

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 April 28, 2016, at 9:03 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 **LAKEN MARINE, REPRESENTING COUNTY CLERK**
13 **THEODORE HERRERA, DISTRICT ATTORNEY**
14

15 **ABSENT: STEVE STIENMETZ, COMMISSIONER**
16 **NAN ANCHO, FINANCE DIRECTOR**
17

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

21
22 CHAIRMAN BAKKER: -- Lander County Commission meeting, Town
23 Board of Battle Mountain, and Austin Board of County Highway
24 Commissioners, April 28th, 2016.

25 Lead us in the pledge, Patsy.

26 COMMISSIONER WAITS: Yes, thank you.
27

28 (Pledge of Allegiance)
29

30 CHAIRMAN BAKKER: Have a moment of silence, please.
31

32 (Moment of silence)
33

34 CHAIRMAN BAKKER: Okay. Lander County Commissioners will
35 break for lunch from 12:00 p.m. to 1:15 p.m.
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37

38 **COMMISSIONER REPORTS**
39

40 CHAIRMAN BAKKER: Commissioner reports on meeting,

1 conferences, and seminars attended.

2 Doug?

3 COMMISSIONER MILLS: Should we make a comment that Austin's
4 not on the line with us?

5 CHAIRMAN BAKKER: Austin's not on the line at this point,
6 but hopefully we get them soon.

7 COMMISSIONER MILLS: Okay.

8 So the only thing I've got to report is that we had a
9 hospital board meeting. We did discuss the EMS contract. And
10 that's on -- on our agenda today.

11 We're continuing to work on our contracts with -- with
12 providers and others at the hospital, working on those. It's kind
13 of -- kind of like how the county's working on all of our
14 contracts. The hospital's doing the same thing.

15 And from the reports we got, Kingston Clinic should have all
16 of its certifications in place and should be able to bill Medicare
17 and Medicaid as of this week, I believe. So hopefully that's all
18 in place. That's a good step forward.

19 And that's all I've got.

20 CHAIRMAN BAKKER: Thank you, Doug.

21 Patsy?

22 COMMISSIONER WAITS: Thank you. You want to try Austin
23 again?

24 CHAIRMAN BAKKER: Yep.

25
26 (Commissioners attempted to establish a connection with
27 Austin via telephone. The attempt was unsuccessful.)

28
29 COMMISSIONER WAITS: Thank you.

30 I -- I apologize. This -- this morning when I opened my --
31 my car door, my papers flew out. And so I'm kind of wet and
32 crinkled. So I kind of redid them. So excuse me if it's a
33 little bit discombobulated here.

34 On April 11th, we did have an airport advisory board meeting.
35 They did, aside from the regular business, voted to support the
36 FBO and Mr. Wardwell and wanted you to know they -- they were very
37 excited about that.

38 On April 13th and 15th, I did attend Rural Roundup which is
39 put on by Travel Nevada, the Commission on Tourism. And that was
40 excellent.

1 On April 22nd was my NACO board meeting. A few things
2 I'd like to share with you on that. One is -- and I did mention
3 it before on my last -- my last note, but the BLM 2.2 planning
4 contract was actually extended for comments till May 25th. So
5 we're probably going to have that on the agenda so we can make
6 any comments on -- on that one. NACO got the period extended
7 and I had relayed that before.

8 They also sent a letter, NACO, supporting one of our -- our
9 bills, actually our national bills. It's S.1409. It's amending
10 Title XIX of Social Security. And it's called For Positive
11 Outcomes After the Release Act. And what it is, is requiring
12 states to suspend rather than terminate the inmates' or the
13 individuals' eligibility for medical assistance while they are an
14 inmate or in a public institution. And before, it was just a
15 straight termination. So when they come out, it's difficult to
16 get that back on, and sometimes it takes some time. So the county
17 is paying their expenses in the interim. So this would be a good
18 thing that we can just suspend it while they're incarcerated. And
19 then it goes into effect right away. And that will help the
20 counties.

21 We did have a public lands breakfast. And that was put on
22 by lieutenant governor. There were several -- several groups
23 that were there who were from BLM, national forest, all -- all
24 kinds of folks. And the presentations were actually excellent
25 on how public lands management decisions really impact the
26 economic development and what was going on with all the new site
27 development that Nevada is now adhering to.

28 As of a month ago, they are actually -- this is the economic
29 development office that has site development information. So when
30 people come in to go to an area in Nevada, rather than them doing
31 all the -- the -- the basic work of where they're going to locate
32 and -- and -- and whether utilities are there and how much it is,
33 the folks in Nevada do all this ahead of time. And 37 states have
34 this already. So we just came actually on board with this a month
35 ago which was excellent.

36 So your big company or small company, you come and you say,
37 This is what I want. This is what I need. They have the site
38 development down there. They have the price. They have the
39 amounts. They have everything for them. And they don't have to
40 argue about anything. Just say, I like that one in Yerington.

1 I like that one in Battle Mountain or wherever. And -- and it
2 works. So we were kind of excited about that since we have I-80
3 right here and the railroad and all kinds of wonderful things.
4 So -- and -- and the land. So that was exciting to hear.

5 Let's see.

6 We did go through -- which is on our agenda. NACO amended
7 its marketing agreement for some of our dental and health
8 discount programs. And that's on the agenda a little bit later.

9 And then I attended a -- the Kingston Town meeting last
10 night. They're still online hoping to -- to hear from our
11 executive director and our sheriff regarding the fire equipment.
12 They're still looking for that.

13 And they were looking to purchase some land very close to
14 their community center, which would be kind of nice for parking.
15 Right now everybody just parks up and down the roads. And for
16 the special events, that would be excellent. Thank you.

17 CHAIRMAN BAKKER: Thank you, Patsy.

18 Art?

19 COMMISSIONER CLARK: Yeah. I have a question for Patsy.
20 Did you talk about the lowering of the commerce tax in Nevada?

21 COMMISSIONER WAITS: No. That hasn't been on our agenda.

22 COMMISSIONER CLARK: That hasn't been on your agenda --

23 COMMISSIONER WAITS: No.

24 COMMISSIONER CLARK: -- yet?

25 I had a planning meeting. Nothing exciting there.

26 Most exciting thing that I've heard since the last meeting
27 is that Governor Sandoval is probably going to sue the BLM over
28 the horse issues because the BLM is cutting grazing allotments
29 because of overpopulation.

30 That's all I have.

31 CHAIRMAN BAKKER: Thanks, Art.

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34 **STAFF REPORTS**

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36 CHAIRMAN BAKKER: Staff reports on meetings and conferences
37 and seminars attended.

38 KEITH WESTENGARD: All right. Last meeting a few things
39 were brought up.

40 The archery club building was brought up. That'll be --

1 that's on the agenda for discussion.

2 The roping club in Austin was also brought up. That was
3 also on the agenda.

4 DISTRICT ATTORNEY HERRERA: No, it's not.

5 KEITH WESTENGARD: There isn't a contract on there?

6 DISTRICT ATTORNEY HERRERA: No, sir.

7 KEITH WESTENGARD: Okay.

8 I attended -- also attended the Austin Airport Advisory
9 meeting. And they're real happy about the fuel being down in --
10 being taken care of by the FBO once the contract's awarded.

11 Let me see.

12 The Austin Airport fuel project is back on the agenda -- or
13 I'm sorry -- back out for the advertisement. I spoke with J.D.
14 this morning. He's getting interest again. So hopefully we'll be
15 able to get this project completed.

16 I did speak with Ron several times and Shannon several times
17 on the fire equipment. They are working on -- on getting that
18 equipment transferred. Hopefully soon.

19 Let me see.

20 I did attend the hospital board meeting. That's on the
21 agenda.

22 And the public works breakfast -- I'm sorry -- the public
23 lands breakfast.

24 We had an insurance meeting with L.P. Financial numbers
25 will be coming in pretty soon on our insurance for the year.

26 Rest of the stuff's on the agenda.

27 Thank you.

28 CHAIRMAN BAKKER: Thanks, Keith. Hold on.

29
30 (Commissioners attempted to establish connection with Austin
31 via telephone. The attempt was unsuccessful.)

32
33 CHAIRMAN BAKKER: Hm. Well, okay.

34
35
36 **PUBLIC COMMENT**

37
38 CHAIRMAN BAKKER: Public comment for non-agendized items
39 only.

40 Persons are invited to submit comments in writing and/or

1 attend and make comments on any non-agenda item at the board
2 meeting, if any. And discussion of these comments at the
3 discretion of the board. All public comment may be limited to
4 three minutes per person, again, at the discretion of the board.
5 Reasonable restrictions may be placed on public comment based
6 upon time, place, and manner. But public comment based upon
7 viewpoint may not be restricted.

8 Any public comment?

9 (No comment.)

10
11
12 **CONSENT AGENDA**

13
14 CHAIRMAN BAKKER: Okay. Consent agenda.

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

23 COMMISSIONER WAITS: There's two set of minutes. I did not
24 receive April 7th, April 14th.

25 LAKEN MARINE: We don't have them yet.

26 CHAIRMAN BAKKER: So --

27 LAKEN MARINE: We don't have them yet.

28 COMMISSIONER WAITS: You -- we -- we don't have them at
29 all? So nobody has them?

30 CHAIRMAN BAKKER: Right.

31 LAKEN MARINE: No.

32 COMMISSIONER WAITS: Oh, okay. Well, then we need to pull
33 those two out, --

34 CHAIRMAN BAKKER: Right.

35 COMMISSIONER WAITS: -- please.

36 CHAIRMAN BAKKER: Okay.

37 COMMISSIONER MILLS: And I seem to re- -- in one set of the
38 minutes, there was -- one of the agenda items was typed in there
39 twice.

40 Do we need to correct that or do we just let it go? I can't

1 remember --
2 COMMISSIONER WAITS: I had just a --
3 COMMISSIONER MILLS: I can't remember --
4 COMMISSIONER WAITS: -- couple.
5 COMMISSIONER MILLS: -- where it was at.
6 COMMISSIONER WAITS: I -- I didn't worry about it. You can
7 if you want to.
8 The -- number one, approval of agenda notice. And I'm
9 wondering, legally, do we have to put "approval of amended
10 agenda"?
11 DISTRICT ATTORNEY HERRERA: Yes.
12 COMMISSIONER WAITS: Okay. So number one we need to pull
13 out also.
14 So if you -- if you want to, go ahead. I -- I had a couple,
15 but there wasn't anything I was going to change on it, Doug. So
16 you can pull them out if you want.
17 COMMISSIONER MILLS: I don't know if I'm going to be -- I
18 should've marked it, but I don't think I did.
19 CHAIRMAN BAKKER: That's fine. They can just read it
20 twice.
21 COMMISSIONER MILLS: Yeah. Okay. That's fine.
22 CHAIRMAN BAKKER: Okay. I need a motion.
23 COMMISSIONER WAITS: I'll make a motion that we approve the
24 consent agenda with the March 18th budget hearing minutes,
25 March 24th meeting minutes, payment of bills, and payroll
26 change request.
27 CHAIRMAN BAKKER: Patsy --
28 COMMISSIONER MILLS: Second.
29 CHAIRMAN BAKKER: -- made --
30 Go ahead.
31 COMMISSIONER MILLS: Second.
32 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded. Any
33 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 CHAIRMAN BAKKER: Okay.

1 COMMISSIONER WAITS: On number one on the consent agenda, I
2 make a motion that that read the approval of the amended agenda
3 notice of April 28, 2016.

4 CHAIRMAN BAKKER: Okay.

5 COMMISSIONER MILLS: Second.

6 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded. Any
7 public comment?

8 (No comment.)

9 CHAIRMAN BAKKER: All in favor?

10 COMMISSIONER MILLS: Aye.

11 CHAIRMAN BAKKER: Aye.

12 COMMISSIONER WAITS: Aye.

13 COMMISSIONER CLARK: Aye.

14 CHAIRMAN BAKKER: Okay.

15
16
17 **COMMISSIONERS**

- 18
19 1) **Discussion for possible action to approve/disapprove a grant**
20 **not to exceed \$452 to the VFW to help fund the Independence**
21 **Day parade to be held July 4, 2016, and all other matters**
22 **properly related thereto.**

23
24 CHAIRMAN BAKKER: Let's --

25 Okay. Commissioners. Agenda Item Number 1. Discussion
26 for possible action to approve/disapprove a grant not to exceed
27 \$452 to the VFW to help fund the Independence Day parade and to
28 be held July 4, 2016, and all other matters properly related
29 thereto.

30 PHIL JACKA: My name is Phil Jacka. I'm the post commander
31 of the VFW Gary Cole Post 9165 here in Battle Mountain.

32 And I'm here to discuss the July 4th Independence Day
33 parade that we are hoping to sponsor again this year with your
34 approval.

35 And the only thing we've done different, because of the
36 construction at the hospital and everything, is basically change
37 the route to Eighth Street and turn left towards the parks and
38 stuff. That's the only difference. Still start out at
39 Etcheverry's.

40 I have a signature here. I have Ron Unger, sheriff.

1 Highway patrol has signed off on it and Ron Unger for the fire
2 department.

3 I have all the paperwork done and everything.

4 I have the insurance in. I just haven't sent a check yet
5 because I need to get approval by you before we send a check on
6 the insurance.

7 And then everything will go to NDOT in Winnemucca. And
8 they will do the final deal.

9 Last year, somebody forgot -- I had my guys working on it --
10 forgot to give the county commissioners, for our records here, a
11 full copy of those. I will make sure it gets a full copy here so
12 you'll -- you'll have it for next year. We had to kind of go
13 ring-around-the-rosy -- didn't we, Keith? -- on that --

14 KEITH WESTENGARD: Yes.

15 PHIL JACKA: -- to get the paperwork and everything else.
16 So you will get a full copy. The sheriff will get a full copy.
17 And we'll have three or four copies out anyway so...

18 But we pretty well got everything covered. Just waiting on
19 your okay to finish it up.

20 CHAIRMAN BAKKER: Sounds good.

21 COMMISSIONER WAITS: Commander Jacka, I just had a
22 quick question. And we -- we certainly appreciate you handling
23 this for us. Do you ever go to the Convention and Tourism Board
24 for funding?

25 PHIL JACKA: Pardon?

26 COMMISSIONER WAITS: Do you ever go to the Convention and
27 Tourism Board for funding?

28 PHIL JACKA: No, I haven't. Ours here? No, I haven't.

29 COMMISSIONER WAITS: Okay.

30 PHIL JACKA: Basically, our insurance is the best -- is
31 basically all we need to cov- -- get covered. And the 452
32 covers it. And that would be great.

33 COMMISSIONER WAITS: Okay. It might -- might be something
34 you'd like to think about perhaps next year --

35 PHIL JACKA: Yeah, down --

36 COMMISSIONER WAITS: -- if you're --

37 PHIL JACKA: -- the road.

38 COMMISSIONER WAITS: -- handling that.

39 PHIL JACKA: I also do have one other thing that was
40 supposed to bring it up. And that's the booths at the park.

1 Who actually runs that, the booths at the park? And where do we
2 sign up?

3 Last year we had the chaplain there -- or the pastor. And
4 he was dictating, You go here. You go here. You do this. You
5 do that.

6 And we like to put on -- a booth up that -- we did raffle
7 some bikes and membership and that stuff last year. And I did
8 it the year before that too.

9 I go to Wal-Mart. I get the bikes that are returned back
10 in there. I take them home. I fix them myself. And I bring
11 them down. We do donate some to those that are needy, kids and
12 stuff. And the others we raffle off to have monies for our post
13 to help do things in the community. We're trying to build up,
14 build up because it really hasn't done anything up to this last
15 year. So --

16 CHAIRMAN BAKKER: I think you --

17 PHIL JACKA: -- trying to pull it all back together so...

18 CHAIRMAN BAKKER: I think you can just rent a spot from the
19 parks department; right? Or Bert.

20 KEITH WESTENGARD: What -- what -- what Phil ran into last
21 year was that the pastor was kind of running things. And he
22 wasn't -- they -- they ran into some problems. So his question
23 was: Is that authority lay with the pastor to do that? And --

24 DISTRICT ATTORNEY HERRERA: If -- if his organization is
25 working under the permis- -- permission of the pastor, then,
26 yes, he has to listen. But if he comes in front of the board
27 and gets his own permission, then he can put whatever he wants
28 wherever he wants.

29 KEITH WESTENGARD: Right.

30 DISTRICT ATTORNEY HERRERA: So that's the answer to that.

31 PHIL JACKA: Okay. So that's just what I was asking. We
32 would like to do hamburgers, hot dogs, soda pops and beer. No
33 hard liquor, just beer. I know how to go through all the
34 licenses, doing all this. I've been doing it for a long time,
35 Winnemucca and everything else. So I'm pretty well used to
36 that, health department and the whole bit, the insurance for
37 that as well. So I'm used to doing it. And I would just like
38 to do that because nobody's done any hot dogs, hamburgers, I
39 guess, in the last coup- -- three years.

40 Also, I got with CORE. And if we need any electricity,

1 we'll put generators up there, being's all the construction's
2 going on. So I got with CORE. And they will put -- give us
3 some generators and stuff for those who need, at their booths,
4 electricity and what have you so...

5 CHAIRMAN BAKKER: I think that's a great idea.

6 COMMISSIONER CLARK: Well, I'll make a motion to give the
7 VFW \$452 to fund the Independence Day parade to be held
8 July 4th, 2016.

9 DISTRICT ATTORNEY HERRERA: How about permission to use the
10 park?

11 CHAIRMAN BAKKER: Yeah. And to let them set up at the
12 park.

13 COMMISSIONER CLARK: That's not two different things?

14 DISTRICT ATTORNEY HERRERA: Well, you could put it in one.

15 COMMISSIONER CLARK: We can put it in -- we can do that?
16 It doesn't have to --

17 DISTRICT ATTORNEY HERRERA: Yeah, we're talking --

18 COMMISSIONER CLARK: -- come back?

19 DISTRICT ATTORNEY HERRERA: -- about July 4th,
20 Commissioner, and all other matters properly related --

21 COMMISSIONER CLARK: Okay.

22 DISTRICT ATTORNEY HERRERA: -- thereto.

23 COMMISSIONER CLARK: And permission to put up a booth in
24 the park.

25 COMMISSIONER WAITS: I'll second that motion.

26 CHAIRMAN BAKKER: Art made a motion. Patsy seconded it.
27 Any public comment?

28 (No comment.)

29 CHAIRMAN BAKKER: All in favor?

30 COMMISSIONER MILLS: Aye.

31 CHAIRMAN BAKKER: Aye.

32 COMMISSIONER WAITS: Aye.

33 COMMISSIONER CLARK: Thank you for your service.

34 PHIL JACKA: Thank you.

35 CHAIRMAN BAKKER: Thank you.

36 Art, --

37 COMMISSIONER WAITS: Thank you, --

38 CHAIRMAN BAKKER: -- I need --

39 COMMISSIONER WAITS: -- Commander.

40 CHAIRMAN BAKKER: -- an aye or a nay.

1 COMMISSIONER CLARK: Aye.
2 PHIL JACKA: Can we get one of you's little signature here?
3 CHAIRMAN BAKKER: Yeah.
4 PHIL JACKA: We got to make it official, guys.
5 CHAIRMAN BAKKER: Do we need a motion to authorize me to
6 sign this? Make a --
7 DISTRICT ATTORNEY HERRERA: Not --
8 CHAIRMAN BAKKER: -- motion.
9 DISTRICT ATTORNEY HERRERA: -- technically.
10 COMMISSIONER MILLS: Make a --
11 COMMISSIONER WAITS: Actually, --
12 COMMISSIONER MILLS: -- motion we authorize --
13 COMMISSIONER WAITS: -- Keith -- Keith could --
14 COMMISSIONER MILLS: -- the chair --
15 COMMISSIONER WAITS: -- too.
16 COMMISSIONER MILLS: -- to sign.
17 CHAIRMAN BAKKER: Okay.
18 PHIL JACKA: Got it covered.
19 COMMISSIONER WAITS: Keith can --
20 COMMISSIONER CLARK: Second.
21 COMMISSIONER WAITS: -- sign it.
22 DISTRICT ATTORNEY HERRERA: Yeah. You can --
23 CHAIRMAN BAKKER: Okay.
24 DISTRICT ATTORNEY HERRERA: -- sign it as the chair. I
25 mean...
26 CHAIRMAN BAKKER: Do you have a blue pen, Laken?
27 PHIL JACKA: Oh, I would have given you one.
28 CHAIRMAN BAKKER: I just have black.
29 Thank you.
30 PHIL JACKA: All right. We should have everything ready by
31 the end of next week and you guys get full copies.
32 CHAIRMAN BAKKER: Thank you.
33 COMMISSIONER CLARK: Thank you.
34 CHAIRMAN BAKKER: Appreciate it.
35 PHIL JACKA: Thank you.
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1 2) Discussion for possible action to approve a letter of support
2 for Gregory Development Groups proposed Woodhaus Apartments
3 community rehabilitation project, and all other matters
4 properly related thereto.
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6 CHAIRMAN BAKKER: Okay. Agenda Item Number 2, discussion
7 for possible action to approve a letter of support for Gregory
8 Development Groups proposed Woodhaus Apartments community
9 rehabilitation project, and all other matters properly related
10 thereto.

11 LENORA BOOTH: Good morning.

12 CHAIRMAN BAKKER: Good morning.

13 COMMISSIONER MILLS: Good morning.

14 COMMISSIONER WAITS: Good morning.

15 LENORA BOOTH: My name is Lenora Booth. I'm the manager
16 with Woodhaus Apartments.

17 We are trying to -- for -- go get -- a rehab on Woodhaus
18 Apartments. And I'm asking for a letter from you guys -- for
19 your support from you guys.

20 I did bring a little slide show to kind of explain what
21 they're going to be doing. It's 28 units. Right now it's for low
22 income with 30 percent to 50 percent. It's mainly to make it more
23 handicap accessible.

24 Right now I only have one unit that is. In each building,
25 I have one in four that really does need that.

26 It is going to also update all of the buildings. It's not
27 just going to be just for certain ones. It's out with the old.
28 The last time it's had an update is 1981.

29 Do you have any questions?

30 COMMISSIONER WAITS: What is occupanc- -- your occupancy
31 rate now?

32 LENORA BOOTH: It's a hundred percent. Yeah.

33 COMMISSIONER WAITS: Well, I think the whole program
34 sounded really exciting. It looks like you plan to be done
35 the -- what? -- the end of next year? 2017?

36 LENORA BOOTH: Yeah.

37 COMMISSIONER WAITS: So -- and I -- I was unsure why the
38 letter of support was needed. But after reading the
39 information, I can see that they like the county behind it. And
40 we like to know those things are happening for our low income

1 too so -- and the disabled -- so I think that's wonderful.
2 COMMISSIONER MILLS: So your -- your remodel plan's going
3 to cost \$3.7 million?
4 LENORA BOOTH: Let's see. I'm not sure on that. I just
5 know the original cost was that.
6 COMMISSIONER MILLS: Oh, that was the original cost?
7 LENORA BOOTH: Uh-huh.
8 COMMISSIONER MILLS: What's your remodel?
9 LENORA BOOTH: I'm not quite sure.
10 COMMISSIONER MILLS: Oh.
11 LENORA BOOTH: Like I said, I'm the manager.
12 COMMISSIONER MILLS: Who's --
13 LENORA BOOTH: I just kind of -- total development cost is
14 3.76. Yeah.
15 That is what they're going to get the funding for.
16 COMMISSIONER MILLS: And the owners of this are paying for
17 the remodel?
18 LENORA BOOTH: I'm sorry. What?
19 COMMISSIONER MILLS: Who's paying for the remodel?
20 LENORA BOOTH: They're getting a loan for it through tax
21 credit.
22 COMMISSIONER MILLS: Okay.
23 COMMISSIONER WAITS: I'll make a motion that the Lander
24 County commissioners approve a letter of support for Gregory
25 Development Groups for the proposed Woodhaus Apartments
26 community rehabilitation project and authorize our executive
27 director to sign.
28 COMMISSIONER MILLS: I'll second.
29 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded. Any
30 public comment?
31 (No comment.)
32 CHAIRMAN BAKKER: All in favor?
33 COMMISSIONER MILLS: Aye.
34 CHAIRMAN BAKKER: Aye.
35 COMMISSIONER WAITS: Aye.
36 COMMISSIONER CLARK: Aye.
37 CHAIRMAN BAKKER: Thank you.
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1 3) Discussion and possible action to approve/disapprove the
2 Rules & Regulations and Policies & Procedures recommended by
3 the Livestock Events Center Advisory Board, and all other
4 matters properly related thereto.
5

6 CHAIRMAN BAKKER: Three. Discussion for possible action to
7 approve/disapprove the rules and regulations and policies and
8 procedures recommended by the Livestock Events Center Advisory
9 Board, and all other matters properly related thereto.

10 CASEY GUNTHER: Casey Gunther.

11 BERT RAMOS: Bert Ramos.

12 CHAIRMAN BAKKER: Thank you, gents.

13 CASEY GUNTHER: Let's see. I guess, basically, this is the
14 first step in numerous steps that the new board has taken to --
15 to improve the Lander County Livestock Events Center new rules
16 and regulations. And fee structure was approved last year
17 sometime, if I remember correctly.

18 And board's worked quite extensively and tirelessly to put
19 this thing together with the new rules and regula- -- rules and
20 regulations and the licensing agreement and want to bring it to
21 the commissioners for approval so we can put it into place.

22 CHAIRMAN BAKKER: Okay.

23 CASEY GUNTHER: Any questions?

24 CHAIRMAN BAKKER: I don't because me and Doug sit on the
25 board. So --

26 Patsy? Art?

27 COMMISSIONER WAITS: It's -- it's an advisory board. You
28 can entertain anything you want to.

29 CHAIRMAN BAKKER: No, I'm just saying if you have any
30 questions.

31 COMMISSIONER WAITS: Oh.

32 COMMISSIONER CLARK: I don't have any questions.

33 I appreciate all of your hard work because I know this has
34 taken hours of your own time. I appreciate that. I really do.

35 So I'll make a motion that we approve the rules and
36 regulations and policies, procedures recommended by Livestock
37 Events Center Advisory Board.

38 COMMISSIONER MILLS: Second.

39 CHAIRMAN BAKKER: Art made a motion. Doug seconded it.
40 Any public comment?

1 COMMISSIONER WAITS: I thought they were very complete.
2 And I just want to make sure for the record that our DA has
3 reviewed these?

4 DISTRICT ATTORNEY HERRERA: The DA participated in the --
5 in each and every meeting and in -- in getting some of the
6 proper legal documents to this board.

7 So, yes, I was part --

8 COMMISSIONER WAITS: Thank you.

9 DISTRICT ATTORNEY HERRERA: -- of the process.

10 COMMISSIONER WAITS: They -- they looked good.

11 COMMISSIONER CLARK: And thank you for your hard work.

12 DISTRICT ATTORNEY HERRERA: Well, you're welcome,
13 Commissioner.

14 CHAIRMAN BAKKER: Any other public comment?

15 (No comment.)

16 CHAIRMAN BAKKER: All in favor?

17 COMMISSIONER MILLS: Aye.

18 CHAIRMAN BAKKER: Aye.

19 COMMISSIONER WAITS: Aye.

20 COMMISSIONER CLARK: Aye.

21 CHAIRMAN BAKKER: Thank you, guys.

22 CASEY GUNTHER: Thank you.

23 COMMISSIONER MILLS: Thank you.

24 DISTRICT ATTORNEY HERRERA: Good job, Bert.

25 BERT RAMOS: (Indiscernible.)

26 DISTRICT ATTORNEY HERRERA: Good job.

- 27
28 4) Discussion for possible action to approve/disapprove a zone
29 change request for APN 010-280-16, approximately 23.65 acres,
30 from Farm and Ranch District (A-3) to one (1) acre
31 Agriculture District (A-1), with a deed restriction requiring
32 a minimum of 2.5 acres for any subsequent parceling, and all
33 other matters properly related thereto.
34

35 CHAIRMAN BAKKER: Number 4. Discussion for possible action
36 to approve/disapprove a zone change request for APN 010-280-16,
37 approximately 23.65 acres from Farm and Ranch District, A-3, to
38 One-Acre Agricultural District, A-1, with a deed restriction
39 requiring a minimum of 2 1/2 acres for any subsequent parceling,
40 and all other matters properly related thereto.

1 JAN MORRISON: Jan Morrison, community services officer.
2 This has gone through planning commission. It's been
3 approved by them. I'm here to answer any questions for you.
4 CHAIRMAN BAKKER: Hold on. I'm going try Austin one more
5 time, Jan.
6 JAN MORRISON: Pardon me?
7 CHAIRMAN BAKKER: I'm going to try Austin one more time.
8 COUNTY CLERK SULLIVAN: She's there now.
9 CHAIRMAN BAKKER: Okay.
10
11 (Commissioners attempting to reach Austin via telephone.)
12
13 CHAIRMAN BAKKER: Sorry.
14 MITESHELL LANHAM: Commissioners' office. Miteshell
15 speaking.
16 CHAIRMAN BAKKER: Miteshell, this is Sean.
17 MITESHELL LANHAM: Hi, Sean.
18 CHAIRMAN BAKKER: How are you?
19 MITESHELL LANHAM: Okay.
20 CHAIRMAN BAKKER: You doing okay?
21 MITESHELL LANHAM: Yeah. I'm sorry about that.
22 CHAIRMAN BAKKER: You're good.
23 Okay. Thank you.
24 Okay. Sorry. Back on track.
25 JAN MORRISON: Okay. Jan Morrison, community services
26 officer.
27 This is a zone change -- change request that went through
28 the planning commission. I've added additional information in
29 the package per your request.
30 I'm here to answer any questions as is the applicant,
31 Mr. Wintle.
32 CHAIRMAN BAKKER: Okay.
33 COMMISSIONER MILLS: I guess I have a question. Last time
34 we had this, there were some questions about -- well, first,
35 there was a protest letter that we'd received saying that some
36 of this property was up against some other property that our --
37 master --
38 COMMISSIONER CLARK: Agriculture.
39 COMMISSIONER MILLS: -- plan said was not allowed to be
40 that way.

1 And we're concerned about, you know, there's supposed to be a
2 layering effect of, as you move out, how the housing gets --

3 JAN MORRISON: Right.

4 COMMISSIONER MILLS: -- denser in close and gets thinner as
5 you go out. So we just had some questions about some of those
6 kinds of things. We want to be sure we're complying with the
7 master plan, that Mr. Lee is fitting in with that. I think --

8 JAN MORRISON: Okay. So --

9 COMMISSIONER MILLS: -- some of the questions we had.

10 JAN MORRISON: And I'm sorry. I didn't get a copy of that
11 letter. I -- I didn't get any protest. Is it on public record
12 now?

13 COMMISSIONER MILLS: Yes.

14 COMMISSIONER CLARK: Yeah.

15 CHAIRMAN BAKKER: Yeah, Keith did --

16 JAN MORRISON: Okay.

17 DISTRICT ATTORNEY HERRERA: It was at the last -- Jan, at
18 the last --

19 JAN MORRISON: Right.

20 DISTRICT ATTORNEY HERRERA: -- meeting, --

21 JAN MORRISON: And I apologize; --

22 DISTRICT ATTORNEY HERRERA: -- it was put in --

23 JAN MORRISON: -- I was not --

24 DISTRICT ATTORNEY HERRERA: -- for the rec- --

25 JAN MORRISON: -- here.

26 DISTRICT ATTORNEY HERRERA: That's okay.

27 COMMISSIONER MILLS: Right.

28 DISTRICT ATTORNEY HERRERA: We put it into the record.

29 JAN MORRISON: If you'll go over to the -- the part that I
30 added in. And this is now going to be part of every package.

31 When this original zone change came through, it was the --
32 the master plan was basically addressed at the planning
33 commission. So you'll have this from now on.

34 COMMISSIONER MILLS: Okay.

35 JAN MORRISON: So if you look at the master plan, you'll
36 see -- and it didn't come out too well in the copier. The
37 proposed A-1, just immediately to the east of it is A-1. And
38 then beyond that, the master plan calls for 12,000-square-foot
39 lots, which it's right in between an acre, a third of an acre
40 and a fourth of an acre.

1 And then there's A-3 to the west.
2 So from a transitional point of view, it is. It's going
3 from, you know, four houses per acre to one house per 2 1/2 acres
4 onto agricultural land.
5 It's a mixed area. There's development in the area. So
6 there's within -- within -- let me -- I'm sorry. I need my
7 glasses -- within three -- 3/4 of a mile, there's -- there are
8 homes on one acre.
9 There is -- and your aerial -- and I'm sorry, your aerial's a
10 little bit fuzzy -- but there is an agricultural use up to the
11 northwest. And if you see -- you'll see the half circle, your
12 pivot, on the black and white.
13 COMMISSIONER WAITS: So this would --
14 COMMISSIONER CLARK: What --
15 COMMISSIONER WAITS: -- take away one of the buffer zones
16 to the agricultural area? Is that what they're saying?
17 JAN MORRISON: Well, according to the master plan, it's
18 actually going to be a buffer between A-3 and what could be
19 12,000-square-foot lots. So --
20 COMMISSIONER CLARK: What road -- what road will you use
21 to -- to get to this property?
22 What road will you use?
23 JAY WINTLE: We use Yellow Brick Road. And we plan on --
24 if we get further development, taking Faded Sage to Allen Road.
25 COMMISSIONER CLARK: Town roads? Allen Road?
26 JAY WINTLE: We want to make a loop if we get this and one
27 more zone change.
28 COMMISSIONER CLARK: But you would use Allen Road also?
29 JAY WINTLE: Yes.
30 COMMISSIONER CLARK: Okay.
31 JAY WINTLE: We'd like to tie the two together --
32 COMMISSIONER CLARK: Okay.
33 JAY WINTLE: -- with this development on the developer's
34 dime.
35 COMMISSIONER CLARK: At the last planning meeting, there
36 was a complaint. And the complaint centered around a feed store
37 moving out to Allen Road. The complaint centered around
38 traffic. And the complaint was from Kim Buffington.
39 So if there's too much traffic on Allen Road now for a feed
40 store that may have five to ten additional vehicles going down

1 Allen Road, I don't think it's time to develop that area.
2 JAY WINTLE: Well, the portion of Allen Road we plan on is
3 a paved portion. It's a county -- up to county specs. It's not
4 the part of the feed store that's --
5 COMMISSIONER CLARK: It's -- it's still Allen Road. So --
6 JAN MORRISON: Commissioner, --
7 JAY WINTLE: Well, that's --
8 COMMISSIONER CLARK: That's two concerns that we have about
9 that area developing. So --
10 JAN MORRISON: So Allen Road, it's very strange out there,
11 Commissioner. It -- Allen Road goes east and west. And then
12 it's also Allen Road that goes north and south.
13 It was the objection to a feed store on the north-south
14 Allen Road, not on the east-west.
15 COMMISSIONER CLARK: Jan. Jan. There was -- there was a
16 protest about traffic on Allen Road. That's what I --
17 JAN MORRISON: Right.
18 COMMISSIONER CLARK: -- just said. Now you're saying it's
19 not.
20 JAN MORRISON: No, I'm saying --
21 COMMISSIONER CLARK: There was.
22 JAN MORRISON: -- there are two different Allen Roads out
23 there.
24 COMMISSIONER CLARK: I've lived here for 35 years. I think
25 I know the area.
26 JAN MORRISON: Okay.
27 COMMISSIONER CLARK: There's been two protests for
28 development out there so far.
29 COMMISSIONER MILLS: So I'm still back to -- I don't mind
30 the development and all that kind of stuff. I just want to be
31 sure we're following the master plan, that we're not -- that
32 those buffer zones are in place. Is everything in --
33 JAY WINTLE: Well, the master plan --
34 COMMISSIONER MILLS: -- the plans?
35 JAY WINTLE: -- says it's okay. It says you shouldn't abut
36 to agriculture land that's in use.
37 COMMISSIONER MILLS: Okay.
38 JAY WINTLE: We're not abutting to it.
39 It says -- it recommends that you use A-2 zoning to abut to
40 current agriculture-use lands, which I plan on doing for the

1 development.

2 COMMISSIONER MILLS: Okay.

3 JAY WINTLE: Master plan also has a -- what she's showing
4 you there, the master plan -- plan -- use plan, is to bring a
5 residential abutting next to the one acre, what we got. Master
6 plan also -- for your utility service area -- extends past where
7 I plan on developing your master plan service area for water and
8 sewer somewhere down the road is within their extended master
9 plan. So somebody plans on developing out there.

10 Road's been improved. Allen Road's been paved and improved
11 to the east-west corridor. It's county road. It's paved,
12 improved.

13 COMMISSIONER CLARK: Well, it's paved down to the
14 reservation, down to the colony.

15 JAY WINTLE: No, it's paved all the way to --

16 COMMISSIONER CLARK: All the way to the 90-degree bend?

17 JAY WINTLE: Yes. It's been widened and paved.

18 COMMISSIONER CLARK: All the way down to King's?

19 JAY WINTLE: All the way down to King's.

20 COMMISSIONER CLARK: And Kim Buffington complained about
21 traffic on Allen Road because --

22 JAY WINTLE: Well, --

23 COMMISSIONER CLARK: -- it's basically a one-lane road is
24 what she's saying.

25 JAY WINTLE: Well, that's the north -- south-north corridor
26 is -- is a one-lane road, hasn't been improved. It's a
27 minimum-maintenance road from King's to Kim's is a one-lane
28 road. From the exit to King's is a 24-foot paved road meeting
29 all county specs.

30 COMMISSIONER CLARK: I've had -- I've said all I have to
31 say.

32 CHAIRMAN BAKKER: Regarding the master plan, if we're
33 following that okay, and we certainly want to continue
34 development. I know change is inevitable, of course. It only
35 bothers a few people. As -- change is great as long as it
36 doesn't bother me. I guess that's the -- the saying.

37 What are we doing on our master plan currently? Are we
38 updating that? Is that --

39 JAN MORRISON: We are.

40 We're going to do be reviewing it with public hearings.

1 It'll be about a six-month process. And I'm very happy to say we
2 need -- we need to review it.

3 It's difficult to work within -- in these areas. And the
4 master plan was basically formed before any of this development
5 took -- took hold.

6 And we need to address the A-3s and possibly get something in
7 other than an A-1, get a 2 1/2-acre zoning. I just want to say
8 that some of the property over to the -- that's -- that's red
9 dots, the people who own that expressed in -- when they went for a
10 parcel map that they would like to see 2 1/2-acre zoning.

11 And it makes more sense. It's a better transitional one
12 than A-1. And that's why there's a deed restriction of -- of 2
13 1/2 acres on this. Because A-1 is a pretty intense use. You
14 can actually have farm animals in A-1 zoning, which --

15 COMMISSIONER WAITS: Thank you.

16 JAN MORRISON: -- my -- some people may not like.

17 COMMISSIONER CLARK: Now, the two lots either side are
18 still zoned agriculture; correct?

19 JAN MORRISON: No, the property to the east is zoned A-1
20 with the same 2 1/2-acre restriction. The properties to the
21 west are zoned A-3.

22 COMMISSIONER WAITS: I'm make a motion we uphold the
23 recommendation of the Lander County Planning Commission to
24 approve the zone change request from Farm and Ranch District,
25 A-3, to One-Acre Agricultural District, A-1, with the deed
26 restriction requiring a minimum of 2.5 acres for any subsequent
27 parceling. This is for APN Number 010-280-016.

28 COMMISSIONER MILLS: I'll second that.

29 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded. Any
30 public comment?

31 COMMISSIONER CLARK: Come on up, Gary.

32 GARY CAMPBELL: Hello. My name's Gary Campbell. I live on
33 Allen Road.

34 Where these individuals are talking about developing the
35 property, they're going to invoke the hundred-foot easements that
36 go alongside our property. And words out of Ms. Buffington's
37 mouth, I don't want the extra traffic on the roads that go past my
38 property. We have children. We have play out there.

39 They want to rezone this agricultural property into
40 basically a suburb, a subdivision. They're going to turn it

1 into a suburb.

2 The face and the image of Lander County is agricultural.
3 We're a small community. And I'd like to keep it that way.

4 By doing this, we are invoking much more growth in smaller
5 areas. And we're losing the face of what Lander County is.

6 So my protest is: I don't want the extra population. I --
7 we moved out there, everybody moved out there, Mr. Ramos moved out
8 there for -- for areas that are away from the community so we have
9 our peace and quiet.

10 COMMISSIONER CLARK: Would this affect your property?

11 GARY CAMPBELL: Yes. It actually takes 50 feet of my
12 property line to invoke an easement on one side of 40 foot of a
13 property line to invoke an easement on the other side of my
14 property.

15 COMMISSIONER CLARK: So you'd have to rip down your
16 north -- your north --

17 GARY CAMPBELL: So I would lose probably close to a little
18 over an acre of my own property that I paid for.

19 COMMISSIONER CLARK: And you would have to remove your
20 fence.

21 GARY CAMPBELL: I would have to tear down my fence and --

22 COMMISSIONER CLARK: And you've had problems with that --

23 GARY CAMPBELL: I would --

24 COMMISSIONER CLARK: -- fence in the past; correct?

25 GARY CAMPBELL: Yes. Absolutely. Ms. Morrison and Ms.
26 Buffington have requested my fence tore down before as they
27 believe an easement means that people have free access to my
28 property any time. When in fact, it just means when it's ready
29 for a road to be developed, I'll get the property. But I have a
30 right to fence off as I'm the one that pays insurance on my
31 property.

32 COMMISSIONER CLARK: It's your property.

33 GARY CAMPBELL: It's my property. I pay taxes on it.

34 COMMISSIONER CLARK: Right. Thank you, Gary.

35 CHAIRMAN BAKKER: Thank you, Gary.

36 JAN MORRISON: May -- may I address that?

37 CHAIRMAN BAKKER: Yeah.

38 JAN MORRISON: There was an instance a couple years ago.
39 DA -- well, last year, I guess, the DA was involved in that.
40 And former building inspector did go out. And a fence was built

1 in a -- on a right-of-way.
2 And we had worked something out. I don't think we followed
3 up on it, allowed the fence to remain.
4 But I've -- I've spoken before here and at the planning
5 commission. We have hundred-foot easements in some of these
6 agricultural lands. And at the planning commission, we're
7 reducing those all down to 60 foot.
8 And we've talked with Public Works. We've talked with our
9 executive director. It doesn't make sense to have an -- it
10 doesn't make sense to have a hundred-foot right-of-way.
11 But those were done back in the '70s.
12 COMMISSIONER CLARK: But why would you want to have a fence
13 removed on a -- out in the desert? Out on a -- a dirt road?
14 JAN MORRISON: That was a sep- --
15 COMMISSIONER CLARK: There's no development to --
16 JAN MORRISON: Right.
17 COMMISSIONER CLARK: -- the east of Gary.
18 JAN MORRISON: There is.
19 COMMISSIONER CLARK: It's way over east.
20 JAN MORRISON: Well, there are homes out there.
21 That -- that was a new build within a -- an easement. And
22 we've got -- I don't think it's fair to pull up his file at this
23 particular time. The DA has full copies of it. Nothing's been
24 done on it.
25 But we are working to get those easements and all dedications
26 out there reduced down to 60 foot. Because he's right. A hundred
27 foot does not belong out there.
28 COMMISSIONER CLARK: Nothing was done because the DA would
29 not allow it.
30 DISTRICT ATTORNEY HERRERA: Yes and no, --
31 CHAIRMAN BAKKER: Hey.
32 DISTRICT ATTORNEY HERRERA: -- Commissioner. What we have
33 is -- is we have an old, as Jan points out, a hundred -- a
34 hundred-foot dedication's ridiculous in this day and age.
35 And -- and that needs to be changed.
36 And Allen Road, there -- they don't plan on building that
37 road for years and years and years.
38 To have -- to have a homeowner have to tear down his fence
39 for something we're going to do in ten years is ridiculous.
40 So that was --

1 JAN MORRISON: Right.
2 DISTRICT ATTORNEY HERRERA: -- the opinion at the time.
3 JAN MORRISON: That's right. It is. And we're stuck with
4 those. And the o- -- because they are recorded easements,
5 they're -- and dedications and maps, we're doing it bit by bit
6 as -- as property comes up. We're getting rid of the hundred --
7 hundred. The county could decide to go and do everything if
8 they wanted. But we've got a policy. As soon as they come up,
9 we reduce them down to 60 feet. They're just -- there's no need
10 for a hundred foot.
11 And as I say, that was done -- all this area was done in
12 the '70s. I have no idea what they anticipated, but --
13 DISTRICT ATTORNEY HERRERA: Yes.
14 JAN MORRISON: -- it's not --
15 DISTRICT ATTORNEY HERRERA: So --
16 JAN MORRISON: -- appropriate.
17 DISTRICT ATTORNEY HERRERA: -- so that -- that needs to be.
18 If -- if -- if by voting yes on this, it means removal of -- of
19 Gary's ro- -- or fence, I -- I would say that -- that you carve
20 out -- out an exception for that -- for that purpose.
21 JAN MORRISON: Actually, on this, it is 60 foot.
22 We've corrected them all. So everything that's coming in is
23 going 60 foot. So -- and we could go look at -- we've done
24 nothing on -- on Gary since because there isn't any need to. We
25 could go back and address it if that would make him more
26 comfortable.
27 DISTRICT ATTORNEY HERRERA: I think --
28 JAN MORRISON: But --
29 DISTRICT ATTORNEY HERRERA: -- I think that needs to be
30 carved out because there's no reason for him to have to
31 remove --
32 JAN MORRISON: Yeah.
33 DISTRICT ATTORNEY HERRERA: -- his fence.
34 JAN MORRISON: I agree.
35 DISTRICT ATTORNEY HERRERA: So as long as that's taken into
36 account, --
37 JAN MORRISON: Yeah.
38 DISTRICT ATTORNEY HERRERA: -- from a legal standpoint,
39 this is a policy decision, not a legal decision.
40 But I will throw in that --

1 CHAIRMAN BAKKER: Gary's concerns aren't just his fence,
2 though.
3 DISTRICT ATTORNEY HERRERA: Hm?
4 CHAIRMAN BAKKER: Gary's concerns aren't just his fence.
5 DISTRICT ATTORNEY HERRERA: No, I understand.
6 COMMISSIONER CLARK: Right.
7 DISTRICT ATTORNEY HERRERA: But his major --
8 CHAIRMAN BAKKER: Keith.
9 DISTRICT ATTORNEY HERRERA: -- concern -- his financial
10 concern is his fence.
11 COMMISSIONER CLARK: Yeah.
12 CHAIRMAN BAKKER: Yeah.
13 Suzanne asked for you -- or for us to read this into the
14 record. Will you read that into the record, please.
15 COMMISSIONER CLARK: Maybe it would be prudent to just wait
16 until the amendments are made to the -- to the plans so we
17 knew -- know exactly what has been agreed to.
18 DISTRICT ATTORNEY HERRERA: Well, it -- like I said, this
19 is -- it's a policy decision, not --
20 CHAIRMAN BAKKER: Go ahead.
21 DISTRICT ATTORNEY HERRERA: Legal can follow the policy.
22 Policy -- I don't know if policy can follow the legal.
23 CHAIRMAN BAKKER: I got you.
24 COMMISSIONER WAITS: Let me amend my motion to add --
25 JAN MORRISON: Isn't --
26 COMMISSIONER WAITS: -- that --
27 JAN MORRISON: -- isn't there a --
28 COMMISSIONER WAITS: -- this --
29 JAN MORRISON: -- (indiscernible)?
30 COMMISSIONER WAITS: -- is a 60-foot --
31 JAN MORRISON: Not (indiscernible)?
32 COMMISSIONER WAITS: -- easement and no need for --
33 JAN MORRISON: Oh, okay.
34 COMMISSIONER WAITS: -- Gary to remove the fence.
35 COMMISSIONER CLARK: Gary Campbell.
36 CHAIRMAN BAKKER: Okay.
37 Go ahead.
38 JAY WINTLE: I have no intention for Gary to remove his
39 fence. I don't -- that's 28th Street. He is built on a legally
40 dedicated right-of-way.

1 COMMISSIONER WAITS: Uh-huh.
2 JAY WINTLE: I mean, that's between you and the county.
3 COMMISSIONER WAITS: But we're working on that, though.
4 Okay.
5 JAY WINTLE: And -- and the county's code is when the fence
6 is to be removed, he's to be served notice within two weeks and
7 the fence be removed off of county right-of-way. It's actually
8 county code.
9 DISTRICT ATTORNEY HERRERA: There's a lot of county code
10 that -- that --
11 JAY WINTLE: I don't think it should be moved, either.
12 That's his, you know -- I ain't saying, but I mean it's county
13 code. It is a legal right-of-way. It was dedicated with a --
14 Ashcraft subdivision. It gives access to all these parcels
15 behind him.
16 And I don't, like I say, I don't think -- real issue because
17 I plan on using Faded Sage, not 28th Street, to connect Allen
18 Road.
19 So the fence is not an issue. It's there, established.
20 COMMISSIONER WAITS: Well, if we carve that out with --
21 with the motion, then it -- it gives Gary some protection for
22 the policy of what we wanted anyway.
23 DISTRICT ATTORNEY HERRERA: Right.
24 COMMISSIONER WAITS: Would you amend that? I mean, did you
25 second that?
26 COMMISSIONER MILLS: Let's have Keith read that --
27 CHAIRMAN BAKKER: Yeah, Keith, --
28 COMMISSIONER MILLS: -- letter --
29 CHAIRMAN BAKKER: -- read the letter, --
30 COMMISSIONER MILLS: -- into the record.
31 CHAIRMAN BAKKER: -- please.
32 KEITH WESTENGARD: April 13th, 2016.
33 To whom it may concern:
34 We would like to express our concern over an item coming
35 before the commissioners today.
36 A change in zoning or parcel size in our area has been
37 brought to our attention.
38 We live on Allen Road in an agriculturally zoned area. Our
39 properties along with our neighbors' are all large parcels, plus
40 20 acres.

1 We bought in the area because the zoning was agricultural
2 with a low population density.

3 We currently raise livestock and hay on our property.

4 The master plan developed for and adopted by Lander County
5 has guidelines to buffer the agricultural zones and higher density
6 residential zones.

7 We appreciate and recognize the continued development of
8 land here in Lander County; however, we would like to protest
9 this proposed zoning change.

10 Allowing smaller parcels in the middle of an area zoned for
11 larger parcels will undermine the intent of the -- of the master
12 plan.

13 LU.3.3. Minimize conflicts between A-3 and lower density
14 zoning. Lands with a density higher than A-2, parentheses, RR-5,
15 shall generally not be allowed adjacent to active farm and ranch
16 operations and areas suitable for agricultural operations.

17 We feel that the proposed changes are not consistent with the
18 surrounding area and will con- -- create conflict.

19 It is indicated in the plan that higher density development
20 should occur closer to the town and allow parcels to gradually
21 increase in size as they move outward towards agricultural zones.

22 Lander County has approved a master plan. And we hope that
23 the time and money invested in such a thoughtful project will
24 not go to waste.

25 If you have any questions, please contact us at
26 775-635-8251. Thank you.

27 Sincerely, Lyle and Suzanne Lemaire.

28 COMMISSIONER CLARK: How is this LU.3.3 wrong? Is it
29 wrong? What they cited in their letter on development?

30 JAY WINTLE: No, if they're three quarters of a mile away,
31 it has to have a bumper zone.

32 COMMISSIONER CLARK: And --

33 JAY WINTLE: We're not -- we're not currently asking to
34 abut against any agriculture-use land.

35 COMMISSIONER CLARK: But agriculture-zoned land that could
36 be potentially --

37 JAY WINTLE: No, --

38 COMMISSIONER CLARK: -- agriculture.

39 JAY WINTLE: -- it says agricultural-use land --

40 COMMISSIONER CLARK: And --

1 JAY WINTLE: -- in the master plan.
2 COMMISSIONER CLARK: And the master plan calls for
3 development from the dense area out.
4 JAY WINTLE: It don't call for that.
5 COMMISSIONER CLARK: Well, that's how I understand it in
6 this -- this letter and in the master plan that's --
7 JAY WINTLE: In the letter, that's the way it's stated.
8 But that's not the way the master plan reads. And as you can
9 see, to the east, in the Lander County land use plan, it is
10 calling for that to be rezoned to 1200-foot lots, which would be
11 a quarter of a mile to the east.
12 In your master plan for utility development, sets within
13 the master plan. If you're not planning on running water and
14 sewer, why would you ever put it in the master plan as a growth
15 area?
16 COMMISSIONER CLARK: Well, in medium density, it says that
17 it should not be developed unless there's utilities to the site.
18 So it just makes sense that you would continue that train of
19 thought with development.
20 So I guess time to vote.
21 CHAIRMAN BAKKER: Any other public comment?
22 COMMISSIONER MILLS: So I'll amend my second and second
23 Patsy's second amendment -- or second motion.
24 CHAIRMAN BAKKER: Okay. All in favor?
25 COMMISSIONER MILLS: Aye.
26 COMMISSIONER WAITS: Aye.
27 CHAIRMAN BAKKER: All opposed?
28 COMMISSIONER CLARK: Aye.
29 CHAIRMAN BAKKER: Nay.
30 COMMISSIONER CLARK: Nay.
31 CHAIRMAN BAKKER: Thank you, guys.
32 JAY WINTLE: So we'll see you again? Motion didn't carry?
33 CHAIRMAN BAKKER: Motion did not carry.
34 JAN MORRISON: So can I ask for a clarification from the
35 DA, then?
36 If the motion did not carry, does the planning
37 commission --
38 DISTRICT ATTORNEY HERRERA: No, they just make
39 recommendations to the board.
40 There are recommendations from the -- from the planning

1 commission. So there -- there's -- there's only -- there's only
2 four commissioners present here today. There's not a full board.
3 There is a quorum to take the vote. But on two to two, doesn't do
4 anything. So it would have to be brought again to -- to overcome
5 the two-to-two deadlock.

6 JAY WINTLE: So we reschedule then?

7 DISTRICT ATTORNEY HERRERA: Yeah.

8 JAY WINTLE: Okay. Thank you.

9 JAN MORRISON: Okay.

10 CHAIRMAN BAKKER: Thank you.

11 JAN MORRISON: Thank you.

12 COMMISSIONER MILLS: Thanks.

13
14 **5) Discussion for possible action to approve/disapprove the job**
15 **description for Grade 17 for the Lander County Recorder**
16 **Office and all other matters properly related thereto.**
17

18 CHAIRMAN BAKKER: Agenda Item Number 5. Discussion for
19 possible action to approve/disapprove the job description for
20 Grade 17 for the Lander County Recorder Office and all other
21 matters properly related thereto.

22 Lesley.

23 Good morning.

24 LESLEY BUNCH: Lesley Bunch.

25 COMMISSIONER CLARK: Good morning.

26 LESLEY BUNCH: Lander County recorder. Good morning.

27 We can speak on one item at a time. Number 5.

28 DISTRICT ATTORNEY HERRERA: You --

29 LESLEY BUNCH: One of --

30 DISTRICT ATTORNEY HERRERA: -- could -- excuse me.

31 CHAIRMAN BAKKER: Or I'll open them both.

32 DISTRICT ATTORNEY HERRERA: You could --

33 LESLEY BUNCH: Can we --

34 DISTRICT ATTORNEY HERRERA: -- open all three --

35 CHAIRMAN BAKKER: Yeah.

36 DISTRICT ATTORNEY HERRERA: -- of them, --

37 LESLEY BUNCH: All three? Okay.

38 DISTRICT ATTORNEY HERRERA: -- Commissioner, --

39 CHAIRMAN BAKKER: Okay.

40 DISTRICT ATTORNEY HERRERA: -- and get through --

1 CHAIRMAN BAKKER: I'm going to --
2 DISTRICT ATTORNEY HERRERA: -- this faster.
3 CHAIRMAN BAKKER: -- open Number 6 and 7 as well.
4

5 **6) Discussion for possible action to approve/disapprove the job**
6 **description for Grade 19 for the Lander County Recorder**
7 **Office and all other matters properly related thereto.**
8

9 CHAIRMAN BAKKER: Discussion for possible action to
10 approve/disapprove the job description for Grade 19 for the
11 Lander County Recorder Office and all other matters properly
12 related thereto.
13

14 **7) Discussion for possible action to approve/disapprove the job**
15 **description for Grade 22 for the Lander County Recorder**
16 **Office and all other matters properly related thereto.**
17

18 CHAIRMAN BAKKER: Agenda Item Number 7. Discussion for
19 possible action to approve/disapprove the job description for
20 Grade 22 for the Lander County Recorder Office and all other
21 matters properly related thereto.

22 LESLEY BUNCH: Okay. All I'm doing is creating job
23 descriptions for my employees, which we do not have at this
24 time, that are -- they're not current with what's going on.

25 And so Grade Number 17 and Grade Number 19 are exactly the
26 same. Same pay, same everything.

27 However, I changed the job descriptions to meet the
28 requirements of the office.

29 Grade 22 is a new -- a new grade because the only -- the only
30 growth that we can allow in the office goes from a Grade 19 to a
31 Grade 23. And I thought that was a bit extreme. So I created
32 job -- Grade 22 because it gives an employee something to work
33 toward and it supplies the needs of the office.

34 And at this point in time, that's all I can work with because
35 they have all three been approved by the bargaining unit.

36 So I brought it before you.

37 CHAIRMAN BAKKER: Thank you, Lesley.

38 COMMISSIONER CLARK: Thanks, --

39 DISTRICT ATTORNEY HERRERA: Commissioners, --

40 COMMISSIONER CLARK: -- Lesley.

1 DISTRICT ATTORNEY HERRERA: -- if I may interject.
2 On the legal side of this, this is very good that Lesley's
3 doing this.
4 And as a matter of fact, on the next agenda-setting, I'm
5 going to put it in that -- that it makes it mandatory that all
6 county-elected officials, department heads, have to get a job
7 description approved by the commission.
8 We've run into this problem where job descriptions have
9 been slipped in and completely changed the characteristics of --
10 of the job and of the person without prior approval.
11 So -- so it's a good thing she's asking for approval. And
12 I'm going to try to make it mandatory that -- that all
13 county-elected officials and employees have to do this.
14 COMMISSIONER CLARK: That's the --
15 COMMISSIONER WAITS: So it --
16 COMMISSIONER CLARK: -- next one.
17 COMMISSIONER WAITS: -- comes to us first and then the
18 bargaining unit?
19 DISTRICT ATTORNEY HERRERA: Yes.
20 COMMISSIONER CLARK: That's an excellent idea.
21 LESLEY BUNCH: Also, we're going to switch the -- the --
22 instead of going to the bargaining unit first, --
23 DISTRICT ATTORNEY HERRERA: Right.
24 LESLEY BUNCH: -- I would come to the commission? I'm
25 sorry. I did this backwards.
26 COMMISSIONER CLARK: No, --
27 DISTRICT ATTORNEY HERRERA: No, no, no, --
28 COMMISSIONER CLARK: -- that's fine.
29 DISTRICT ATTORNEY HERRERA: -- no.
30 CHAIRMAN BAKKER: No, you did it --
31 COMMISSIONER CLARK: That's fine.
32 LESLEY BUNCH: But from this point forward --
33 DISTRICT ATTORNEY HERRERA: You did it --
34 COMMISSIONER MILLS: We're --
35 DISTRICT ATTORNEY HERRERA: -- pursuant to present policy,
36 --
37 LESLEY BUNCH: Okay.
38 DISTRICT ATTORNEY HERRERA: -- which is non-existent.
39 LESLEY BUNCH: Okay.
40 Okay. This is good.

1 CHAIRMAN BAKKER: So --
2 COMMISSIONER MILLS: So we're doing -- today we're doing a
3 deputy, a deputy -- and a deputy D and B clerk?
4 LESLEY BUNCH: Right.
5 COMMISSIONER MILLS: Okay.
6 LESLEY BUNCH: It's a deputy that's an incoming, that's a
7 recorder only.
8 The 19 is a recorder and DMV, beginning. The --
9 COMMISSIONER MILLS: Okay.
10 LESLEY BUNCH: -- 22 is knowing all of both, basically.
11 And then there will be a senior that is not going to be
12 mentioned today.
13 We have it in existence, but it is not appropriate. So it
14 has to be changed. And that has been an issue with the union and
15 myself.
16 So we are leaving that one sit. And then I will then
17 approach with a new plan, when it's in order, with you first and
18 then --
19 COMMISSIONER CLARK: And then in addition to what Ted said,
20 there needs to be some advancement incentive, some trainings and
21 whatever so that people can advance in the county jobs that, you
22 know, to just stagnate --
23 LESLEY BUNCH: Right.
24 And that's what this is designed to do. And if you've read
25 through it, you can see the changes and more responsibilities as
26 you go on and more training required. And it does -- and it does
27 provide for a little bit better income as you go.
28 But I couldn't -- I couldn't justify going from a Grade 19
29 to a Grade 23 in one step. So this provides a better step
30 action, I think.
31 DISTRICT ATTORNEY HERRERA: And Commissioner Clark, that's
32 exactly what she's talking about. What you --
33 COMMISSIONER CLARK: Okay.
34 DISTRICT ATTORNEY HERRERA: -- brought up. It's step in
35 grade. So you don't go from one to five or --
36 COMMISSIONER CLARK: Right.
37 DISTRICT ATTORNEY HERRERA: -- one to four.
38 COMMISSIONER CLARK: Right.
39 DISTRICT ATTORNEY HERRERA: You go from one to two, two to
40 three, three to --

1 COMMISSIONER CLARK: Right.
2 DISTRICT ATTORNEY HERRERA: -- four.
3 CHAIRMAN BAKKER: Good job, Lesley.
4 LESLEY BUNCH: Thank you.
5 CHAIRMAN BAKKER: With that, can I get a --
6 LESLEY BUNCH: Do you have any other questions for me?
7 COMMISSIONER MILLS: I'll --
8 LESLEY BUNCH: No? You're done with me?
9 COMMISSIONER MILLS: Just --
10 LESLEY BUNCH: Do --
11 COMMISSIONER MILLS: -- about.
12 LESLEY BUNCH: Okay. Thank you. Just about.
13 COMMISSIONER MILLS: I'll make a motion to approve the job
14 description for Grade 17, Grade 19, and Grade 22 for the Lander
15 County Recorder Office.
16 COMMISSIONER CLARK: Second.
17 CHAIRMAN BAKKER: Doug made the motion. Doug seconded.
18 Any public comment.
19 (No comment.)
20 CHAIRMAN BAKKER: All in favor?
21 COMMISSIONER MILLS: Aye.
22 CHAIRMAN BAKKER: Aye.
23 COMMISSIONER WAITS: Aye.
24 COMMISSIONER CLARK: Aye.
25 LESLEY BUNCH: Thank you very --
26 CHAIRMAN BAKKER: Thank you, --
27 LESLEY BUNCH: -- much.
28 CHAIRMAN BAKKER: -- Lesley.
29 DISTRICT ATTORNEY HERRERA: Good job, Lesley.
30

31 8) Discussion for possible action regarding the Live Healthy
32 program, a program exclusive to prescriptions, dental, and
33 health discounts, free to NACO member counties, and all other
34 matters properly related thereto.
35

36 CHAIRMAN BAKKER: Number 8. Discussion for possible action
37 regarding the Live Healthy program, a program exclusively to
38 prescriptions, dental, and health discounts, free to NACO member
39 counties, and all other matters properly related thereto.

40 COMMISSIONER WAITS: Thank you. This is the one I had

1 talked about a couple agendas ago and this morning in my -- in
2 my summary.

3 It's a national program that is actually with the -- with our
4 National Association of Counties.

5 And every county can sign on. There's no cost at all.
6 That gives the -- the residents of the county a prescription
7 program which is a no-cost. It's just a discounted program.

8 And it also lets them actually take out dental and vision and
9 hearing.

10 So it's -- that's why they call it the little healthy one.

11 The neat thing on the prescription program is it -- it even
12 covers pets, pet prescriptions. And it covers inmates. So if
13 you have prescriptions that we need there, that's also -- can
14 use this kind of program for us on that part.

15 The others are, like I said, with the dental and the
16 others, there is a cost to it if -- if any of our residents wish
17 to do that.

18 All we do is just sign on for the county. And there's no
19 cost to that, of course.

20 But on the actual amounts, let me give you just an idea.

21 Oh, by the way, the dental and vision, of course, as many of
22 you are familiar with, are not covered under the Affordable Care
23 Act. And so there are some folks that are on that, that also
24 could take advantage of these programs.

25 Just to give you an idea on the average cost, it runs -- for
26 a family, this is dental. Individual family is -- an individual
27 is 695 and the family is 895 per month.

28 So there's no annual limits. There's no claims. There's no
29 waiting periods. They just have the -- both dental and the
30 discount and health programs have the same monthly and annual fees
31 if they're interested.

32 So all we would do would just simply make a motion to -- to
33 become part of the -- the program and then our residents would
34 have those advantages.

35 As far as the marketing and such, they do give information
36 and we can put that out.

37 NACO, in Nevada, also has it on their website so anyone can
38 access that. So that's the only part of marketing that we're
39 required to do at all. We don't have any responsibilities.

40 DISTRICT ATTORNEY HERRERA: Commissioner Waits, --

1 COMMISSIONER WAITS: We just offer it.
2 DISTRICT ATTORNEY HERRERA: -- I have a question, if I may.
3 COMMISSIONER WAITS: Yes.
4 DISTRICT ATTORNEY HERRERA: Does this anticipate that the
5 providers have to voluntarily buy into this program?
6 COMMISSIONER WAITS: Providers?
7 DISTRICT ATTORNEY HERRERA: Yeah.
8 COMMISSIONER WAITS: No. The providers now are -- are
9 already with the program.
10 And the only one that we have locally under prescriptions is
11 Mills. And they are already part of the program.
12 DISTRICT ATTORNEY HERRERA: They're already part of it?
13 COMMISSIONER WAITS: Just -- yeah, just the county is --
14 DISTRICT ATTORNEY HERRERA: Okay.
15 COMMISSIONER WAITS: -- does not offer it.
16 But no, --
17 COMMISSIONER MILLS: I --
18 COMMISSIONER WAITS: -- there's no requirement for any --
19 DISTRICT ATTORNEY HERRERA: Okay.
20 COMMISSIONER WAITS: -- providers at all.
21 COMMISSIONER MILLS: So I'd like to make a couple of
22 comments. First, just to understand how the discount card works
23 is that the provider gets to pay the discount.
24 And I can tell you as an owner of Mills Pharmacy, we don't
25 like that.
26 We've had discount cards where we fill a prescription and
27 then we get a bill from the discount card company. And we have
28 to pay them for having filled the prescription.
29 Okay. There's a lot of different kinds of discount cards out
30 there.
31 COMMISSIONER WAITS: Yeah.
32 COMMISSIONER MILLS: I don't know how this one specifically
33 works.
34 COMMISSIONER CLARK: I want that discount plan.
35 COMMISSIONER MILLS: But if you want to do a discount card,
36 you come into Mills Pharmacy and get a discount card. We -- we
37 provide you with one that we're agreeable to.
38 But the only thing a discount card's going to do for you is
39 get your name on a list that then they get sold. And then your
40 name's going to be sold to everybody. And you're going to get

1 junk mail and phone calls that you don't want. It's the only
2 thing a discount card's going to do for you.

3 COMMISSIONER CLARK: What about the rest of the things? I
4 mean, I look at this and --

5 COMMISSIONER MILLS: I don't know.

6 COMMISSIONER CLARK: -- if --

7 COMMISSIONER MILLS: Does the hospital want to provide a
8 discount to people when they come --

9 PEGGY LINDSEY: But we don't dispense pharmaceuticals.

10 COMMISSIONER MILLS: But it'd -- this provides healthcare
11 also.

12 PEGGY LINDSEY: We don't (indiscernible).

13 COMMISSIONER MILLS: So -- and I don't know if our dent- --
14 we have one dentist in the county that -- I don't know if they
15 want to do this either. So I would just say, I'm -- I am not in
16 favor of doing another discount card. And we have a discount
17 card program that -- that we can provide you through the
18 drugstore that we're amenable to.

19 PEGGY LINDSEY: And I should clarify that. Retail. We
20 don't do retail cards.

21 COMMISSIONER MILLS: Right.

22 So I -- in my opinion, the only thing a discount card -- no
23 matter if it's through NACO or whoever it's through, the only
24 thing it's going to do is get you on a mailing list that's going
25 to get sold.

26 COMMISSIONER WAITS: I certainly can't confirm or -- or
27 deny that. I know that it's through the CVS Caremark. And I
28 know that Wal-Mart and CVS and all of them do that.

29 I -- I -- in the information, it says that they are ranked
30 tenth --

31 COMMISSIONER MILLS: Right.

32 COMMISSIONER WAITS: -- on Fortune 500. I can't imagine
33 what else they do as far as --

34 COMMISSIONER MILLS: Right.

35 COMMISSIONER WAITS: -- as being on --

36 COMMISSIONER MILLS: So...

37 COMMISSIONER WAITS: -- anything. But I do know that --
38 that the dental costs and healthcare costs are rather
39 inexpensive to take advantage of.

40 COMMISSIONER CLARK: Yeah.

1 COMMISSIONER WAITS: And if it's an advantage to our -- to
2 our citizens to --
3 COMMISSIONER CLARK: To our --
4 COMMISSIONER WAITS: -- do that --
5 COMMISSIONER CLARK: -- residents. Right.
6 COMMISSIONER WAITS: -- and offer it, I'll --
7 COMMISSIONER MILLS: Well, in my opinion, I might be
8 agreeable to a discount card if -- if -- if a third party did a
9 discount card for your water and sewer bill, then I might look
10 at one for pharmacy. But --
11 COMMISSIONER CLARK: Well, if you look in the back page, or
12 two of two, we've got hearing. You've got diagnostic imaging.
13 You've got prepaid lab. Diabetic, Lasiks, vision, prescription
14 savings.
15 And they have an option for a 90-day supply. I guess they
16 could mail in. I mean, it's going to help --
17 COMMISSIONER MILLS: That's right. If they do a 90-day
18 supply, there is no insurance company that's going to allow
19 Mills Pharmacy to provide you a 90-day supply.
20 Insurance companies reserve that for themselves. And if
21 you're going to get a 90-day supply, they're going to force you
22 to go to mail order. And they're going to cut us out.
23 COMMISSIONER CLARK: Or they're going to -- it's a
24 mail-in --
25 COMMISSIONER WAITS: Yeah, the --
26 COMMISSIONER CLARK: -- prescription.
27 COMMISSIONER WAITS: -- 90-day is always mail-in.
28 COMMISSIONER CLARK: Mail-in.
29 COMMISSIONER MILLS: That's right.
30 COMMISSIONER WAITS: Yes.
31 COMMISSIONER MILLS: Because they won't allow -- they won't
32 allow a retail pharmacy to provide you a 90-day supply.
33 COMMISSIONER WAITS: Yeah.
34 DISTRICT ATTORNEY HERRERA: By federal law.
35 COMMISSIONER MILLS: That is -- they've rigged the system
36 that we can't provide that. If you're going to do a 90-day
37 supply, we're cut out. So again, I'm -- I'm not in favor of
38 that at all.
39 CHAIRMAN BAKKER: Well, --
40 COMMISSIONER CLARK: I'm going to make a motion that we go

1 ahead and pass the Live Healthy program so that the people in
2 the county can make a decision what they want to do on their --
3 whether they want to sign up for this or not.

4 COMMISSIONER WAITS: I'll second that motion.

5 CHAIRMAN BAKKER: Art made a motion. Patsy seconded it.
6 Any public comment?

7 (No comment.)

8 CHAIRMAN BAKKER: All in favor?

9 COMMISSIONER CLARK: Aye.

10 COMMISSIONER WAITS: Aye.

11 CHAIRMAN BAKKER: All opposed?

12 COMMISSIONER MILLS: Nay.

13 CHAIRMAN BAKKER: Nay.

14 COMMISSIONER CLARK: Get a break?

15 CHAIRMAN BAKKER: Yep.

16 COMMISSIONER CLARK: Okay.

17 CHAIRMAN BAKKER: Austin, we're going to take a five-minute
18 break.

19 MITESHELL LANHAM: Okay.

20 CHAIRMAN BAKKER: Thank you.

21
22 (Break taken from 10:03 a.m. to 10:11 a.m.)

23
24 CHAIRMAN BAKKER: I'd like to call this meeting back to
25 order.

26
27 (Simultaneous indiscernible conversations in chambers.)

28
29 LAKEN MARINE: Nobody cares.

30 COMMISSIONER MILLS: It's hammer time.

31 CHAIRMAN BAKKER: Yeah. Sounds about right.

32
33 9) Discussion for possible action to approve/disapprove or
34 modify the John Peters Health Services - health nurse
35 building space rental contract and all other matters properly
36 related thereto.
37

38 CHAIRMAN BAKKER: Agenda Item Number 9. Discussion for
39 possible action to approve/disapprove or modify the John Peters
40 Health Service health nurse building space rental contract, and

1 all other matters properly related thereto.

2 Good morning, --

3 PEGGY LINDSEY: Peggy --

4 CHAIRMAN BAKKER: -- Peggy.

5 PEGGY LINDSEY: Good morning.

6 COMMISSIONER MILLS: Good morning.

7 PEGGY LINDSEY: Peggy Lindsey, CEO for Battle Mountain
8 General Hospital.

9 And we have no recommended changes to the health nurse's
10 contract.

11 We're going keep it at the \$613 and the one year.

12 CHAIRMAN BAKKER: Okay.

13 COMMISSIONER MILLS: All right. I make a motion we approve
14 the John Peters Services health nurse space rental contract.

15 COMMISSIONER CLARK: Second.

16 CHAIRMAN BAKKER: Doug made a motion. Art seconded. Any
17 public comment?

18 (No comment.)

19 CHAIRMAN BAKKER: All in favor?

20 COMMISSIONER MILLS: Aye.

21 CHAIRMAN BAKKER: Aye.

22 COMMISSIONER WAITS: Aye.

23 COMMISSIONER CLARK: Aye.

24 CHAIRMAN BAKKER: Thank you.

25
26 **10) Discussion for possible action to approve/disapprove or**
27 **modify the counteroffer made by the Battle Mountain General**
28 **Hospital's board with regard to the Lander County Hospital**
29 **emergency medical services contract, and all other matters**
30 **properly related thereto.**
31

32 CHAIRMAN BAKKER: Ten, discussion for possible action to
33 approve/disapprove or modify the counteroffer made by the Battle
34 Mountain General Hospital Board with regard to the Lander County
35 Hospital emergency medical services contract and all other
36 matters properly related to.

37 PEGGY LINDSEY: I would like to ask that this be postponed
38 until after May 4th so it can go back before our governing board
39 for clarification.

40 CHAIRMAN BAKKER: Okay.

1 DISTRICT ATTORNEY HERRERA: Legally, I would ask the
2 commission to reject the counterproposal and then if -- if you
3 wish to -- to have Peggy send it back to her board to -- to
4 approve our proposal or not.

5 Because right now what they've done is a count- -- and I
6 talked to their attorney yesterday. And he has no problem with
7 this.

8 But they have counterproposal now, and if you reject it,
9 she can do what she's saying she can do. And -- and it won't
10 affect them at all. It won't affect anyone, but -- but --

11 CHAIRMAN BAKKER: Okay.

12 DISTRICT ATTORNEY HERRERA: -- they've completely changed
13 the characteristics of our proposal with their counterproposal.
14 So -- so --

15 CHAIRMAN BAKKER: Okay.

16 DISTRICT ATTORNEY HERRERA: -- I think you need to be -- as
17 a matter of public record, go on the record.

18 COMMISSIONER WAITS: So what is the counterproposal? Where
19 is that?

20 DISTRICT ATTORNEY HERRERA: The counterproposal --
21 One second. Let me read this to you. Let me get the right
22 one.

23 CHAIRMAN BAKKER: I think it was a little --

24 DISTRICT ATTORNEY HERRERA: Our proposal -- our proposal,
25 on the second year, the clause at the end was: All EMS services
26 turned over to the Lander County Hospital District on 7/1/2018.
27 Austin to remain as Lander County-operated service.

28 They came back with a proposal that included a 90-day
29 clause to -- to get together with -- with this board and
30 renegotiate, which is direct contravention of -- of the proposal
31 we --

32 COMMISSIONER WAITS: Okay.

33 DISTRICT ATTORNEY HERRERA: -- gave.

34 COMMISSIONER WAITS: That's -- that's what I didn't see.
35 So that's why --

36 DISTRICT ATTORNEY HERRERA: Okay.

37 COMMISSIONER WAITS: -- I'm -- I'm confused.

38 DISTRICT ATTORNEY HERRERA: So -- so --

39 COMMISSIONER WAITS: Okay.

40 DISTRICT ATTORNEY HERRERA: we -- so I advise that we

1 reject the counterproposal and --
2 CHAIRMAN BAKKER: And --
3 DISTRICT ATTORNEY HERRERA: -- let --
4 CHAIRMAN BAKKER: -- let --
5 DISTRICT ATTORNEY HERRERA: -- Peggy --
6 CHAIRMAN BAKKER: -- Peggy --
7 DISTRICT ATTORNEY HERRERA: -- go back --
8 CHAIRMAN BAKKER: -- do what she needs --
9 DISTRICT ATTORNEY HERRERA: -- to her board.
10 CHAIRMAN BAKKER: -- to do.
11 PEGGY LINDSEY: Okay.
12 CHAIRMAN BAKKER: Okay.
13 PEGGY LINDSEY: Okay. I appreciate that.
14 CHAIRMAN BAKKER: Perfect. I need a motion.
15 COMMISSIONER CLARK: I make a motion to reject the
16 counteroffer made by the Battle Mountain General Hospital with
17 regard to the Lander County Hospital emergency medical services
18 contract.
19 CHAIRMAN BAKKER: Is that all that needs to be in there,
20 Ted?
21 COMMISSIONER WAITS: Do we need to say, and go back with
22 our --
23 CHAIRMAN BAKKER: Yeah.
24 COMMISSIONER WAITS: -- original?
25 DISTRICT ATTORNEY HERRERA: You probably should if --
26 because --
27 COMMISSIONER CLARK: Okay.
28 DISTRICT ATTORNEY HERRERA: -- if --
29 COMMISSIONER WAITS: Okay.
30 DISTRICT ATTORNEY HERRERA: -- that's what you want to do,
31 you --
32 COMMISSIONER WAITS: Yeah.
33 DISTRICT ATTORNEY HERRERA: -- need to --
34 COMMISSIONER WAITS: Because --
35 DISTRICT ATTORNEY HERRERA: -- (indiscernible).
36 COMMISSIONER WAITS: -- otherwise we're just rejecting.
37 It's not like it's stopping.
38 COMMISSIONER CLARK: Okay.
39 DISTRICT ATTORNEY HERRERA: Yeah.
40 COMMISSIONER CLARK: And --

1 DISTRICT ATTORNEY HERRERA: Well, you could stop it.
2 That's so --
3 COMMISSIONER WAITS: Okay.
4 DISTRICT ATTORNEY HERRERA: So that's --
5 PEGGY LINDSEY: You could.
6 DISTRICT ATTORNEY HERRERA: -- that's -- you want to --
7 you --
8 CHAIRMAN BAKKER: Okay.
9 DISTRICT ATTORNEY HERRERA: -- certainly want to --
10 CHAIRMAN BAKKER: And to --
11 DISTRICT ATTORNEY HERRERA: -- specify.
12 PEGGY LINDSEY: Uh-huh.
13 COMMISSIONER CLARK: Okay.
14 CHAIRMAN BAKKER: And to --
15 COMMISSIONER CLARK: I make --
16 CHAIRMAN BAKKER: -- rescind our original offer.
17 COMMISSIONER CLARK: Right.
18 So I'll amend my motion to disapprove the counteroffer and
19 to give Peggy Lindsey the option to take it back to her board
20 for further discussion.
21 DISTRICT ATTORNEY HERRERA: The original offer.
22 CHAIRMAN BAKKER: Original offer.
23 COMMISSIONER CLARK: The original contract from us --
24 DISTRICT ATTORNEY HERRERA: No.
25 COMMISSIONER CLARK: -- that was -- we developed that with
26 --
27 CHAIRMAN BAKKER: Right.
28 COMMISSIONER CLARK: -- with your input.
29 PEGGY LINDSEY: Yes.
30 CHAIRMAN BAKKER: Right.
31 PEGGY LINDSEY: Yes, you --
32 COMMISSIONER CLARK: And we --
33 PEGGY LINDSEY: -- did.
34 COMMISSIONER CLARK: -- came -- we came to the two-year
35 number because it was supposed to end a year -- a year ago.
36 CHAIRMAN BAKKER: Fine. I need a second.
37 COMMISSIONER WAITS: I'll second the motion.
38 CHAIRMAN BAKKER: Art made a motion. Patsy seconded it.
39 Any 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 COMMISSIONER WAITS: One more time, Peggy.
7 PEGGY LINDSEY: Okay. Thank you. Thank you, all.
8 CHAIRMAN BAKKER: Thank you, Peggy.
9 PEGGY LINDSEY: Thank you.
10 CHAIRMAN BAKKER: We appreciate it.
11 PEGGY LINDSEY: Thank you.
12
13

14 **AIRPORT**

15
16 **11) Discussion for possible action to award a contract between**
17 **Lander County and Walt Wardwell for services as a fixed-base**
18 **operator (FBO) and all other matters properly related**
19 **thereto.**
20

21 CHAIRMAN BAKKER: Okay. Airport. Discussion for possible
22 action to award a contract between Lander County and Walt
23 Wardwell for services as a fixed-based operator, FBO, and all
24 other matters properly related thereto.

25 WALT WARDWELL: Good morning. Walt Wardwell.

26 CHAIRMAN BAKKER: Good morning, Walt.

27 COMMISSIONER WAITS: Good --

28 WALT WARDWELL: How are --

29 COMMISSIONER WAITS: -- morning.

30 WALT WARDWELL: -- you?

31 CHAIRMAN BAKKER: Good. You?

32 COMMISSIONER CLARK: Did you fly up?

33 WALT WARDWELL: I did.

34 COMMISSIONER MILLS: You're braver than I am.

35 COMMISSIONER WAITS: So Counselor, since this just got
36 distributed to us, --

37 DISTRICT ATTORNEY HERRERA: Right. Right.

38 COMMISSIONER WAITS: -- I'm assuming you have looked
39 through everything. And is there anything you want to --

40 DISTRICT ATTORNEY HERRERA: I prepar- --

1 COMMISSIONER WAITS: -- highlight for us?
2 DISTRICT ATTORNEY HERRERA: I prepared it; so I know
3 everything that's on it.
4 And there's few things I'd like to point out.
5 First off, that I want both parties, the commissioners and
6 you, to understand that both parties recognize the NRS 244.320
7 states that a board of county commissioners may enter into a
8 contract which extends beyond the terms of the county
9 commissioners then in office, but the contract is binding beyond
10 those terms of office only to the extent that money is
11 appropriated therefor.
12 So I think it's a good idea to give a ten-year contract. And
13 that's what was wanted in these types of contracts. But I want
14 both parties to recognize that -- let's say year six, if the
15 money's not appropriated, then we have a 90-day clause. The
16 county would then have -- and I don't know why the money wouldn't
17 be appropriated that year, but if it's not -- but it's beyond our
18 control here. If it isn't appropriated, then we'd have to send
19 them a 90-day notice that the money's not being appropriated. So
20 the contract is -- it -- it ends.
21 CHAIRMAN BAKKER: We --
22 COMMISSIONER WAITS: So --
23 CHAIRMAN BAKKER: -- just --
24 COMMISSIONER WAITS: -- it's --
25 CHAIRMAN BAKKER: -- need --
26 COMMISSIONER WAITS: -- going to --
27 CHAIRMAN BAKKER: -- the amendment in the contract --
28 DISTRICT ATTORNEY HERRERA: No.
29 CHAIRMAN BAKKER: -- by NRS --
30 DISTRICT ATTORNEY HERRERA: No. No.
31 COMMISSIONER WAITS: It's contingent on -- on the funding.
32 DISTRICT ATTORNEY HERRERA: Yeah. That --
33 COMMISSIONER WAITS: That's all.
34 DISTRICT ATTORNEY HERRERA: -- that's all.
35 CHAIRMAN BAKKER: Okay.
36 DISTRICT ATTORNEY HERRERA: So I'm just pointing that out.
37 Because ten years --
38 CHAIRMAN BAKKER: Like anything.
39 DISTRICT ATTORNEY HERRERA: -- usually -- usually I advise
40 you to do four -- four or less con- -- year contract.

1 But in -- in this situation, I think a ten-year is ideal.
2 Now also, depending on -- there will be an addendum added to
3 this contract after you decide on Item Number 12. So --
4 CHAIRMAN BAKKER: Why don't I open them both?
5 DISTRICT ATTORNEY HERRERA: -- you might -- yes. There you
6 go. You might want to open that and --
7 COMMISSIONER MILLS: Well, that's a -- that's a whole --
8 Number 12's a whole separate --
9 DISTRICT ATTORNEY HERRERA: We're going to have --
10 COMMISSIONER MILLS: -- thing; isn't it?
11 DISTRICT ATTORNEY HERRERA: -- that addendum attached to
12 this FBO contract so it's not separate.
13 CHAIRMAN BAKKER: Yeah.
14 DISTRICT ATTORNEY HERRERA: Because he's --
15 CHAIRMAN BAKKER: Because the equipment.
16 DISTRICT ATTORNEY HERRERA: -- he's taking over the
17 equipment. He's going to lease the equipment from Lander County
18 that Lander County buys from the current FBO.
19 COMMISSIONER MILLS: Right. The Number 12 is to pay Rick
20 Harless for the equipment.
21 DISTRICT ATTORNEY HERRERA: Yes, it --
22 COMMISSIONER MILLS: That's a whole separate --
23 COMMISSIONER WAITS: Right, but --
24 COMMISSIONER MILLS: -- entity.
25 DISTRICT ATTORNEY HERRERA: -- then we --
26 COMMISSIONER MILLS: And a whole --
27 COMMISSIONER WAITS: -- have to address the equipment back
28 to Number 11.
29 DISTRICT ATTORNEY HERRERA: Right.
30 CHAIRMAN BAKKER: So say we don't buy the equipment, --
31 COMMISSIONER WAITS: Yeah.
32 CHAIRMAN BAKKER: -- then what?
33 COMMISSIONER MILLS: Have we got the lease set up for --
34 RICK HARLESS: Rockets.
35 COMMISSIONER MILLS: Have we got the lease set up for the
36 equipment rental?
37 CHAIRMAN BAKKER: I was just making a point.
38 RICK HARLESS: Well, I thought the same thing.
39 KEITH WESTENGARD: Walt and I have spoke about it, and once
40 the equipment's purchased, you and I will sit down with him and

1 come up with some -- but we have some basic numbers and --
2 COMMISSIONER MILLS: Okay.
3 CHAIRMAN BAKKER: Hey, --
4 DISTRICT ATTORNEY HERRERA: So --
5 CHAIRMAN BAKKER: -- I need to open it if --
6 DISTRICT ATTORNEY HERRERA: -- so it --
7 CHAIRMAN BAKKER: -- we're going to --
8 DISTRICT ATTORNEY HERRERA: -- needs to be --
9 CHAIRMAN BAKKER: -- start talking about it --
10 DISTRICT ATTORNEY HERRERA: -- part of --
11 CHAIRMAN BAKKER: -- right now.
12 DISTRICT ATTORNEY HERRERA: -- the FBO contract,
13 Commissioner.
14 COMMISSIONER MILLS: Not the purchase of the equipment.
15 DISTRICT ATTORNEY HERRERA: The lease of the equipment and
16 you --
17 COMMISSIONER MILLS: Okay. We're not --
18 DISTRICT ATTORNEY HERRERA: -- can't --
19 COMMISSIONER MILLS: -- ready for the lease yet.
20 DISTRICT ATTORNEY HERRERA: We can't lease it until we
21 decide to purchase it.
22 Obviously.
23 COMMISSIONER MILLS: Oh, I s- -- okay.

24
25 **12) Discussion for possible action to approve/disapprove the**
26 **purchase of equipment from Harless Aircraft in an amount not**
27 **to exceed \$100,000 and all other matters properly related**
28 **thereto.**
29

30 CHAIRMAN BAKKER: Okay. Number 12. Discussion for
31 possible action to approve/disapprove the purchase of equipment
32 from Harless Aircraft in an amount not to exceed \$100,000 and
33 all other matters properly related thereto.

34 Rick. Good morning.

35 RICK HARLESS: Good morning. Rick Harless, Harless
36 Aircraft Services.

37 I'll just add a little caveat to that. The -- the math on
38 that for the trucks and the spare parts is actually 107-.

39 So that's --

40 CHAIRMAN BAKKER: Okay.

1 RICK HARLESS: -- where we are on that.
2 And the rest of the stuff that was originally on here is off.
3 CHAIRMAN BAKKER: So...
4 COMMISSIONER WAITS: Keith, you understand all this?
5 KEITH WESTENGARD: Yes.
6 COMMISSIONER WAITS: Of what the equipment is?
7 KEITH WESTENGARD: Yes.
8 COMMISSIONER WAITS: Okay. So we're --
9 KEITH WESTENGARD: And -- and --
10 COMMISSIONER WAITS: We're still negotiating, --
11 KEITH WESTENGARD: Well, --
12 COMMISSIONER WAITS: -- but we don't want to go over the
13 100,000. Is that where we are?
14 KEITH WESTENGARD: Okay. I put the \$100,000 in there
15 because at some point in time, we discussed capping it at
16 \$100,000.
17 I couldn't find it in the minutes anywhere.
18 After some discussions with some other people, it was
19 discussed in an agenda-setting and I believe in some one-to-one --
20 one-on-one conversations with the commissioners.
21 So that is not completely to- -- completely accurate, that
22 \$100,000.
23 I did speak with Rick the other day. And we talked -- at
24 that -- that -- at that time it was 105-. And -- and then now
25 we're at 107-.
26 RICK HARLESS: Well, that didn't include the -- the spare
27 parts --
28 KEITH WESTENGARD: Okay.
29 RICK HARLESS: -- and stuff, which -- which is listed here.
30 KEITH WESTENGARD: Right.
31 RICK HARLESS: I was talking to you without that in front
32 of me.
33 KEITH WESTENGARD: I understand. And I didn't have it in
34 front of me either.
35 So we do have a discrepancy of about \$7,000 now where we
36 might go over. The -- some of the things we did cut out was the
37 office equipment. We didn't agree -- agree to buy that. And I
38 believe it was the APU -- right? -- the auxiliary power unit?
39 RICK HARLESS: The ground power --
40 KEITH WESTENGARD: Right.

1 RICK HARLESS: -- the ground --
2 KEITH WESTENGARD: Ground power --
3 RICK HARLESS: -- equipment.
4 KEITH WESTENGARD: -- unit.
5 RICK HARLESS: Yeah.
6 KEITH WESTENGARD: Okay. Yeah.
7 COMMISSIONER WAITS: So whatever amount we -- we approve
8 today not to go over, then you'll be negotiating for those items
9 with this. It's just this is kind of a run.
10 CHAIRMAN BAKKER: Well, --
11 COMMISSIONER WAITS: Okay.
12 CHAIRMAN BAKKER: -- today we can only give them a hundred
13 because the -- the language in the -- the m- -- the --
14 KEITH WESTENGARD: Right. And I explained that to Rick.
15 So if we go the hundred, we'll have to come back --
16 CHAIRMAN BAKKER: Right.
17 DISTRICT ATTORNEY HERRERA: Yeah.
18 KEITH WESTENGARD: -- at another meeting to do the 7,000.
19 DISTRICT ATTORNEY HERRERA: For the \$7,000.
20 KEITH WESTENGARD: To -- to --
21 CHAIRMAN BAKKER: Right.
22 COMMISSIONER WAITS: If --
23 KEITH WESTENGARD: -- come up with --
24 COMMISSIONER WAITS: -- we buy --
25 KEITH WESTENGARD: -- that.
26 COMMISSIONER WAITS: -- all the equipment. Or maybe we
27 won't buy --
28 KEITH WESTENGARD: Well, we --
29 COMMISSIONER WAITS: -- all the equipment.
30 KEITH WESTENGARD: Well, actually, in the contract it says
31 we're going to buy his equipment.
32 DISTRICT ATTORNEY HERRERA: It does.
33 KEITH WESTENGARD: And -- yeah.
34 Saying that's with --
35 COMMISSIONER CLARK: Okay.
36 COMMISSIONER MILLS: But the contract didn't have a dollar
37 amount?
38 DISTRICT ATTORNEY HERRERA: It didn't.
39 KEITH WESTENGARD: No.
40 COMMISSIONER MILLS: I don't --

1 DISTRICT ATTORNEY HERRERA: It --
2 COMMISSIONER MILLS: -- know.
3 DISTRICT ATTORNEY HERRERA: -- it -- it didn't.
4 KEITH WESTENGARD: And we have gone through months of -- of
5 very painful exercises to try to get this equipment fair market
6 value. We've -- we've -- and I think what we have now is about
7 as fair market value as we're going to get.
8 DISTRICT ATTORNEY HERRERA: I believe that's true. That's
9 an accurate representation.
10 KEITH WESTENGARD: We have gone through months of very --
11 COMMISSIONER WAITS: Okay.
12 KEITH WESTENGARD: -- painful --
13 COMMISSIONER WAITS: Since we have it on the agenda this
14 way, I will make a motion that we purchase the equipment from
15 Harless Aircraft, not to exceed 100,000.
16 CHAIRMAN BAKKER: And to come back and cover the other 7-
17 or you just --
18 COMMISSIONER WAITS: Nope, just not to exceed 100,000.
19 DISTRICT ATTORNEY HERRERA: Right. He can come back,
20 Commissioner, --
21 COMMISSIONER WAITS: Uh-huh.
22 DISTRICT ATTORNEY HERRERA: -- for the other 7-.
23 KEITH WESTENGARD: Right.
24 DISTRICT ATTORNEY HERRERA: We can put that back on the --
25 a following agenda, but --
26 CHAIRMAN BAKKER: Okay.
27 DISTRICT ATTORNEY HERRERA: Patsy's right. The way this is
28 worded, all -- all you can do is deny or approve the \$100,000.
29 CHAIRMAN BAKKER: You good with that, Rick? And then we'll
30 come back the next meeting?
31 COMMISSIONER WAITS: There isn't any --
32 COMMISSIONER MILLS: How --
33 COMMISSIONER WAITS: -- other option.
34 CHAIRMAN BAKKER: Legally, --
35 RICK HARLESS: No, no, no. I understand.
36 COMMISSIONER WAITS: We'd like to give you something to
37 negotiate now anyway so...
38 RICK HARLESS: Well, you know, I'll -- I'll -- I'll tell
39 you, these are very, very fair prices, you know.
40 This equipment is very specialized. And it's not used

1 nearly as much as some that is advertised twice as much as this.
2 COMMISSIONER WAITS: You've taken good care of it?
3 RICK HARLESS: We've taken good care of it.
4 COMMISSIONER WAITS: Okay.
5 RICK HARLESS: Plus we haven't used it as much.
6 DISTRICT ATTORNEY HERRERA: (Indiscernible.)
7 CHAIRMAN BAKKER: Right.
8 RICK HARLESS: I mean, you take it to an international
9 airport and you're going to have --
10 DISTRICT ATTORNEY HERRERA: Perhaps a good question is --
11 RICK HARLESS: A lot more.
12 DISTRICT ATTORNEY HERRERA: -- to the -- the new FBO to see
13 if he's willing to lease this -- this equipment from us.
14 COMMISSIONER WAITS: We still have to buy it regardless;
15 right?
16 DISTRICT ATTORNEY HERRERA: No, absolutely.
17 COMMISSIONER WAITS: Okay. So was there a second?
18 COMMISSIONER MILLS: Second.
19 CHAIRMAN BAKKER: Okay. Any --
20 DISTRICT ATTORNEY HERRERA: But -- but both things are
21 connected together so...
22 So have -- you've been part of the discussion to lease the
23 equipment; right?
24 WALT WARDWELL: Yes.
25 DISTRICT ATTORNEY HERRERA: And you're willing to do that?
26 WALT WARDWELL: Yes.
27 DISTRICT ATTORNEY HERRERA: Oh.
28 COMMISSIONER CLARK: I -- I have one question.
29 None of these vehicles were ever purchased by the county?
30 RICK HARLESS: No, I bought them all. I have -- I have
31 titles and bills of --
32 COMMISSIONER CLARK: Okay.
33 RICK HARLESS: -- sale for them.
34 COMMISSIONER CLARK: Okay.
35 DISTRICT ATTORNEY HERRERA: Okay.
36 CHAIRMAN BAKKER: Okay.
37 RICK HARLESS: Those trucks are gone. Long --
38 COMMISSIONER CLARK: Okay.
39 RICK HARLESS: -- gone.
40 COMMISSIONER CLARK: Because I was told htat at one time

1 the county bought a fuel truck.
2 RICK HARLESS: They did, and it was a disaster. They had
3 several of them that were --
4 COMMISSIONER CLARK: Okay.
5 RICK HARLESS: -- military surplus.
6 COMMISSIONER CLARK: Okay.
7 RICK HARLESS: And they were just a money pit. And they
8 were --
9 COMMISSIONER CLARK: Okay.
10 RICK HARLESS: -- really bad. So it was changed. And they
11 were bought by the FBO.
12 COMMISSIONER CLARK: Okay.
13 CHAIRMAN BAKKER: Okay. So any public comment?
14 (No comment.)
15 CHAIRMAN BAKKER: All in favor?
16 COMMISSIONER MILLS: Aye.
17 CHAIRMAN BAKKER: Aye.
18 COMMISSIONER WAITS: Aye.
19 COMMISSIONER CLARK: Aye.
20 RICK HARLESS: See you next meeting?
21 CHAIRMAN BAKKER: Yep. Thanks, Rick.
22 KEITH WESTENGARD: Sorry, Rick.
23 COMMISSIONER WAITS: You don't want to negotiate --
24 KEITH WESTENGARD: See you --
25 COMMISSIONER WAITS: -- anymore?
26 KEITH WESTENGARD: -- next time.
27 RICK HARLESS: I understand.
28 DISTRICT ATTORNEY HERRERA: Now -- now you have to do the
29 av fuel contract.
30 CHAIRMAN BAKKER: Yep. Back to Walt.
31 COMMISSIONER MILLS: One -- one question on that first.
32 There was -- there was some discussion about changing the
33 amount paid to the county for fuel from five cents to seven
34 cents? Is that not happening?
35 KEITH WESTENGARD: I think we put -- what we did is put it
36 at the -- at a five-cent.
37 COMMISSIONER MILLS: We keep it at five?
38 KEITH WESTENGARD: Yeah.
39 WALT WARDWELL: Yeah.
40 KEITH WESTENGARD: There's no variation in it.

1 WALT WARDWELL: It was a three with a variation. And I
2 just said, let's just go five.
3 COMMISSIONER MILLS: Just go five. Okay.
4 WALT WARDWELL: Yeah, so...
5 COMMISSIONER MILLS: I thought there was some discussion
6 about seven. And so I just wanted to be clear.
7 Okay.
8 DISTRICT ATTORNEY HERRERA: And there is the 90-day
9 termination clause.
10 JEANNE FALZONE: And there's some corrections that need to
11 be made in the contract.
12 DISTRICT ATTORNEY HERRERA: With what?
13 KEITH WESTENGARD: Gallons.
14 JEANNE FALZONE: This was just pointed out to me by this
15 gentleman.
16 This tank here. This is a 25,000-gallon and 15,000 of av
17 gas.
18 DISTRICT ATTORNEY HERRERA: Okay. On page 3 of 8 of the
19 contract, on subsection B, top of the page, there's a provided
20 safe and operable fuel quantity, including the 15,000-gallon jet
21 A tank -- I believe it's a \$25,000 tank.
22 So I would like you to approve this contract with the
23 understanding that the district attorney's going to make some
24 slight adjustments to the size of the tank on that.
25 Because it was just pointed out to us it's \$25,000 or --
26 COMMISSIONER MILLS: 25,000-gallon --
27 DISTRICT ATTORNEY HERRERA: -- gallon --
28 COMMISSIONER MILLS: -- tank.
29 DISTRICT ATTORNEY HERRERA: -- tank, rather than a
30 15,000-gallon --
31 COMMISSIONER MILLS: Okay.
32 DISTRICT ATTORNEY HERRERA: -- tank.
33 RICK HARLESS: There's two tanks.
34 DISTRICT ATTORNEY HERRERA: Right. And there's another
35 tank. So -- so I'm going to make those slight adjustments. So
36 I just want the commissioners to understand that they're going
37 to approve this with the slight adjustments of the two tanks.
38 CHAIRMAN BAKKER: Got you.
39 COMMISSIONER MILLS: Okay. I make a motion that we approve
40 a contract between Lander County and Walt Wardwell for services

1 as fixed-base -- fixed-base operator at the Battle Mountain
2 Airport and approve the chair to sign the contract with the
3 understanding of making changes to the size and quantity of
4 tank -- of fuel tanks at the airport.

5 COMMISSIONER CLARK: Second.

6 CHAIRMAN BAKKER: Doug made a motion. Art seconded. Any
7 public comment?

8 (No comment.)

9 CHAIRMAN BAKKER: All in favor?

10 COMMISSIONER MILLS: Aye.

11 CHAIRMAN BAKKER: Aye.

12 COMMISSIONER WAITS: Aye.

13 COMMISSIONER CLARK: Aye.

14 CHAIRMAN BAKKER: Thank you, Walt.

15 COMMISSIONER MILLS: All right.

16 COMMISSIONER WAITS: Thank you, Mr. Wardwell.

17 COMMISSIONER MILLS: Thank you.

18 CHAIRMAN BAKKER: Safe flying home?

19
20
21 **PUBLIC WORKS**

22
23 **13) Discussion for possible action regarding the land and**
24 **easement MOAs between Lander County and Pershing County and**
25 **all other matters properly related thereto.**
26

27 CHAIRMAN BAKKER: Public works. Discussion for possible
28 action regarding the land and easement MOAs between Lander
29 County and Pershing County and all other matters properly
30 related thereto.

31 Keith?

32 Thirteen.

33 KEITH WESTENGARD: Oh, this has to do with the Pershing
34 County land transfers.

35 I've passed everything on to the district attorney for
36 review.

37 Frank Dimmick was -- was the one that has -- headed this up.
38 He's been here to the -- the commission to discuss this land
39 transfer.

40 This has been ongoing for quite a while. This has to do with

1 the land by the old annex building, about 998 acres that they want
2 to transfer to Lander County.

3 So we're in the final stages of that.

4 We did fi- -- get a final draft contract for MOA gr- -- MOA,
5 memorandum of agreement, from the Bureau of Reclamation that's
6 been reviewed.

7 DISTRICT ATTORNEY HERRERA: And -- and the MOA is -- is
8 really not the contract, it's -- it's what we have to enter into
9 with the federal government and certain state agencies and
10 Indian tribes to administer the land once it's transferred
11 because it has certain areas in there that have arrowheads or
12 some, you know, --

13 KEITH WESTENGARD: California Trail.

14 DISTRICT ATTORNEY HERRERA: -- California Trail. So -- the
15 MOA is really not -- is not the contract itself. It's how to
16 administrate the lands once it's -- it's deeded over to us.

17 COMMISSIONER CLARK: How many --

18 KEITH WESTENGARD: It's --

19 COMMISSIONER CLARK: -- acres --

20 KEITH WESTENGARD: -- one of the processes.

21 COMMISSIONER CLARK: -- again?

22 KEITH WESTENGARD: 998 acres.

23 CHAIRMAN BAKKER: And we have the original of this con- --
24 MOA?

25 DISTRICT ATTORNEY HERRERA: You have it.

26 KEITH WESTENGARD: Yes.

27 CHAIRMAN BAKKER: Okay.

28 COMMISSIONER MILLS: So the --

29 DISTRICT ATTORNEY HERRERA: With the changes. Our -- it's
30 in the process, as Keith points out, of -- of negotiation.
31 There's four or five different parties. And each one of them
32 wants to change this or change that slightly so...

33 CHAIRMAN BAKKER: So this isn't the final MOA yet?

34 DISTRICT ATTORNEY HERRERA: No, it's not.

35 CHAIRMAN BAKKER: Okay. That's all I was wondering.

36 COMMISSIONER MILLS: So with those restrictions, I believe
37 the livestock event center is currently on that land, that
38 restriction is not going to prevent us from having that --

39 DISTRICT ATTORNEY HERRERA: No. No, no. No, no. It's --

40 COMMISSIONER MILLS: -- livestock event center to continue

1 stay there?

2 DISTRICT ATTORNEY HERRERA: It -- that -- that's fine --

3 COMMISSIONER MILLS: Okay.

4 DISTRICT ATTORNEY HERRERA: -- there. It -- it's just

5 other areas in -- in this acreage. It -- it's by the trail.

6 KEITH WESTENGARD: Right. It -- what it is, is it's like a

7 campsite, for instance. And we, if I remember correctly, I

8 think we only have one campsite that was used regularly on the

9 California Trail, where other counties have 12 or 15 campsites.

10 And those areas are to be fenced and maintained by the

11 county.

12 In our case, there's one. We may have to fence it.

13 There's some fencing requirements that will go up along the --

14 CHAIRMAN BAKKER: Dike.

15 KEITH WESTENGARD: -- the Humboldt River area, walking

16 trails, things like that.

17 COMMISSIONER MILLS: Okay.

18 DISTRICT ATTORNEY HERRERA: For the -- for the easement MOA

19 on the river, we -- we have certain responsibilities, which

20 is -- it's to gate and fence. And -- and it's only for people

21 walking. And we have to make sure the garbage is picked up

22 and -- and all those things. That's the easement MOA.

23 COMMISSIONER MILLS: Okay.

24 KEITH WESTENGARD: And this is the part of the process to

25 get to the actual --

26 DISTRICT ATTORNEY HERRERA: Right.

27 KEITH WESTENGARD: -- contract.

28 DISTRICT ATTORNEY HERRERA: Contract.

29 KEITH WESTENGARD: So...

30 COMMISSIONER CLARK: And where --

31 CHAIRMAN BAKKER: Good deal.

32 COMMISSIONER CLARK: Where is this thousand acres?

33 DISTRICT ATTORNEY HERRERA: All over.

34 KEITH WESTENGARD: It's -- part of it is where the old

35 annex building is on Second -- North Second.

36 CHAIRMAN BAKKER: Rodeo grounds.

37 KEITH WESTENGARD: Rodeo grounds. And it runs back and

38 along and -- the Humboldt River and out --

39 COMMISSIONER MILLS: And it's on both sides --

40 KEITH WESTENGARD: -- to --

1 COMMISSIONER MILLS: -- of the --
2 KEITH WESTENGARD: -- the east.
3 COMMISSIONER MILLS: -- Humboldt River?
4 KEITH WESTENGARD: Yes.
5 CHAIRMAN BAKKER: Uh-huh.
6 KEITH WESTENGARD: East and west, actually, --
7 DISTRICT ATTORNEY HERRERA: Yeah.
8 KEITH WESTENGARD: -- of that.
9 CHAIRMAN BAKKER: There's a strip in there.
10 DISTRICT ATTORNEY HERRERA: So, yeah, we have different
11 spots in the county. It's not just one big area.
12 COMMISSIONER CLARK: Okay.
13 CHAIRMAN BAKKER: Okay.
14 Any other questions?
15 Patsy?
16 COMMISSIONER WAITS: No.
17 CHAIRMAN BAKKER: Okay. Public comment?
18 (No comment.)
19 CHAIRMAN BAKKER: Okay.

20
21 **14) Discussion for possible action to review and/or award the**
22 **sewer system improvement project, PWP NO-LA-2016-030 to one**
23 **of two bidders:**
24

- 25 1. Canyon Construction, \$2,651,717.74 with alternates,
- 26 \$2,017,935.19 without alternates.
- 27 2. Hunewill Construction, \$2,021,602.00 with alternates,
- 28 \$2,507.199.00 without alternates.

29
30 CHAIRMAN BAKKER: Number 14. Discussion for possible
31 action to review and/or award the sewer system improvement
32 project, PWP NO-LA-2016-030, to one of two bidders: Canyon
33 Construction, \$2,651,717.74 with alternates, \$2 million --
34 \$2,017,935.19 without alternates; Hunewill Construction,
35 \$2,021,602 with alternates, 2,507,199 without alternates.

36 DISTRICT ATTORNEY HERRERA: Excuse me.

37 BERT RAMOS: Real quick, can we make a correction on that?
38 We got the with alternates and the without alternates
39 backwards on Hunewill Construction.
40

1 13) Discussion for possible action regarding the land and
2 easement MOAs between Lander County and Pershing County and
3 all other matters properly related thereto.
4

5 DISTRICT ATTORNEY HERRERA: Commissioner, before we proceed
6 to this item, did we do anything on 13? Or you just took it as
7 a discussion only?

8 COMMISSIONER WAITS: To see what --

9 CHAIRMAN BAKKER: It was only on there --

10 COMMISSIONER WAITS: Do you want --

11 CHAIRMAN BAKKER: -- as a discussion.

12 COMMISSIONER WAITS: action?

13 COMMISSIONER MILLS: Do you need a motion on that?

14 CHAIRMAN BAKKER: Oh, did you need a motion on that?

15 DISTRICT ATTORNEY HERRERA: Well, it says, discussion and
16 possible action. Do you want us to proceed with this --

17 CHAIRMAN BAKKER: Yeah.

18 COMMISSIONER WAITS: Yes.

19 CHAIRMAN BAKKER: Obviously.

20 DISTRICT ATTORNEY HERRERA: Well, --

21 CHAIRMAN BAKKER: Okay, hold on, --

22 DISTRICT ATTORNEY HERRERA: It's an --

23 CHAIRMAN BAKKER: -- Bert.

24 DISTRICT ATTORNEY HERRERA: -- action --

25 CHAIRMAN BAKKER: Back up --

26 DISTRICT ATTORNEY HERRERA: -- item.

27 CHAIRMAN BAKKER: -- to Number 13. I need a --

28 DISTRICT ATTORNEY HERRERA: It's an --

29 CHAIRMAN BAKKER: -- motion.

30 DISTRICT ATTORNEY HERRERA: -- action item and you took no
31 action. So did you just --

32 CHAIRMAN BAKKER: I -- I know.

33 DISTRICT ATTORNEY HERRERA: I want --

34 CHAIRMAN BAKKER: I know.

35 DISTRICT ATTORNEY HERRERA: -- the record --

36 CHAIRMAN BAKKER: I --

37 DISTRICT ATTORNEY HERRERA: -- to reflect you --

38 CHAIRMAN BAKKER: -- understand what --

39 DISTRICT ATTORNEY HERRERA: -- took --

40 CHAIRMAN BAKKER: -- you're saying.

1 DISTRICT ATTORNEY HERRERA: -- discussion or -- or you
2 could take action on it.

3 COMMISSIONER MILLS: Make a motion that we direct our
4 county executive director and our district attorney to continue
5 with our action for the easement MOA for the land agreement
6 between Lander County and Pershing County.

7 COMMISSIONER WAITS: I'll second the motion.

8 CHAIRMAN BAKKER: Doug made a motion. Patsy seconded it.
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 DISTRICT ATTORNEY HERRERA: Thank you.

16 COMMISSIONER CLARK: Aye.

17 CHAIRMAN BAKKER: You're welcome.
18 Keeping it legal.

19
20 **14) Discussion for possible action to review and/or award the**
21 **sewer system improvement project, PWP NO-LA-2016-030 to one**
22 **of two bidders:**

- 23
24 1. Canyon Construction, \$2,651,717.74 with alternates,
25 \$2,017,935.19 without alternates.
26 2. Hunewill Construction, \$2,021,602.00 with alternates,
27 \$2,507.199.00 without alternates.
28

29 CHAIRMAN BAKKER: Okay. Number 14.

30 We have a correction on without alternates and with
31 alternates -- on Number 2 for Hunewill, --

32 COMMISSIONER WAITS: You said one --

33 CHAIRMAN BAKKER: -- Ted.

34 COMMISSIONER WAITS: -- was reversed?

35 BERT RAMOS: Well, the --

36 CHAIRMAN BAKKER: Well, they're -- the numbers are --

37 COMMISSIONER MILLS: Yeah.

38 CHAIRMAN BAKKER: -- going to be --

39 BERT RAMOS: Yeah.

40 CHAIRMAN BAKKER: -- swapped.

1 BERT RAMOS: Without the alternates is the 2,021,000 and
2 with the alternates it's the 2,507,000. So them -- them two,
3 the with and without, they got behind the wrong number. Which
4 --
5 COMMISSIONER WAITS: No, I'm still confused. Okay.
6 Let's -- let's start over.
7 CHAIRMAN BAKKER: This number needs to be --
8 COMMISSIONER WAITS: Oh, --
9 CHAIRMAN BAKKER: -- here.
10 COMMISSIONER WAITS: -- you mean on the agenda.
11 CHAIRMAN BAKKER: Yeah.
12 BERT RAMOS: That's what I'm saying.
13 COMMISSIONER WAITS: Oh, I'm looking at their bid sheet.
14 COMMISSIONER CLARK: Yeah.
15 BERT RAMOS: Oh. Oh.
16 COMMISSIONER WAITS: And I'm --
17 CHAIRMAN BAKKER: They --
18 COMMISSIONER WAITS: Oh, on the agenda.
19 CHAIRMAN BAKKER: That number goes there.
20 COMMISSIONER WAITS: Okay.
21 DISTRICT ATTORNEY HERRERA: With alternates is just --
22 COMMISSIONER WAITS: I was -- I was looking at this.
23 COMMISSIONER CLARK: These numbers are correct.
24 DISTRICT ATTORNEY HERRERA: I don't believe they are.
25 JEANNE FALZONE: Yeah.
26 COMMISSIONER WAITS: Okay.
27 JEANNE FALZONE: This has got to be --
28 COMMISSIONER WAITS: These numbers are the right --
29 CHAIRMAN BAKKER: Oh, yeah. Both of them.
30 JEANNE FALZONE: Without the alternates and then with the
31 --
32 COMMISSIONER MILLS: Well, just -- just --
33 JEANNE FALZONE: -- alternates.
34 DISTRICT ATTORNEY HERRERA: With the --
35 COMMISSIONER MILLS: -- Hunewill's is --
36 DISTRICT ATTORNEY HERRERA: -- alternates is --
37 COMMISSIONER MILLS: -- backwards.
38 DISTRICT ATTORNEY HERRERA: -- the higher number. Right
39 there. With alternates, 2,500,000.
40 CHAIRMAN BAKKER: Oh, yeah.

1 JEANNE FALZONE: But she's doing it --
2 COMMISSIONER CLARK: Bert?
3 JEANNE FALZONE: -- the way it --
4 DISTRICT ATTORNEY HERRERA: That's what it says.
5 COMMISSIONER CLARK: What are alternates?
6 DISTRICT ATTORNEY HERRERA: Alternates two million, five
7 hundred --
8 BERT RAMOS: Alt- -- alternates are --
9 DISTRICT ATTORNEY HERRERA: -- thousand.
10 BERT RAMOS: -- any -- any additional --
11 DISTRICT ATTORNEY HERRERA: Hunewill --
12 BERT RAMOS: -- work --
13 DISTRICT ATTORNEY HERRERA: -- Construction --
14 BERT RAMOS: -- so like an --
15 DISTRICT ATTORNEY HERRERA: -- two million dollars --
16 BERT RAMOS: -- alternate on, --
17 DISTRICT ATTORNEY HERRERA: -- with alternates --
18 JEANNE FALZONE: Comma on both of them.
19 BERT RAMOS: -- say, the lift station over there by Garner
20 property, the alternate would be, you know, putting in our box
21 for that vault or putting in a vault for them valves that are
22 exposed.
23 COMMISSIONER CLARK: Okay.
24 BERT RAMOS: So it's -- it's additional work that we have
25 money that -- we don't know if we do or don't have money for --
26 COMMISSIONER CLARK: Okay.
27 BERT RAMOS: -- until we get the bids in. So we put these
28 alternate jobs in there and if we -- if the bids come in low and
29 we have the money, --
30 COMMISSIONER CLARK: Okay.
31 BERT RAMOS: -- we can proceed with them. And if we don't,
32 then we don't have to --
33 CHAIRMAN BAKKER: There is no --
34 BERT RAMOS: -- do them.
35 CHAIRMAN BAKKER: -- change order.
36 BERT RAMOS: Yes.
37 COMMISSIONER CLARK: Okay.
38 CHAIRMAN BAKKER: It saves the county --
39 COMMISSIONER CLARK: That's what -- that --
40 CHAIRMAN BAKKER: -- money.

1 COMMISSIONER CLARK: That's a -- that's different than a
2 change order?
3 CHAIRMAN BAKKER: Yes.
4 BERT RAMOS: Yes, because then you're getting an actual bid
5 on it from -- from multiple contractors.
6 COMMISSIONER CLARK: Change orders are unexpected.
7 BERT RAMOS: Yes.
8 COMMISSIONER CLARK: Okay.
9 COMMISSIONER MILLS: What was budgeted for this project?
10 BERT RAMOS: Three million.
11 COMMISSIONER MILLS: Three million. Okay.
12 BERT RAMOS: And with our engineering and everything, we
13 come in just below the -- the 3 million mark.
14 COMMISSIONER WAITS: I had a question on one. And it was
15 the alternates. And offhand -- let's see if I can remember --
16 it was like -- on one of the bids, it was like \$12,000 a day.
17 And they estimated like five days to complete the --
18 BERT RAMOS: Of dewatering potentially?
19 COMMISSIONER WAITS: -- to complete the work.
20 BERT RAMOS: Potentially that was dewatering, maybe.
21 COMMISSIONER WAITS: I don't remember it being dewatering.
22 But anyway, it was like 12,000. And they estimated five
23 days for a total in their alternates of, like, 63,000 or
24 something like that.
25 So my question is: When they -- when they do a bid like
26 that and they estimate, if they go over and it takes them seven
27 days -- we know it's going be 12,000 a day -- does that become a
28 change order or --
29 BERT RAMOS: No, that should not become a change order.
30 They bid it that way.
31 COMMISSIONER WAITS: That's --
32 Okay. But I --
33 CHAIRMAN BAKKER: They got to incur --
34 COMMISSIONER WAITS: But their --
35 CHAIRMAN BAKKER: -- the cost.
36 COMMISSIONER WAITS: -- days were --
37 BERT RAMOS: Yes.
38 COMMISSIONER WAITS: -- incorrect. Okay. I think --
39 and -- and Marty put this together --
40 BERT RAMOS: Yes.

1 COMMISSIONER WAITS: -- for us? I thought it was
2 excellent. Even -- not only that, but the licensing with all of
3 the information of what they could actually do.
4 I mean, it was -- it was a pretty --
5 COMMISSIONER CLARK: Yeah.
6 COMMISSIONER WAITS: -- thorough --
7 COMMISSIONER CLARK: After the airport, --
8 COMMISSIONER WAITS: -- but --
9 COMMISSIONER CLARK: -- it's important --
10 COMMISSIONER WAITS: -- excellent.
11 COMMISSIONER CLARK: -- important to know what licenses
12 cover.
13 COMMISSIONER WAITS: It was --
14 COMMISSIONER CLARK: Well, I'd like to make a motion to
15 award Hunewill Construction the sewer system improvement project
16 for 2,021,600 --
17 CHAIRMAN BAKKER: No.
18 DISTRICT ATTORNEY HERRERA: No, no, no.
19 COMMISSIONER WAITS: That's right. He can still continue.
20 DISTRICT ATTORNEY HERRERA: Yeah, Commissioner.
21 CHAIRMAN BAKKER: Okay.
22 COMMISSIONER WAITS: Yeah.
23 DISTRICT ATTORNEY HERRERA: Do you want it with or without
24 alternates, --
25 COMMISSIONER WAITS: And -- and the alternates.
26 DISTRICT ATTORNEY HERRERA: -- Commissioner?
27 CHAIRMAN BAKKER: Okay.
28 COMMISSIONER WAITS: He's finishing.
29 COMMISSIONER CLARK: Who's telling me no?
30 CHAIRMAN BAKKER: I did.
31 COMMISSIONER CLARK: Why?
32 CHAIRMAN BAKKER: Because I thought you were -- because we
33 need the 507,000.
34 COMMISSIONER CLARK: Well, you've got to read the whole
35 sentence; don't you?
36 CHAIRMAN BAKKER: Okay. You can.
37 COMMISSIONER MILLS: We need to approve which one we want
38 to have done.
39 DISTRICT ATTORNEY HERRERA: Yes. You've got two choices.
40 COMMISSIONER MILLS: There's two choices. You can do it

1 without the alternates or with --
2 COMMISSIONER CLARK: Oh.
3 COMMISSIONER MILLS: -- alternates.
4 COMMISSIONER CLARK: Oh, I thought that they were bid that
5 way. Oh, okay, then --
6 COMMISSIONER WAITS: Just continue. You're fine.
7 COMMISSIONER MILLS: What work do we want to have --
8 COMMISSIONER CLARK: Okay.
9 COMMISSIONER MILLS: -- done?
10 COMMISSIONER CLARK: And I'll start over.
11 I make a motion to give Hunewill Construction the award the
12 sewer system improvement project with alternates, for \$2,507,199.
13 That's why I --
14 COMMISSIONER MILLS: Okay.
15 COMMISSIONER CLARK: -- was confused on the alternates. I
16 -- okay.
17 We're good.
18 CHAIRMAN BAKKER: Art made a motion. I need a second.
19 COMMISSIONER MILLS: I'll second.
20 CHAIRMAN BAKKER: Art made the motion. Doug seconded. Any
21 public comment? All in favor? Oh.
22 COMMISSIONER WAITS: Judie.
23 JUDIE ALLEN: Judie Allen.
24 I just have a question as far as the agenda. Is -- is it
25 proper to have the agenda item like that when the numbers are
26 transposed? Is it acceptable?
27 To me, --
28 DISTRICT ATTORNEY HERRERA: It's a --
29 JUDIE ALLEN: -- the agenda item would read as it's printed
30 that that would be -- I mean, it -- as it is printed is the
31 agenda item that you would have to either re-agendicize it
32 properly. Just curious.
33 DISTRICT ATTORNEY HERRERA: It's a yes-and-no answer,
34 Judie.
35 In my opinion, it's all right to do this. The explanation
36 was put in that the numbers were transposed.
37 We have an "and all other matters properly related thereto."
38 So there's nothing hidden here. It's a matter of record what
39 happened.
40 The bids are what they are.

1 And I -- I think it's fine to proceed this way.
2 JUDIE ALLEN: Okay, I was just --
3 DISTRICT ATTORNEY HERRERA: But, I mean, it's up to the
4 commission, but I -- I see no problem with proceeding.
5 COMMISSIONER CLARK: I mean, it'd be the same thing as
6 having a misspelled word.
7 JUDIE ALLEN: That's a good point. Thank you, Art.
8 COMMISSIONER CLARK: You're welcome.
9 COMMISSIONER WAITS: Yeah, when I read it and it was --
10 it's how clear it is to the public.
11 DISTRICT ATTORNEY HERRERA: Right.
12 COMMISSIONER WAITS: And the public knows we've got the two
13 bids. And they might have a question over the amounts when they
14 read it and say, Wait a minute. How can that be?
15 But it still would get them here to ask the question.
16 So...
17 COMMISSIONER CLARK: That's why we have these public
18 meetings to explain everything.
19 COMMISSIONER WAITS: Yes.
20 JUDIE ALLEN: Well, and I -- I -- I understand that.
21 And -- and I just know that, you know, sometimes agenda items
22 aren't phrased properly and whatnot sometimes but -- and that was
23 my only question, was, you know, if you are letter to letter by
24 the agenda, then this would be deceptive.
25 DISTRICT ATTORNEY HERRERA: Well, that's why I said, it's a
26 yes-and-no answer.
27 JUDIE ALLEN: Yeah. Thank you.
28 DISTRICT ATTORNEY HERRERA: Sometimes yes, sometimes no.
29 JUDIE ALLEN: Okay. Thank --
30 CHAIRMAN BAKKER: Any other --
31 JUDIE ALLEN: -- you.
32 CHAIRMAN BAKKER: -- public comment?
33 (No comment.)
34 CHAIRMAN BAKKER: All in favor?
35 COMMISSIONER MILLS: Aye.
36 CHAIRMAN BAKKER: Aye.
37 COMMISSIONER WAITS: Aye.
38 COMMISSIONER CLARK: Aye.
39 CHAIRMAN BAKKER: Thank you, Bert.
40 BERT RAMOS: Thank you very much.

1 BUILDING

2
3 15) Discussion for possible action regarding an update on the
4 archery building and all other matters properly related
5 thereto.
6

7 CHAIRMAN BAKKER: Building. Agenda Item Number 15.
8 Discussion for possible action regarding an update on the
9 archery building and all other matters properly related thereto.

10 KEITH WESTENGARD: This was brought up at the -- at the
11 last commission meeting -- commission meeting, by Commissioner
12 Clark. So I asked Anna to go out, look at the building, make an
13 evaluation, and get some pictures, and give a report back. And
14 here she is.

15 ANNA PENOLA: Anna Penola with the Building Department.

16 NATHAN ODLE: Nathan Odle, the vice president of the
17 archery club.

18 CHAIRMAN BAKKER: Good morning.

19 COMMISSIONER WAITS: Good morning.

20 ANNA PENOLA: Morning. Well, I went and checked it out.
21 It's a -- a big building. It's like they started to make
22 offices and bathrooms. But it's not finished.

23 Ceiling tiles over the -- on the pictures -- over the office
24 and the two bathrooms need to be completed. I don't know how far
25 the plumbing is.

26 There's a bunch of electrical switches. And I'm not
27 comfortable with switching stuff on. So I don't know if there's
28 electrical to it or not. That kind of sits in the middle and
29 the two ends are vacant.

30 It's just a pure steel building, trying to con- -- put some
31 offices and bathrooms in.

32 DISTRICT ATTORNEY HERRERA: Is it's habitable?

33 ANNA PENOLA: Should be.

34 CHAIRMAN BAKKER: Did you guys start the work?

35 NATHAN ODLE: Okay, no.

36 CHAIRMAN BAKKER: Okay.

37 NATHAN ODLE: Here's the thing. It is as it was generously
38 donated to us by the -- by you, the commission. So --

39 DISTRICT ATTORNEY HERRERA: Well, it wasn't donated.

40 NATHAN ODLE: Well, no, not donated. We're leasing it.

1 CHAIRMAN BAKKER: Okay.
2 NATHAN ODLE: And I understand that that con- -- I'm kind
3 of new to all this, so --
4 CHAIRMAN BAKKER: It's on loan.
5 NATHAN ODLE: -- bear with me for a second.
6 The plan was is that we were supposed to bring it up to code.
7 And we've been trying for over a year now to find contract- -- we
8 did have some contractors that we talked to to see if they'd
9 donate some of the work. We'd pay for some of it.
10 I mean, we're not rich by any means or anything. The
11 bottom line is, is that we want to take that started office out.
12 We want to fix the bathrooms up. And then basically it's just
13 going to be a target range room. But we need to have the
14 facilities working. We need to have proper power so we don't
15 burn the metal building down.
16 But the thing is, is we're having a hard time coming up with
17 the funding to do it because we're just getting started or
18 reorganizing. And actually, we're in another -- middle of another
19 reorganization.
20 So --
21 COMMISSIONER CLARK: I think --
22 NATHAN ODLE: -- there you have it.
23 COMMISSIONER CLARK: -- it's a -- it's an excellent --
24 excellent building for -- for what you're doing.
25 NATHAN ODLE: Uh-huh.
26 COMMISSIONER CLARK: If it can get operational, I think
27 people would go out there and use it.
28 DISTRICT ATTORNEY HERRERA: Commissioner Clark, what --
29 what he's really asking is to change the terms of the lease.
30 COMMISSIONER CLARK: The what?
31 DISTRICT ATTORNEY HERRERA: The terms of the lease.
32 COMMISSIONER CLARK: Are?
33 DISTRICT ATTORNEY HERRERA: He's asking to change the
34 terms.
35 COMMISSIONER CLARK: Well, that's --
36 DISTRICT ATTORNEY HERRERA: Because right now, they're
37 supposed to make the improvements.
38 COMMISSIONER CLARK: Right.
39 DISTRICT ATTORNEY HERRERA: He's asking the county to make
40 the imp- -- this is a substantial change in the terms of the

1 lease.
2 COMMISSIONER CLARK: Yes, it is.
3 DISTRICT ATTORNEY HERRERA: Substantial.
4 COMMISSIONER CLARK: This should have been addressed during
5 the budget hearing.
6 DISTRICT ATTORNEY HERRERA: But -- and I -- and I don't
7 think that you are in a position or you shouldn't be in a
8 position to agree to this unless we had -- know how much it's
9 going to cost us.
10 COMMISSIONER CLARK: Yeah.
11 DISTRICT ATTORNEY HERRERA: I don't think we can legally do
12 that.
13 CHAIRMAN BAKKER: Right.
14 COMMISSIONER WAITS: The agenda item says an update. It
15 doesn't say a request for any funding or anything.
16 DISTRICT ATTORNEY HERRERA: Right. But that -- that's
17 what was made. I just -- I just want --
18 COMMISSIONER WAITS: I see.
19 DISTRICT ATTORNEY HERRERA: -- you to know that -- what
20 direction you should probably legally --
21 COMMISSIONER WAITS: Okay.
22 DISTRICT ATTORNEY HERRERA: -- take.
23 COMMISSIONER WAITS: So for today, the update is they're in
24 trouble and you need to do some fundraisers. Okay?
25 NATHAN ODLE: Which --
26 DISTRICT ATTORNEY HERRERA: Did you understand what we just
27 --
28 COMMISSIONER CLARK: Should -- should've come to us during
29 the budget.
30 JEANNE FALZONE: Just to let you know that.
31 DISTRICT ATTORNEY HERRERA: No.
32 NATHAN ODLE: Well, I wasn't involved at that point in
33 time. But anyway, with that being said, when -- when is the
34 next budget?
35 CHAIRMAN BAKKER: We just did it.
36 COMMISSIONER CLARK: We just did it.
37 CHAIRMAN BAKKER: Next --
38 ANNA PENOLA: A whole --
39 CHAIRMAN BAKKER: -- year.
40 ANNA PENOLA: -- year --

1 NATHAN ODLE: Next year?
2 ANNA PENOLA: -- from now.
3 COMMISSIONER MILLS: Next year.
4 NATHAN ODLE: So...
5 CHAIRMAN BAKKER: You have to have everything in February?
6 Right, Keith?
7 KEITH WESTENGARD: Early February. Yes.
8 CHAIRMAN BAKKER: Early February.
9 NATHAN ODLE: Okay.
10 CHAIRMAN BAKKER: And quotes and the whole nine yards.
11 NATHAN ODLE: Right. So what we need to do -- and this is
12 the information that I needed so that I know where to go with
13 this is, is this. So I need to get some quotes. And maybe we
14 can come up with and take care of it ourselves as long as we're
15 still under the same --
16 DISTRICT ATTORNEY HERRERA: Well, --
17 NATHAN ODLE: -- agreement.
18 DISTRICT ATTORNEY HERRERA: Well, we -- the building's not
19 mentioned in the lease, in the original lease.
20 That may have been the understanding of the parties. But it
21 wasn't reduced to paper.
22 So the original lease -- and we've looked at it -- doesn't
23 even mention this building.
24 CHAIRMAN BAKKER: Okay.
25 DISTRICT ATTORNEY HERRERA: So this is all problematic.
26 Now they're saying they're -- they're in the building.
27 NATHAN ODLE: We haven't done anything in that building.
28 All we've done is looked at it. We haven't touched a thing in
29 there other than walked in and looked around and --
30 DISTRICT ATTORNEY HERRERA: Okay.
31 NATHAN ODLE: -- saw what we had to do.
32 DISTRICT ATTORNEY HERRERA: So you're --
33 COMMISSIONER CLARK: Who --
34 DISTRICT ATTORNEY HERRERA: -- not using the building?
35 NATHAN ODLE: No, absolutely --
36 DISTRICT ATTORNEY HERRERA: Okay.
37 COMMISSIONER CLARK: So --
38 NATHAN ODLE: -- not.
39 COMMISSIONER CLARK: -- how -- okay.
40 DISTRICT ATTORNEY HERRERA: So the building's just not part

1 of this lease. And what -- and it's asking -- it sounds like
2 they want to make it a part of it in the future. So we're just
3 discussing it now, is the discussion.
4 CHAIRMAN BAKKER: Right.
5 COMMISSIONER CLARK: Okay, on the --
6 CHAIRMAN BAKKER: I'm just saying if they want to fix it up
7 for -- they need to get all the quotes and everything ready by
8 next budget year.
9 COMMISSIONER CLARK: Right.
10 DISTRICT ATTORNEY HERRERA: No. No. I -- I understand.
11 But ri- -- I want you to know that the building's not presently
12 mentioned in the lease.
13 CHAIRMAN BAKKER: So we've got to fix that.
14 ANNA PENOLA: What is the orig- -- you guys -- can you read
15 the original one?
16 NATHAN ODLE: Yeah, I thought it was.
17 DISTRICT ATTORNEY HERRERA: Well, --
18 CHAIRMAN BAKKER: I don't have it.
19 COMMISSIONER MILLS: I think we had a copy of the lease
20 last meeting, not this one.
21 DISTRICT ATTORNEY HERRERA: The one --
22 COMMISSIONER WAITS: No, it's not in --
23 DISTRICT ATTORNEY HERRERA: -- we --
24 COMMISSIONER WAITS: -- here.
25 DISTRICT ATTORNEY HERRERA: -- found --
26 COMMISSIONER WAITS: Just pictures.
27 DISTRICT ATTORNEY HERRERA: The only one that the DA's
28 office could find, it wasn't mentioned.
29 NATHAN ODLE: Okay.
30 DISTRICT ATTORNEY HERRERA: Now it could -- it could have
31 been the intent of the parties to do that. And I'm -- I'm not
32 --
33 NATHAN ODLE: And see, I don't have any of the paperwork
34 that we got at the time when we signed the agreement.
35 I wasn't involved in it. And I'm trying to round this stuff
36 up, you guys.
37 DISTRICT ATTORNEY HERRERA: And I agree. It wasn't
38 recorded. So we -- it's -- it's hard to track this stuff down
39 if no records are kept.
40 COMMISSIONER CLARK: We'll get this -- we'll get to the

1 bottom of this.
2 What -- this was the building they were going to use for the
3 aircraft museum; wasn't --
4 ANNA PENOLA: Correct.
5 COMMISSIONER CLARK: -- it? Okay. Now I --
6 ANNA PENOLA: Correct.
7 COMMISSIONER CLARK: -- know. Because I'm looking at this
8 third picture. And I'm seeing wallboard up there and --
9 You see materials -- building materials laying around. So I
10 thought you guys were in there doing that. Now it makes sense.
11 NATHAN ODLE: No, that -- it had been -- there's, like,
12 Christmas -- you know, I think the city was putting Christmas
13 decorations. There's the big ones that go on --
14 COMMISSIONER CLARK: Yeah.
15 NATHAN ODLE: -- (indiscernible). That's what was in there
16 when we first looked at it.
17 COMMISSIONER CLARK: Well, I definitely have interest in
18 this project as something for the community. So whatever --
19 CHAIRMAN BAKKER: But --
20 COMMISSIONER CLARK: -- we need to do.
21 CHAIRMAN BAKKER: -- that's -- you've got quotes and then
22 submit them by February.
23 NATHAN ODLE: Okay.
24 CHAIRMAN BAKKER: And --
25 NATHAN ODLE: So with that being said, if we can get the
26 work done -- because the way I -- I guess we don't -- we're in
27 limbo here, is the way it sounds like to me. Because I can't do
28 anything even if I did find a contractor that would do it on a
29 donation basis.
30 Really what I'm hearing, we can't even move into it.
31 DISTRICT ATTORNEY HERRERA: No.
32 CHAIRMAN BAKKER: So we've got to fix the lease.
33 COMMISSIONER MILLS: Not till we get the lease corrected --
34 COMMISSIONER CLARK: Right.
35 NATHAN ODLE: Okay, so we don't --
36 COMMISSIONER MILLS: -- and the building's --
37 NATHAN ODLE: -- have to --
38 COMMISSIONER MILLS: -- part of it.
39 NATHAN ODLE: -- wait a year to do that; do we?
40 COMMISSIONER MILLS: No.

1 DISTRICT ATTORNEY HERRERA: No.
2 COMMISSIONER CLARK: No, no, no, no, no. We'll get --
3 DISTRICT ATTORNEY HERRERA: You can --
4 COMMISSIONER CLARK: -- that.
5 DISTRICT ATTORNEY HERRERA: -- you can always submit a
6 proposal to be put on --
7 COMMISSIONER MILLS: Right.
8 DISTRICT ATTORNEY HERRERA: -- the agenda.
9 COMMISSIONER MILLS: The only way -- the only thing you're
10 waiting a year for is for us to provide any money for it.
11 NATHAN ODLE: Well, we were -- I was coming here today to
12 ask to see if you'd be generous enough to help us out and donate
13 some money to it or --
14 COMMISSIONER MILLS: Yeah.
15 NATHAN ODLE: -- provide some money to it.
16 COMMISSIONER MILLS: And that's a -- that's a thing --
17 NATHAN ODLE: But...
18 COMMISSIONER MILLS: -- where also --
19 NATHAN ODLE: Obviously, we're not at that stage yet even.
20 COMMISSIONER MILLS: No.
21 COMMISSIONER WAITS: You're back -- you're back to
22 fundraisers.
23 NATHAN ODLE: Right.
24 COMMISSIONER MILLS: We still got -- we still have to get
25 you guys to have the lease for the building.
26 NATHAN ODLE: Right.
27 COMMISSIONER MILLS: But another avenue you can look at too
28 is the Convention and Tourism to help you with some financing
29 also.
30 ANNA PENOLA: That's a good --
31 NATHAN ODLE: Okay.
32 ANNA PENOLA: -- idea.
33 CHAIRMAN BAKKER: Uh-huh.
34 JEANNE FALZONE: And their current lease expires May 31st.
35 DISTRICT ATTORNEY HERRERA: Their current lease expires May
36 31st of this year?
37 JEANNE FALZONE: Uh-huh.
38 CHAIRMAN BAKKER: So we need --
39 COMMISSIONER MILLS: Oh, we've got --
40 NATHAN ODLE: Didn't we just --

1 COMMISSIONER MILLS: -- to renew that one anyway.
2 NATHAN ODLE: -- change it to a two-year, like, a week ago
3 or so?
4 DISTRICT ATTORNEY HERRERA: May 31st.
5 CHAIRMAN BAKKER: We've got a month.
6 COMMISSIONER MILLS: You've got six weeks.
7 CHAIRMAN BAKKER: Yeah.
8 COMMISSIONER MILLS: A month, whatever.
9 CHAIRMAN BAKKER: At the end of next --
10 NATHAN ODLE: And then it's --
11 CHAIRMAN BAKKER: -- month.
12 NATHAN ODLE: -- another two years after that? Is that --
13 am I misunderstanding something?
14 All I'm going by is what I was told, is that we just came to
15 the commissioners like -- a week ago?
16 COMMISSIONER MILLS: You currently have a contract with the
17 county for some reason.
18 DISTRICT ATTORNEY HERRERA: Okay. Commissioners, the
19 current lease has an automatic renewal clause in it.
20 And today, we have it on the agenda to see if you want to
21 just do that, let it automatically renew.
22 CHAIRMAN BAKKER: Obviously, we need to fix it.
23 DISTRICT ATTORNEY HERRERA: Or fix it. I --
24 CHAIRMAN BAKKER: Yeah.
25 COMMISSIONER MILLS: Yeah.
26 COMMISSIONER CLARK: Fix it.
27 CHAIRMAN BAKKER: Yeah. Let's fix it.
28 COMMISSIONER MILLS: We'll redo -- we'll re- -- we'll redo
29 the contract and make sure the building's included in it. And
30 then -- then you can use the building without any fear.
31 But as far as -- is -- and you can do -- we'll make it so
32 you can -- you can make upgrades or improvements on the building
33 if you want to.
34 But as far as the county providing any money for that,
35 we'll have to wait until next budget year before we can provide
36 any money. But we can -- we can get you the contract to use the
37 building prior to that.
38 CHAIRMAN BAKKER: Right.
39 COMMISSIONER MILLS: It shouldn't be a problem.
40 CHAIRMAN BAKKER: You've still got to bring it up to code,

1 though.

2 COMMISSIONER MILLS: Right.

3 CHAIRMAN BAKKER: Right.

4 DISTRICT ATTORNEY HERRERA: So part of your motion,
5 whatever it is, should include the fact that -- that you're not
6 going to let the lease automatically renew.

7 COMMISSIONER MILLS: Right.

8 COMMISSIONER WAITS: But this doesn't say anything about
9 the lease or the contract on here.

10 JEANNE FALZONE: That was done last commissioner meeting.

11 COMMISSIONER WAITS: It --

12 DISTRICT ATTORNEY HERRERA: That was --

13 COMMISSIONER WAITS: -- simply says --

14 DISTRICT ATTORNEY HERRERA: -- done --

15 COMMISSIONER WAITS: -- an update.

16 DISTRICT ATTORNEY HERRERA: Well, it's discussion for
17 possible action regarding --

18 COMMISSIONER WAITS: I know that. But -- but that's not
19 very clear to the public that this lease is up. I -- and I
20 understood it was going to be an update on the -- on the archery
21 building. That's what it says.

22 And now you're saying you want us to -- to renew the lease?

23 DISTRICT ATTORNEY HERRERA: No, I --

24 COMMISSIONER WAITS: And it's --

25 DISTRICT ATTORNEY HERRERA: -- don't want you --

26 COMMISSIONER WAITS: -- automatically --

27 DISTRICT ATTORNEY HERRERA: -- to --

28 COMMISSIONER WAITS: -- renewable, but --

29 DISTRICT ATTORNEY HERRERA: -- (indiscernible).

30 COMMISSIONER WAITS: -- we should at least make a
31 correction or something? And I'm going, we don't even have it
32 in front of us.

33 DISTRICT ATTORNEY HERRERA: I'm not asking you to renew the
34 lease, Commissioner.

35 COMMISSIONER WAITS: No, you said it was automatically
36 renewable, but we --

37 DISTRICT ATTORNEY HERRERA: I'm -- I'm --

38 COMMISSIONER WAITS: -- could address --

39 DISTRICT ATTORNEY HERRERA: -- pointing out to you, --

40 COMMISSIONER WAITS: -- it --

1 DISTRICT ATTORNEY HERRERA: -- since it's in --
2 COMMISSIONER WAITS: -- and correct it.
3 DISTRICT ATTORNEY HERRERA: -- the discussion phase of
4 this --
5 COMMISSIONER WAITS: Right.
6 DISTRICT ATTORNEY HERRERA: -- agenda, I'm pointing out
7 that automatically renews --
8 COMMISSIONER MILLS: Right.
9 DISTRICT ATTORNEY HERRERA: -- May 31st. However you want
10 to take it.
11 COMMISSIONER WAITS: So we still can put it on the agenda.
12 DISTRICT ATTORNEY HERRERA: Absolutely.
13 COMMISSIONER WAITS: Okay.
14 COMMISSIONER MILLS: We're just asking that we correct the
15 lease. And we need to make some adjustments to it, and then
16 we'll --
17 CHAIRMAN BAKKER: To the archery club building.
18 COMMISSIONER MILLS: -- re- -- re- -- yeah. We'll redo the
19 --
20 ANNA PENOLA: As far as being --
21 COMMISSIONER MILLS: We need to redo the --
22 ANNA PENOLA: -- habitable, --
23 COMMISSIONER MILLS: -- lease.
24 ANNA PENOLA: -- it -- they can use it for range, but the
25 bathrooms wouldn't be working. There would have to be exit
26 signs. There would have to be fire extinguishers. Things like
27 that would have to --
28 COMMISSIONER MILLS: So --
29 ANNA PENOLA: -- be done.
30 COMMISSIONER MILLS: -- you have --
31 ANNA PENOLA: Little things --
32 COMMISSIONER MILLS: Okay.
33 ANNA PENOLA: -- so they can at least get in.
34 CHAIRMAN BAKKER: To open it up to the public.
35 DISTRICT ATTORNEY HERRERA: You can't use the building.
36 NATHAN ODLE: Can --
37 ANNA PENOLA: At the time that it becomes part of the
38 lease.
39 CHAIRMAN BAKKER: Right.
40 COMMISSIONER MILLS: Right.

1 DISTRICT ATTORNEY HERRERA: Okay.
2 CHAIRMAN BAKKER: Okay.
3 NATHAN ODLE: And who would we need to get to sign off that
4 we've made those improvements so that we can --
5 ANNA PENOLA: Me.
6 NATHAN ODLE: Okay. So I can --
7 COMMISSIONER MILLS: Anna. Anna'll take care --
8 NATHAN ODLE: -- work with you on that.
9 COMMISSIONER MILLS: -- of that.
10 ANNA PENOLA: Yes, sir.
11 NATHAN ODLE: Thank you.
12 DISTRICT ATTORNEY HERRERA: But you can't make any
13 improvements on the building right now.
14 NATHAN ODLE: I understand that.
15 COMMISSIONER CLARK: Until --
16 COMMISSIONER MILLS: Until --
17 COMMISSIONER CLARK: Yeah.
18 COMMISSIONER MILLS: -- until the lease is in place.
19 NATHAN ODLE: I understand that.
20 COMMISSIONER MILLS: Right.
21 COMMISSIONER WAITS: But you need to work with Keith to get
22 it on the agenda.
23 NATHAN ODLE: Okay.
24 CHAIRMAN BAKKER: Okay.
25 COMMISSIONER MILLS: So we'll --
26 COMMISSIONER WAITS: Okay.
27 COMMISSIONER MILLS: Yeah, we'll move forward. And
28 we'll -- we'll start getting some --
29 COMMISSIONER WAITS: Thank you.
30 COMMISSIONER MILLS: -- things going here for you and make
31 something happen.
32 NATHAN ODLE: Okay.
33 COMMISSIONER MILLS: And just as a curiosity, since you're
34 going to be doing indoor shooting, how do -- how do you prevent
35 the arrows from poking little holes in the walls?
36 NATHAN ODLE: Because we're going to have big backers, --
37 COMMISSIONER CLARK: Yeah.
38 COMMISSIONER MILLS: What --
39 NATHAN ODLE: -- several --
40 COMMISSIONER MILLS: -- what do you use?

1 NATHAN ODLE: -- layers of backers.
2 COMMISSIONER MILLS: What do you use as a backer?
3 NATHAN ODLE: What do we use?
4 COMMISSIONER MILLS: Yeah.
5 NATHAN ODLE: Well, we've got some that we can buy. Or we
6 can build them. Compressed magazines, newspapers.
7 I mean, --
8 COMMISSIONER MILLS: So just something that's dense enough
9 to --
10 NATHAN ODLE: Yeah. And then we'll put, like, --
11 COMMISSIONER MILLS: Okay.
12 NATHAN ODLE: -- belting that we get from the mine behind
13 that that even so -- so that it won't go -- if it did
14 partially --
15 COMMISSIONER MILLS: Yeah.
16 NATHAN ODLE: -- go through the --
17 COMMISSIONER MILLS: So I imagine you're going to be -- you
18 shooting --
19 NATHAN ODLE: We're talking three-foot, four-foot-thick --
20 COMMISSIONER MILLS: Oh.
21 NATHAN ODLE: -- compressed cardboard.
22 COMMISSIONER MILLS: Okay. None of those shooting compound
23 bows. Those things are --
24 NATHAN ODLE: It'll --
25 COMMISSIONER MILLS: They're pretty potent.
26 NATHAN ODLE: It won't go through it. I have -- I have
27 these kind of backers at my house. And it -- it doesn't go
28 flying in the neighbor's yard.
29 COMMISSIONER MILLS: Awesome. Thanks.
30 ANNA PENOLA: (Indiscernible) that off. I've got to do the
31 next one, and then I'll give you my card.
32 NATHAN ODLE: Okay.
33 CHAIRMAN BAKKER: So --
34 NATHAN ODLE: Thank you.
35 CHAIRMAN BAKKER: Thank you.
36 COMMISSIONER WAITS: Thank you.
37 CHAIRMAN BAKKER: Got direction, Keith?
38 KEITH WESTENGARD: Yes.
39 CHAIRMAN BAKKER: Okay.
40 KEITH WESTENGARD: I'll get the contract. And I'll get

1 with the district attorney.

2 CHAIRMAN BAKKER: Okay. Ratify it later.

3 Okay.

4
5 **16) Discussion for possible action regarding the interior**
6 **buildout of the Lander County annex building located at 825**
7 **North Second Street, Battle Mountain, Nevada 89820, and all**
8 **other matters properly related thereto.**
9

10 CHAIRMAN BAKKER: Okay. Building. Sixteen. Discussion
11 for possible action regarding the interior buildout of the
12 Lander County annex building located at 825 North Second Street,
13 Battle Mountain, Nevada 89820, and all other matters properly
14 related thereto.

15 KEITH WESTENGARD: As you know, several months back we
16 had a -- a pretty severe flood in the old annex building.
17 Currently, the annex building is pretty much gutted right now.
18 We had to have all the interior removed, all the carpets
19 removed. So there's just -- the walls are up without any
20 drywall on them.

21 ANNA PENOLA: Just framing.

22 KEITH WESTENGARD: Just the framing. Carpet's gone.
23 Everything's gone.

24 COMMISSIONER CLARK: What caused the flood?

25 KEITH WESTENGARD: A -- a water pipe. It froze.

26 I believe it was a frozen wat- -- yeah, frozen water pipe
27 broke when we had the real hard freeze a few months back.

28 So what we're -- where we're at now is we have a couple of
29 entities that are interested in the building.

30 They're working on building -- or getting us the cost
31 estimates to bring the building back to the way it was.

32 GBC's expressed interest in the building.

33 DISTRICT ATTORNEY HERRERA: For a dollar.

34 KEITH WESTENGARD: As well as the state health nurse,
35 possibly, and mental health.

36 This is the time, if we're going to do some changes to the
37 building interior, this would be the time to do that. Are we
38 going to look at making bigger classrooms? Are we going to look
39 at exam rooms? Because this is the time to move walls around, to
40 put drains in, to move plumbing around, and so forth.

1 COMMISSIONER WAITS: I -- I assume we're also negotiating
2 with our insurance company.

3 KEITH WESTENGARD: What -- what's going to happen --

4 COMMISSIONER WAITS: So will they let us make some changes?
5 Or put it back the way it was? Or --

6 KEITH WESTENGARD: What's going to happen is they're going
7 give us an estimate -- or cost, the cost to bring it back to the
8 way it was.

9 If, for instance, a different entity is interested in it and
10 they want to make changes and it exceeds the cost that we're going
11 to get from our insurance company to bring it back to its original
12 state, they're going to have to pay for those -- those added costs
13 to bring it to the way they want it.

14 If they -- if the costs are less than what the insurance
15 company's going to give us to do these buildouts, then we're just
16 -- we're -- we're ahead or there -- it's no money out of our --
17 anybody's pocket.

18 COMMISSIONER WAITS: Okay. Thank you.

19 KEITH WESTENGARD: So what I'm looking for is --

20 CHAIRMAN BAKKER: Which way to build it out.

21 KEITH WESTENGARD: Well, do you want me to continue on with
22 these -- these other entities? Find out exactly what they want?
23 How much it's going to cost?

24 We should -- did we get cost estimates back yet from --

25 ANNA PENOLA: Not yet.

26 KEITH WESTENGARD: -- BELFOR?

27 ANNA PENOLA: No.

28 KEITH WESTENGARD: Okay. Because I (indiscernible).
29 So we're supposed to get something back from BELFOR that
30 says how much it's going cost to bring it back to its original
31 state.

32 CHAIRMAN BAKKER: I -- I -- I would say work with all these
33 entities and bring back numbers and what they all want and what
34 it's going to cost and --

35 DISTRICT ATTORNEY HERRERA: GBC wants the building for a
36 dollar.

37 CHAIRMAN BAKKER: I know, but what the buildout's going to
38 cost.

39 DISTRICT ATTORNEY HERRERA: But -- but the -- the other
40 entities that Keith's talking about are -- are legitimate local

1 county entities that if we change the insides a little bit, we
2 can actually help the county.

3 With GBC, we're -- they're just putting administrative
4 offices in. It's not going to help the county at all.

5 COMMISSIONER CLARK: Right. We -- I remember that
6 discussion. They weren't going to add any new classes.

7 DISTRICT ATTORNEY HERRERA: Nothing. Nothing.

8 COMMISSIONER CLARK: Nothing at all.

9 DISTRICT ATTORNEY HERRERA: So we would be expending money
10 to give to some entity for a dollar.

11 KEITH WESTENGARD: I believe that -- I'm sorry, Ted. Go
12 ahead.

13 I believe it's changed as far as classrooms and classes.
14 So I'll let Jill speak to that for GBC.

15 JILL CHAMBLISS: Hi. So I'm Jill Chambliss from Great
16 Basin College.

17 They wouldn't just be administrative offices. They would
18 actually be our classrooms.

19 So right now, the way that we -- we're kind of landlocked.
20 I mean, we're stuck. We have three classrooms. We have the
21 modular that sits out back that right now the people that are in
22 it is -- is the ESL program. So -- and at this point we're
23 really stuck. We have -- frequently we have classes that we
24 have to turn down. We don't have any more room.

25 The county -- well, the sheriff's office uses our
26 facilities; the school district uses our facilities; 4-H uses
27 our facilities. Right now they're just -- they don't have --
28 the school district doesn't have their -- I cannot think of what
29 it's called. It's the interactive video equipment. I'm not
30 sure what they call it on their end. So it's not hooked up; so
31 they use ours right now. And we have to turn them down quite a
32 bit because there's no -- we have classes running.

33 We do have two live classes right now. Potentially, we could
34 add more should we have the space to do it. And -- I mean,
35 there's various things that we --

36 CHAIRMAN BAKKER: Jill, how many more classrooms --

37 JILL CHAMBLISS: -- need to do.

38 CHAIRMAN BAKKER: -- do you need?

39 JILL CHAMBLISS: We would like to have five to six.

40 COMMISSIONER CLARK: But --

1 CHAIRMAN BAKKER: You have --
2 COMMISSIONER CLARK: -- how many --
3 CHAIRMAN BAKKER: -- three.
4 COMMISSIONER CLARK: -- new -- how many new classes are you
5 going to have?
6 JILL CHAMBLISS: Well, I can tell you potentially right
7 now, I've turned down 11 classes for next semester that we don't
8 have room for.
9 We just --
10 COMMISSIONER CLARK: Because --
11 JILL CHAMBLISS: -- there's --
12 COMMISSIONER CLARK: -- the last time we visited this, the
13 president or whoever it was --
14 JILL CHAMBLISS: Uh-huh.
15 COMMISSIONER CLARK: -- of Great Basin said that he did not
16 intend to put any new classes in Battle Mountain because he
17 still wanted people to travel to Elko.
18 JILL CHAMBLISS: Right --
19 COMMISSIONER CLARK: That's what --
20 JILL CHAMBLISS: -- now --
21 COMMISSIONER CLARK: -- he said.
22 JILL CHAMBLISS: Well, --
23 DISTRICT ATTORNEY HERRERA: That's what he said.
24 JILL CHAMBLISS: The intention is, should we have space to
25 put them -- that's our biggest problem right now is that we
26 don't -- we can't plan for the classes if we don't know that we
27 have a place to put them.
28 So there is interest by a couple different people that we've
29 been approached -- that they would like to do, like, some welding
30 classes, some different things like that here that right now we
31 don't have -- we don't have a place for them to do it. So it
32 would be multiple different steps as well as, like, reactivating
33 the diesel tech program that used to be here that's -- they -- the
34 college discontinued their program in part. But it's now ramping
35 back up again. So that was with the school district that it was a
36 combination program there.
37 There's various different things that -- that we could do if
38 we had the room to do.
39 CHAIRMAN BAKKER: Keith, can -- the annex building's pretty
40 big. You could even give GBC -- build it out one or two

1 classrooms on the end there --
2 KEITH WESTENGARD: Sure.
3 CHAIRMAN BAKKER: -- with the other entities.
4 KEITH WESTENGARD: Yeah. We would have to get together
5 with a contractor and do a walk-through and get classroom
6 sizes --
7 CHAIRMAN BAKKER: So, --
8 KEITH WESTENGARD: -- and so --
9 CHAIRMAN BAKKER: -- I mean, --
10 KEITH WESTENGARD: -- forth.
11 CHAIRMAN BAKKER: -- it's big enough to accommodate
12 everyone.
13 KEITH WESTENGARD: I believe it is.
14 JILL CHAMBLISS: It's a --
15 CHAIRMAN BAKKER: We've just got to --
16 JILL CHAMBLISS: It's definitely a good-sized --
17 CHAIRMAN BAKKER: You just need --
18 JILL CHAMBLISS: -- building.
19 CHAIRMAN BAKKER: -- direction to get with all the entities
20 and see what they need.
21 KEITH WESTENGARD: We can come up with a joint plan.
22 CHAIRMAN BAKKER: What they're willing to negotiate or work
23 with or not or whatever.
24 KEITH WESTENGARD: Right.
25 CHAIRMAN BAKKER: And move --
26 JILL CHAMBLISS: And they're --
27 CHAIRMAN BAKKER: -- forward.
28 JILL CHAMBLISS: -- willing to negotiate the cost of the
29 building as well. That's just -- was what our current lease is.
30 And should we move into the other building, we would give the
31 building that we have up. And right now the people that would
32 like to move into it is the adult ed program.
33 KEITH WESTENGARD: Which vacates the old V of A building.
34 CHAIRMAN BAKKER: I was kind of picturing, Jill, you'd keep
35 your old building and maybe get a couple of classrooms on the
36 other building.
37 JILL CHAMBLISS: Right. Well, either way.
38 CHAIRMAN BAKKER: Right.
39 JILL CHAMBLISS: That's just something that -- that we've
40 talked with the school district about, that they need a new

1 home. And that's --
2 CHAIRMAN BAKKER: They do need --
3 JILL CHAMBLISS: -- where --
4 CHAIRMAN BAKKER: -- a new home.
5 JILL CHAMBLISS: -- they would like to -- to come back to.
6 CHAIRMAN BAKKER: But anyway. So I don't think we need a
7 motion; do we? Or do we need a motion?
8 DISTRICT ATTORNEY HERRERA: No.
9 COMMISSIONER WAITS: Uh-uh.
10 CHAIRMAN BAKKER: Keith, you -- do you -- clear direction?
11 KEITH WESTENGARD: Yes. Thank you.
12 CHAIRMAN BAKKER: Okay. Thank you, guys.
13 JILL CHAMBLISS: Thank you.
14 COMMISSIONER WAITS: Thank you.

15
16
17 **COMMISSIONERS**

18
19 17) **Discussion for possible action to appoint one or more**
20 **competent real estate appraisers to appraise the value of**
21 **real property for possible purchase by the county, in this**
22 **case Scott Griffin of Johnson-Perkins & Associates, Inc. --**
23 **the person or persons so appointed shall be sworn to make a**
24 **true appraisal thereof according to the best of their**
25 **knowledge and ability -- and all other matters properly**
26 **related thereto.**
27

28 CHAIRMAN BAKKER: Seventeen. Commissioners. Discussion
29 for possible action to appoint one or more competent real estate
30 appraisers to appraise the value of real property for possible
31 purchase by county -- or by the county, in this case Scott
32 Griffin of Johnson-Perkins & Associates, Incorporated -- the
33 person or persons so appointed shall be sworn to make a true
34 appraisal there -- thereof according to the best of their
35 knowledge and ability -- and all other matters properly related
36 thereto.

37 DISTRICT ATTORNEY HERRERA: Commissioners, what -- what
38 this is -- and the agenda item itself contains the -- the
39 statute.

40 So in order for our county to buy any real estate, we have

1 to -- now, if we want to sell any -- any -- any property, we have
2 to make an ordinance. I've told you that before. But if we want
3 to buy any, we have to appoint an appraiser or appraisers and --
4 and -- and fol- -- and they have to be sworn to make a true
5 appraisement thereof.

6 And the appraiser that -- that we're looking for out of
7 Reno is Scott Griffin at Johnson-Perkins & Associates, Inc.

8 It's my understanding, from talking to Keith, that there's
9 only two or three in the state.

10 KEITH WESTENGARD: Two.

11 COMMISSIONER WAITS: That's right.

12 KEITH WESTENGARD: That is correct.

13 DISTRICT ATTORNEY HERRERA: And so we'll get one of them on
14 the list. And he's willing to do the appraisal. The r- --
15 this -- this real property.

16 CHAIRMAN BAKKER: Okay. So we need to approve this
17 appraiser?

18 DISTRICT ATTORNEY HERRERA: Yes.

19 CHAIRMAN BAKKER: Appoint him.

20 DISTRICT ATTORNEY HERRERA: And then he has to be sworn
21 in -- and all that.

22 COMMISSIONER MILLS: Does the motion have to indicate what
23 property's being appraised?

24 CHAIRMAN BAKKER: Or we're just putting them on --

25 DISTRICT ATTORNEY HERRERA: Any real property.

26 CHAIRMAN BAKKER: He's just --

27 COMMISSIONER CLARK: Right.

28 CHAIRMAN BAKKER: -- going to be the county-appointed
29 appraiser.

30 COMMISSIONER MILLS: Oh, is that what we're doing?

31 DISTRICT ATTORNEY HERRERA: Right. So if we want to ever
32 buy or look at buying any real property, we can't get it
33 appraised until we have an appraisal on the list.

34 COMMISSIONER MILLS: So we're just making these guys our
35 county-appointed appraisers for all real property?

36 DISTRICT ATTORNEY HERRERA: Yes.

37 COMMISSIONER MILLS: Okay.

38 DISTRICT ATTORNEY HERRERA: And we can add. We can -- we
39 can add or substitute at a later date.

40 COMMISSIONER WAITS: Do you want a length of time?

1 DISTRICT ATTORNEY HERRERA: But -- well, you could do that
2 any -- any way you want.
3 But we need one before we can make the telephone call, could
4 you give us an appraisal.
5 COMMISSIONER WAITS: Well, if you don't name the name and
6 just leave it up to you folks, then we don't need a length of
7 time.
8 DISTRICT ATTORNEY HERRERA: Oh, no.
9 COMMISSIONER WAITS: Because you --
10 DISTRICT ATTORNEY HERRERA: We have to name the name today.
11 COMMISSIONER WAITS: You do have to?
12 DISTRICT ATTORNEY HERRERA: Yes.
13 KEITH WESTENGARD: Has to be sworn in.
14 COMMISSIONER WAITS: Well, then I think we should have a
15 term -- term on it. I don't think it should just be forever.
16 DISTRICT ATTORNEY HERRERA: That's fine. No, that's fine.
17 COMMISSIONER MILLS: How long do you like?
18 COMMISSIONER WAITS: A couple years.
19 COMMISSIONER MILLS: Two years?
20 COMMISSIONER WAITS: Yeah. Two, three years. Take it to
21 the end of your term.
22 COMMISSIONER MILLS: Oh, there we go.
23 I'll make a motion that we appoint Johnson-Perkins -- Scott
24 Griffin and Johnson-Perkins Associates, Inc., as the county
25 appraiser for real properties in Lander County, Nevada, for a
26 period of three years.
27 COMMISSIONER WAITS: I'll second the motion.
28 CHAIRMAN BAKKER: Doug made a motion. Patsy seconded. Any
29 public comment?
30 (No comment.)
31 CHAIRMAN BAKKER: All in favor?
32 COMMISSIONER MILLS: Aye.
33 CHAIRMAN BAKKER: Aye.
34 COMMISSIONER WAITS: Aye.
35 COMMISSIONER CLARK: Aye.
36 DISTRICT ATTORNEY HERRERA: Now, you -- with the
37 understanding that he -- he cannot be placed on that list until
38 he gives a sworn statement to make a true appraisal thereof
39 according to the best of his knowledge and ability.
40 CHAIRMAN BAKKER: Okay.

1 DISTRICT ATTORNEY HERRERA: Okay.
2 CHAIRMAN BAKKER: Keith, you going to get him sworn in?
3 KEITH WESTENGARD: Yes. I'll make the appropriate
4 contacts, and we'll get it taken care of.
5 CHAIRMAN BAKKER: Okay.
6 KEITH WESTENGARD: Thank you.
7 CHAIRMAN BAKKER: Thank you.

8
9

10 **FINANCE**

11
12 **18) Update on budget review, contracts, financial update, and all**
13 **other matters properly related thereto.**
14

15 CHAIRMAN BAKKER: Finance. Update on budget review,
16 contracts, financial update, and all other matters properly
17 related thereto.

18 KEITH WESTENGARD: I'm going to have to ask that to be
19 tabled. Nan is in Reno today at NACO.

20 COMMISSIONER CLARK: Okay.

21 CHAIRMAN BAKKER: Okay.

22 COMMISSIONER WAITS: POOL/PACT.

23 DISTRICT ATTORNEY HERRERA: POOL/PACT.

24 KEITH WESTENGARD: Or POOL/PACT. Sorry. POOL/PACT.

25 DISTRICT ATTORNEY HERRERA: I said the same thing.
26
27

28 **COMMISSIONERS**

29

30 **19) Discussion and possible action for closed labor session with**
31 **management representatives to discuss upcoming labor**
32 **negotiations and all other matters properly related thereto.**
33

34 CHAIRMAN BAKKER: So at this time we're going to go into a
35 closed session.

36 Before we do that --

37 COMMISSIONER CLARK: Take a break first.

38 COMMISSIONER MILLS: Take a break.

39 CHAIRMAN BAKKER: Oh, take a --

40 COMMISSIONER WAITS: Yeah.

1 CHAIRMAN BAKKER: -- five-minute break. Austin?
2 COMMISSIONER WAITS: We don't actually need them anymore.
3 CHAIRMAN BAKKER: Are you there Miteshell?
4

5 ***CLOSED SESSION***
6

7 (Whereupon, the Board of County Commissioners took a break
8 at 11:03 a.m., followed by a closed session that ended at 11:31
9 a.m.)
10

11 ***OPEN SESSION***
12

13 CHAIRMAN BAKKER: Okay. Call this meeting back to order.
14 Open session.
15
16

17 **COMMISSIONERS**
18

19 **20) Correspondence, reports, potential upcoming agenda items.**
20

21 CHAIRMAN BAKKER: Item Number 20. Correspondence, reports,
22 and potential upcoming agenda items.

23 I think you've got everything in the meeting.
24

25 (The following correspondence was received:

26 1. Monthly reports. March 2016.

27 2. Nevada Division of Environmental Protection.

28 Department of Conservation & Natural Resources. No further
29 action determination -- Ormat Nevada, Inc.

30 3. State of Nevada. Department of Conservation and
31 Natural Resources. Division of Environmental Protection.
32 Bureau of Mining Regulation and Reclamation. Water Pollution
33 Control Permit. Cortez Joint Venture dba Barrick Cortez, Inc.
34 Permit Number NEV0000023.

35 4. State of Nevada. Department of Conservation and
36 Natural Resources. Division of Environmental Protection. Water
37 Pollution Control Permit. Meridian Rossi Corporation. Permit
38 Number NEV0060006.

39 5. State of Nevada Commission on Mineral Resources.
40 Division of Minerals. Notice of Public Hearing.)

1
2 KEITH WESTENGARD: Just so you know, next meeting we'll be
3 talking -- Jeff Eisenberg's going to call in and give an update
4 on the levee. And then I want to have Tom Gallagher do an
5 update on the levee from Summit Engineering side.

6 I want to look at the lines in Austin, see how that's
7 going, and get an update from -- for you guys.

8 Other than that, I think that's -- those are the -- right
9 now, all there is.

10 DISTRICT ATTORNEY HERRERA: Well, and I brought up one that
11 I'm going to be putting on next time about -- about job
12 descriptions so we can --

13 CHAIRMAN BAKKER: Oh, right.

14 DISTRICT ATTORNEY HERRERA: -- so we can get a standardized
15 procedure for job descriptions.

16 CHAIRMAN BAKKER: And -- sounds good.

17 COMMISSIONER WAITS: We --

18 KEITH WESTENGARD: Oh, and Rick Harless.

19 COMMISSIONER WAITS: Yeah. We need to talk -- we need to
20 talk to our clerk too because we need to have that on the agenda
21 with the committees that need to be appointed because we'll --

22 CHAIRMAN BAKKER: For the --

23 COMMISSIONER WAITS: -- probably have --

24 CHAIRMAN BAKKER: -- fuel tax.

25 COMMISSIONER WAITS: Huh?

26 CHAIRMAN BAKKER: Is that what you're talking about?

27 COMMISSIONER WAITS: Yeah. For the fuel tax ballots.

28 KEITH WESTENGARD: And Sadie's working --

29 DISTRICT ATTORNEY HERRERA: Well, --

30 KEITH WESTENGARD: -- on --

31 DISTRICT ATTORNEY HERRERA: Yeah, Sadie's -- by statute
32 Sadie has to give us certain -- and -- and I've talked to her
33 and told her to start getting a list together because it says
34 the county clerk shall do this and --

35 COMMISSIONER WAITS: Oh, yeah. We have to do it. But my
36 understanding is that we can just request anybody from the
37 public or anybody that wants to sit on --

38 DISTRICT ATTORNEY HERRERA: No. No.

39 COMMISSIONER WAITS: She has to have from a choice
40 committee?

1 DISTRICT ATTORNEY HERRERA: She has to --
2 CHAIRMAN BAKKER: The clerk --
3 DISTRICT ATTORNEY HERRERA: -- have it --
4 CHAIRMAN BAKKER: -- appoints.
5 DISTRICT ATTORNEY HERRERA: -- from her list. The county
6 clerk.
7 COMMISSIONER WAITS: No, the clerk doesn't appoint. We
8 appoint.
9 DISTRICT ATTORNEY HERRERA: No, but she makes the
10 recommendations.
11 COMMISSIONER WAITS: Yeah.
12 DISTRICT ATTORNEY HERRERA: And she shall make
13 recommendations before the county commissioners can appoint.
14 COMMISSIONER WAITS: Yes.
15 DISTRICT ATTORNEY HERRERA: Is all --
16 CHAIRMAN BAKKER: Okay.
17 DISTRICT ATTORNEY HERRERA: -- I'm saying. So I'm -- I'm
18 tell- -- I'm directing everybody to go sign up at the county
19 clerk so she can do that.
20 She doesn't decide which side they're on or anything else.
21 She just submits interested parties, interested names.
22 COMMISSIONER WAITS: Do we have to decide what side they're
23 on?
24 DISTRICT ATTORNEY HERRERA: Yes. But usually they tell
25 you, I'm interested in --
26 COMMISSIONER WAITS: For this --
27 DISTRICT ATTORNEY HERRERA: -- being --
28 COMMISSIONER WAITS: -- side. Okay.
29 DISTRICT ATTORNEY HERRERA: -- on this for --
30 COMMISSIONER WAITS: Because --
31 DISTRICT ATTORNEY HERRERA: -- this side.
32 COMMISSIONER WAITS: -- I've had other counties at the NACO
33 meeting, they've come back and reported, We can't find anybody
34 to do this side.
35 DISTRICT ATTORNEY HERRERA: Well, in that case, --
36 COMMISSIONER MILLS: Then you appoint --
37 DISTRICT ATTORNEY HERRERA: -- the statute --
38 COMMISSIONER MILLS: -- somebody.
39 DISTRICT ATTORNEY HERRERA: -- takes that into account too.
40 It's the DA and the county clerk that does it. So --

1 COMMISSIONER WAITS: Okay.
2 DISTRICT ATTORNEY HERRERA: -- that -- that's taken into --
3 COMMISSIONER WAITS: Okay.
4 DISTRICT ATTORNEY HERRERA: The statute just -- it --
5 COMMISSIONER WAITS: Yeah.
6 DISTRICT ATTORNEY HERRERA: -- it --
7 COMMISSIONER WAITS: Well, I know many of them have already
8 approved the ballot question and how it was going to read.
9 DISTRICT ATTORNEY HERRERA: Right.
10 COMMISSIONER WAITS: And so that's why I'm saying we
11 should -- we could get that on too and get ahold of --
12 DISTRICT ATTORNEY HERRERA: Well, they've -- yeah, they've
13 --
14 COMMISSIONER WAITS: Right?
15 DISTRICT ATTORNEY HERRERA: You know, they've -- they've
16 given us -- NACO gave us proposed language for both sides
17 already.
18 COMMISSIONER WAITS: Yes, but I'm saying, don't we need to
19 get it on?
20 DISTRICT ATTORNEY HERRERA: Well, we -- we've got --
21 LAKEN MARINE: We have until July-something -- right? --
22 before we have to submit it?
23 DISTRICT ATTORNEY HERRERA: Yeah.
24 COMMISSIONER WAITS: Yeah.
25 DISTRICT ATTORNEY HERRERA: We've got plenty of time right
26 now --
27 CHAIRMAN BAKKER: Yeah.
28 DISTRICT ATTORNEY HERRERA: -- so --
29 LAKEN MARINE: Does it go on the --
30 DISTRICT ATTORNEY HERRERA: Well, so --
31 LAKEN MARINE: It goes on the general so (indiscernible) --
32 DISTRICT ATTORNEY HERRERA: So I'm trying -- because it
33 doesn't go in the primary. It's just a general.
34 COMMISSIONER WAITS: Oh, yes. Yes.
35 No, I -- I understand that.
36 DISTRICT ATTORNEY HERRERA: So -- so I'm just waiting for
37 people. And that's why I said in open meeting last time,
38 anybody -- that's why I told Judie -- anybody that's interested
39 on either side or no side needs to sign up --
40 CHAIRMAN BAKKER: Got to (indiscernible) --

1 DISTRICT ATTORNEY HERRERA: -- with the county clerk --
2 CHAIRMAN BAKKER: -- something.
3 COMMISSIONER MILLS: (Indiscernible.)
4 DISTRICT ATTORNEY HERRERA: Otherwise the names technically
5 can't get in front of you.
6 CHAIRMAN BAKKER: On a lighter note, we're hosting
7 All-Stars. Keith already knows. He's on it to -- we got to do
8 some work to the ball fields. But the nine-year-olds' and
9 12-year-olds' All-Stars is going to be in Battle Mountain.
10 LAKEN MARINE: The weekend of the Fourth of July.
11 COMMISSIONER MILLS: When was the last time --
12 CHAIRMAN BAKKER: The weekend of --
13 COMMISSIONER MILLS: -- that that happened?
14 CHAIRMAN BAKKER: -- the Fourth of July? Holy smokes.
15 LAKEN MARINE: Yep.
16 KEITH WESTENGARD: Long time ago.
17 COMMISSIONER MILLS: Yeah.
18 CHAIRMAN BAKKER: Yeah, I was in sixth grade, fifth grade,
19 something like that.
20 DISTRICT ATTORNEY HERRERA: Last year?
21 COMMISSIONER MILLS: We need to get -- we need to get some
22 group organization to run a concession stand for that.
23 CHAIRMAN BAKKER: Well, Keith --
24 LAKEN MARINE: The Little --
25 CHAIRMAN BAKKER: -- and Bert --
26 LAKEN MARINE: -- League --
27 CHAIRMAN BAKKER: -- know and they're on it so -- and
28 Little League's on it.
29 LAKEN MARINE: (Indiscernible.)
30 CHAIRMAN BAKKER: They'll work with Little League to --
31 DISTRICT ATTORNEY HERRERA: Yep.
32 COMMISSIONER WAITS: Do you want --
33 CHAIRMAN BAKKER: There's going to be --
34 COMMISSIONER WAITS: -- do you want our --
35 CHAIRMAN BAKKER: -- a ton of people.
36 COMMISSIONER WAITS: -- BLM --
37 LAKEN MARINE: Hi.
38 COMMISSIONER WAITS: -- comments?
39 COMMISSIONER CLARK: (Indiscernible) electricity.
40

1 (Simultaneous indiscernible conversations.)

2
3 CHAIRMAN BAKKER: All the nine- and twelve-year-olds in the
4 state.

5 COMMISSIONER WAITS: BLM 2.0 --

6 COMMISSIONER MILLS: When is it?

7 COMMISSIONER WAITS: -- comments?

8 CHAIRMAN BAKKER: The July --

9 KEITH WESTENGARD: For next meeting?

10 CHAIRMAN BAKKER: -- 4th weekend, apparently.

11 KEITH WESTENGARD: Sure.

12 COMMISSIONER MILLS: July 4th weekend?

13 KEITH WESTENGARD: Yeah.

14 CHAIRMAN BAKKER: So --

15 COMMISSIONER MILLS: Golf course is done by then?

16 CHAIRMAN BAKKER: Okay.

17 Everyone good? I need a --

18 COMMISSIONER WAITS: Public comment?

19 CHAIRMAN BAKKER: Public comment? Oh, yes. Thank you,
20 Patsy.

21 COMMISSIONER CLARK: Make a motion to adjourn.

22 CHAIRMAN BAKKER: Hold on.

23
24
25 **PUBLIC COMMENT**

26
27 CHAIRMAN BAKKER: Public comment for non-agendized items
28 only.

29 Persons are invited to submit comments in writing and/or
30 attend and make comments on any non-agenda item at the board
31 meeting, if any. And discussion of those comments at the
32 discretion of the board. All public comment may be limited to
33 three minutes per person, again, at the discretion of the board.
34 Reasonable restrictions may be placed on public comment based
35 upon time, place, and manner, but public comment based upon
36 viewpoint may not be restricted.

37 Public comment?

38 (No comment.)

39 CHAIRMAN BAKKER: Okay. With that...
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ADJOURNMENT

COMMISSIONER CLARK: Motion to adjourn.

COMMISSIONER MILLS: Second.

CHAIRMAN BAKKER: Art made the motion. Doug seconded. Any public comment?

(No comment.)

CHAIRMAN BAKKER: All in favor?

COMMISSIONER MILLS: Aye.

CHAIRMAN BAKKER: Aye.

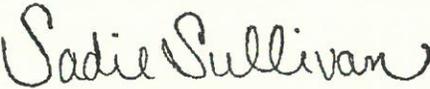
COMMISSIONER WAITS: Aye.

COMMISSIONER CLARK: Aye.

CHAIRMAN BAKKER: Thank you, guys.



**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.