISSIONER WAITS: I believe one of you asked for a  
17 report from HR too. Didn't --  
18 CHAIRMAN BAKKER: Did --  
19 COMMISSIONER MILLS: Once a month, I think.  
20 CHAIRMAN BAKKER: Yeah. Once a month.  
21 COMMISSIONER WAITS: Once a month?  
22 CHAIRMAN BAKKER: And she did that last time.  
23 KEITH WESTENGARD: Last one.  
24 COMMISSIONER WAITS: Okay.  
25 KEITH WESTENGARD: She did it last meeting.  
26 COMMISSIONER WAITS: You don't have to come every time.  
27 Okay.  
28 We do -- I don't know if you've heard from J.D., but we do  
29 need to have the extra footings on for the av -- the jet fuel in  
30 Austin.  
31 Remember when J.D. was here, he said if we ran the footings  
32 for the jet fuel at the same time, we wouldn't have to bring the  
33 cement --  
34 KEITH WESTENGARD: Yes.  
35 COMMISSIONER WAITS: -- back down.  
36 KEITH WESTENGARD: Yep.  
37 COMMISSIONER WAITS: And he was going to give you a price  
38 and we were going to get on that?  
39 KEITH WESTENGARD: Yep. I'll give him a call.  
40 CHAIRMAN BAKKER: Contact Jake Tibbitts.

1 KEITH WESTENGARD: Yeah. He's on for the next agenda, but  
2 he's --  
3 CHAIRMAN BAKKER: Right. But we're going to be here now.  
4 Well, maybe.  
5 KEITH WESTENGARD: Right.  
6 CHAIRMAN BAKKER: Depending on --  
7 KEITH WESTENGARD: Yeah.  
8 CHAIRMAN BAKKER: -- what they decide tomorrow.  
9 KEITH WESTENGARD: As soon as I know tomorrow what the date  
10 is for Austin, I can either have him come here or we can put him  
11 in -- I'm -- I'm hoping that we do the 22<sup>nd</sup> in Austin, but  
12 it's up to you guys tomorrow.  
13 CHAIRMAN BAKKER: Right.  
14 KEITH WESTENGARD: And then we'll just have him come the  
15 22<sup>nd</sup>.  
16 COMMISSIONER WAITS: Along with that, we were going to see  
17 if Summit could come in and do the community meeting for the  
18 roads the night before?  
19 KEITH WESTENGARD: Yes. When -- I'll talk to to- -- to Tom  
20 about that. We can either keep it, because it's already set up  
21 for that night, or we can move it to the night before.  
22 COMMISSIONER WAITS: For the 7<sup>th</sup>? It's set up for the 7<sup>th</sup>?  
23 KEITH WESTENGARD: Uh-huh. Yep. He's -- either going to  
24 go or the architect that's doing the work is going to go.  
25 And then they were going to do an update the following day at  
26 the commission meeting on the 8<sup>th</sup>. So if that changes -- I'm just  
27 waiting to see where we're going to change that, --  
28 COMMISSIONER WAITS: That's okay. We --  
29 KEITH WESTENGARD: -- possibly.  
30 COMMISSIONER WAITS: -- just want some notification so that  
31 people know ahead of time. That's all. So --  
32 KEITH WESTENGARD: Right.  
33 COMMISSIONER WAITS: -- whatever you do.  
34 CHAIRMAN BAKKER: And then --  
35 There was something else. What else -- said something  
36 during the meeting.  
37 Was it two other items?  
38 KEITH WESTENGARD: There's two others, yeah.  
39 CHAIRMAN BAKKER: Okay.  
40 KEITH WESTENGARD: Fire code relating to deadbolts.

1 CHAIRMAN BAKKER: Oh, yeah, yeah, yeah.  
2 KEITH WESTENGARD: And then five -- going back five years  
3 on county using --  
4 CHAIRMAN BAKKER: Or loaning out equipment.  
5 KEITH WESTENGARD: -- or loaning equipment to private  
6 companies --  
7 CHAIRMAN BAKKER: Yeah.  
8 KEITH WESTENGARD: -- on county jobs.  
9 CHAIRMAN BAKKER: Okay.  
10 KEITH WESTENGARD: So I have those two.  
11 CHAIRMAN BAKKER: Anything else?  
12 Art?  
13 COMMISSIONER CLARK: No.  
14 CHAIRMAN BAKKER: Doug?  
15 COMMISSIONER MILLS: Can't think of anything.  
16  
17

18 **PUBLIC COMMENT**

19  
20 CHAIRMAN BAKKER: Okay. Now, public comment for  
21 non-agendized items only.  
22 Persons are invited to submit comments in writing and/or  
23 attend and make comments on any non-agenda item at the board  
24 meeting, if any, and discussion of those comments at the  
25 discretion of the board. All public comment may be limited to  
26 three minutes per person, again at the discretion of the board.  
27 Reasonable restrictions may be placed on public comment based  
28 upon time, place, and manner, but public comment based upon  
29 viewpoint may not be restricted.  
30 JUDGE MAX BUNCH: Okay. Max Bunch, for the record.  
31 I -- I felt it necessary to come and at least advise the  
32 commissioners that for about the last three months we have been  
33 working on trying to fine-tune the heating and air-conditioning in  
34 the building.  
35 Some areas are too cold. Some areas were too warm. We think  
36 we've got that resolved. But we're -- we're really working hard  
37 at it.  
38 We've had weekly meetings since probably the first part of  
39 July.  
40 And -- and we have, as of yesterday's meeting, come to a

1 resolution that we're probably going to be needing something  
2 else in this building to try and heat up certain areas.

3 CHAIRMAN BAKKER: For this winter?

4 JUDGE MAX BUNCH: For this winter. And I figured we better  
5 get on it before it -- because last winter was not a very warm  
6 winter in this building for some of the departments. And I  
7 don't think that's fair for them to -- to be in that position.

8 So -- so I just needed to let you know that we're still  
9 working on this building on fine-tuning everything.

10 And CORE has been with me side by side trying to get this  
11 resolved.

12 If it -- if we're thinking about doing what -- we'll come  
13 back to the commission and let you know.

14 It is going to cause problems in certain offices.  
15 Unfortunately, it's going to be the treasurer's office, the  
16 assessor's office, the women's bathroom, and potentially, your  
17 five offices.

18 So they -- they -- they don't have reheats. I was just  
19 told just a minute ago by Van Woert and Bigotti, Brad, that --  
20 that Capital is redesigning as we speak to -- to bring that  
21 forward.

22 So I felt it necessary to come and tell you today that --  
23 that we were looking at options. We have exhausted, extremely, a  
24 large amount of options, put in a large amount of work, including  
25 many, many weekends in the last five months, trying to resolve so  
26 that people don't have to have floor heaters in their offices.

27 We're -- we are really attempting to resolve all those issues  
28 for this building.

29 And so, you know, sometimes -- I wish I had better news.  
30 But -- but I haven't been back here to give updates because I -- I  
31 wanted to come back and give one last update that said, hey,  
32 everything's great. The building's great. We're good. And  
33 I've -- I've waited and waited and waited. And we've been  
34 working, attempting to do that. And it hasn't happened.

35 So I felt it necessary to at least at advise you as to  
36 what's going on.

37 CHAIRMAN BAKKER: Thank you, guys.

38 COMMISSIONER CLARK: Thanks, Max.

39 CHAIRMAN BAKKER: Thanks for your hard work.

40 JUDGE MAX BUNCH: And --

1 CHAIRMAN BAKKER: Appreciate it.  
2 JUDGE MAX BUNCH: -- and -- and we'll do the staff restroom  
3 in the back because we can only get up -- that up to about 65  
4 degrees, is the maximum we can get in there. It need to be much  
5 warmer than that this winter.  
6 So...  
7 CHAIRMAN BAKKER: Okay. Thank you.  
8 Any other public comment?  
9 KEITH WESTENGARD: The helicopter's still here.  
10 CHAIRMAN BAKKER: Oh.  
11 KEITH WESTENGARD: That's it.  
12 CHAIRMAN BAKKER: Okay. Anyone else?  
13 With that...  
14  
15

16 **ADJOURNMENT**

17  
18 COMMISSIONER MILLS: Motion to adjourn.  
19 COMMISSIONER WAITS: Second.  
20 COMMISSIONER CLARK: Second.  
21 CHAIRMAN BAKKER: Doug made a motion. Patsy seconded. So  
22 did Art.  
23 Any public comment?  
24 COMMISSIONER WAITS: Yeah.  
25 (No comment.)  
26 CHAIRMAN BAKKER: All in favor?  
27 COMMISSIONER MILLS: Aye.  
28 COMMISSIONER CLARK: Aye.  
29 CHAIRMAN BAKKER: Aye.  
30 COMMISSIONER WAITS: Aye.  
31 CHAIRMAN BAKKER: Meeting adjourned. Thank you, Austin.  
32 Thanks, Miteshell.  
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**CHAIRMAN OR VICE CHAIRMAN OF THE  
BOARD OF LANDER COUNTY  
COMMISSIONERS AND THE LANDER  
COUNTY LIQUOR BOARD**

**ATTEST:**   
\_\_\_\_\_  
**LANDER COUNTY CLERK**

*Note: The Board of Lander County Commissioners serves as the Town Board for the unincorporated towns of Battle Mountain and Austin, Nevada.*