

The Honorable Board of Lander County Commissioners met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada on April 25, 2013 at 9:00 a.m.

PRESENT: DEAN BULLOCK, COMMISSIONER
STEVEN STIENMETZ, COMMISSIONER
DAVID MASON, COMMISSIONER
PATSY WAITS, COMMISSIONER
SADIE SULLIVAN, CLERK
NICOLE TING, DEPUTY DISTRICT ATTORNEY
SOVIEDA ROBINSON, HUMAN RESOURCES
MOLLY GONZALEZ, DEPUTY CLERK

ABSENT: BRIAN GARNER, COMMISSIONER
ROGENE HILL, FINANCE DIRECTOR

9:00 A.M.

Chairman Bullock called the meeting to order.

Let the record reflect a quorum of four Commissioners.

Deputy District Attorney, Nicole Ting, led the Pledge of Allegiance.

Let the record reflect the presence of Austin via teleconference.

APPROVAL OF AGENDA NOTICE

The Notice of Posting was reviewed and found to be in order. Commissioner Stienmetz moved to approve the Notice of Posting. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

APPROVAL & ACCEPTANCE OF MINUTES

MARCH 25, 2013 – SPECIAL SESSION

Commissioner Stienmetz moved to approve and accept the minutes of the March 25, 2013 Special Session as presented. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

APRIL 11, 2013 – REGULAR SESSION

Commissioner Waits addressed the Board regarding the minutes from the April 11, 2013 Commissioner's Meeting. Commissioner Waits stated the minutes reflect that the Special Meeting on March 25, 2013 were approved in that meeting, however the minutes had not been approved because they had not been presented to the Board. Commissioner Waits requested for this correction to be made. Once the correction has been made the minutes will be approved.

Commissioner Stienmetz moved to approve the minutes of April 11, 2013 pending the correction requested by Commissioner Waits. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

COMMISSIONER REPORTS

Commissioner Mason reported he was unable to attend the April 8, 2013 Planning Commission Meeting. He obtained an agenda and a copy of the notes from Gina Little, Community Development Officer. He took the opportunity to acknowledge Gina Little and Anna Penola on all their hard work and on a job well done.

Commissioner Mason also reported on his attendance of the NACO Business meeting on April 19, 2013 in Carson City. NACO has filed two complaints with the BLM because they do not respond to NACO. He said he finds this appalling, and feels BLM has a bigger responsibility to respond to correspondences from NACO, who represent seventeen counties in Nevada.

Commissioner Waits did not have any reports for the Board at this time.

Commissioner Stienmetz reported on his attendance of the SLUPAC meeting on Friday, April 19, 2013 in Carson City. He attended a Legislative breakfast that morning hosted by NACO. Commissioner Stienmetz spoke with Assemblyman Jim Wheeler, who was interested in information on mining. He gave Mr. Wheeler the contact information for Newmont and Barrick. Commissioner Stienmetz stated the biggest talk was on Net Proceeds. They discussed what was going on with it and about what bills they have been talking about passing.

Commissioner Bullock did not have any reports for the Board at this time.

PAYMENT OF THE BILLS

Jane Bianchi with the Finance Department presented the Board with bills to be ratified.

WELLS FARGO REMITTANCE

Commissioner Stienmetz moved to ratify check #44111 in the amount of \$1,751.37 to Wells Fargo Remittance. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

CHASE CARD SERVICES

Commissioner Stienmetz moved to ratify check #44119 in the amount of \$379.68 to Chase Card Service. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

BUSINESS CARD

Commissioner Stienmetz moved to ratify check #44088 in the amount of \$1,344.76 to Business Card. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

BATTLE MOUNTAIN GENERAL HOSPITAL

Commissioner Stienmetz moved to approve check #44087 in the amount of \$105.00 to Battle Mountain General Hospital. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

LARRY L. SWEENY - DBA: LS PAINTING & DÉCOR

Commissioner Stienmetz moved to approve check #43966 in the amount of \$1,800.00 to Larry L. Sweeny. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

Commissioner Stienmetz moved to approve the submitted expenditures in the amount of \$416,979.26 from check #44140 through #44232. Seconded by Commissioner Waits, the motion was voted and carried with Commissioner Stienmetz abstaining from check #44212, Commissioner Mason abstaining from check #44182, and Commissioner Bullock abstaining from check #44147. **APPROVED**

PAYROLL CHANGE REQUESTS

1. Employee change request for employee for employee #0569, New Hire, Assistant Pool Manager/Battle Mountain, \$12.75 per hour, effective April 15, 2013.
2. Employee change request for employee #0060, New Hire, Pools Manager, \$1,111.20 bi-weekly, effective April 15, 2013.
3. Employee change request for employee #0744, New Hire, Assistant Pool Manager/Austin, \$12.75, effective April 15, 2013.

Commissioner Stienmetz moved to approve the payroll change requests as stated. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

PUBLIC COMMENT

No public comment.

FINANCE

- 1) Discussion For Possible Action Regarding Review Of Contracts & Other Matters Properly Related Thereto: Commissioner Bullock stated that there is a list of the contracts attached and asked if there were any questions or concerns.

PAST DUE Contracts:

Dr. Peters

Bank of America

Expiration Date:

October 30, 2012

November 30, 2012

Contracts coming due:

LC Assessor & Carson City Assessor's

February 1, 2013

SWR Inc. – Aggregate Ind.

March 22, 2013

DMV Inter local, DMV & L.C.

June 30, 2013

Elko Inc. (Old Coach America)

June 30, 2013

John Davis Trucking (Mt. Lewis)

June 30, 2013

LC School Food Services – Austin

June 30, 2013

Public Health Nurse

June 30, 2013

Ted Herrera – Public Defender

June 30, 2013

LCHD-B.M. Gen Hosp. for EMS

July 1, 2013

Preschool (rent)

July 15, 2013

New Frontier Treatment Center

July 15, 2013

Loves Cleaning

July 15, 2013

Valley T.V. (Austin TV)

July 13, 2013

Bullock Mechanical Lease

September 15, 2013

Washoe Co. M.E. & Coroner

September 15, 2013

T & M Lawn Care

October 31, 2013

Elko Co./Common Boundary Line

December 31, 2013

Commissioner Mason asked if the contracts where automatic roll overs.

Commissioner Bullock stated that they were unless the Board chose to flag them.

Commissioner Waits commented on the Valley TV contract. She stated that a new proposal had been presented last year and that Austin would need to go digital. Commissioner Waits feels this contract may need to be looked at.

Commissioner Mason stated that he believed there had been some discussion of Valley TV putting in a disc to provide the internet in Austin. Commissioner Bullock stated they would try to get more information on that.

- 2) **Discussion For Possible Action Regarding Approval Of Resolution No. 2013-03, A Resolution Directing Apportionment Of Net Proceeds Received On March 25, 2013 & Other Matters Properly Related Thereto:** Commissioner Bullock stated he had reviewed this with Rogene Hill, Finance Director. The Net Proceeds were more than predicted. There was another \$4,271,090.10 that was given in the Net Proceeds as a settlement. The mandated, which go to those funds automatically, is in the amount of \$2,096,679.12. It was elected to go into the discretionary funds as follows:

CCP	\$1,000,000.00
Bldg. & Equipment	\$548,710.98
Indigent	\$502,000.00
Culture & Recreation	\$8,150.00
Road & Bridge	\$65,000.00
Landfill	\$9,250.00
Ag Fund	\$2,300.00
Aged Services	\$18,600.00
Water	\$10,200.00
Sewer	\$10,200.00
TOTAL	\$2,174,410.98

Commissioner Stienmetz moved to approve and adopt Resolution No. 2013-03, a Resolution directing apportionment of the Net Proceeds of the Minerals taxes received on March 25, 2013, in the total amount of \$4,271,090.10, and allocating the Lander County portion in the amount of \$2,174,410.98 to the appropriate funds as designated in the resolution. Seconded by Commissioner Mason, the motion was voted and carried.

APPROVED

ROAD & BRIDGE SOUTH

- 3) **Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge South Department & Other Matters Properly Related Thereto:** Bert Ramos, Road and Bridge South was not present to provide an update. **NO UPDATES**

ROAD & BRIDGE NORTH

- 4) **Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge North Department & Other Matters Properly Related Thereto:** Donnie Negro, Road and Bridge North was not present to provide an update. **NO UPDATES**

PUBLIC WORKS

- 5) **Discussion For Possible Action Regarding Operations & Projects For The Public Works Department & Other Matters Properly Related Thereto:** Jake Edgar, Public Works Foreman, updated the Board on the parks. They have ordered some kick mats for the

rubberized areas. There have been some issues with some of the felt coming up where the kids are digging their feet into the dirt. They thought the rubber would be enough but they need to get some mats on there to keep the felt down on the swing and slide areas.

Mr. Edgar advised the Board on a water leak out at the baseball field under the new pavement. When the baseball fields were originally built they were designed for two more fields to be created, which left an extra stub that hadn't been caught. When the valve was turned on the extra stub caused a leak. It has been dug up, repaired and patched. It will be repaved when the pavement arrives.

Mr. Edgar stated that everything has been pretty normal in the parks. Marilyn Adams, of T & M Lawn Care, has the water going and everything is looking good. The bathrooms have been fixed and they are up and running.

Mr. Edgar reported that the fence at the Rodeo Grounds, next to the sign, will be removed and replaced with a smaller wood fence. A memorial for Bobby Hooper, who helped out at the Rodeo Grounds for quite some time, will also be put in by the Rodeo Board.

The Race Track held their first race with the new lights, they were bright and looked good. The bathrooms have been opened, however, one sink is not functioning correctly and a new faucet needs to be ordered.

Mr. Edgar also reported that they had their drill out in the valley and had got down to 680 feet but could not go any further due to sloughing. Sloughing is a good sign, this means there is a lot of gravel in it. They performed an e-log down to 640 feet and so far everything is looking really good. Mr. Edgar is waiting for the water quality sample to come back. When he receives the samples he will come back to the Board with a full presentation to show them exactly what the numbers are. Everything is looking very promising for well #9. The new pumps for well #7 and well #8 should be shipped out on May 16, 2013. They will have a tight window to get the pumps changed out. Mr. Edgar would like to have two crews working in 24 hour shifts to get the pumps changed out so they don't have one pump shut down completely for 24 hours as we head into the big water season.

There have been a few water leaks on Middlegate Drive that need to be fixed. They have been working on a few boxes on Chukkar Lane. Mr. Edgar stated these boxes will need to be addressed in the future, there is just a 4 inch line hooked to an 8 inch line. It is stubbed for an 8 inch line it just hasn't been hooked up yet.

Mr. Edgar has some upcoming projects out at the Airport. He would like some direction from the Board on what the Commission would like him to do. Mr. Edgar asked if they would like him to use the Airport Engineer for any upcoming airport projects.

Commissioner Bullock stated he feels Lew Lott with J-U-B Engineers Inc. is more familiar with going on out at the Airport than anybody they could bring in and feels they should stay with him. Commissioner Stienmetz concurred with Commissioner Bullock.

Mr. Edgar stated they are still lagging behind on the Fourth, Fifth, Sixth, and Seventh Street allies. Mr. Edgar has not seen anyone from Hunewill but he has heard rumors they should be here next week.

- 6) **Discussion For Possible Action Regarding Approval Of Application For Assistance Number: 13-VA-001 In The Amount Of \$1,000.00 In Accordance With The Lander County Aid To Victims Of Sexual Assault Or Abuse Code Chapter 8.24 & Other Matters Properly Related Thereto:** Nicole Ting, Deputy District Attorney, explained to the Board how the process of an application for assistance to aid victims of sexual assault works. Once a victim submits an application to the District Attorney it is reviewed and brought before the Board. The victim's identity is kept confidential. The funds are taken from the Victims Assistance Fund to pay for counseling services.

There was discussion regarding the disbursement of the funds and the amount. Ms. Ting stated the victim will turn the bills into the District Attorney's Office and they will distribute the funds to Rural Mental Health up to \$1,000.00.

Commissioner Stienmetz moved to approve the application for assistance number: 13-VA-001 in the amount of \$1,000.00 in accordance with Lander County Aid to Victims of Sexual Assault or Abuse Code 8.24. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

- 7) **Discussion For Possible Action Regarding Approval Of Application For Assistance Number: 13-VA-002 In The Amount Of \$1,000.00 In Accordance With Lander County Aid To Victims Of Sexual Assault Or Abuse Code Chapter 8.24 & Other Matters Properly Related Thereto:** Commissioner Stienmetz moved to approve application for assistance number: 13-VA-002 in the amount of \$1,000.00 in accordance with Lander County Aid to Victims of Sexual Assault or Abuse Code 8.24. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

PLANNING COMMISSION

- 8) **Discussion For Possible Action Regarding Approval/Disapproval Of A Zone Change Request For Frank & Jennifer Iturriaga, Portion Of The N2 Of Section 19, T32N, R45E, APN 002-200-46, To Change From Single-Family Residential District (R-1) Zoning To Commercial District (C-1) Zoning & Other Matters Properly Related Thereto:** Gina Little, Community Development Officer, stated this zone change has been through the Planning Commission and public notices have gone out. Jennifer Iturriaga, property

owner, was present if the Board had any questions. Ms. Little explained the zone change is to accommodate for the use that is being proposed.

Commissioner Stienmetz moved to uphold the recommendation by the Lander County Planning Commission and approve the zone change request by Frank and Jennifer Iturriaga, portion of the N2 of section 19, T32N, R45E, APN 002-200-46, to change from single-family residential district (R-1) zoning to Commercial District (C-1) zoning, and for the notice to be signed by the Chair. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 9) **Discussion For Possible Action Regarding Approval/Disapproval Of A Zone Change Requested For Lander County, Located In Parcels Within The SW4, NW4, Section 17, T32N, R45E, APNs 002-270-03 & 002-270-04, To Change From General Commercial District (C-2)/One Acre Agricultural District (A-1) Zoning To Manufactured Housing Residential Commercial District (MRC) Zoning & Other Matters Properly Related Thereto:** Gina Little, Community Development Officer, stated this has also been through the notice process. Lander County is applying for this zone change. The two parcels in question do not conform to what they are currently zoned as. One parcel is less than the one acre and the other parcel is zoned as commercial, but is being used as a residential. They are asking for these parcels to be changed to MRC zoning which is already in conforming of all adjacent properties.

Commissioner Stienmetz moved for the Commission to uphold the recommendation of the Lander County Planning Commission and approve the zone change request of Lander County, located in parcels with in the SW4, NW4, section 17, T32N, R45E, APNs 002-270-03 and 002-270-04, to change from General Commercial District (C-2)/one acre Agricultural District (A-1) zoning to Manufactured Housing Residential Commercial District (MRC) zoning, and have the notice signed by the Chair. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 10) **Discussion For Possible Action Regarding Approval/Disapproval Of A Zone Change Request For Dirk/Jeannine Perriseau & Randy Trier, Located In A Portion Of The N2 Of Section 19, T32N, R45E, APNs 002-210-04 & 002-210-05, To Change From Commercial District (C-1) Zoning To Multi-Family Residential District (R-4) Zoning & Other Matters Properly Related Thereto:** Randy Trier and Dirk Perriseau addressed the Board on their zoning change request. They are proposing to put in apartments consisting of 61 units, and later adding, if the demand is there, up to 190 units. They would be putting in 12 studio apartments, 33 large one bedrooms apartments, and 16 two bedroom two and a half bath apartments. This would be for the first phase. There will not be garages but there will be adequate parking.

Commissioner Stienmetz moved to uphold the recommendation of the Lander County Planning Commission and approve the zone change request for Dirk and Jeannine

Perriseau and Randy Trier, located in a portion on the N2 of section 19, T32N, R45E, APNs 002-210-04 and 002-210-05, to change from Commercial District (C-1) Zoning to Multi-Family Residential District (R-4) zoning, and authorize the Chair to sign. Seconded by Commissioner Waits.

John Fuller inquired about having adequate water-rights available for the construction of these apartments.

Jake Edgar, Public Works Foreman, stated they have checked with the Sewer and Water Department and that there is adequate water available.

The motion was voted and carried. **APPROVED**

- 11) Discussion For Possible Action Regarding Approval/Disapproval Of A Parcel Map For R.P.M. Holdings, L.P., Located In S/R To Lots 2-6, Block 6, Rogers Addition To Upper Austin, APN 001-251-01, Splitting One (1) Parcel Into Two (2) Parcels & Other Matters Properly Related Thereto:** Gina Little, Community Development Officer, stated the parcel map has been presented, reviewed, and approved by the Planning Commission. All signatures are present. She is asking for the Board to also approve the parcel map.

Commissioner Stienmetz moved to uphold the recommendation of the Lander County Planning Commission and approve the parcel map for R.P.M. Holdings, L.P., located in S/R to lots 2 through 6, block 6, Rogers Addition to upper Austin, APN 001-251-01 splitting one (1) parcel into two (2) parcels as presented, and the mylar to be signed by the Chair. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

- 12) Discussion For Possible Action Regarding Approval/Disapproval Of A Parcel Map For Robert W. Johnson Family Trust, RW & Dixie M. Johnson Trustees, Located In A Portion Of The E2 Of Section 19, T32N, R45E, APN 002-310-10, Splitting One (1) Parcel Into Four (4) Parcels & Other Matters Properly Related Thereto:** Gina Little, Community Services Officer, stated the parcel map has gone through the process and all signatures are present. She is asking for approval from the Board.

Commissioner Stienmetz moved for the Commission to uphold the recommendation of the Lander County Planning Commission and approve the parcel map for Robert W. Johnson Family Trust, RW and Dixie M. Johnson Trustees, located in a portion of the E2 of section 19, T32N, R45E, APN 002-310-10, splitting one (1) parcel into four (4) parcels as presented on the mylar to be signed by the Chair. Seconded by Mason, the motion was voted and carried. **APPROVED**

COMMISSIONERS

- 13) Discussion For Possible Action Regarding Review & Approval Of A Letter To The Bureau Of Land Management (BLM) Concerning The Four County Coordination Coalition On The Resource Management Plan (RMP) Revision & Other Matters Properly Related Thereto: Commissioner Waits stated that this is the letter she referred to in the last meeting and had brought forward for all four Counties.

Commissioner Stienmetz moved to approve and sign the letter and submit it to the BLM. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

- 14) Discussion For Possible Action Regarding Approval/Disapproval Of The Central Nevada Regional Water Authority (CNRWA) FY 2014 Member Assessment In The Amount Of \$7,500.00 & Other Matters Properly Related Thereto: This is an annual fee the County pays. The fee has not increased.

Commissioner Mason moved to approve the fee of \$7,500.00 to the Central Nevada Regional Water Authority (CNRWA) FY 2014 member assessment. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

- 15) Discussion For Possible Action Regarding Resignation Of Mark G. Bennett From Lander County Public Lands Use Advisory Planning Commission Effective April 8, 2013 & Other Matters Properly Related Thereto: Commissioner Waits stated Mark Bennett has moved out of town.

Commissioner Waits moved for the Board to accept the letter of resignation from Mark G. Bennett from the Lander County Public Land Use Advisory Commission effective April 8, 2013. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

Commissioner Waits requested for this position to be advertised.

- 16) Discussion For Possible Action Regarding Approval Of The Mountain View Golf Course Event Application & Licensee Agreement For Special Events At The Mountain View Golf Course & Other Matters Properly Related Thereto: Nicole Ting, Deputy District Attorney, stated she had met with Scott Bullock, Bullock Management Services, when she first drafted the application. She also met with Mr. Bullock before today's meeting and they discussed whether those wanting to reserve the Golf Course should pay the full amount or a deposit when they submit their application.

Jake Edgar, Public Works Foreman, suggested the amount should be paid in full at the time the application is submitted.

There was discussion regarding the cancellation fee, security deposit, a hold harmless agreement, a bodily injury/property damage agreement and those holding the event to provide their own event insurance.

Commissioner Stienmetz moved to approve the Mountain View Golf Course Event Application and Licensee Agreement For Special Events At The Mountain View Golf Course with the corrections discussed.

Ms. Ting asked if she should ask around to see what kind of policy limits would be normal for this kind of agreement. Commissioner Stienmetz suggested using what the Civic Center uses.

Seconded by Commissioner Mason, the motion was voted and carried unanimously.
APPROVED

17) Discussion For Possible Action Regarding Ratification Of The Selection Committee's Choice Of Mark Brethaur As The Lander County Engineer & Other Matters Properly Related Thereto: Commissioner Stienmetz updated the Board on the interview process. They had seven applicants. Of the seven applicants five stated they would come out for an interview, but only two applicants showed up. Both applicants seemed very good, but they felt Mark Brethaur was the best choice. The selection committee consisted of Jake Edgar, Burt Ramos, Donnie Negro, Commissioner Stienmetz, Lew Lott, and Jay Fischer. Mr. Brethaur meets all the requirements, as best he can, and he is licensed in the State of Nevada. They are looking at a starting date of May 13, 2013.

Commissioner Waits moved for the Commission to approve the Selection Committee's choice of Mark Brethaur as the new Lander County Engineer. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

COUTHOUSE/ADMINISTRATION BUILDING PROJECT

18) Discussion For Possible Action Regarding Approval Of A Contract Between Lander County & VanWoertBigotti Architects, In An Amount Not To Exceed \$1.388 Million, For Architectural Design & Engineering Services For The Lander County Courthouse/Administration Building Project & Other Matters Properly Related Thereto: Angie Elquist, District Attorney, informed the Board the contract has gone to the POOL/PACT Attorney for a second review. Ms. Elquist suggested if the Board is concerned about getting contracts of this magnitude pushed through quicker that they send them directly to the POOL/PACT Attorney and bypass her office. She stated she is comfortable with that, and informed them that POOL/PACT charges \$150.00 per hour. This is a good rate for an Attorney for a legal review. Ms. Elquist stated the contract will not be ready before the next meeting. She will put this on the next agenda for

discussion. Commissioner Waits stated she was fine with the contracts going to the POOL/PACT Attorney for legal review, however, she would like a copy of all contracts to continue going to the District Attorney's Office for Ms. Elquist's review. **DEFERRED**

19) Discussion For Possible Action Regarding Status Of The Lander County Courthouse/Administration Building Project & Other Matters Properly Related

Thereto: Max Bunch, Argenta Justice of the Peace, updated the Board on the test score results from Pezonella and Associates. They will have to pull the dirt out and re-compact it where an old gravel pit used to be. They are talking about having Pezonella and Associates do another test when they open up that area.

Jim Miller, Core Construction, addressed the Board and explained the numbers they are looking at are the loose material that has been placed at the site. The preliminary recommendation by Pezonella is to expand five feet outside the building footprint. They are estimating that four feet around the whole building will need to be taken out and re-compacted. Putting in piers would not be practical because of the loose gravel at the water table.

Brad VanWoert, of VanWoert Bigotti Architecture, presented to the Commission, what the Courthouse would look like as a one story and potentially a two story building. If the building is built the way it was initially designed, they are looking at a construction number of \$22 million. Right now they are at \$17.5 million. They are looking at ways they can scale down.

Mike from Core Construction stated they have done some preliminary studies on the two options of a one story and a two story building. There are some things to gain from doing a two story. They wouldn't have the amount of subgrade prep they were talking about with the over excavation. They would also gain by not having to have as much roofing material. However, the structure on a two story building is more expensive. The way things look at this time, a two story building would be more cost effective than a single story. There is about a \$500,000.00 difference.

Judge Bunch provided the Board some plans they have been working on.

Mr. VanWoert stated they have been doing studies and taking a look at different options to try to keep the building within the budgeted amount. He explained a 60,000 square foot building would not only meet the monetary budget, but meet the growth projections for the next 20 to 25 years. There is the possibility of a basement, if it fits into the budget, but it may have to be lifted up so it is not sitting in the water table.

Jake Edgar, Public Works Forman, had a questioned on the excavation. Mr. Edgar asked if they would be taking the material out and putting it back in without adding other material.

Jim Miller, Core Construction, answered that was correct, they found the material suitable for a fill.

Judge Bunch stated the preliminary designs do not consist of a basement. There has been some discussion of a partial basement.

Judge Bunch also suggested the Board look into AB-283, which deals with CMARs. There is an effective date in CMARs that could affect Core Construction. This could change what could happen and the cost of this project. This would take effect July 1, 2013.

Jim Miller, Core Construction, updated the Board on what this bill is trying to do. They are working with legislators and trying to voice their opinions to make it work in the best interest for everyone. **UPDATE ONLY**

20) Correspondence/Reports/Potential Upcoming Agenda Items:

The Board reviewed the following correspondences that are retained in the Clerk's Office:

1. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE (WCA), to Lander County Commissioners, e-mail regarding new Wild Horse and Burro Advisory Board members.
2. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE (WCA), to Lander County Commissioners, e-mail regarding an article that appeared in the Salt Lake Tribune entitled "*Herbert rejects Snake Valley water pact with Nevada*".
3. TIMOTHY J. COWARD, BUREAU OF LAND MANAGEMENT, to Interested Public, letter regarding Public Consultation for the Shannon Station Allotment, Proposed Drought Response Actions, Mount Lewis Field Office.
4. TIMOTHY J. COWARD, BUREAU OF LAND MANAGEMENT, to Dan and Steven Venturacci, letter regarding Final Decision Effective on Issuance, Temporary Modification of Grazing Permit Number 2703237.
5. TIMOTHY J. COWARD, BUREAU OF LAND MANAGEMENT, to Interested Public, letter regarding Environmental Assessment (EA) analyzing the impacts of a proposed aggregate operation (gravel pit) near Eureka, Nevada.
6. US DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT, *The Battle Mountain RMP Newsletter*, Issue 3 April 2013.

7. NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, BUREAU OF AIR QUALITY PLANNING, Notice of Public Comment period beginning April 19, 2013 and a Public Hearing on May 20, 2013, if requested.
8. RAY H. WILLIAMS JR., AUSTIN AIRPORT BOARD, to Chairman Dean Bullock, Lander County Commission, letter regarding recent removal of portable toilet at Austin Airport.
9. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE, to Lander County Commissioners, email regarding protest on oil and gas sequestration and testimony by Carbon County, Utah Commissioner John Jones.

Commissioner Waits commented on the letter regarding the Austin Airport facilities from Ray Williams Jr., and stated it will be going on next agenda.

TREASURER

- 21) **Discussion For Possible Action Regarding Approval Of The County Tax Deed For APN 003-191-07, Allowing The Unincorporated Town Of Kingston To Acquire Property Held In Trust By The Lander County Treasurer Per Nevada Revised Statues (NRS) 361.603 & Other Matters Properly Related thereto:** Shannon Thiss, Kingston Town Board Deputy Clerk, addressed the Board on behalf of Grace Powrie, Lander County Treasurer, regarding the property tax sale.

Commissioner Waits moved for the Board to accept the application, from the Town of Kingston, for permission to acquire the property per NRS 361.603. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

Commissioner Waits moved to direct the County Treasurer to provide notice of the intent to sale per NRS 361.603. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

Commissioner Waits moved that as the applicant does qualify, pursuant to NRS 361.603 5, the property will be used for street, sewer, and drainage, therefore taxes need not be paid. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

Commissioner Waits moved that the applicant must pay the interest, costs, and penalties pursuant to NRS 361.603. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

Commissioner Waits informed Ms. Thiss the taxes to be waived where in the amount of \$492.29 and the cost, penalties, and interest are \$849.29.

The Board went into a Closed Legal Session and then into the Closed Labor Session

CLOSED SESSION PURSUANT TO NRS 288.220

22) Closed Labor Session With Management Representatives To Discuss Upcoming Labor Negotiations:

The Board reconvened the regular session of the Lander County Commissioners.

PUBLIC COMMENT

No public comment.

ADJOURNMENT

There being no further business before the Board at this time, Commissioner Stienmetz moved to adjourn the meeting of April 25, 2013. Seconded by Commissioner Mason, the motion was voted and carried. **ADJOURNED**



**CHAIRMAN OF THE BOARD OF LANDER
COUNTY COMMISSIONERS AND THE
LANDER COUNTY LIQUOR BOARD**

ATTEST: Sadie Sullivan
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.*