

1 The Honorable Board of Lander County Commissioners met in
2 regular session in the Commission Chambers of the Lander County
3 Courthouse in Battle Mountain, Nevada, on January 22, 2015, at
4 9:00 a.m.

5
6 **PRESENT: STEVEN STIENMETZ, COMMISSIONER**
7 **PATSY WAITS, COMMISSIONER**
8 **SEAN BAKKER, COMMISSIONER**
9 **ART CLARK III, COMMISSIONER**
10 **DOUG MILLS, COMMISSIONER**
11 **SADIE SULLIVAN, COUNTY CLERK**
12 **THEODORE HERRERA, DISTRICT ATTORNEY**
13 **NAN ANCHO, FINANCE DIRECTOR**
14 **BECKY JOHNSON, HUMAN RESOURCES DIRECTOR**
15

16 Let the record reflect the presence of a quorum of five
17 commissioners.

18
19 Let the record reflect the presence of Austin via telephone
20 conference.

21
22 [Meeting commenced on January 22, 2015, at 9:00 a.m.]
23

24 CHAIRMAN STIENMETZ: I'd like to call the January 22nd,
25 2015, meeting of the Lander County Commissioners, Town Board of
26 Battle Mountain, and Austin Board of County Highway
27 Commissioners to order. Would you please follow me in the
28 pledge.

29
30 (Pledge of Allegiance)
31

32 CHAIRMAN STIENMETZ: And now we'll have a 30 minute -- or
33 30-second moment of silence, please.

34
35 (Moment of silence taken.)
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37

38 **APPROVAL OF AGENDA NOTICE**
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40 CHAIRMAN STIENMETZ: All right. Discussion for possible

1 action regarding approval of the agenda notice.
2 COMMISSIONER WAITS: I move we approve the agenda notice
3 for January 22nd, regular session.
4 COMMISSIONER CLARK: And I'll second that.
5 CHAIRMAN STIENMETZ: Any public comment?
6 (No comment.)
7 CHAIRMAN STIENMETZ: All those in favor?
8 COMMISSIONER WAITS: Aye.
9 COMMISSIONER MILLS: Aye.
10 COMMISSIONER BAKKER: Aye.
11 COMMISSIONER CLARK: Aye.
12 CHAIRMAN STIENMETZ: Aye.
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15 **APPROVAL & ACCEPTANCE OF MINUTES**
16

17 CHAIRMAN STIENMETZ: Discussion for possible action
18 regarding approval and acceptance of the minutes of the
19 January 8th, 2015, regular session.
20 COMMISSIONER MILLS: I have one correction I'd like to make
21 on the minutes. On page 7, line 9, it says that I seconded the
22 motion for Steve Stienmetz to be the chair. And I wasn't the
23 one who did that second. So I just wanted to make that
24 correction.
25 COMMISSIONER WAITS: I have a correction that they are not
26 the January 8th minutes.
27 COMMISSIONER MILLS: Oh, is it --
28 COMMISSIONER WAITS: They are the special session, January
29 5th.
30 COMMISSIONER MILLS: This is special session minutes.
31 COMMISSIONER WAITS: Right. It's the minutes you're
32 correcting, --
33 COMMISSIONER MILLS: That's right.
34 COMMISSIONER WAITS: -- Doug, but I'm just correcting
35 the --
36 CHAIRMAN STIENMETZ: Oh, sorry.
37 COMMISSIONER MILLS: Okay.
38 CHAIRMAN STIENMETZ: It's the 8th.
39 COMMISSIONER WAITS: It's January 5th. Yeah. And it's
40 our special session.

1 CHAIRMAN STIENMETZ: So we can't approve any minutes right
2 now because it's not on the agenda. It states January 8th. So
3 we cannot --

4 COMMISSIONER WAITS: We can't correct the date?

5 CHAIRMAN STIENMETZ: No. It's got to be done next time.

6 COMMISSIONER MILLS: Okay.

7 CHAIRMAN STIENMETZ: Because it wasn't publicized, right?

8 KEITH WESTENGARD: You still have the January 8th minutes
9 that you guys should have copies of. And that's what the agenda
10 says --

11 COMMISSIONER WAITS: I don't.

12 COMMISSIONER MILLS: I don't believe we got copies of
13 those.

14 COMMISSIONER WAITS: Nope.

15 CHAIRMAN STIENMETZ: Nobody got copies of that.

16 COMMISSIONER WAITS: I have January 5th.

17 COUNTY CLERK SULLIVAN: It was e-mailed out. You didn't
18 get a hard copy.

19 KEITH WESTENGARD: The January 8th?

20 COMMISSIONER MILLS: When was it e-mailed?

21 COUNTY CLERK SULLIVAN: Um --

22 COMMISSIONER WAITS: They were e-mailed out?

23 COUNTY CLERK SULLIVAN: Uh-huh. Yep. It was e-mailed out
24 Friday afternoon or Tuesday morning. Would have come from my
25 e-mail.

26 COMMISSIONER WAITS: I didn't get them.

27 COMMISSIONER MILLS: I didn't see it.

28 KEITH WESTENGARD: Oh, this is January 5th.

29 DISTRICT ATTORNEY HERRERA: Yeah. Oh, I got a copy of
30 January 5th.

31 COMMISSIONER MILLS: Okay.

32 COUNTY CLERK SULLIVAN: But like Steve stated, we're going
33 to have to --

34 CHAIRMAN STIENMETZ: We'll have to wait and do them both
35 next time.

36 UNIDENTIFIED PARTICIPANT: All right.

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1 COMMISSIONER REPORTS

2
3 CHAIRMAN STIENMETZ: All right. Commissioner reports on
4 meetings, conferences, and seminars attended. Doug?

5 COMMISSIONER MILLS: I don't have anything to report.

6 COMMISSIONER BAKKER: I -- on January 13th, met with the
7 BLM, kind of get acquainted. We were discussing grazing, fire
8 prevention, and other issues that we, as a county, and was
9 facing. Like I said, it was pretty much an acquaintance.

10 January 14th, we met for -- with the architects for the
11 aquatic center to discuss our contract and to get an update on
12 where we're headed, what work needs to be done. There's still a
13 lot of unknowns and we're still working it out, but I think
14 we're headed in the right direction. I really don't have
15 anything else until they get back to me.

16 January 20th, I had a meeting with the BLM national
17 riparian team. They're out of Oregon. They report back to D.C.
18 They're kind of traveling through, getting through northern
19 Nevada, talking to people on the problems that we face with
20 grazing and all the ranchers. They're making a report of what
21 they find. And they're kind of like an advisory board for the
22 D.C. branch.

23 And that's about all I've got.

24 CHAIRMAN STIENMETZ: Art, do you have anything?

25 COMMISSIONER CLARK: Yeah. I got a communication from
26 Nevada Works, and there'll be a conference in Reno on February
27 the 13th that I'm going to.

28 I also got a communication from Ray Williams, who's on the
29 Public Land Advisory Committee, informing me that there is a
30 meeting in Washington, D.C., on February the 28th. I'm not going
31 to go to that meeting because it's only two hours long. It
32 doesn't seem to make much sense to go to -- to spend the money to
33 go to a two-hour meeting. If it was two days, it was a hearing, I
34 would go.

35 CHAIRMAN STIENMETZ: Yeah.

36 COMMISSIONER CLARK: I was with Sean with the -- with the
37 BLM meetings. And we had three, right?

38 COMMISSIONER BAKKER: Two. I only had two.

39 COMMISSIONER CLARK: We had -- yeah, (indiscernible) --
40 then we had --

1 COMMISSIONER BAKKER: Civic center.
2 COMMISSIONER CLARK: And then yesterday --
3 COMMISSIONER BAKKER: Oh, yeah. I missed the meeting.
4 COMMISSIONER CLARK: Yeah. So --
5 That's all I have.

6 CHAIRMAN STIENMETZ: Patsy?

7 COMMISSIONER WAITS: Thank you. Yes, we had our NACO
8 meeting on January 16th. And there's a number of issues that I
9 want to bring you current on.

10 First of all, there was a letter from Homeland Security to
11 the president of our national association of counties. And it's
12 from the Office of Emergency of Communications. Actually, it was
13 just supporting our efforts and partnership responses for all of
14 our emergency communications and such.

15 But they did single out a couple different folks that have
16 contributed to the development of the 2014 National Emergency
17 Communications Plan. And one of them was Patrick Irwin, who was
18 out of Pershing as a commissioner and also chaired our NACO
19 locally in Nevada for last year. So that was kind of exciting
20 that we were at least honored and gave us a rundown of what
21 their plans were. And I'll give a copy to you for our safety
22 information.

23 They come at it on the governor's state of the state
24 address and the budget, which is, I guess, still thousands of
25 pages long. But they didn't find any huge cost assessments or
26 cost shifting to the counties or any unfunded mandates that were
27 right off the bat on that. So they -- they'll be looking at it
28 closer. But they didn't see anything. It's just a preliminary,
29 of course, for the proposed budget for the 2015 to 2017 biannual
30 meeting.

31 They also told us about a wild horse and burro initiative
32 proposal to amend the NRS and designate the horses and burros as
33 wildlife and change the classification to a protected series.
34 And apparently, they have enough signatures to put on the
35 ballot. And they've left it up to our local legislatures, if
36 they don't address it within the first few months of the plan,
37 that they will -- or if they deny it, they will continue to put
38 it on the ballot. And they have enough signatures to do that.
39 And it's quite lengthy and quite informational.

40 They voted on the location of our annual NACO conferences

1 for Nevada: 2015 is being set up now by Clark, 2016 went to
2 Pahrump and Nye, and 2017 was Humboldt. And in that -- in that
3 proposal, Humboldt said they would be inviting Lander and
4 Pershing to go in with them. And that they would like us all
5 contributing. So that will be before us at some other point.

6 And the legislative summit that we have coming up -- actually
7 tomorrow morning in Henderson starts at 8:00 o'clock -- is a joint
8 legislative conference with our league of cities and
9 municipalities and NACO to go over all the legislative bills and
10 everything.

11 And I did pass out to the fellow commissioners, NACO will
12 be looking at 41 bills that affect the county that we'll be
13 following. And I have reported previously on the five bills and
14 those were marked that NACO actually has put in as our bills.
15 And also the lands bill, the public lands bill that the task
16 force worked on all last year is one of the bills that has been
17 submitted so that -- that will be going strong.

18 I think that's all I have for NACO. Thank you.

19 CHAIRMAN STIENMETZ: I have nothing to report.
20 Everything's in here.

21 22 23 STAFF REPORTS

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25 CHAIRMAN STIENMETZ: Now we'll go to staff reports on
26 meetings, conferences, and seminars.

27 KEITH WESTENGARD: Good morning.

28 On January the 13th, I also attended a meeting with
29 Commissioner Bakker and Commissioner Clark with BLM and the one
30 that we had earlier this week with BLM to discuss grazing and so
31 forth.

32 The building official, Joe Lindsey, attended a levee
33 committee meeting in Reno on -- last week on the 13th as well.
34 And those -- he will bring you a full report at our next
35 commission meeting to give you an update on that.

36 Attended the planning commission meeting last week as well,
37 which was a fairly short, simple meeting with nothing really to
38 report on that.

39 We had our safety committee meeting last week, some more
40 things we'll be bringing forward to this commission regarding some

1 of the safety issues in this county. So that will probably be on
2 the next agenda as well.

3 We did have an OSHA complaint filed against the county. So I
4 did meet with OSHA last week as well. And we're working out the
5 details of fixing that complaint.

6 We met with some -- with the south county employees, myself
7 and Human Resources, yesterday. Kind of a meet and greet with HR
8 and myself to go over some of the concerns that are coming up in
9 the south county. And one of them was they would like to see the
10 commission a little more -- the different members come into the
11 south and see what their operation's all about. So we will have
12 another one in four to six weeks. And I'd like one of the
13 commissioners to come with me since you'll probably be down there
14 anyway in the south, Patsy.

15 I attended EMS and public health regional partnership meeting
16 in Carson City last week as well. And we discussed partnering up
17 or options of partnering up with -- with surrounding counties on
18 some of our public health issues. I'm not sure -- quite sure if
19 that's going to fit into our county yet. Still doing some more
20 research, but we'll have more on that in -- in some future
21 meetings.

22 We have FRISK training coming up, which is a performance
23 evaluation training, which I plan on putting into -- into effect
24 in the county for our hourly as well as our department head people
25 so we have a solid basis to do performance evaluations on our
26 employees.

27 Other things I have, the swimming pool committee and
28 aquatic center committee that is -- as well as a big committee,
29 they're on the agenda. And I'll go into some detail on those.

30 One of the other things we want to put together is an audit
31 committee. And I'll explain that as well.

32 LEPC, we -- that's on the agenda as well. So when we get
33 to those -- we're getting into compliance or we're maintaining
34 our compliance with LEPC. We have several documents that need
35 to get signed by the chair, and we'll get into that when it
36 comes due on the agenda today. That's it.

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1 PAYMENT OF THE BILLS

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3 CHAIRMAN STIENMETZ: All right. Discussion for possible
4 action regarding payment of the bills.

5 CINDY BENSON: Cindy Benson with Finance.

6 We're submitting for approval of expenditures in the amount
7 of 315- -- \$315,473.88 from check 50615 through 50722.

8 And we only have one check to ratify: check 50608 to
9 Business Card for 5,782.25.

10
11 (Commissioners reviewing payment of the bills.)
12

13 **Business Card**

14
15 COMMISSIONER WAITS: I make a motion that we ratify check
16 #050608 for \$5,782.25 to our business card.

17 COMMISSIONER MILLS: Second.

18 CHAIRMAN STIENMETZ: Any public comment?

19 (No comment.)

20 CHAIRMAN STIENMETZ: All in favor?

21 COMMISSIONER CLARK: Aye.

22 COMMISSIONER MILLS: Aye.

23 COMMISSIONER WAITS: Aye.

24 COMMISSIONER BAKKER: Aye.

25 CHAIRMAN STIENMETZ: Aye.
26

27 **Submitted Expenditures**

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29 COMMISSIONER WAITS: I make a motion that we approve the
30 submitted expenditures in the amount of \$315,473.88 from check
31 #50615 through 50722.

32 COMMISSIONER BAKKER: Second.

33 CHAIRMAN STIENMETZ: Any public comment?

34 (No comment.)

35 CHAIRMAN STIENMETZ: All in favor?

36 COMMISSIONER CLARK: Aye.

37 COMMISSIONER BAKKER: Aye.

38 COMMISSIONER MILLS: Aye.

39 COMMISSIONER WAITS: Aye.

40 CHAIRMAN STIENMETZ: Aye.

1 I apologize for my cough. I've been fighting bronchitis for
2 over two months now.

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5 **PAYROLL CHANGE REQUESTS**

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7 CHAIRMAN STIENMETZ: Item -- next one is: discussion for
8 possible action regarding payroll change requests. We have five
9 payroll change requests.

10 KEITH WESTENGARD: Commissioner Stienmetz. We'd like to
11 request that item -- or number two be struck from this part of
12 the discussion. We actually will discuss that in item 21.

13 CHAIRMAN STIENMETZ: All right. So then we have four.

14 COMMISSIONER WAITS: I actually have a question on number
15 three. Can we pull that to discuss also?

16 CHAIRMAN STIENMETZ: We can -- what we'll do is we can go
17 ahead and approve the other ones and come back and discuss that
18 before we approve it, if you want to.

19 COMMISSIONER WAITS: Okay.

20 CHAIRMAN STIENMETZ: All right. Number one is approval for
21 employee change request for employee #1178, new hire, accounting
22 specialist, \$117.24 per hour effective January 5th, 2015.

23 And then the next one is approval for employee change request
24 for employee #1305, deputy recorder, 15.33 an hour effective
25 January 6th, 2014.

26 And approval of employee change request for employee #1426,
27 executive secretary II, 17.93 an hour, effective January 19th,
28 2015.

29 COMMISSIONER WAITS: I make a motion that we approve all
30 three of those requests.

31 COMMISSIONER BAKKER: Second.

32 CHAIRMAN STIENMETZ: Any public comment?

33 (No comment.)

34 CHAIRMAN STIENMETZ: All in favor?

35 COMMISSIONER CLARK: Aye.

36 COMMISSIONER MILLS: Aye.

37 COMMISSIONER WAITS: Aye.

38 CHAIRMAN STIENMETZ: Aye.

39 All right. And (indiscernible) to number three, we have
40 approval of employee change request for employee #00031,

1 critical-needs position, chief deputy district attorney,
2 3,961.54 biweekly, effective January 5th, 2015.

3 COMMISSIONER WAITS: Yes, I do have a question on this.
4 It's such -- such an amount over what our last deputy was. I
5 realize this is a chief deputy. And I realize that we were
6 going over several different things. And you certainly have
7 your own office. But I have a real concern with the amount of
8 difference that's involved here after our last deputy left at
9 her employment, which of course was several years.

10 And we're starting out with this one so I -- I would -- I
11 would request that we could see the letter of intent that you
12 sent out to your -- your chief deputy offering him this position
13 to see what else it might entail with when other increases would
14 be coming and such.

15 I know we were very clear that we were not paying PERS.

16 DISTRICT ATTORNEY HERRERA: Right.

17 COMMISSIONER WAITS: And -- but it appears that now we have
18 added all the extra money we would have paid for PERS on the top
19 of the salary.

20 DISTRICT ATTORNEY HERRERA: No, we haven't.

21 COMMISSIONER WAITS: Well, it's so much higher, Ted.

22 DISTRICT ATTORNEY HERRERA: That's because he's an
23 experienced criminal defense -- or criminal attorney prosecutor
24 with over ten years' experience. As a matter of fact, he has
25 over 30 years experience.

26 COMMISSIONER WAITS: I understand that. We went through
27 all that.

28 DISTRICT ATTORNEY HERRERA: The chief deputies in his
29 position in this state make far more than he does.

30 COMMISSIONER WAITS: I don't doubt that any at all. But
31 what I am concerned about is -- is our local budget here. And
32 the more that we -- the more that we put on with increases like
33 this, the more extra it costs us for all the extra things that
34 come up and the four percent increases that we've been adding
35 automatically and such. And I'm afraid we're going to get so
36 top heavy that this county is not going to be able to continue
37 with these kind of salaries.

38 And -- and in all due respect, I understand. We went through
39 what -- what our chief deputy is, and I understand that. You
40 know, he's extremely well qualified. But it's such a difference.

1 KEITH WESTENGARD: May I, Commissioner? When we -- when
2 the position was approved by the last commission that we would
3 hire the chief deputy, the district attorney and I sat down and
4 had a conversation. This -- this fits within his budget, his
5 allotted budget for the year. So we discussed it. And it fits
6 within his budget. And it was -- it was -- so he's not asking
7 for any more money. He's just -- in his budget --

8 COMMISSIONER WAITS: No, I understand what you're saying.
9 Thank you.

10 KEITH WESTENGARD: So it's --

11 COMMISSIONER WAITS: I understand that, that there is money
12 currently in the budget to do this.

13 KEITH WESTENGARD: Correct.

14 COMMISSIONER WAITS: But we're going to do a brand new
15 budget, which is going to be so much more. However, it's my
16 recollection that we actually added extra money in the budget
17 last year because we were hoping to bring Ted on a little bit
18 earlier --

19 KEITH WESTENGARD: That's --

20 COMMISSIONER WAITS: -- to work with our current DA. And
21 that will be going away.

22 KEITH WESTENGARD: That is correct. And the DA and I had
23 the conversation, when we go to budget workshop, we are going to
24 work together to maintain this in his budget. So --

25 COMMISSIONER WAITS: Well, I don't want us to be in a
26 position where we have to cut.

27 KEITH WESTENGARD: I agree.

28 COMMISSIONER WAITS: And I know many counties have been in
29 that.

30 KEITH WESTENGARD: Yes.

31 COMMISSIONER WAITS: And I just -- I respectively ask that
32 we can at least see the offer letter that -- that you sent out
33 --

34 KEITH WESTENGARD: Okay.

35 COMMISSIONER WAITS: -- to our chief deputy. Can I do
36 that?

37 KEITH WESTENGARD: Yeah. We'll have to pull the letter.
38 It's --

39 COMMISSIONER WAITS: I mean, I realize the district
40 attorney can certainly, you know, set the prices that you need

1 to do.

2 DISTRICT ATTORNEY HERRERA: The letter's in HR. This is
3 the amount that -- the least amount he would work for me for.

4 And I looked. And I checked around the state. And for --
5 for chief deputies with the qualifications I needed, this is how
6 much I was going to have to pay.

7 Now, what we've done in just three weeks is amazing. We
8 have filed more criminal cases, we're trying to set this county
9 back in shape, and Mr. Forgeron's doing it. And you're seeing
10 the results in two and a half weeks, you're seeing the results.
11 And it -- it takes that money to do it.

12 If you want to give me \$70,000, I'm going to have to get a
13 baby attorney who's never been in a criminal court, who goes into
14 criminal court and gets murdered. Everything gets dismissed.
15 This is what's needed.

16 COMMISSIONER WAITS: And I know we -- I know we had this
17 discussion last time when we moved up the chief deputy, but I'm
18 saying --

19 I know you've had the right to set all your -- your
20 employee, you know, payrolls and all. And I know we have the
21 budget right now.

22 But it still comes to the commissioners. And I want to be
23 sure that we just aren't -- aren't overstepping on the amounts.

24 Now, I -- I understand what you're saying that you might not
25 be able to get Mr. Forgeron. And that would be a very sad thing,
26 in my opinion, if we could not.

27 However, he does live here. And he's also getting PERS. And
28 I think somewhere along the line we can work to see if you offer
29 him this right now, by your offer letter that I would like to see,
30 are you offering him a \$10,000-dollar raise in six months, I mean.

31 DISTRICT ATTORNEY HERRERA: No. No. HR has the letter
32 that I sent him. HR has a copy of it. They can get it to you.

33 COMMISSIONER WAITS: Okay, what --

34 DISTRICT ATTORNEY HERRERA: Are you asking me to negotiate
35 right now?

36 UNIDENTIFIED PARTICIPANT: Yes.

37 DISTRICT ATTORNEY HERRERA: Just out of curiosity.

38 CHAIRMAN STIENMETZ: No, it's --

39 DISTRICT ATTORNEY HERRERA: Is that what we're getting at?
40 Because this is what's required to keep Mr. Forgeron. And his

1 success in three weeks shows that he's well worth every penny.
2 So I don't know where we're going with this.

3 COMMISSIONER CLARK: I have a question. When you
4 advertised, didn't you put a salary range in the advertisement?

5 DISTRICT ATTORNEY HERRERA: No.

6 COMMISSIONER WAITS: No.

7 DISTRICT ATTORNEY HERRERA: No.

8 COMMISSIONER CLARK: When you spoke --

9 DISTRICT ATTORNEY HERRERA: Because I was thinking to
10 negotiate with anybody --

11 COMMISSIONER CLARK: Right.

12 DISTRICT ATTORNEY HERRERA: -- that --

13 COMMISSIONER CLARK: Okay.

14 DISTRICT ATTORNEY HERRERA: -- responded.

15 COMMISSIONER CLARK: But the salary is based on experience.

16 DISTRICT ATTORNEY HERRERA: Yes.

17 COMMISSIONER CLARK: Okay. I'd just like to make a
18 comment. I worked at the sheriff's office for four years. So I
19 had some information about things that were going on. And Ted
20 is spot on when he says things are getting done. When you look
21 in the newspaper and you see names, you go to crime graphics and
22 you see the people that have been put in jail, Ted and Hy
23 they're -- they hit the ground running. And they're doing
24 exactly what they said. They were going to clean this town up.
25 And they are.

26 So --

27 DISTRICT ATTORNEY HERRERA: We've got -- we now have the
28 number one drug dealer in this town that's had his way with this
29 town for four years.

30 COMMISSIONER CLARK: Yes.

31 DISTRICT ATTORNEY HERRERA: We have him in jail. And he's
32 -- we don't let people out in three days like the last district
33 attorney did. They don't get out in three days. They stay in.
34 We have him in jail. You know what? Just that one arrest
35 alone, it stopped drugs all the way down.

36 COMMISSIONER CLARK: Yep.

37 DISTRICT ATTORNEY HERRERA: And we've got -- we've got that
38 sheriff's department here. You can ask. He's doing it. We're
39 doing what I promised you. And I need the money to pay the man.
40 He's still losing money by working for us and not working in his

1 private practice, but he loves this county.
2 I do. I grew up here. I love this county. That's why I'm
3 here, and that's why he's here.
4 COMMISSIONER MILLS: Patsy, I don't know if it helps any,
5 but it may be beneficial to remember that this critical-needs
6 position is a two-year position.
7 If it -- after two years, it would have to come before us
8 again --
9 CHAIRMAN STIENMETZ: To extend it.
10 COMMISSIONER MILLS: -- to approve any extension on that so
11 at that time -- that puts a limit on future raises and extra
12 costs and so on carrying on down the line. So there's a limit
13 on the critical-needs position.
14 COMMISSIONER CLARK: On the hard-to-fill issue.
15 KEITH WESTENGARD: And I'll get you a copy of the letter
16 too.
17 COMMISSIONER CLARK: And you can even negotiate the PERS
18 issue if -- on a hard-to-fill -- if the person didn't want to
19 take the PERS or the insurance they could say, well, give me
20 that in salary. There's a lot of things that can be done.
21 COMMISSIONER WAITS: That's what we discussed, and that's
22 what it looked like was increased. And that was one of my major
23 concerns because you were very clear we weren't paying PERS --
24 CHAIRMAN STIENMETZ: PERS.
25 COMMISSIONER WAITS: -- but we're paying it as an added to
26 his salary.
27 DISTRICT ATTORNEY HERRERA: No, he's getting PERS. He's
28 already getting PERS.
29 COMMISSIONER WAITS: I understand.
30 CHAIRMAN STIENMETZ: Well, we're not --
31 COMMISSIONER WAITS: I'm talking PERS --
32 CHAIRMAN STIENMETZ: Adding to his PERS.
33 COMMISSIONER WAITS: -- current position.
34 CHAIRMAN STIENMETZ: He's not paying PERS on his current
35 position.
36 DISTRICT ATTORNEY HERRERA: No, he's not -- we're not
37 adding that to PERS.
38 COMMISSIONER WAITS: But it looks like we took that money
39 and added it to his salary and that was my concern because we
40 were very clear that we weren't going to pay PERS.

1 DISTRICT ATTORNEY HERRERA: Right.
2 COMMISSIONER WAITS: He didn't want us to.
3 DISTRICT ATTORNEY HERRERA: No, that's what we were doing.
4 That's -- that's the amount that was necessary for me to get
5 somebody with that --
6 COMMISSIONER WAITS: Okay.
7 DISTRICT ATTORNEY HERRERA: -- experience.
8 COMMISSIONER CLARK: This is money well spent.
9 DISTRICT ATTORNEY HERRERA: And it is.
10 CHAIRMAN STIENMETZ: I think we need -- do you have a
11 comment?
12 JENNIFER O'KANE: I do.
13 CHAIRMAN STIENMETZ: Please state your name, please.
14 JENNIFER O'KANE: Jennifer O'Kane. Sorry, I have a couple
15 of questions and a comment.
16 Hy was in office before; correct?
17 DISTRICT ATTORNEY HERRERA: I don't believe she's entitled
18 to ask questions.
19 COUNTY CLERK SULLIVAN: No, she can only comment.
20 CHAIRMAN STIENMETZ: She can only --
21 JENNIFER O'KANE: Okay.
22 CHAIRMAN STIENMETZ: -- comment.
23 JENNIFER O'KANE: Comment. I'll comment.
24 Our town needs a lot of help.
25 COMMISSIONER CLARK: Could you speak up?
26 JENNIFER O'KANE: Oh, absolutely. Our town needs a lot of
27 help. And I think if we put and ad out that has this amount and
28 this amount, it would be awesome. Do I really have to go up
29 there?
30 CHAIRMAN STIENMETZ: Yes. You do.
31 COMMISSIONER CLARK: We're way past that.
32 JENNIFER O'KANE: Sorry. Our town needs a lot of help.
33 And I think we have seen some growth. And I look at the Lander
34 County crime graphics. And I've lived here for four years. And
35 I've seen the good-old-boy system and the non-good-old-boy
36 system. But I think that if we're paying -- what is it?
37 \$6,000? plus giving perks or not giving perks? -- that's a lot
38 of money. Our Lander County sheriff's office does -- we could
39 use that in a lot of really good ways to get these criminals in
40 jail. Just wanted to point that out. Thank you.

1 COMMISSIONER CLARK: Well, I had a comment. Can I comment
2 on that?
3 DEPUTY DISTRICT ATTORNEY TING: Yeah, you can comment.
4 COMMISSIONER CLARK: Okay. I think that that's been the
5 issue, Jennifer, is that the Lander County sheriff's office has
6 done their job.
7 JENNIFER O'KANE: Yes.
8 COMMISSIONER CLARK: And then when they come to court, the
9 criminals that have been caught are let go. They're not getting
10 let go now. That's the issue.
11 And this is what it takes to get Lander County straightened
12 out.
13 JENNIFER O'KANE: Can I make another comment?
14 If it takes \$6,000 to keep them in jail, man, I'll take the
15 job any day.
16 CHAIRMAN STIENMETZ: That's --
17 JENNIFER O'KANE: I mean --
18 CHAIRMAN STIENMETZ: All right. Any more comment on this?
19 UNDERSHERIFF ROBERT QUICK: I have a comment.
20 JENNIFER O'KANE: -- your comments.
21 CHAIRMAN STIENMETZ: State your name.
22 COMMISSIONER CLARK: State your name.
23 UNDERSHERIFF ROBERT QUICK: Robert Quick for the record.
24 On behalf of the sheriff's office, we support this.
25 The response we've received from the district attorney's
26 office, both the chief deputy and the district attorney since
27 January, has been amazing. Just this past ten days, where we've
28 dealt with this particular individual that he's discussing,
29 we've obtained two search warrants immediately. We've had phone
30 calls with these -- with the attorneys. And we get responses
31 immediate. I think it is money well spent.
32 CHAIRMAN STIENMETZ: Thank you.
33 COMMISSIONER CLARK: Thank you, Robert.
34 COMMISSIONER WAITS: Thank you.
35 JOHN SMITH: I have a question.
36 CHAIRMAN STIENMETZ: State your name and --
37 JOHN SMITH: My -- oh, I'm a preacher. I can carry -- my
38 name is John Smith.
39 My question is: What is the average salary for someone in
40 this position around the state?

1 Because, I mean, I just don't know. I'm just curious on
2 that.

3 Do we know that?

4 DISTRICT ATTORNEY HERRERA: Yeah, it's over a hundred
5 grand.

6 JOHN SMITH: Okay. That's all.

7 DISTRICT ATTORNEY HERRERA: Well over a hundred grand.

8 JOHN SMITH: Yeah.

9 DISTRICT ATTORNEY HERRERA: Well over --

10 CHAIRMAN STIENMETZ: What'd you say your last name was?

11 JOHN SMITH: Smith.

12 CHAIRMAN STIENMETZ: Smith.

13 JOHN SMITH: Most common name in America.

14 CHAIRMAN STIENMETZ: Any more comment?

15 JENNIFER O'KANE: Just one more. I think it's -- that
16 we're doing a great job. We need a lot of help here. But if
17 it's six grand, that's a lot of money.

18 I mean -- and I understand in LA or in San Pedro and
19 whatever, they make 175,000 and more than that. But we're talking
20 about Lander County. That's -- you know, it's Lander County.

21 COMMISSIONER CLARK: Keith, --

22 KEITH WESTENGARD: Yes, sir.

23 COMMISSIONER CLARK: -- we can afford this; right?

24 KEITH WESTENGARD: Yes, we can.

25 CHAIRMAN STIENMETZ: It's in his budget. He's got --

26 KEITH WESTENGARD: It's in his budget.

27 CHAIRMAN STIENMETZ: -- the money --

28 COMMISSIONER WAITS: He's got the money in the budget.

29 KEITH WESTENGARD: It's in his --

30 COMMISSIONER CLARK: Okay, that should --

31 KEITH WESTENGARD: -- approved budget for this fiscal year.

32 COMMISSIONER CLARK: That should calm any concern about --

33 KEITH WESTENGARD: We're not increasing budgets.

34 COMMISSIONER CLARK: Right.

35 KEITH WESTENGARD: And we --

36 CHAIRMAN STIENMETZ: And cost the county.

37 KEITH WESTENGARD: And when the budget workshop comes up,
38 we'll discuss it further --

39 COMMISSIONER CLARK: Okay.

40 KEITH WESTENGARD: -- for the future.

1 COMMISSIONER MILLS: Steve, --
2 COMMISSIONER CLARK: Your concerns are okay now?
3 COMMISSIONER MILLS: We've approved it. Should we do this
4 as a separate --
5 COMMISSIONER WAITS: I'm --
6 COMMISSIONER MILLS: -- approval item? Or should we
7 discuss --
8 COMMISSIONER WAITS: No.
9 COMMISSIONER MILLS: -- item number two?
10 CHAIRMAN STIENMETZ: No, go ahead and approve it.
11 COMMISSIONER BAKKER: No.
12 CHAIRMAN STIENMETZ: Do this one separately.
13 COMMISSIONER WAITS: Just read it.
14 COMMISSIONER MILLS: Okay. I make a motion we approve the
15 employee change request for employee #196, new hire office
16 manager, dist- --
17 Wait a minute. Wrong one.
18 COMMISSIONER WAITS: Nope. Nope. Wrong one.
19 COMMISSIONER MILLS: It's the third one. Approval employee
20 change for employee #00031, critical-needs position, chief
21 deputy district attorney for \$3,961.54 biweekly, effective
22 January 5th, 2015.
23 COMMISSIONER BAKKER: I second it.
24 CHAIRMAN STIENMETZ: Any other public comment?
25 (No comment.)
26 CHAIRMAN STIENMETZ: All in favor?
27 COMMISSIONERS MILLS AND CLARK: Aye.
28 COMMISSIONER BAKKER: Aye.
29 COMMISSIONER WAITS: Aye.
30 CHAIRMAN STIENMETZ: Aye.
31 No Opposed. All right. Motion carries. Now number two
32 you want to save and discuss during the --
33 KEITH WESTENGARD: Yes, that's actually -- we're going to
34 address that on -- it's item 21. It should have --
35 CHAIRMAN STIENMETZ: Yeah.
36 KEITH WESTENGARD: -- it should have been in the payroll,
37 --
38 CHAIRMAN STIENMETZ: Yeah.
39 KEITH WESTENGARD: -- but -- well --
40 COUNTY CLERK SULLIVAN: We discussed it. And it should

1 have been an item.

2 DISTRICT ATTORNEY HERRERA: It can't be discussed here
3 because the salary that you have here is what the last office
4 manager was making.

5 KEITH WESTENGARD: We'll discuss it in 21.

6 CHAIRMAN STIENMETZ: All right.

7 Now we go to item --

8

9

10 **PUBLIC COMMENT**

11

12 CHAIRMAN STIENMETZ: Public comment for non-agendized items
13 only. And they will be limited to three minutes per person.

14 Do we have any general public comment?

15 JOHN SHERVE: I'd like to make a comment.

16 My name is John Sherve, the assistant field manager for
17 minerals at the BLM here in the Battle Mountain.

18 I tried to work earlier -- I didn't coordinate early enough
19 with Mr. Westengard or I would have tried to get on the agenda
20 for this meeting; however, we are in an important stage of our
21 oil and gas -- our 2015 oil and gas lease sales that I'd like to
22 make the commission aware.

23 We started this process back in November. We're working
24 with parcels that are oil and gas parcels that are nominated by
25 industry. We've come to this -- we are provided a list from our
26 state office, BLM state office, and to the local offices here,
27 which will even process. We had 197 parcels nominated this year
28 from industry. The -- our office goes through a process to
29 defer where there are resource conflicts. We have deferred --
30 because of various conflicts, we've deferred 73 parcels out of
31 the 197. In Lander County, we -- there was a limited interest
32 in the initial nominations. There were seven parcels that were
33 identified in southern Lander County. All those have been
34 deferred. So right now we're down to a total of 124 parcels
35 between Eureka, Nye, and Esmeralda counties.

36 We do have a -- our EA, environmental assessment was issued
37 this week to the public for public comment. That's the critical
38 stage. And that's why I'm here today to let the commission know
39 that this document is out for public review. And I do have some
40 handouts if the commission wants to accept them showing the layout

1 of the parcels throughout the Battle Mountain district. So is
2 that something that I can provide?

3 COMMISSIONER WAITS: Thank you, John. We appreciate --

4 CHAIRMAN STIENMETZ: Thank you, John.

5 COMMISSIONER WAITS: -- the update.

6 COMMISSIONER BAKKER: Thank you.

7 CHAIRMAN STIENMETZ: We appreciate the update.

8 JOHN SHERVE: Just so you know, some -- a little more
9 information if Keith feels the need or the commission feels the
10 need, I can be on the next agenda. This EA is out for 21-day
11 public review period. So any comments on the parcels that are
12 being offered for sale, we -- you have until, well, 21 days from
13 the 20th for public comments.

14 Then -- when the -- when we finish this environmental
15 assessment, we transfer it to our state office. They post it.
16 Then the lease sale or the notice for the lease sale -- 90 days
17 before the actual sale, which is June 11th, so beginning on
18 March 11th -- begins a 30-day public protest period of these
19 parcels. Then the next 60 days after that up to the lease sale is
20 a 60-day period for the protest to be resolved.

21 And I do have some EAs available or they can be accessed some
22 other way. So I'll leave these with you guys.

23 COMMISSIONER WAITS: Just to clarify, all the -- all the
24 parcels in Lander have been deferred though?

25 JOHN SHERVE: They have. The seven --

26 COMMISSIONER WAITS: Okay.

27 JOHN SHERVE: -- parcels in Lander County have been
28 deferred.

29 COMMISSIONER WAITS: Thank you.

30 CHAIRMAN STIENMETZ: Thank you, John.

31 JOHN SHERVE: Thank you.

32 CHAIRMAN STIENMETZ: Appreciate it.

33
34
35 **FINANCE**

- 36
37 1) Discussion for possible action regarding budget review,
38 contracts, financial update and other matters properly
39 relating thereto.
40

1 CHAIRMAN STIENMETZ: Go to item 1. Discussion for possible
2 action regarding budget review, contracts, financial update and
3 other matters properly relating thereto.

4 NAN ANCHO: Good morning.

5 COMMISSIONER WAITS: Good morning, Nan.

6 COMMISSIONER CLARK: Good morning, Nan.

7 COMMISSIONER MILLS: Good morning.

8 NAN ANCHO: Nan Ancho with Finance.

9 I don't have too much today.

10 I have the outstanding Accounts Receivables for the month of
11 December. There's Water, 14,505; Sewer, 12,445; Miscellaneous
12 Water/Sewer is at zero; Landfill's at 14,792. We know longer have
13 ambulance to report on. And our Active Accounts at Collections is
14 now at zero. Our last account -- we had two accounts. One had no
15 activity for six months so it dropped off. And the other one was
16 paid in full. So that brings our Total Accounts Receivable --
17 which your book has a typo -- which should be 41,742.

18 And I would also like to let everyone know that in the coming
19 months, I'm going to try and start e-mailing as many of these
20 reports instead of printing them because it is costing me a
21 fortune in paper and printing to print out these big ones. So
22 we're going to start e-mailing them out. So if you don't get it,
23 don't holler at me; check your e-mail.

24 And that's all I have.

25 COMMISSIONER BAKKER: Thanks, Nan.

26 CHAIRMAN STIENMETZ: Excuse me.

27 NAN ANCHO: Thanks.

28 CHAIRMAN STIENMETZ: Told you I'd be been fighting
29 bronchitis.

30
31 2) Discussion for possible action regarding the 2013-2014 audit
32 report presented to the commission by Drake Rose &
33 Associates, LLC, Lander County's external auditors, and other
34 matters properly related thereto.
35

36 CHAIRMAN STIENMETZ: All right. Item two, discussion for
37 possible action regarding the 2013-2014 audit report presented
38 to the commission by Drake Rose & Associates, LLC, Lander
39 County's external auditors, and other matters properly related
40 thereto.

1 COMMISSIONER WAITS: Good morning.
2 CHAIRMAN STIENMETZ: Morning.
3 SHELLY DRAKE: Good morning.
4 COMMISSIONER BAKKER: Good morning.
5 SHELLY DRAKE: To the new commissioners, welcome.
6 COMMISSIONER BAKKER: Thank you.
7 SHELLY DRAKE: If this is your first audit presentation,
8 I'm not sure if you've been in the audience for these in the
9 past.
10 CHAIRMAN STIENMETZ: State your names.
11 SHELLY DRAKE: Oh. Shelly Drake.
12 KIM PLUMMER: Kim Plummer.
13 COUNTY CLERK SULLIVAN: Thank you.
14 SHELLY DRAKE: Sorry about that. As it was stated, we're
15 here to present the results of your fiscal year 2014 audit. We
16 want to extend our thanks to Nan and the accounting staff and
17 all the work that they did in helping to prepare the audit and
18 facilitating it through the process.
19 What we plan to do this morning is similar to what we've
20 done in the past and that is to give you a brief overview of
21 what's contained in your financial reporting package. At any
22 point in time, please stop and ask us questions along way.
23 The other thing for consideration as we go through this
24 process today or throughout the year, if there are certain areas
25 that you would like us to address in your report that we don't,
26 please feel free to bring them to our attention.
27 This is your financial report and we want to make sure that
28 we provide the information you're looking for. There's a very
29 large amount of information contained in here, if you've noticed
30 the size of the financial reporting package.
31 So, just something for consideration.
32 What we plan to do this morning is Kim's going to go through
33 the contents of the -- or the commission received as well as some
34 of the financial highlights. And then there's two other
35 components of your audit that I'd like to address as well as
36 address some other comments at the end.
37 So, Kim?
38 KIM PLUMMER: So in your reporting package, you should have
39 received three items. There's a letter from us. And this
40 outlines our responsibilities during the audit. And it also has

1 other required communications. So I'm not going to go over
2 that. You can read that at your convenience or if you have any
3 questions, if you've already read that.

4 There's also your audit report. And this contains both your
5 financial and your compliance audit. And then there's some graphs
6 that we've prepared of selected financial data.

7 So in your audit report, I'd like to point out a few items
8 that I think you will find interesting.

9 On the first page behind the tab labeled "financial section,"
10 this is our report on the financial statements. You can see it's
11 broken down by sections. It's what we are planning on,
12 management's responsibility for the financial statements, our
13 responsibility.

14 On the second page is our opinion.

15 And then just some other required reporting information
16 that we're required to put in here.

17 In our opinion, Lander County did receive an unqualified or
18 clean opinion. And it basically states the financial statements
19 are fairly stated in all material respects.

20 Following our opinion, beginning on page 4-1, was
21 management's discussion and analysis. And this was written by
22 Nan. And this is a good synopsis of what is contained in the
23 rest of your audit report. There's a lot of information there.

24 Following MD&A, on page five, is the statement of net
25 position. The statement of net position is broken down by
26 assets less liabilities to get to the net position of the
27 county. And you can see it's broken down between governmental
28 activities and business-type activities.

29 Your governmental activities are your General Fund, your
30 special revenue funds, and your capital improvement funds.

31 Your business-type activities or your enterprise funds are
32 your Water, Sewer, and the Mount Lewis Communications funds.

33 So as of less liabilities to get to net position, you can see
34 your net position is almost \$228 million. And that was an
35 increase of about 14 million over prior year. Very nice.

36 If you skip back to pages 11 and 12, this is your statement
37 of revenues, expenditures, and changes in fund balance. This
38 shows the total inflows and total outflows of the county, but it's
39 only for your governmental funds. It doesn't include your -- any
40 trust, agency, or enterprise funds, those business-type funds.

1 So you can see your total inflows were almost 34 million.
2 And that is down approximately 20 million from prior year. And
3 that is due to a decrease in net proceeds received.

4 Your outflows, you can see were almost 30 million. And
5 that's up about 1.3 million over prior year.

6 Any questions on either of those two statements or --

7 Okay. Then the last thing I want to point out in your
8 audit report are the notes. They begin on page 21. And the
9 notes contain a lot of detailed information, has your accounting
10 policies, capital asset details, other post-employment
11 information, budget information. There's a lot of information
12 in the notes if you have any questions about something.

13 So if there's not any questions on any items in there, we'll
14 go over some graphs.

15 Okay. So exhibit one is the comparison of ending cash
16 balances for all funds except for trust and agency funds. Cash
17 balances grew slightly in your general and enterprise funds.
18 They remained steady in your special revenue funds. And they
19 actually decreased a little bit in your capital improvement
20 funds, not much, about 400,000.

21 So at June 30th, you were holding approximately 160 million
22 in cash and investments. And this was an increase of
23 approximately 5 million over prior year. And we'd like to
24 emphasize that the county needs to really be aware of the
25 importance of monitoring your investments and making sure your
26 accounts are adequately insured.

27 Exhibit two is revenues by source for your general and
28 special revenue funds. Your special revenue funds and your
29 General Fund are where the day-to-day operations take place. So
30 special revenue funds include Road and Bridge, Culture and Rec,
31 Town of Battle Mountain. Those are the special revenue funds.

32 So -- let's see -- your top two revenue sources are taxes and
33 intergovernmental. Intergovernmental revenue includes PILT,
34 consolidated taxes, PL taxes, and various grant money in there.
35 Well, and it's --

36 So your top three sources of revenue: intergovernmental,
37 taxes, and charges for services. And that's generally been the
38 top three for many years.

39 Exhibit 3 is expenditures by function. And you can see that
40 your two top functions are general government and public safety.

1 All functions increased over prior year except culture and rec and
2 welfare. Those were down a little bit over prior year. Your
3 biggest increase in expenditures was in your health and sanitation
4 function. And that actually went up about 1.3 million, which was
5 mainly due to fixed-asset purchases in your landfill fund.

6 And then I'd also like to point out your miscellaneous
7 function. That includes various grants to other entities that
8 were given. And the biggest one was a grant to Austin for
9 1.9 million. And that's just lumped into that miscellaneous
10 function.

11 Exhibit four is a comparison of revenue versus expenditures
12 for your general and special revenue funds. Your revenues
13 decreased by approximately 2.7 and expenditures increased by about
14 1.6 over prior year.

15 Exhibit five is a comparison of ending fund balance for your
16 general and special revenue funds. And as you can see, fund
17 balance continues to grow; however, it is increase -- it is
18 growing at a slower pace than in prior years.

19 Your fund balance grew approximately 10 million from 2011 to
20 '12. And then it went to 7 million from '12 to '13. And then
21 from '13 to '14, it only grew about 4 million.

22 However, Lander County is still in a healthy financial
23 position.

24 The last graph we have is the comparison of revenues versus
25 expenses for your proprietary fund. And that is your Water, Sewer
26 and Mount Lewis fund. And as you can see operating revenues are
27 slightly higher than operating expenses by about a hundred
28 thousand. Your non-operating revenues were down compared to prior
29 year, and that was mainly due to a decrease in the -- in the
30 quarter percent sales tax in your sewer fund -- that decreased.
31 And that quarter percent sales tax is mainly what's making up that
32 net income there. So you broke even, basically, in your
33 operating -- operations for the enterprise funds.

34 And that's all I have for the graphs. Are there any
35 questions or anything that I haven't covered for financial?

36 So if not, I'd like to turn it back over the Shelly and
37 she'll go over the compliance part.

38 SHELLY DRAKE: Thank you, Kim. As I we mentioned a moment
39 ago, there's two other components of your audit in addition to
40 what we term the financial part of it. There is a compliance

1 audit and then a section termed auditor's comments. So behind
2 the compliance section tab, you'll see that there's two reports
3 that we include in your financial reporting package. The first
4 one is a report on internal control over financial reporting and
5 non-compliance and other matters based on our audit of your
6 financial statements.

7 The second report is on compliance and internal control
8 over what we call your major programs or your grants, your
9 federal grants.

10 One thing to note, these are reports, they're not opinions.
11 So they're not like our independent auditor opinion that we first
12 spoke about.

13 The first one I want to cover that talks about internal
14 controls and compliance over your financial reporting, there are
15 included in this report this year three internal control
16 findings. And a finding would be termed a deficiency in your
17 internal control. And that's -- a deficiency exists when the
18 design or operation of your control doesn't allow management or
19 employees in the normal course of performing their assigned
20 functions to prevent or detect or correct a misstatement on a
21 timely basis.

22 So within deficiencies in your internal control structure,
23 we have two different types of deficiencies. One is deemed a
24 material weakness. And one's deemed a significant deficiency.

25 A material weakness is a deficiency or it can be a
26 combination of internal control deficiencies, that there's a
27 reasonable possibility that a material misstatement of your
28 financial statements will not be prevented and/or detected and
29 corrected on a timely basis.

30 And then a significant deficiency is, again, a combination or
31 a single deficiency in internal control. It's less severe than a
32 material weakness, but we feel it warrants the attention of the
33 governing body.

34 So today what we have in front of us are two material
35 weaknesses in internal control that we're reporting on and one
36 significant deficiency.

37 In your reporting package on pages 131 and 132, we have
38 included the required information related to those deficiencies.

39 Just to highlight the two material deficiencies, the first
40 one, or material weaknesses, is cash balances in your General

1 Fund and CCP Fund were overstated by \$5 million due to an
2 incorrect posting of a fair market value adjustment. The second
3 material weakness we discovered was \$156,661 was paid to the
4 wrong vendor.

5 And then turning the page, we report on the significant
6 deficiency. And this involved the correction of a posting. An
7 entry was made incorrectly. When it was corrected, it was
8 posted to the wrong account. So it warranted your attention
9 predominantly because of the materiality of the adjustment. It
10 was a little over half a million dollars to your books and
11 records.

12 So again, these are findings with relation to your internal
13 controls over your financial reporting.

14 The second --

15 COMMISSIONER MILLS: On those, were those corrected?

16 SHELLY DRAKE: The entries were --

17 COMMISSIONER MILLS: I just -- my --

18 SHELLY DRAKE: -- posted --

19 COMMISSIONER MILLS: -- understanding is those were --

20 SHELLY DRAKE: -- yeah --

21 COMMISSIONER WAITS: Yes.

22 COMMISSIONER MILLS: -- corrected.

23 SHELLY DRAKE: -- No. They --

24 COMMISSIONER MILLS: Okay.

25 SHELLY DRAKE: We proposed entries to management. And they
26 did agree to post them. So yes, --

27 COMMISSIONER MILLS: Okay.

28 SHELLY DRAKE: They're in your books and records and
29 corrected.

30 COMMISSIONER MILLS: I'm a little curious about the
31 \$156,000 one. I'm pretty sure I know what that was about. And
32 the other one also I understood there was an understanding to be
33 corrected and are okay. But I'm still unclear about the
34 5-million-dollar incorrect posting. Can you explain what that
35 really means?

36 COMMISSIONER WAITS: This one.

37 SHELLY DRAKE: Each and every month as your investments are
38 reconciled, there's a requirement in the accounting standards to
39 keep your investments at fair market value. So when the
40 statements come in from the companies that you've elected to

1 hold your investments, there's a reconciliation process that
2 takes place and an entry made to adjust to fair market value.
3 And in that reconciliation process in the month of March, there
4 was a 5-million-dollar misposting there to get it. It was --
5 involved a transfer, money was being transferred. I can't
6 recall if it was out of the checking account into an investment
7 account or vice versa. There were kind of multiple corrections
8 on the brokerage side as well. But at the end of the day to
9 accommodate these transfers, \$5-million was posted. It was
10 added in your investment and cash account reconciliation as a
11 reconciling item. It was still there on your books in September
12 as a reconciling item, meaning we weren't really sure what was
13 being done. So as we got our confirmations back from your
14 investment houses and your banks, --

15 COMMISSIONER MILLS: Mm-hm.

16 SHELLY DRAKE: -- this \$5 million dollars was sitting out
17 there that was not confirmed. And we looked into it further and
18 then backtracked back that was a misposting.

19 COMMISSIONER MILLS: Okay.

20 COMMISSIONER CLARK: And which agency was responsible for
21 this?

22 SHELLY DRAKE: When you say agency, it's --

23 COMMISSIONER CLARK: The recorder? The treasurer?

24 COMMISSIONER BAKKER: The department.

25 SHELLY DRAKE: The reconciliations for your cash are done
26 in the treasurer's office.

27 COMMISSIONER CLARK: Okay, but who made the mistake?

28 SHELLY DRAKE: You mean as far as the brokerage firm making
29 the mistake or --

30 COMMISSIONER CLARK: Oh, it was the broker's mistake?

31 SHELLY DRAKE: No it would have been reconciling here in
32 your county. I don't know specifically who would be identified
33 as the party that made the mistake or the error.

34 COMMISSIONER CLARK: Well, who's over the money?

35 SHELLY DRAKE: The treasurer's office --

36 COMMISSIONER CLARK: Okay.

37 SHELLY DRAKE: -- is the office that would oversee the
38 reconciliations.

39 The other report that's contained in your compliance section
40 is an internal control and compliance report over your grant

1 programs. And this year, we -- your major programs or the grants
2 that were included in your audit included the Austin Loneliest
3 Highway Grant as well as the DOE grant. And in that report, there
4 are no current year findings or instances of noncompliance noted,
5 if you were to read that report.

6 And then lastly, we have what -- the section termed auditor's
7 comments. These comments relate to Nevada Revised Statute
8 compliance. There were no statute violations noted in the audit
9 that were known to us.

10 There's some special reporting back in that section as well
11 related to your CCP Fund, your business license fees, and then a
12 required report by statute for certain funds, whether the money
13 you hold in the fund is reasonable and necessary to carry out
14 the objective of the fund. We're required to review that.

15 Management's assertion is the money they hold is reasonable
16 and necessary. And we found nothing to lead us to believe it
17 wasn't. So that's also in that state statute compliance area.

18 And then lastly, I just want -- are there any questions
19 thus far?

20 COMMISSIONER WAITS: Just a clarification, if you would.
21 You're saying one of the mistakes we made was in March. And it
22 was still there on the reconciliation in September when you were
23 there. What kind of a check-and-balance system should we have
24 in place that we do not -- that we pick that up earlier?

25 SHELLY DRAKE: Probably just researching it and discovering
26 it each month as the reconciliations are done.

27 COMMISSIONER WAITS: Okay. No other --

28 SHELLY DRAKE: Making sure the monthly --

29 COMMISSIONER WAITS: -- suggestions? Okay.

30 SHELLY DRAKE: -- reconciliations are done timely.

31 COMMISSIONER WAITS: Okay.

32 SHELLY DRAKE: Make sure it's done every single month. And
33 then if you do have a discrepancy or timing difference, just
34 looking into it further to try --

35 COMMISSIONER WAITS: It doesn't --

36 SHELLY DRAKE: -- to pick it up sooner.

37 COMMISSIONER WAITS: -- appear we were balancing every
38 month or reconciling every month.

39 SHELLY DRAKE: You know, I don't know if that was done --

40 COMMISSIONER WAITS: Okay.

1 SHELLY DRAKE: -- or not.

2 COMMISSIONER WAITS: Thank you.

3 SHELLY DRAKE: Mm-hm. The other part during the course of
4 our audit as we're out here working with the various departments
5 and staff is we always are proactive in looking for ideas and
6 perhaps suggestions for Lander County.

7 These are things that you may want to implement that might
8 enhance your financial reporting, your operations, your internal
9 controls, things that aren't absolutely necessary, but we always
10 like to be proactive and bring things to the attention of the
11 management.

12 So at the conclusion of the audit, we meet with management.
13 This year, those that were able to attend our meeting included
14 Keith and Nan. We discuss a variety of issues: how the audit
15 went, what the adjustments are. We have some inquiry questions
16 we have to go through.

17 But a couple of the items we talked to them about that we
18 wanted to mention to today is the possibility of the
19 commissioners electing to form an audit committee. And this
20 would be a separate committee within Lander County. A lot of
21 entities that have audit committees in place, a couple of
22 commissioners may decide to sit on the committee. And it really
23 is to facilitate the audit process, the financial reporting, the
24 internal controls within the county.

25 A lot of entities will even use that audit committee perhaps
26 as the committee to help implement policies and procedures and the
27 suggestions made, or if the county wants do something differently.

28 So the governing body here may want to consider that. And
29 then that committee can be on board from the inception or actually
30 operate all year long. But obviously when the audit starts, kind
31 of help to facilitate this process along. So we thought that
32 might be something you might want to consider.

33 Related to your federal grants. This is federal money that
34 comes in. You have various people who oversee your grant funding.
35 Sometimes Lander County will get a grant and actually pass that
36 grant on to another governmental agency or entity like Austin or
37 Kingston. All of this receiving federal grant money -- and when I
38 say that, it might come through the State of Nevada. I mean it
39 won't just come directly from a federal agency. It's important
40 for the im- -- that people that are placed in the position to

1 oversee that to fully understand what they're doing, and what the
2 requirements are, and what the federal requirements are.

3 And if Lander County receives money and decides to pass it
4 on or has to pass it on, which is the case with CDBG grants a
5 lot of times, make sure you understand that you're stepping in
6 the shoes of something called sub-recipient monitoring. That
7 means Lander County is now going to monitor that other agency or
8 entity to make sure they do everything proper.

9 So again, it's an area a lot of our rural audit clients
10 just -- they get a lot of grant money. We think it's great you
11 get a lot of grant money. But with it comes a lot of compliance
12 responsibilities. So just make sure everybody's up to speed.

13 Last thing we mentioned is there is a new auditing standard
14 pronouncement out there that will impact your June 30th, 2015,
15 audit. The lingo we go by is GASB 68. But it's pension
16 liability reporting. And we've encouraged Lander County to get
17 on board with the State of Nevada and particularly PERS to
18 facilitate this information that's going to be coming from them
19 that you're going to have to include in your reporting package
20 next year. So we spoke to Keith and Nan about that as well.

21 So at this point, that's all we had planned on discussing
22 today, but if there's anything, questions, concerns you folks
23 have, we'd be happy to address them at this point in time or
24 always know we're definitely available to take a phone call at
25 any point in time as well.

26 CHAIRMAN STIENMETZ: Anybody have any questions?

27 COMMISSIONER WAITS: Thank you, ladies.

28 SHELLY DRAKE: Thank you.

29 CHAIRMAN STIENMETZ: Thank you, very much.

30 COMMISSIONER WAITS: I will make a motion that the
31 commission accept the Lander County fiscal year '13/'14 audit
32 report findings and recommendations as presented by Drake Rose &
33 Associates, LLC.

34 COMMISSIONER MILLS: I'll second.

35 CHAIRMAN STIENMETZ: Any public comment?

36 JENNIFER O'KANE: Is that available to the public? That
37 information?

38 CHAIRMAN STIENMETZ: Yes, it is.

39 JENNIFER O'KANE: And how -- what if somebody wanted to
40 find that information would they be able do that through --

1 NAN ANCHO: It'll be po- --
2 JENNIFER O'KANE: -- Keith's office?
3 KEITH WESTENGARD: Once --
4 NAN ANCHO: It'll be posted --
5 COMMISSIONER CLARK: State your name.
6 NAN ANCHO: -- to the website later today.
7 JENNIFER O'KANE: Excellent.
8 KEITH WESTENGARD: Once the commission approves it, yes.
9 JENNIFER O'KANE: Excellent.
10 CHAIRMAN STIENMETZ: Any other public comment?
11 (No comment.)
12 CHAIRMAN STIENMETZ: All in favor?
13 COMMISSIONER MILLS: Aye.
14 COMMISSIONER CLARK: Aye.
15 COMMISSIONER MILLS: Aye.
16 COMMISSIONER WAITS: Aye.
17 CHAIRMAN STIENMETZ: Aye.
18 SHELLY DRAKE: Thank you.
19 CHAIRMAN STIENMETZ: Thank you, very much.
20 COMMISSIONER MILLS: Thank you.
21
22

23 **ROAD AND BRIDGE SOUTH**

24
25 3) **Discussion for possible action regarding operations and**
26 **projects for the Road and Bridge South Department and other**
27 **matters properly related thereto.**
28

29 CHAIRMAN STIENMETZ: Go to item three. Discussion for
30 possible action regarding operations and projects for the Road
31 and Bridge South Department and other matters properly related
32 thereto.

33 COMMISSIONER CLARK: Morning, Bert.

34 BERT RAMOS: Good morning.

35 COMMISSIONER WAITS: Good morning.

36 BERT RAMOS: How's everybody doing?

37 Yeah. Road and Bridge up there lately is what we've been up
38 to is we've been working with NDOT, working between the cemetery
39 fence and the NDOT right-of-way, cleaning that up and trying to
40 make it look as presentable as possible. We tore out the back

1 fence of the Austin cemetery. It was old wood fence with old
2 barbed wire. So we tore it down. And we hijacked the old
3 cemetery fence from Battle Mountain here. The one thing that it's
4 created some question on is the top rail and the posts, which a
5 lot of them were tore up when they pulled out the fence here, we
6 don't really have a budget to find for the -- so it will come up
7 during the budget hearing, but just something that will be coming.
8 It's, you know, about a 1300-foot fence. And it's just the posts
9 and the top rail. The fence itself, we're just using your guys'
10 old fence. It's perfect for what we're doing.

11 And other than that, we're getting equipment up and running
12 and ready for summer. Been -- we put a new blade transmission
13 in and then had to put a new transmission in a pickup too.

14 And that's what we've been up to. So nothing else.

15 CHAIRMAN STIENMETZ: Thank you.

16 COMMISSIONER BAKKER: Thanks, Bert.

17 COMMISSIONER CLARK: Thank you, Bert.

18 COMMISSIONER MILLS: Thank you.

19 COMMISSIONER WAITS: What kind of cost are we looking at
20 for the additional to put up the fencing?

21 BERT RAMOS: I put a call in yesterday, but I never did get
22 a return phone call yet. But it shouldn't be anything too
23 significant. It's just the posts. The labor we'll do
24 ourselves. We have that in our budget. We have the prison crew
25 out of -- or the con crew out of -- by Tonopah come. And we
26 have a budget strictly for them. So they can come and install
27 all the posts and the top rail. And then we'll stretch the
28 wire.

29 So -- so it shouldn't be anything too crazy.

30 COMMISSIONER CLARK: We should be able to find money to
31 help you with that project.

32 BERT RAMOS: Yeah, I was going to go harass Grace right
33 after that. I know she kind of likes it.

34
35 4) Discussion for possible action regarding approval/disapproval
36 of change order request for Austin Road & Bridge South Paving
37 Project from existing budgeted monies not to exceed
38 \$507,000.00, and other matters properly related thereto.
39

40 CHAIRMAN STIENMETZ: All right. Let's go to item number

1 four. Discussion for possible action regarding
2 approval/disapproval of a change order request for Austin Road &
3 Bridge South Paving Project from existing budget monies --
4 monies not to exceed \$507,000, and other matters properly
5 related thereto.

6 BERT RAMOS: Okay, now the back history on this is, this is
7 actually budgeted money that was from last year's budget. And
8 as opposed to me rolling it over into this coming year budget is
9 what I'm trying to do is seal roads with it.

10 And one of the key things to sealing roads is you want to
11 get it down as early in the summer as you can, let that heat
12 penetrate it and try to get the bond between your seal coat and
13 your existing the best you can. And the heat's the best thing
14 to do that for you. So the earlier you can do it, the better.
15 Now if we put this out to bid -- if I just roll this into next
16 year's budget and I have to put out to bid, and -- which we'll
17 have to do anyway, but now I can start it, you know, the end of
18 May, first of June, have this product on the ground as opposed
19 to rolling it over and starting it mid-July, probably at the
20 earliest having it on the ground.

21 So I'm not asking for additional money -- is what this is
22 money left over from us having excellent pricing on our asphalt
23 from last year?

24 COMMISSIONER WAITS: Help me with this, Bert, on the
25 clarification. Because we had some money in there to do the
26 Austin roads. And we were waiting because we wanted all of the
27 surveying and everything done and --

28 BERT RAMOS: Yes. No, this isn't actual paving. This is
29 maintenance. This is like --

30 COMMISSIONER WAITS: Strictly maintenance?

31 BERT RAMOS: -- chip seals, slurry seals. You know, this
32 is maintaining the existing asphalt that's already down.

33 COMMISSIONER CLARK: The cracks in the roads.

34 COMMISSIONER WAITS: I -- I --

35 BERT RAMOS: Yes, it's --

36 COMMISSIONER WAITS: I understand that, --

37 BERT RAMOS: So I'm not --

38 COMMISSIONER WAITS: But I don't know how much further --
39 it's like we're doing roads that may not be there is --

40 BERT RAMOS: No, no, no. These are roads that have al- --

1 we have just -- we have just paved within the last five years.
2 So these -- this is all existing new asphalt. This is not -- we
3 aren't tearing any roads up, and we aren't installing any new
4 roads in any --
5 COMMISSIONER WAITS: So we don't think the survey's --
6 BERT RAMOS: -- location.
7 COMMISSIONER WAITS: -- going to change this in any way for
8 what you're --
9 BERT RAMOS: No, this money --
10 COMMISSIONER WAITS: -- considering to doing?
11 BERT RAMOS: -- won't be put into anything that possibly
12 could be tore up --
13 COMMISSIONER WAITS: Okay.
14 BERT RAMOS: -- or could be given away. It's --
15 COMMISSIONER CLARK: This is just sealing, not slurry seal
16 or anything like that?
17 BERT RAMOS: Yes, this is just sealing.
18 COMMISSIONER CLARK: Slurry too.
19 BERT RAMOS: Yep, there will be -- well, there'll be some
20 cape sealing and --
21 COMMISSIONER CLARK: Okay.
22 BERT RAMOS: -- some slurry sealing --
23 COMMISSIONER CLARK: Okay.
24 BERT RAMOS: -- is what it will be.
25 COMMISSIONER WAITS: Okay, so we had the money set aside
26 for -- it sounds like the same thing we were trying to use it
27 for.
28 BERT RAMOS: No, this -- the money was set aside for the
29 paving.
30 COMMISSIONER WAITS: For the paving, --
31 BERT RAMOS: For the --
32 COMMISSIONER WAITS: -- but we're waiting for the survey?
33 BERT RAMOS: No.
34 COMMISSIONER WAITS: No.
35 BERT RAMOS: For paving, we went and paved. And we had
36 such good budget numbers when we got our estimates back and
37 took -- we actually came in under our estimated cost. So the
38 money that is left over from the estimated cost --
39 COMMISSIONER WAITS: Okay.
40 BERT RAMOS: -- will be used.

1 CHAIRMAN STIENMETZ: It's a surplus.
2 COMMISSIONER WAITS: Okay.
3 BERT RAMOS: Yeah.
4 COMMISSIONER WAITS: Just the surplus money. Okay. Got
5 it.
6 COMMISSIONER CLARK: You did a good job, Bert.
7 BERT RAMOS: Yeah. Learned well.
8 COMMISSIONER BAKKER: I'll make a motion to approve the
9 change order request for Austin Road and Bridge South Paving
10 Project from existing budget -- budgeted monies not to exceed
11 \$507,000 and other matter -- matters properly related thereto.
12 COMMISSIONER WAITS: I'll second that motion.
13 CHAIRMAN STIENMETZ: Any public comment?
14 (No comment.)
15 CHAIRMAN STIENMETZ: All in favor?
16 COMMISSIONER MILLS: Aye.
17 COMMISSIONER WAITS: Aye.
18 COMMISSIONER CLARK: Aye.
19 COMMISSIONER MILLS: Aye.
20 CHAIRMAN STIENMETZ: Aye.
21 BERT RAMOS: Thank you, guys, very much.
22 CHAIRMAN STIENMETZ: Thanks, Bert.
23 BERT RAMOS: Appreciate it.
24 COMMISSIONER CLARK: See you next week, Bert.
25
26

27 **ROAD AND BRIDGE NORTH**

28
29 **5) Discussion for possible action regarding operations and**
30 **projects for the Road and Bridge North Department and other**
31 **matters properly related thereto.**
32

33 CHAIRMAN STIENMETZ: Next. Item five, discussion for
34 possible action regarding operations and projects for the Road
35 and Bridge North Department and other matters properly related
36 thereto.

37 DONALD NEGRO: Good morning. Donald Negro, Road and Bridge
38 North.

39 Pretty much what we're continuing on what we did last
40 meeting. We're out putting more material on roads, screening.

1 And I've been working on my -- my bid which will probably come
2 out in the next month or so. I've got to get with Ted and
3 he's -- it's kind of -- I'm going from one engineer to another
4 engineer. When we were with the other, the first engineer, he'd
5 been with us for God knows how long. So now we're starting over
6 from scratch. And just, the fine tuning when our budget, you
7 know, there's a lot of little fine words that can get you in
8 trouble. So that's what we're changing and getting it.

9 Let's see. We're going out to bid on our fence for our new
10 county yard, the extension on our county yard. Last meeting you
11 approved my monies to take a -- go ahead and additional fence it.
12 So I'll be going out to bid on that. I've measured it all up.
13 And it will be advertised. So pretty much all I have.

14 COMMISSIONER WAITS: Do we have an idea on the approximate
15 cost of it?

16 DONALD NEGRO: Cost? The fence that Bert did?

17 COMMISSIONER WAITS: That we're allowing?

18 DONALD NEGRO: Yeah. Well, 115,000. But the fence that
19 Bert did down in the lower yard was 87,000. So just an idea.

20 COMMISSIONER WAITS: Thank you.

21 CHAIRMAN STIENMETZ: Thank you, Donnie.

22 COMMISSIONER MILLS: Thanks, Donnie.

23 DONALD NEGRO: Thanks.

24 COMMISSIONER MILLS: Thank you.

25
26
27 **PUBLIC WORKS**

28
29 **6) Discussion for possible action regarding operations and**
30 **projects for the Public Works department, and other matters**
31 **properly related thereto.**
32

33 CHAIRMAN STIENMETZ: Item six, discussion for possible
34 action regarding operations and projects for the public works
35 department, and other matters properly relating thereto.

36 JAKE EDGAR: Jake Edgar, for the record. Good morning.

37 COMMISSIONER WAITS: Good morning.

38 COMMISSIONER CLARK: Good morning, Jake.

39 JAKE EDGAR: So we had one of our major deals happened this
40 last weekend was our 16-inch water main that runs into town by

1 Lemaire School decided to leak.

2 There was a stub that was set up for the future, which was
3 going to be called Hunsaker Lane. The prior commission and
4 planning commission voted to let the Argenta Rim Apartments get
5 rid of Hunsaker Lane. No one knew the valve was there, and it
6 wasn't on the map so it leaked kind of in -- on their property,
7 but it was no big deal. We got it -- couldn't get it shut down.
8 The valve on the other side of the highway was buried under the
9 highway fence. And we finally did find those. So we did get it
10 shut down. And we got it to stop leaking over three-day period.
11 And we are working on that now.

12 Other than that, we had our preconstruction meeting for the
13 2015 water and sewer project that's coming up. Preconstruction
14 meeting went fairly well. It was a mandatory meeting so only
15 three companies showed up. And those were the three companies
16 that will be bidding on the project. I'm going to give you guys
17 all a copy in your box of the minutes to the preconstruction
18 meeting so that you have them and you'll have the companies and
19 all the contact information for everyone from the companies.

20 That being said, we got -- it's going to be busy. So our
21 lift station project, total construction time for the whole
22 project is 18 weeks. We will be done by June 30th, unless
23 something major happens. But other than that, that's the plan.
24 Eighteen weeks construction planned. We will be on target. So
25 right now we're waiting for information back from the state on
26 final comments on the plans. And other than that, we will start
27 contacting people that it's going affect in the neighborhoods of
28 where it's going to happen.

29 We had -- me and Keith visited the -- forgive me if I mess it
30 up -- the church that's next to the lift station. We visited with
31 the church. And I'm going to be giving him a packet of
32 information that we just got back from Bob Morley that shows the
33 easements and all the lines and when it was dedicated and who
34 dedicated it and give him an actual target date of when we're
35 going to start construction. And you guys will get one too.
36 It'll be in your box. It will look like that. And so as soon as
37 we get all the information back from state and they give us the go
38 to bypass the lift station, I will then approach those guys and
39 give them all the paperwork. I didn't want to give it to them
40 until we knew exactly what was going the happen with the state.

1 So that being said, we should be in construction in the middle of
2 February.

3 So other than that, the sewer plant. We had some -- we
4 failed some numbers, which I mentioned last time. We had our
5 operator come out, which is Ken Mallory from SPB. We had some
6 filamentous in the tank, which is another microorganism that
7 doesn't bode well with the other microorganisms. So we had to
8 add 150 gallons of chlorine. We cleaned the tank up, did a
9 settle test. Everything looks great. He's coming out today to
10 take some extra samples and take them to the state to make sure
11 we're up to snuff. So the sewer plant's looking good now
12 (indiscernible).

13 Changed the power head out there the other night. We have
14 to do that while there's no flow, pretty much. So it helps with
15 operations so we don't have to go shut one tank down and turn
16 the other one on. So anyway, we did that the other night. And
17 other than that, things are pretty normal.

18 I don't know if -- I'm going to get with Keith here pretty
19 soon and go over some of the contract stuff. I had some people
20 asking some questions about contracts so I'm going to get with
21 Keith and discuss where they're at with what they're doing and
22 we'll go from there. So that's about it.

23 COMMISSIONER WAITS: Thank you.

24 JAKE EDGAR: Any questions?

25 COMMISSIONER BAKKER: Thanks, Jake.

26 CHAIRMAN STIENMETZ: Thank you, Jake.

27 JAKE EDGAR: Thanks.

28 COMMISSIONER CLARK: Thanks, Jake, keep up the good work.

29 JAKE EDGAR: Thanks.

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1 TREASURER

2
3 7) Discussion for possible action regarding the Nevada Division
4 of Water Resources FY 2015-16 Groundwater Basin budgets and
5 adjustments for the a) Boulder Flat Groundwater Basin, b)
6 Kingston Creek (Big Smoky Creek) Groundwater Basin, c)
7 Clovers Area Groundwater Basin, d) Humboldt River Groundwater
8 Basin, e) Lower Reese River Valley Groundwater Basin with
9 four adjustments totaling -\$60.43, f) Crescent Valley
10 Groundwater Basin with one adjustment totaling -\$8.07, g)
11 Antelope Valley Groundwater Basin, h) Kobeh Valley
12 Groundwater Basin, i) Middle Reese River Valley Groundwater
13 Basin, j) Whirlwind Valley Groundwater Basin, and other
14 matters properly related thereto.
15

16 CHAIRMAN STIENMETZ: Item seven, discussion for possible
17 action regarding the Nevada Division of Water Resources FY
18 2015-2016 Groundwater Basin budgets and adjustments for -- for
19 the a) Boulder Flat Groundwater Basin, b) Kingston Creek (Big
20 Smoky Creek) Groundwater Basin, c) Clover Area Groundwater
21 Basin, d) Humboldt River Groundwater Basin, e) Lower Reese River
22 Groundwater Basin with four adjustments totaling \$60.43, f)
23 Crescent Valley Groundwater Basin with one adjustment of \$8.07,
24 and Antelope Valley Groundwater Basin, h) Kobeh Valley
25 Groundwater Basin, i) Middle Reese River Groundwater Basin, and
26 j) Whirlwind Valley Groundwater Basin, and other matters
27 properly related thereto.

28 We don't have the treasurer here.

29 KEITH WESTENGARD: Want me to go grab her?

30 CHAIRMAN STIENMETZ: I think --

31 KEITH WESTENGARD: Nan --

32 CHAIRMAN STIENMETZ: Nan went to get her.

33 COMMISSIONER WAITS: Actually, this is just something we do
34 every year --

35 CHAIRMAN STIENMETZ: Yeah.

36 COMMISSIONER WAITS: -- in the collecting and the
37 adjustment so don't know if you need Grace if we've all looked
38 at it. I can --

39 CHAIRMAN STIENMETZ: I don't think we really need her; do
40 we?

1 COMMISSIONER WAITS: Okay, I'll go ahead and --
2 DISTRICT ATTORNEY HERRERA: I think we can just --
3 CHAIRMAN STIENMETZ: We can just motion through it --
4 KEITH WESTENGARD: -- looked at it.
5 CHAIRMAN STIENMETZ: It's something we always do.
6 GRACE POWRIE: Good morning.
7 CHAIRMAN STIENMETZ: Good morning, Grace.
8 We were going to go ahead and proceed without you.
9 GRACE POWRIE: That would have been okay too.
10 Multitasking.
11 COMMISSIONER WAITS: Actually, I think we're all set,
12 Grace. It's something we do every year. And you've put it
13 pretty clear. We just wanted to make sure that we're doing it
14 right and that we -- we have our figures right. If you can
15 double check those as we do the motion?
16 GRACE POWRIE: Thank you.
17 COMMISSIONER WAITS: Okay. I move to approve the Nevada
18 Division Water Resources fiscal year 2015-2016 Groundwater Basin
19 budgets and adjustments as follows: Boulder Flat Groundwater
20 Basin in the amount of \$297.18; Kingston Creek (Big Smoky Creek)
21 Groundwater Basin in the amount of \$2,246.08; Clovers Area
22 Groundwater Basin in the amount of \$5,040.64; Humboldt River
23 Groundwater Basin in the amount of \$12,628.76; Lower Reese
24 Valley Groundwater Basin in the amount of 5,131.57, not
25 including, number one, FMC Corporation for \$1.12, Copper Canyon,
26 \$5.03, Betty O'Neal Mines for \$12.92, Clara Post \$41.36;
27 Crescent Valley Groundwater Basin in the amount of \$14,792.53,
28 not including the Little Gem #40 in the amount of \$8.07;
29 Antelope Valley Groundwater Basin in the amount of \$6,230.22;
30 Kobeh Valley Groundwater Basin in the amount of \$1,996.60;
31 Middle Reese River Valley Groundwater Basin in the amount of
32 \$9,525.86; and Whirlwind Valley Groundwater Basin in the amount
33 of 0.
34 COMMISSIONER MILLS: I second.
35 COMMISSIONER WAITS: Those are right on the --
36 GRACE POWRIE: Perfect.
37 COMMISSIONER WAITS: -- amounts?
38 CHAIRMAN STIENMETZ: Do we -- do the commissioners sign
39 anything on this or is it just --
40 GRACE POWRIE: Basin budgets were put in the packets sent

1 to the commissioners. I believe they do need to be signed and
2 then amended as stated. They should --
3 COMMISSIONER WAITS: They are. They're all separate. So
4 as part of my motion, I will authorize the chair to sign for the
5 county commissioners.
6 GRACE POWRIE: I believe that there's a spot on each one.
7 COUNTY CLERK SULLIVAN: Do we have the original?
8 UNIDENTIFIED PARTICIPANT: The ones we have show the county
9 clerk.
10 GRACE POWRIE: It probably does show the --
11 DISTRICT ATTORNEY HERRERA: County clerk.
12 GRACE POWRIE: -- county clerk to sign, --
13 DISTRICT ATTORNEY HERRERA: Yes.
14 GRACE POWRIE: -- Patsy.
15 COMMISSIONER WAITS: County clerk?
16 GRACE POWRIE: Yes.
17 COMMISSIONER WAITS: Okay. Thank you. I don't need to
18 amend.
19 DISTRICT ATTORNEY HERRERA: If you'll move to have her sign
20 as your legal representative.
21 COMMISSIONER WAITS: Okay. I -- as amendment to the motion
22 to have our legal representative sign the letters.
23 GRACE POWRIE: Okay. And the originals are with Vicki.
24 COMMISSIONER WAITS: Okay. And my second?
25 COMMISSIONER MILLS: Second.
26 CHAIRMAN STIENMETZ: Any public comment?
27 COMMISSIONER BAKKER: I'll be sustaining [sic] from this
28 agenda item because my water rights are in here too.
29 GRACE POWRIE: I believe you only have to abstain from the
30 one basin budget that you're involved in, --
31 DISTRICT ATTORNEY HERRERA: -- [indiscernible] -- to it.
32 GRACE POWRIE: -- not all of them.
33 CHAIRMAN STIENMETZ: Yeah.
34 DISTRICT ATTORNEY HERRERA: Since they're all separate,
35 Sean.
36 COMMISSIONER BAKKER: Okay. Then from Antelope Valley and
37 Reese Valley.
38 CHAIRMAN STIENMETZ: No more public comment?
39 (No comment.)
40 CHAIRMAN STIENMETZ: All in favor?

1 COMMISSIONER MILLS: Aye.
2 COMMISSIONER CLARK: Aye.
3 COMMISSIONER WAITS: Aye.
4 CHAIRMAN STIENMETZ: Aye.
5 COMMISSIONER BAKKER: Aye.
6 GRACE POWRIE: Thank you.
7 CHAIRMAN STIENMETZ: Thank you, Grace.
8
9

10 ASSESSOR
11

12 8) Discussion for possible action regarding request to approve
13 tax bill adjustment and refunds for Personal Property
14 Accounts: FO000001, FO000002, FO000003, FO000005, FO000006,
15 FO000007, FO000008, and FO000009, due to State Board of
16 Equalization appeals for 2013-2014 tax year, and other
17 matters properly related thereto.
18

19 CHAIRMAN STIENMETZ: Go to item eight. Discussion for
20 possible action regarding request to approve tax bill adjustment
21 and funds for Personal Property Accounts: FO000001, FO000002,
22 FO000003 [sic], FO000005, FO000006, FO000007, FO000008, FO000009,
23 due to State Board of Equalization appeal for 2013-2014 tax
24 year, and other matters properly related thereto.

25 LURA DUVALL: Lura Duvall, county assessor, for the record.
26 I've got a copy of the State Board of Equalization ruling and
27 should be in your packets. This was a statewide equalization
28 and affected 12 of the 17 counties, the other five not having
29 the fiber optics in their county. So that's why it didn't apply
30 to them.

31 We inherited the -- these telecommunication accounts to be
32 locally assessed. They have formerly always been centrally
33 assessed, but because of the 1999 statute that now affected
34 particular telecommunication companies, it was transferred to
35 the assessors.

36 So this was the first year that we put it on. We had a
37 directive letter from the Department of Taxation on the life
38 schedules for the conduit for the fiber optics. And so that is
39 what everyone used.

40 AT&T appealed to the State Board of Equalization directly.

1 They had a hearing on October the 9th. And they won that appeal
2 for the most part.

3 And so the state board issued a ruling of the life schedule
4 and the -- for the fiber optics and several other items,
5 including the conduit, the towers, different various things.

6 As a result, the net difference resulted in a tax refund
7 amount of \$383 -- 897 -- or \$383,897.36. I believe the check --
8 the treasurer has the check.

9 GRACE POWRIE: It was signed -- [indiscernible].

10 LURA DUVALL: And I need it to be read into the record that
11 the assessed value adjustments reflected on page 12 of both of
12 the rulings shows what the values were previously, the assessed
13 value and what they are changed -- revised by the State Board of
14 Equalization, which subsequently resulted in the tax refund.

15 They had already paid the taxes in full for the fiscal
16 year. And that's why there is a refund rather than just an
17 adjustment.

18 COMMISSIONER WAITS: This was very difficult reading. I
19 know, as you mentioned, all the counties were affected and some
20 at a great deal more money --

21 LURA DUVALL: Yes.

22 COMMISSIONER WAITS: -- than us. But we did everything we
23 could, especially since they gave you the formula of how we're
24 all supposed to do it and then came back and said, oops, sorry,
25 not the way to do it. So it put us in quite a predicament.

26 LURA DUVALL: It did. And the department was there with
27 egg on their face.

28 They're going to have workshops. And in fact, we haven't
29 even billed AT&T for this fiscal year because we're working with
30 them.

31 Their reporting method needs a lot of work. And we put it
32 back in their court and -- because we have several districts and
33 breaking all of this out within the districts has been quite
34 encumbersome for my personal property appraiser.

35 So we put the ball back in their court. They are
36 diligently working at breaking it all out so that they can get
37 everything recorded properly so we can bill. We billed
38 everything else in December except these accounts.

39 We also just brought on two more, which is MCI and Western
40 Digital. They now are coming on.

1 The department is supposed to hold a workshop for all the
2 counties. We're supposed to get together, and they're supposed
3 to come up with some directives and some regulation so that
4 everything is uniform so that going forward, hopefully, we won't
5 be faced with another appeal.

6 So yeah. We're not alone in this. It's -- it's a statewide
7 thing.

8 COMMISSIONER WAITS: I had a couple of questions. Number
9 one, how do we have the funds on this, Nan? Is it set in a
10 separate account that now we have to take all this money to pay
11 them back? Where are we getting the money?

12 GRACE POWRIE: I can answer that. It's apportioned as a
13 tax rate, the tax entities. So it's given back in the same --

14 COMMISSIONER WAITS: So we have the money today to do that
15 even though it's last year's?

16 GRACE POWRIE: Yes. Yes.

17 COMMISSIONER WAITS: Okay.

18 GRACE POWRIE: The thing is we will recover the money from
19 the school, the hospital. The state will recover their portion.
20 We'll recover our portion.

21 COMMISSIONER WAITS: Do they give us any time frame to pay
22 it in? Does it have to be paid in full in 30 days or something?

23 GRACE POWRIE: I believe it does.

24 LURA DUVALL: Yes, it does.

25 COMMISSIONER WAITS: By everyone?

26 LURA DUVALL: Yes.

27 COMMISSIONER WAITS: No wonder the other counties are
28 scrambling.

29 LURA DUVALL: Most of the other counties have already done
30 theirs --

31 COMMISSIONER WAITS: I know.

32 LURA DUVALL: -- right away. We didn't get the letter. We
33 had to wait until they actually sent us the ruling, which was
34 the 12th of December and then got it shortly after that. And
35 then of course it had to go on the agenda.

36 So I think some of the other counties have already done
37 theirs.

38 COMMISSIONER WAITS: Okay. I do have a question on the
39 actual motion. As you mentioned, you said you need some things
40 read in here on page 12. What we have on page 12 from --

1 LURA DUVALL: From the ruling.
2 COMMISSIONER WAITS: From the ruling on page 12.
3 LURA DUVALL: From the actual --
4 COMMISSIONER WAITS: Okay.
5 LURA DUVALL: -- state board decision.
6 COMMISSIONER WAITS: Okay.
7 LURA DUVALL: I'm sorry. I noticed there's two notices of
8 decision. And on page 12 of each of those has the break down
9 for each account and what the assessed values were and what they
10 were revised to, based on the state board's ruling.
11 COMMISSIONER WAITS: Okay. With that, then, I have a
12 question. Because I see all the FOs --
13 LURA DUVALL: Yes.
14 COMMISSIONER WAITS: -- on there. But what about the ones
15 that were listed earlier? We had some like at a TC with that
16 adjusted amount. And there was another one with an EQ and an
17 adjusted amount.
18 LURA DUVALL: Both of those remained unchanged.
19 COMMISSIONER WAITS: Okay.
20 LURA DUVALL: Yes.
21 COMMISSIONER WAITS: All right. So we just need the one.
22 And you need all those amounts written in on -- in the motion?
23 LURA DUVALL: Uh-huh. I do.
24 COMMISSIONER MILLS: You going to tackle that one?
25 COMMISSIONER WAITS: No, I just read all those other
26 numbers.
27 LURA DUVALL: There's eight accounts.
28 COMMISSIONER WAITS: Somebody else can tackle this one.
29 COMMISSIONER BAKKER: Doug, go for it.
30 COMMISSIONER MILLS: All right.
31 LURA DUVALL: Sorry.
32 COMMISSIONER MILLS: I'll go ahead and start this. You may
33 have to help me through it because --
34 LURA DUVALL: Okay.
35 COMMISSIONER MILLS: -- especially that page 12 thing.
36 LURA DUVALL: Here. Just a second here.
37 GRACE POWRIE: Let me give you a cheat sheet.
38 COMMISSIONER MILLS: Oh, good. I can get the wording on
39 this right.
40 COMMISSIONER BAKKER: Yeah.

1 GRACE POWRIE: And the commission will sign the voucher
2 that's in the -- I believe the current --
3 COMMISSIONER BAKKER: Can he just say FO00003 through -09
4 in the amounts of --
5 COMMISSIONER MILLS: It skips --
6 COMMISSIONER BAKKER: -- so it actually --
7 COMMISSIONER MILLS: -- number four.
8 LURA DUVAL: There is no number four.
9 COMMISSIONER CLARK: Shouldn't get --
10 COMMISSIONER MILLS: Because there's no four so you can't
11 go through nine.
12 COMMISSIONER BAKKER: That's true.
13 LURA DUVAL: Here's the current for each one and then
14 these are the --
15 COMMISSIONER BAKKER: Just trying to make it easier for
16 you.
17 LURA DUVAL: -- revised. Current and revised. Okay? For
18 each one of the accounts. You can borrow that.
19 COMMISSIONER MILLS: Okay. Let's try this. So I propose
20 that we approve the tax bill adjustments and refunds --
21 COMMISSIONER WAITS: Excuse me, could I just do a quick --
22 quick -- I apologize -- could you --
23 COMMISSIONER MILLS: Okay.
24 COMMISSIONER WAITS: -- make a motion?
25 COMMISSIONER MILLS: I make -- okay.
26 CHAIRMAN STIENMETZ: Make a motion, yeah.
27 COMMISSIONER MILLS: I make a motion that we approve the tax
28 bill adjustments and refunds for Personal Property Accounts:
29 FO000001 -- at -- do you want the values now?
30 LURA DUVAL: Current and revised.
31 COMMISSIONER MILLS: Okay -- that has a current value of
32 \$2,465,375 and revised account of \$808,068; FO00002 [sic] with a
33 current value of \$1,570,737 and revised value of \$544,089; FO00003
34 [sic] with a current assessed value of \$2,549,563 and revised
35 value of \$552,855; FO00005 [sic] with a current assessed value of
36 \$3,340,725 and revised value of \$737,998; FO000006 with a current
37 assessed value of \$1,995 and revised value of \$1,045; FO000007
38 with a current assessed value of \$438,716 and revised value of
39 \$48,076; FO000008 with a current assessed value of \$2,610,273 and
40 revised value of \$284,734; FO00009 [sic] with a current assessed

1 value of \$1,200,116 and a revised value of \$183,783, due and
2 payable to the State Board of Equalization -- or due to State
3 Board of Equalization appeals.
4 Do you want a total amount?
5 LURA DUVALL: We don't need to.
6 COMMISSIONER MILLS: You don't need a total amount?
7 LURA DUVALL: Just an approval of the refund check.
8 COMMISSIONER MILLS: Okay.
9 COMMISSIONER WAITS: Lura, were you following on these?
10 Because I don't have the same in my book as he read.
11 DISTRICT ATTORNEY HERRERA: Do you just have the short
12 list? Because the longer list is -- it's in the back of the
13 second -- the second order.
14 CHAIRMAN STIENMETZ: She's got it there.
15 COMMISSIONER WAITS: That's the one I thought I had.
16 CHAIRMAN STIENMETZ: Mm-hm. You've got it.
17 COMMISSIONER WAITS: I have under the decision. What I'm
18 saying, some of the numbers he read, like with the FO000005 are
19 assessed revision, I didn't have the same amount that you read.
20 UNIDENTIFIED PARTICIPANT: That's kind of odd.
21 LURA DUVALL: That's really odd.
22 COMMISSIONER WAITS: I just want to be sure. I don't want
23 to have to have this come back again.
24 COMMISSIONER MILLS: Let's just double check some numbers.
25 LURA DUVALL: Was five? What do you have?
26 COMMISSIONER WAITS: 437,998.
27 LURA DUVALL: That's what he read. Yep. That's what we
28 have. Uh-huh.
29 COMMISSIONER WAITS: Okay. I'll second the motion.
30 CHAIRMAN STIENMETZ: Okay. Any public comment?
31 (No comment.)
32 CHAIRMAN STIENMETZ: All in favor?
33 COMMISSIONER CLARK: Aye.
34 COMMISSIONER BAKKER: Aye.
35 COMMISSIONER MILLS: Aye.
36 COMMISSIONER WAITS: Aye.
37 CHAIRMAN STIENMETZ: Aye.
38 LURA DUVALL: And you approved the check to be signed?
39 Yes?
40 COMMISSIONER MILLS: I approved the check to be signed.

1 COMMISSIONER WAITS: Yes.
2 LURA DUVALL: Thank you.
3 COMMISSIONER CLARK: Take that.
4 COMMISSIONER WAITS: You ready for a break?
5 CHAIRMAN STIENMETZ: Yeah, let's take a five-minute break,
6 please.

7
8 (Break taken between 10:32 a.m. and 10:43 a.m.)
9

10
11 **COOPERATIVE EXTENSION**

12
13 9) **Discussion for possible action regarding approval of**
14 **Proclamation No. 2015-01 designating the month of January**
15 **2015 as National Radon Action Month, and other matters**
16 **properly related thereto.**
17

18 CHAIRMAN STIENMETZ: All right. We're on agenda item
19 number nine.

20 Discussion for possible action regarding approval of
21 Proclamation Number 2015-01 designating the month of
22 January 2015 as National Radon Action Month, and other matters
23 properly related thereto.

24 COMMISSIONER WAITS: I'll make a motion that the Lander
25 County Board of Commissioners recognize January 2015 as National
26 Radon Action Month.

27 COMMISSIONER CLARK: I'll second --

28 COMMISSIONER MILLS: Second.

29 COMMISSIONER CLARK: -- that. Go ahead.

30 COMMISSIONER MILLS: Go ahead.

31 CHAIRMAN STIENMETZ: Any public comment?

32 (No comment.)

33 CHAIRMAN STIENMETZ: All in favor?

34 COMMISSIONER BAKKER: Aye.

35 COMMISSIONER MILLS: Aye.

36 COMMISSIONER CLARK: Aye.

37 COMMISSIONER WAITS: Aye.

38 CHAIRMAN STIENMETZ: Aye.

39 COMMISSIONER WAITS: I'm sorry the month is almost over
40 when we do that, but they never get to us so we can do it ahead

1 of time --
2 COMMISSIONER MILLS: Yeah.
3 COMMISSIONER WAITS: -- it seems.
4 COMMISSIONER MILLS: Does that happen often?
5 CHAIRMAN STIENMETZ: All right.
6 COMMISSIONER WAITS: All kinds of months that we declare --
7
8

9 COMMISSIONERS

10
11 10) Discussion for possible action regarding approval/disapproval
12 of changing the time of the commission meetings as well as
13 the days of the commission meetings, and other matters
14 properly related thereto.
15

16 CHAIRMAN STIENMETZ: Item ten, discussion for possible
17 action regarding approval/disapproval of changing the time of
18 commission meetings as well as the days of the commission
19 meetings, and other matters properly related thereto.

20 COMMISSIONER WAITS: I know our --

21 JENNIFER O'KANE: Jennifer O'Kane.

22 COMMISSIONER WAITS: -- our district attorney passed out
23 some information on our ordinance on this too. So it isn't
24 anything that we can make a decision on today. So it would
25 probably be --

26 CHAIRMAN STIENMETZ: I wouldn't. Yeah.

27 COMMISSIONER WAITS: -- some general information of how the
28 commissioners feel to proceed; is that correct?

29 DISTRICT ATTORNEY HERRERA: That's quite correct. We have
30 an ordinance that hasn't been noticed for a change of ordinance.
31 So you can discuss it all you want.

32 COMMISSIONER WAITS: To see if we want to go forward is
33 where we are.

34 DISTRICT ATTORNEY HERRERA: We can't make any decisions
35 legally. I advise you not to make any --

36 COMMISSIONER WAITS: We appreciate your advice.

37 CHAIRMAN STIENMETZ: Please state your name.

38 JENNIFER O'KANE: Jennifer O'Kane.

39 CHAIRMAN STIENMETZ: Go ahead. It's yours.

40 JENNIFER O'KANE: There's no decisions, I guess, to be

1 made.

2 A few people are classifieds, locals, business owners. It
3 makes it very difficult for us to come in. I haven't been to
4 sleep yet today. I want to come to these meetings, not always
5 liked at these meetings. But I have a right to find out just
6 like our community. I hear a lot of things through the
7 community that are like this and a lot of them cannot show up.

8 So if it's ever possible for one day a month and maybe later
9 on in the evenings so business owners and locals can go to it, it
10 would be awesome. Other than that, that's all.

11 COMMISSIONER WAITS: Thank you.

12 I would like to go ahead and discuss it to see if there's
13 any -- any interest of changing them. We just mentioned they are
14 set --

15 CHAIRMAN STIENMETZ: They're set at the Thursday.

16 COMMISSIONER WAITS: -- in our ordinance right now.

17 CHAIRMAN STIENMETZ: Personally, I'd like to see one
18 meeting be on a Friday.

19 JENNIFER O'KANE: Amen.

20 CHAIRMAN STIENMETZ: Because if we -- you know, like, if we
21 leave the first meeting on the Thursday because the first part
22 of the month is when we have your Central Nevada and all this
23 other stuff on Fridays.

24 Anyway, that's the way it was with me. And if we have the
25 last meeting of the thing on a Friday, that would allow me to
26 attend those. If they're on a Thursday, then I won't be able to
27 attend very many because it's practically impossible for me to get
28 away from work.

29 JENNIFER O'KANE: Maybe one day a month instead of two days
30 a month? So the -- it appeases everybody possibly in the
31 future.

32 CHAIRMAN STIENMETZ: Well, you can't -- I'm just saying --
33 that's what I'm saying is have the first meeting of the month on
34 the Thursday, the first Thursday. Then maybe have the second
35 meeting of the month on the fourth Friday?

36 COMMISSIONER WAITS: I have a real concern with Fridays for
37 several reasons. You mentioned the Central Nevada Regional
38 Water Authority that meets on Friday. NACO meets on Friday.
39 Now that the legislature is in conference, we have a meeting
40 every single Friday that's a phone conference on our legislative

1 committee. And that's -- that's true on -- that would be every
2 other year.

3 Fridays, no county meets on a Friday, and so whenever we
4 have summits or any extra things, they always choose the Friday
5 because every other county would be able to make that.

6 COMMISSIONER CLARK: I thought Pershing County met on
7 Friday.

8 COMMISSIONER WAITS: They said none at this time.
9 Three-day holidays, of course, concerning with the Friday. And
10 also, when we leave here, there's so much that admin has to
11 follow up on sometimes that day, sometimes the next day. So I
12 have a real concern if we wait now until Monday. And Monday is
13 always a hectic day that that would throw everything off kilter
14 there. Also we have many of them that are on before, four --
15 four-day, ten-hour shifts, which would not be able to attend on
16 Fridays. And the departments that wouldn't be able to attend.
17 So I have no appetite for Friday whatsoever. I am so sorry, but
18 --

19 COMMISSIONER CLARK: I have to agree with Patsy. The
20 ordinance changed the meeting days from Mondays to Thursdays to
21 avoid as many holidays as possible because when you consider the
22 time of the meetings, you must be fiscally neutral. And
23 those -- those words bind us to make sure that we are fiscally
24 neutral.

25 Moving to a Friday evening that has been suggested is
26 absolutely impossible. There's also been some discussion on the
27 Internet about commissioners hiding things or accused of hiding
28 things.

29 JENNIFER O'KANE: There's a lot of that going on.

30 COMMISSIONER CLARK: And these three people right here have
31 been commissioners since January 5th. Okay. This is our second
32 meeting.

33 The other thing is this state is a 24-hour state. People
34 are on shift work and that changes every two weeks. So there's
35 just no way to accommodate everybody. This has been the best
36 plan and the plan that's worked for the longest. So that's --
37 -- that's what I have to say about changing the meeting.

38 CHAIRMAN STIENMETZ: I was here when we switched from
39 Mondays to Thursdays. And the reason for switching is one of
40 the commissioners could not make Monday meetings. And that was

1 the reason we switched. The only thing is to accommodate so
2 that we could have -- because he could make Thursday meetings.

3 COMMISSIONER CLARK: And there's more holidays on Mondays.
4 So that was the one of the reasons also, I think.

5 JENNIFER O'KANE: So if Monday or Fridays don't work for
6 you guys, of course, that's what we're trying to accomplish is
7 to have our community a part of this.

8 And that's the most important part is our community, or at
9 least I feel, that our community and business owners can be a part
10 of this. I don't see anybody here except for people that work
11 during the day.

12 And every time I've come, I've never seen very many of our
13 communities. And yes, there's a lot of things on Facebook.
14 There's a lot of stuff on Battle Mountain Classifieds that I came
15 into this town hearing.

16 So I don't know what's true and false. So I show up to the
17 meetings to find out. There's a lot of people that go like this
18 in town that don't have a right because they can't go to the
19 meetings so they don't come to the meetings.

20 COMMISSIONER CLARK: You have that all time. What's
21 different?

22 JENNIFER O'KANE: Well, any place I've gone to any meetings
23 from California to San Francisco to here, most of them are done
24 at night. I know we're Battle Mountain. I know we're Lander
25 County. But the school here locally has it at 6:00 o'clock,
26 7:00 o'clock. Six o'clock. That's kind of --

27 COMMISSIONER CLARK: Jennifer, I was on the school board
28 and that's one agency. One agency.

29 JENNIFER O'KANE: But parents could go.

30 COMMISSIONER CLARK: There's no way that we can have
31 multi-agencies start a meeting at 6:00 o'clock because number
32 one, it's not fiscally neutral. That's the number one thing.
33 And number two, you're going to have people working nights,
34 24-hour state.

35 And I understand you had some signed petitions?

36 JENNIFER O'KANE: No. No. I do not have any signed
37 petitions.

38 COMMISSIONER CLARK: Okay.

39 JENNIFER O'KANE: I have brochures that I have actually put
40 all over our community because there's been like -- and bashing.

1 I don't know. I've heard commissioners taking \$4500 and paying
2 for an air conditioner.

3 CHAIRMAN STIENMETZ: Hey, that's not what we're talking
4 about.

5 COMMISSIONER CLARK: We're not talking about that right
6 now.

7

8 (Simultaneous indiscernible crosstalk.)

9

10 JENNIFER O'KANE: That was last year. So I show up to find
11 out --

12 CHAIRMAN STIENMETZ: We're getting off the agenda item.

13 COUNTY CLERK SULLIVAN: One at time. That's off the --

14 CHAIRMAN STIENMETZ: That's off the agenda item.

15 JENNIFER O'KANE: He said there's a lot of negative, so I
16 was responding to that. I don't know what is real and what is
17 not real.

18 KEITH WESTENGARD: Commissioner Stienmetz, I would like to
19 address the hiding part. These meetings are clearly open
20 meetings. We record the meetings. We have a stenographer
21 sometimes that takes every ooh and ah and everything else that
22 comes out of everybody's mouths. In order for us to hide
23 things, I think that's just totally ridiculous to think that
24 commission is hiding anything from the public. It's completely
25 open. It's recorded word for word and most cases we do have a
26 stenographer here that takes word for word. So I -- I know it's
27 --

28 COMMISSIONER CLARK: Oh, I know, it's Tiffany.

29 KEITH WESTENGARD: -- not happening.

30 CHAIRMAN STIENMETZ: Because I know Elko, they do theirs
31 like the first Tuesday, Wednesday and start at 1:30.

32 KEITH WESTENGARD: That is -- that's correct.

33 CHAIRMAN STIENMETZ: And --

34 KEITH WESTENGARD: They actually record theirs.

35 CHAIRMAN STIENMETZ: Yeah, and they do the last one on a --

36 KEITH WESTENGARD: Tuesday, Wednesday afternoons.

37 CHAIRMAN STIENMETZ: And then they do another one in -- on
38 Frid- -- on the last -- the last one of the month is --

39 KEITH WESTENGARD: I'm not for sure on the last --

40 CHAIRMAN STIENMETZ: Something like that, but --

1 COUNTY CLERK SULLIVAN: Sadie Sullivan for the record, for
2 the clerk's office. Tuesdays and Wednesdays, we would not
3 probably have enough staff to cover for court and also down here
4 as well. So that is something --

5 CHAIRMAN STIENMETZ: Well, I'm not saying that's where we
6 want to go.

7 COUNTY CLERK SULLIVAN: Just to let you guys know that
8 there may not be enough coverage. If it is court days.

9 COMMISSIONER MILLS: I'd just like to add that I like the
10 Thursdays. And the main reason is, is one that Patsy mentioned
11 is it allows the rest of the county personnel to accomplish
12 those things that they need to do after we finish this meeting
13 without -- and if they aren't able to finish Thursday afternoon,
14 they can go into Friday and it's still fresh in their minds.
15 They don't have weekend in between for them to forget or
16 misremember or whatever that might mess up some of the work that
17 they need to do. I think -- I think the Thursday is the most
18 efficient way for us to do our business.

19 COMMISSIONER BAKKER: I like the Thursdays too. We have
20 kids, children that are in sports on Friday. And it's just
21 easier.

22 COMMISSIONER CLARK: And if the community as a whole
23 supports athletics, and Fridays a lot of people will be gone.

24 CHAIRMAN STIENMETZ: It sounds like we don't need to do
25 anything changing the days. Nobody's interested. Right?

26 If there's no -- I guess we can't really make a motion. All
27 we can do is.

28 COMMISSIONER WAITS: No action taken.

29 CHAIRMAN STIENMETZ: No action. We couldn't take any
30 action anyway.

31
32 **11) Discussion for possible action regarding approval/disapproval**
33 **of living quarters for the Austin Ambulance Station, not to**
34 **exceed \$8,000.00, and other matters properly related thereto.**
35

36 CHAIRMAN STIENMETZ: All right. Let's move on to number
37 11, discussion for possible action regarding approval, slash,
38 disapproval of living quarters for the Austin ambulance station,
39 not to exceed \$8,000, and other matters properly related
40 thereto.

1 KEITH WESTENGARD: As everybody knows, we're -- we continue
2 to move forward with EMS service in southern Lander County.
3 Currently, we do have the Austin ambulance station that we'd
4 like to build some sleeping quarters in for the crews.

5 The hospital has -- the quote was for \$16,000 to do this
6 build out, which would include two bedrooms, expanding the
7 training room, and the kitchen area for eating.

8 It -- the hospital has agreed already to pay half of it. And
9 I'm asking for the other half to come from the county to put this
10 project in motion.

11 COMMISSIONER CLARK: I have a question about the EMS
12 services down south. Are we having a problem keeping people
13 down there?

14 KEITH WESTENGARD: there's lot of history in southern EMS.
15 At one time the numbers were very high. Currently, they're
16 pretty low. We are working toward getting people involved and
17 interested in it.

18 COMMISSIONER CLARK: Now are these trained people like we
19 have here or are they local volunteers?

20 KEITH WESTENGARD: They're local volunteers.

21 COMMISSIONER CLARK: Local volunteers.

22 KEITH WESTENGARD: Currently, the EMS does send an EMT II
23 or advanced, one step above a basic, one step below a paramedic
24 to the southern -- southern area two to three times a week.

25 When -- when it's required or when they need to stay for a
26 full 24 hours, what they're doing is they're having to rent a
27 hotel room to stay the night.

28 COMMISSIONER CLARK: Yeah.

29 KEITH WESTENGARD: So --

30 COMMISSIONER CLARK: It's just with such a feeling of
31 helplessness when there would be a call on the radio when I was
32 at work and there was an accident on Highway 50 or, you know,
33 down in Smoky Valley or something going on in the southern part
34 of the -- of the county.

35 You know, I just -- I don't know what the status is down
36 there, but I think that maybe we could come up with some kind of
37 incentives to have people stay there. That was my thought.

38 KEITH WESTENGARD: Well, we're working on getting the
39 program going. It has been a long road, as Patsy knows.

40 We have two new EMTs just recently within the last month have

1 attained their EMT I basic licenses or certifications. We have
2 drivers down there, in the event we need extra drivers or EMTs in
3 the back of the unit for transport.

4 COMMISSIONER CLARK: Maybe we could address it somewhere in
5 the budget process.

6 KEITH WESTENGARD: We're going to -- and actually we're --
7 I'm working on a -- updating the contract with the hospital --

8 COMMISSIONER CLARK: Okay.

9 KEITH WESTENGARD: -- to bring to you in the future, but
10 right now we're just looking at building this out.

11 CHAIRMAN STIENMETZ: Where are we going to get the 8,000?

12 NAN ANCHO: It could come out of the capital acquisition if
13 you want.

14 CHAIRMAN STIENMETZ: What?

15 COUNTY CLERK SULLIVAN: It didn't pick her up.

16 CHAIRMAN STIENMETZ: It didn't pick you up, Nan.

17 NAN ANCHO: It could come out of the Capital Acquisition
18 031.

19 COUNTY CLERK SULLIVAN: Thank you.

20 CHAIRMAN STIENMETZ: Thank you.

21 COMMISSIONER WAITS: I have a question. And perhaps,
22 Keith, you could help me on this because I know when Phil Hanna
23 was here and he gave us the report, it said, we're looking to
24 retrofit the EMS service and ambulance barn in Austin. And I
25 said, who's going pay for that? And he said. We will.

26 Now I understand from your comments that the board only
27 approved half of what they need. So why can't the other half
28 come out of money we are already giving them? Because we give
29 them --

30 COMMISSIONER CLARK: Exactly.

31 COMMISSIONER WAITS: -- quite a bit for Austin. Austin
32 gets -- what? -- \$70,000 a year. And I know right now they're
33 staffing it. They weren't before. But they are now staffing
34 it. And it costs a lot of money because it's overtime and per
35 diem, and I understand that. But it was their choice to do
36 this. We had several other -- excuse me -- options available
37 and they chose to go this way. So I think they should be paying
38 the 8,000. If they want to take it out of our money we give
39 them, then that's fine.

40 KEITH WESTENGARD: I can look -- if that's what you'd like

1 me to do, I'll --
2 COMMISSIONER WAITS: I don't know what the --
3 KEITH WESTENGARD: I would like to get the project going.
4 We're running out of time with our -- the contractor down
5 there. He's going to be going on his annual vacation.
6 I will definitely talk to Phil about it. Maybe we could look
7 at a reimbursement or a deduction of our monthly payment to them.
8 I can't guarantee. I can't speak for Phil, but I would
9 really like to get the project going.
10 COMMISSIONER WAITS: I think they have a lot of our funds.
11 I know they're using it, but I still think for the \$8,000 they
12 can take it. What did we give them? 275- for the county? But
13 an extra --
14 KEITH WESTENGARD: Five thousand a month.
15 COMMISSIONER WAITS: Okay. I think they can find the 8,000
16 out of that.
17 KEITH WESTENGARD: Okay.
18 COMMISSIONER CLARK: They don't have the money to do this?
19 CHAIRMAN STIENMETZ: The board said they would only pay
20 8,000 out of the 16,000. The hospital board.
21 COMMISSIONER WAITS: The hospital board. That's all they
22 approved.
23 COMMISSIONER CLARK: So the hospital doesn't have the money
24 to do this so they're coming back to us to get more?
25 KEITH WESTENGARD: I don't know if the hospital has the
26 other 8,000 or not.
27 CHAIRMAN STIENMETZ: I'm just saying the board said they
28 would not give them more than the 8,000. That's it. That's all
29 they said they would pay.
30 COMMISSIONER WAITS: I'll make a motion that we defer this
31 to the next meeting with Keith giving Phil our concerns on this
32 to see where we are.
33 COMMISSIONER CLARK: And with Mr. Hannah here.
34 COMMISSIONER MILLS: I'll second that.
35 CHAIRMAN STIENMETZ: Any public comment?
36 (No comment.)
37 CHAIRMAN STIENMETZ: All in favor?
38 COMMISSIONER BAKKER: Aye.
39 COMMISSIONER MILLS: Aye.
40 COMMISSIONER CLARK: Aye.

1 COMMISSIONER WAITS: Aye.
2 CHAIRMAN STIENMETZ: Aye.
3

4 12) Discussion for possible action regarding motion for
5 commission chair or vice chair to sign Resolution No. 2015-01
6 In God We Trust, and other matters properly related thereto.
7

8 CHAIRMAN STIENMETZ: Disc- -- item number 12, discussion
9 for possible action regarding motion of -- motion for
10 commissioner chair or vice chair to sign the Proclamation Number
11 2015-01 -- I thought we had another one that was that.

12 DISTRICT ATTORNEY HERRERA: That's a resolution.

13 CHAIRMAN STIENMETZ: Oh, that's resolution -- excuse me.
14 2015-01 In God We Trust, and other matters properly related
15 thereto.

16 DISTRICT ATTORNEY HERRERA: On this one, the commission
17 approved it. I did up the resolution right after the meeting.
18 And I submitted it. And it's now there for your signatures for
19 what you guys are voting for.

20 CHAIRMAN STIENMETZ: Approval of the signature.

21 DISTRICT ATTORNEY HERRERA: Yeah, that's it.

22 COMMISSIONER WAITS: I have a question. And -- and I know
23 with the exact wording that we did, because we were concerned
24 about the time frame with the new courthouse. However, when we
25 brought up that we were doing this as a proclamation for our
26 patriotism, I thought it would be more general because this is
27 so specific just to the courthouse that it doesn't allow us to
28 put this at the old courthouse in Austin or somewhere else in
29 Lander County if we chose to do this.

30 DISTRICT ATTORNEY HERRERA: And the reason it's specific --
31 you're right.

32 COMMISSIONER WAITS: I mean, the motion was that way.

33 DISTRICT ATTORNEY HERRERA: The motion was the same.

34 COMMISSIONER WAITS: Right. No.

35 DISTRICT ATTORNEY HERRERA: And I understand because that's
36 how you addressed it, but the motion itself and the second was
37 very specific to the new courthouse.

38 COMMISSIONER WAITS: Right. No, the resolution is correct
39 according to the way it was done. But my concern is now, if we
40 do that, we'd have to -- we could do this so we could come back

1 and just defer it again, put it on the agenda. Max, you know
2 our intention of where we're going so if we delay it a little
3 bit longer it shouldn't make any difference with what's going
4 on -- and we clarify it for Lander County and do the new
5 resolution to include that?

6 DISTRICT ATTORNEY HERRERA: I would suggest that --

7 COMMISSIONER WAITS: Do this?

8 DISTRICT ATTORNEY HERRERA: -- the courthouse -- I would
9 suggest you do this and we put on the agenda --

10 CHAIRMAN STIENMETZ: To amend it to include all other
11 county buildings.

12 DISTRICT ATTORNEY HERRERA: To not even amend it. To have
13 a new proclamation --

14 COMMISSIONER WAITS: Oh.

15 DISTRICT ATTORNEY HERRERA: -- to cover the whole county.

16 COMMISSIONER WAITS: Oh, to start over?

17 CHAIRMAN STIENMETZ: Right.

18 COMMISSIONER BAKKER: I agree.

19 COMMISSIONER WAITS: Okay.

20 DISTRICT ATTORNEY HERRERA: We -- that still would be in
21 place.

22 COMMISSIONER WAITS: If that's easier. That's this one.

23 DISTRICT ATTORNEY HERRERA: That would be easier since
24 they're building the building right now --

25 COMMISSIONER WAITS: Okay.

26 DISTRICT ATTORNEY HERRERA: -- and they want to retrofit it
27 into --

28 COMMISSIONER WAITS: Okay. I'm fine with that.

29 COMMISSIONER MILLS: The only -- the other concern I have
30 is this -- this resolution is for the commission chair or vice
31 chair to sign, but the proclamation has all of our names on it.
32 Does that affect anything?

33 DISTRICT ATTORNEY HERRERA: I wanted each and everybody's
34 name on it. I was advised to just put that way be -- as a
35 matter of fact, I think it was your office advised me that's how
36 it's done, so I changed it.

37 COMMISSIONER MILLS: Okay.

38 DISTRICT ATTORNEY HERRERA: And if you wanted all the
39 signatures on it, when we go --

40 COMMISSIONER MILLS: I'm just -- I'm just concerned that

1 the resolution, the proclamation that we have here don't match.
2 So I'm fine with it.
3 DISTRICT ATTORNEY HERRERA: I think that --
4 COMMISSIONER MILLS: -- as long as we --
5 DISTRICT ATTORNEY HERRERA: I'd be happy to go change it
6 right now before the end of this meeting I'd have everybody's
7 signature on it.
8 CHAIRMAN STIENMETZ: It does have everybody's signature on
9 it.
10 DISTRICT ATTORNEY HERRERA: Oh, it does.
11 COMMISSIONER MILLS: That's what I'm saying --
12 CHAIRMAN STIENMETZ: What he's saying --
13 COMMISSIONER MILLS: -- that the resolution says the chair
14 or vice chair to sign, but the --
15 DISTRICT ATTORNEY HERRERA: Oh, okay.
16 COMMISSIONER MILLS: -- actual proclamation has all of our
17 names on it.
18 DISTRICT ATTORNEY HERRERA: I can change it.
19 COMMISSIONER MILLS: So -- I just don't want there to be a
20 problem.
21 DISTRICT ATTORNEY HERRERA: I thought you would all like to
22 sign this.
23 COMMISSIONER MILLS: I would. But I just want to make sure
24 the resolution and the actual what we do match.
25 DISTRICT ATTORNEY HERRERA: Well, it would match because
26 the chair and vice chair would be signing it.
27 COMMISSIONER MILLS: Okay. Good enough.
28 DISTRICT ATTORNEY HERRERA: Along with everybody else.
29 COMMISSIONER WAITS: Okay.
30 DISTRICT ATTORNEY HERRERA: Technically, it's a match.
31 COMMISSIONER MILLS: All right. Yeah, it's just a
32 technical thing, but I just want to be sure.
33 COMMISSIONER WAITS: Just add it on, a few more. Okay.
34 COMMISSIONER MILLS: So do we -- do we need to make a
35 motion on this?
36 COMMISSIONER WAITS: Uh-huh.
37 COMMISSIONER MILLS: Then I make a motion that the county
38 commission chair and vice chair and others who want to -- I
39 guess -- will sign resolution 2015-01 In God We Trust.
40 COMMISSIONER WAITS: I'll second that motion.

1 CHAIRMAN STIENMETZ: Any public comment?
2 (No comment.)
3 CHAIRMAN STIENMETZ: All in favor?
4 COMMISSIONER BAKKER: Aye.
5 COMMISSIONER MILLS: Aye.
6 COMMISSIONER CLARK: Aye.
7 CHAIRMAN STIENMETZ: Aye.
8 COMMISSIONER WAITS: Aye.
9 CHAIRMAN STIENMETZ: Got to wait for Sadie to get back.
10 COMMISSIONER WAITS: Okay.
11

12 13) Discussion for possible action regarding the commission chair
13 or vice chair to sign the annual letter of promulgation, and
14 other matters properly related thereto.
15

16 CHAIRMAN STIENMETZ: All right. Let's go on to item number
17 13, discussion for possible action regarding the commission
18 chair or vice chair to sign the annual letter of promul- --

19 COMMISSIONER CLARK: Promulgation.

20 CHAIRMAN STIENMETZ: -- promulgation -- promulgation, and
21 other matters properly related thereto.

22 KEITH WESTENGARD: This is our annual letter of
23 promulgation for LEPC that we submit to the state in order to
24 maintain compliance. It's been the same letter for three years
25 that I know of. We just have to have the chair sign it and then
26 it gets submitted to the SERC, State Emergency Response
27 Commission. That keeps us in -- that's one of the components
28 that keeps us in compliance with the state.

29 COMMISSIONER MILLS: Can we get a -- and this is just for
30 the record so that when people read this that -- can we have a
31 definition of the word "promulgation" so that when people read
32 it, they know what that means because that's not a common word?

33 KEITH WESTENGARD: It's just showing that the commission
34 supports LEPC in Lander County in almost a full page.

35 COMMISSIONER MILLS: With that, I would make a motion that
36 the commission chair or vice chair sign the annual letter of
37 promulgation pertaining to LEPC.

38 COMMISSIONER WAITS: I'll second that motion.

39 CHAIRMAN STIENMETZ: Any public comment?

40 (No comment.)

1 CHAIRMAN STIENMETZ: All in favor?
2 COMMISSIONER BAKKER: Aye.
3 COMMISSIONER MILLS: Aye.
4 COMMISSIONER CLARK: Aye.
5 CHAIRMAN STIENMETZ: Aye.
6 COMMISSIONER WAITS: Aye.
7

8 **14) Discussion for possible action regarding approval/disapproval**
9 **to fill the Safety Manager position, and other matters**
10 **properly related thereto.**
11

12 CHAIRMAN STIENMETZ: Item 14, discussion for possible
13 action regarding approval/disapproval to fill the safety
14 manager's position, and other matters properly related thereto.

15 KEITH WESTENGARD: I'm asking that this be deferred,
16 Commissioner Stienmetz.

17 CHAIRMAN STIENMETZ: All right.
18 I need a motion to defer that.

19 COMMISSIONER BAKKER: I make a motion to defer item number
20 14.

21 COMMISSIONER WAITS: I'll second the motion.

22 CHAIRMAN STIENMETZ: Any public comment?

23 (No comment.)

24 CHAIRMAN STIENMETZ: All those in favor?

25 COMMISSIONER MILLS: Aye.

26 COMMISSIONER WAITS: Aye.

27 CHAIRMAN STIENMETZ: Aye.

28 COMMISSIONER CLARK: Aye.

29 COMMISSIONER BAKKER: Aye.
30

31 **15) Discussion for possible action regarding approval/disapproval**
32 **of a revised work week schedule for Administration at the 2nd**
33 **Street Annex Building to go to four 10-hour days, the office**
34 **will remain open during the lunch hour five days a week, and**
35 **other matters properly related thereto.**
36

37 CHAIRMAN STIENMETZ: Fifteen, discussion for possible
38 action regarding approval/disapproval of a revised work week
39 schedule for administration at 2nd North Annex Building to go to
40 four ten-hour shifts -- ten-hour days, offices will remain open

1 during lunch hours five days a week, and other matters properly
2 related thereto.

3 KEITH WESTENGARD: I put this on and I know the previous
4 commission put us on to the five eights.

5 I would like to change this to four tens, which doesn't mean
6 we're closed Friday, Saturday, Sunday. It means we have four
7 ten-hour days that the office is open Monday through Friday.
8 Maintain the office being open. It gives the availability to the
9 public from 7:00 to 5:30 or that ten-hour block of time in there.

10 CHAIRMAN STIENMETZ: And will you guarantee there's
11 coverage for all the positions? I mean.

12 KEITH WESTENGARD: There's going to be days when the --
13 well, for instance, we'll talk about Finance and the building
14 department.

15 The finance director's going to be four days. So there
16 will be a day when the -- I'm -- this position I want to stay at
17 five eights, my position. This -- but there will be days when
18 the finance director's off, but we have other people in Finance
19 to answer questions. There is nothing that will require an
20 emergency declaration that's drop dead for that day, something
21 that can be planned or taken up on the following work day. The
22 same with the building department. It gives access to the
23 building department for our contractors in the early morning as
24 well as the late afternoon.

25 If it's a finance question that can't be answered by the
26 current staff, I'm available to answer it. I can make that
27 call.

28 The same with HR. She'll be off one day a week where I am
29 going to be there. If it's an HR issue, I can generally handle
30 most human resource issues. If it -- if it absolutely can't be
31 handled, there's always calling -- calling somebody back.
32 They're salaried positions. There's no overtime involved.

33 In the past, there was issues -- and I know I -- the two
34 current commissioners, senior commissioners, were at that open
35 meeting. There was one public that I remember that came to
36 complain about access to the building. We're not closing for
37 lunch. It's just the people that I supervise. It's nobody el-
38 -- it's no elected officials' offices. This is just the people
39 I supervise.

40 CHAIRMAN STIENMETZ: Are there -- now -- am I right in

1 stating that Robin is represented by the union? Isn't that
2 position a representative position like a lot of these here by
3 the union?

4 KEITH WESTENGARD: Yes.

5 COUNTY CLERK SULLIVAN: And Vicki as well.

6 CHAIRMAN STIENMETZ: And Vicki as well?

7 KEITH WESTENGARD: Yes.

8 CHAIRMAN STIENMETZ: How is that going to affect the union
9 in the fact that they are part of the union? Are they going to
10 have to stay on five eights?

11 KEITH WESTENGARD: I saw nothing in the union contract.

12 COMMISSIONER MILLS: Seems like I saw something in the
13 u-con, union contract indicating they could do nine eighties.

14 DISTRICT ATTORNEY HERRERA: Nine eight- -- there's --

15 COMMISSIONER MILLS: Didn't say anything about four tens.

16 DISTRICT ATTORNEY HERRERA: There's five eights and nine
17 eighties right now in the union contract, in the existing union
18 contract.

19 Now, legally, under the law under NRS 245.04 subsection 4,
20 it says, any county office -- and -- and that would be Keith --
21 may deviate from the hours of operation required pursuant to the
22 section if the board of county commissioners approves the plan
23 for deviation submitted by the office, except that no such
24 deviation may conflict with the election allowance of this
25 state. Such a plan must be fiscally neutral, result in cost
26 savings. And you'll notice that phrase in a lot of these
27 statutes when you make decisions, "fiscally neutral" or at a
28 cost savings.

29 Now, I don't know if it's fiscally neutral or will result
30 in a cost savings.

31 And Keith presented to me that he believes that it is
32 fiscally neutral. So I have no evidence to suggest that
33 otherwise.

34 COMMISSIONER WAITS: I know we had quite a lengthy
35 discussion with several of the commissioners when we had this on
36 the agenda last year. And I know what sparked it was some of
37 the commissioners would be calling and wanting to handle
38 something on a Friday, and they were not available on that.

39 But one of my concerns was, in reading the backup material,
40 was the performance level of the people that are actually

1 working ten hours instead of eight hours. And we have folks
2 that work through their lunch hour now and don't take breaks and
3 so forth. And they actually find that those extra hours that
4 they're working aren't really the good quality hours that they
5 should be there.

6 On the other hand, I don't want to micromanage what our
7 executive director wants to do. I just think that you should be
8 cognizant of that information and maybe be -- be a little bit
9 more insistent on their lunch hours or their breaks or something
10 because statistics don't lie.

11 KEITH WESTENGARD: If there's a concern, I would maybe ask
12 for a trial period.

13 DISTRICT ATTORNEY HERRERA: And along those lines, legally,
14 since we don't know whether it's to be fiscally neutral or not
15 or result in a cost savings, if you decide to go for this, I
16 would suggest that you do it on a temporary basis and then have
17 everybody report back to you to see if that clause comes into
18 effect or not. If you decide to do it that's --

19 CHAIRMAN STIENMETZ: My question is, we -- when we did the
20 other one, we kind of said that it was up to the elected
21 officials.

22 DISTRICT ATTORNEY HERRERA: No, I can give you --

23 CHAIRMAN STIENMETZ: I mean, if they wanted their
24 departments to go to the -- to the different schedules.

25 KEITH WESTENGARD: This has nothing do with elected
26 officials.

27 COMMISSIONER WAITS: Right. Right.

28 CHAIRMAN STIENMETZ: No, I mean, --

29 DISTRICT ATTORNEY HERRERA: The last --

30 CHAIRMAN STIENMETZ: -- their departments.

31 DISTRICT ATTORNEY HERRERA: The last time -- you guys did
32 that once. I can give you a brief history of this. In March 8,
33 2012, it was discussed and deferred, October 10th, 2013, it was
34 discussed and reset to November 20th, 2013, at 7:00 p.m. at the
35 convention center for the town to come out and give their
36 thoughts. The only people that talked were the people that
37 talked in the last commission meeting. It was discussed. And
38 no vote was taken because it was public comment and was set to
39 December 12th, 2013, where it was discussed and deferred until
40 January 9th, 2014. And the commission stated and voted, and it

1 was passed and carried that said, with the exception of Road and
2 Bridge and Public Works and the sheriff's department, the entire
3 county work force will work five days, eight hours a day.

4 That's what -- where we are today.

5 COMMISSIONER WAITS: Thank you.

6 COMMISSIONER CLARK: From my perspective, the best
7 productivity comes from site-based decision making and buy-in
8 with the local people.

9 It's my understanding that Keith met with his people and this
10 is something that came out of that meeting.

11 As a commissioner, I want to support Keith in his decisions
12 and also hold him accountable for his decisions. If we tell Keith
13 no continually on things that he wants to do, then we're not
14 supporting him and allowing him to be the executive director that
15 he needs to be.

16 So that's my comment at this point.

17 COMMISSIONER BAKKER: I think if we do a trial period to
18 see if it is fiscally neutral. But one of my biggest -- my only
19 concern is when everybody's in the same building, when we are
20 actually -- the whole county's under one roof, I think we really
21 need to look at to make sure everybody's on the same schedule.
22 And if -- I think if you want to try your department right now
23 and see if it is beneficial. But at least by the time we move
24 into the new building, I think we're all going to have to sit
25 down and figure out what's best for the county and all the
26 employees under one roof.

27 CHAIRMAN STIENMETZ: I agree with that and that's what I
28 was trying to get to.

29 COMMISSIONER BAKKER: And that's how I feel.

30 COMMISSIONER MILLS: I'd like -- I'd like to say, I agree a
31 lot along those lines that I think the new county building is
32 really a changing factor in a lot of this.

33 I'd really like to see us get a little more unity in our
34 county under that one roof for a while before we start changing
35 hours or doing those kinds of things.

36 Also, when we -- if we change hours for a department, I would
37 like each department to come to us individually and express the
38 merits of those changes. This is -- this to me look like kind of
39 blanket, covering a whole bunch of departments.

40 KEITH WESTENGARD: It covers the departments --

1 CHAIRMAN STIENMETZ: Reporting to Keith.
2 COMMISSIONER MILLS: That you're in charge of.
3 KEITH WESTENGARD: It has nothing do with --
4 COMMISSIONER MILLS: Right.
5 KEITH WESTENGARD: -- any elected officials' departments.
6 COMMISSIONER MILLS: In reading through the past, through
7 the transcripts on these discussions over this over -- in the
8 past it's been about a year and a half. There's lot of, you
9 know, there's this exception, this exception, this exception,
10 this exception. And we can cut a lot of that out if we do it
11 department by department. Because I think there's some merit
12 to, like the building department is one especially, that there's
13 some merit in allowing them some leeway in the hours that
14 they're working.

15 In other departments, if there's only one person in the
16 department, I don't think those merits are as strong. So I would,
17 instead of doing it every department that you're in charge of,
18 that we bring it department by department individually to express
19 the merits of -- the value of changing the hours.

20 But my biggest concern is, I'd really like to see us be in
21 the new courthouse, have it be unified, everybody's on the new
22 same schedule. There's no exceptions for one employee over the
23 other in the new building, until we've really settled into the
24 place and gotten comfortable, and then we start making some
25 changes. I think that the unity of the county employees and the
26 view that that gives to the public is important.

27 KEITH WESTENGARD: I agree.

28 COMMISSIONER MILLS: And I'd like -- I'd really like to
29 have us get established first before we -- because, you know, I
30 like the idea of a trial period, but if we do a trial period for
31 a few months now and then we move into the new building and then
32 we're just going back to five eights and then we're just going
33 to be looking at it again later. I think if we do the trial
34 period, I think that -- and I think the trial period's a good
35 idea, but I think, for me, I would rather see it done after
36 we've -- after we've been established in the new building, then
37 we'll do some trial-period stuff with it to see what happens
38 over there after we've gotten established. That's just --

39 COMMISSIONER BAKKER: The only benefit of doing the trial
40 period right now is if we could find the beneficial use, --

1 CHAIRMAN STIENMETZ: Mm-hm.

2 COMMISSIONER BAKKER: -- so when we bring it back we have
3 all our knowledge right now whether we need to move forward or
4 change it from five eights --

5 COMMISSIONER MILLS: Right.

6 COMMISSIONER BAKKER: -- to four tens.

7 COMMISSIONER MILLS: But if we do a trial period now, it
8 really doesn't help us with deciding if it's fiscally neutral or
9 beneficial either.

10 COMMISSIONER CLARK: If you understand public agency
11 function, then you would be more inclined to go along with what
12 Keith, the executive director, is recommending. This is his
13 recommendation based upon the information that he's gathered
14 with his people. It's not for the whole county. It won't work
15 for other agencies. It's just going to work for Keith's people.
16 And this is what they want. It's not an infringement on
17 finances, the contract, or anything else.

18 This is site-based decision making. It's the same program
19 that came forward to a number of businesses after the Second World
20 War. The businesses in the United States did not want to take up
21 this site-based program. The Japanese did. Their economy boomed
22 because of productivity. This is a productivity issue. I believe
23 that site-based decision making is very important. So I -- I
24 support this.

25 CHAIRMAN STIENMETZ: We just need a motion.

26 JUDGE MAX BUNCH: Is there any public comment?

27 CHAIRMAN STIENMETZ: Oh, well, we'd make a motion and then
28 we do public comment.

29 JUDGE MAX BUNCH: Can we have public comment before we make
30 a motion --

31 CHAIRMAN STIENMETZ: Sure.

32 JUDGE MAX BUNCH: -- that might decide whether someone
33 wants to make a motion? I'd like to make a public comment. Max
34 Bunch for the record.

35 The major concern I have, you've got union employees mixed up
36 with this. I don't care what you guys do in the end, but my
37 concern is, is that when there's holiday comes up, these people
38 then get ten hours of holiday pay.

39 And I think that when you look at this, you potentially say
40 you get eight hours like all the rest of the employees in the

1 county because that causes problems for all the other employees
2 that are under the elected heads. Why do they get ten hours and
3 why do we only get eight?

4 So they -- you either take two hours of vacation if you do
5 this four ten. When they get it on their eight-hour holiday or
6 you turn around and you potentially make them work during a
7 holiday week eight-hour shifts.

8 CHAIRMAN STIENMETZ: Shifts. That's what I was going to --

9 COMMISSIONER CLARK: That's a good point.

10 JUDGE MAX BUNCH: So --

11 COMMISSIONER CLARK: And when --

12 JUDGE MAX BUNCH: So that's my comment. I don't care what
13 you guys do here, but I think that by doing this, you're going
14 to cause a lot more controversy, which is what happened last
15 time. And then you're going to have the remaining elected
16 officials, the majority of us sitting in here, turning around
17 and asking you to do the same thing for all those employees
18 throughout the county wide.

19 COMMISSIONER CLARK: That's a good point.

20 JUDGE MAX BUNCH: So that's my personal comment.

21 COMMISSIONER CLARK: Right. That's a good point, but when
22 the school district did that, they had it all figured out as far
23 as the overtime and sick leave and all that.

24 JUDGE MAX BUNCH: Well, it doesn't --

25 COMMISSIONER CLARK: It factored into --

26 JUDGE MAX BUNCH: -- make it fiscally neutral then if you
27 have overtime and executive.

28 CHAIRMAN STIENMETZ: Right. I think you --

29 COMMISSIONER CLARK: No, I'm just saying, Max.

30 JUDGE MAX BUNCH: I understand that. Your concern is
31 fiscally neutral. My concern is making sure that the employees
32 that are under my control aren't feeling shedded or shut out
33 because --

34 COMMISSIONER CLARK: How could that be if it's site-based
35 decision? It's buy-in.

36 JUDGE MAX BUNCH: Well, I understand it's buy-in, but we've
37 already went through this. You have a 9/80 schedule. Those
38 people who were working nine-hour work days got nine hours off
39 for a holiday. So when they come back, they only worked three
40 days. So they worked less hours during the pay period and

1 that's what you have. You have disgruntled employees talking to
2 the elected officials. And that's what causes us problems on
3 the elected officials' side. And then we have to come back to
4 the commission and say, you know, that's why it ended up being
5 five eights back before. Now I don't care if you guys do it.
6 You guys can do it if you want. I want you to consider that
7 when you make your decision that you're going to have
8 disgruntled employees within this building. And you'll --

9 COMMISSIONER CLARK: Okay, so --

10 JUDGE MAX BUNCH: -- hear from all of them.

11 COMMISSIONER CLARK: So if we stayed on this present
12 schedule, we wouldn't have any disgruntled employees about
13 anything?

14 JUDGE MAX BUNCH: Well, I think you have disgruntled
15 employees, --

16 CHAIRMAN STIENMETZ: No matter what.

17 JUDGE MAX BUNCH: -- but on that one issue you're probably
18 not going to have disgruntled employees. Do you have
19 disgruntled employees? Absolutely. But you're asking about
20 every issue in the building, and we're obviously talking about
21 one issue.

22 COMMISSIONER CLARK: Was anything -- yeah, Keith.

23 KEITH WESTENGARD: I was put in this position to manage a
24 county.

25 I'm asking you to allow me to manage the people I oversee.
26 I'm well aware of Max's concerns, and I will deal with it. And it
27 will be fair and equitable to all county employees including the
28 county employees that work within the elected officials' offices.
29 And if it requires them to take an extra two hours of leave on a
30 holiday, fine. What do we have, ten holidays a year, --

31 CHAIRMAN STIENMETZ: Mm-hm.

32 KEITH WESTENGARD: -- eight holidays a year? Whatever it
33 may be. I was put here to manage, and I'm going to manage. I
34 hope that's what you, this commission, wants me to do.

35 COMMISSIONER CLARK: Yeah, I --

36 KEITH WESTENGARD: I will deal with the two hours.

37 COMMISSIONER CLARK: I do. And, you know, looking forward,
38 these are things that we're going to look at when we go down the
39 road and we discuss your job performance.

40 KEITH WESTENGARD: Absolutely.

1 COMMISSIONER CLARK: And that's why I say I support this
2 because ultimately you'll be held responsible for the decision.

3 KEITH WESTENGARD: Right. And there's going to be days
4 when somebody feels that they absolutely need to get ahold of
5 Finance or absolutely need to get to ahold of HR or absolutely
6 need to get ahold of the building department. But there's days
7 when we need to get ahold of people within the county as well
8 and they're not available. It's going to happen. I'm not going
9 to say it's going to be blanket -- perfect for this trial
10 period.

11 There's going to be bumps. There's going to be ups and
12 downs, but that's how we perfect or at least try to better our
13 system, make our community happy by serving them longer days,
14 longer hours, and try to get better performance out of our
15 employees.

16 COUNTY CLERK SULLIVAN: If I could? Sadie Sullivan, for
17 the record. Just to go along with what Max has stated, my staff
18 and my concern, just so that the new commissioners coming on, if
19 they did do their four tens previously and their Monday landed
20 as that was their actual day off and that was the holiday, they
21 would also get Tuesday off because that was their day off. So
22 they got the holiday and the Tuesday, so then they only worked
23 30 hours that week.

24 So I just would hope when you go to make your motion that
25 you would take into consideration that the motion's very clear
26 for the record so then that way it doesn't have to keep coming
27 back to you guys, that way Keith can do his job and the
28 departments, and that type of thing. So that's my concern, that
29 when you make your motion, from all the research that has been
30 done and that my office has done and Keith's asked and Ted as
31 well, just please make that clear so then that way there is that
32 fairness.

33 UNIDENTIFIED PARTICIPANT: Just for clarification purposes,
34 the road and bridge department is on a four ten schedule and
35 when they take a vacation day or a sick day, they are charged
36 with ten hours, not eight.

37 CHAIRMAN STIENMETZ: Uh-huh.

38 COMMISSIONER MILLS: Do we have -- do we have any written
39 policies or procedures on how this might work?

40 KEITH WESTENGARD: No.

1 COMMISSIONER MILLS: I -- because that's something I'd like
2 to see. I'd like to see it in writing, so -- because there's
3 some valid issues.

4 And how are we going to handle it? I'd like to see it in
5 writing before we put in place. And like I said, I don't mind a
6 change in stuff, but there's potential for disgruntled employees
7 from -- you know, like I said, we've got one building over here,
8 one building over there. From what I'm hearing, there's already
9 some friction. I don't want to see that increased. And I'd like
10 to see that when we handle a change like this that it's based on
11 something.

12 KEITH WESTENGARD: There's always friction in this -- in
13 the county --

14 COMMISSIONER MILLS: Yeah.

15 KEITH WESTENGARD: -- with many things.

16 COMMISSIONER MILLS: That's what -- that's what I'm saying.
17 I'd like to see us address this after we're in the new building,
18 after we've set some -- we've -- because especially for the
19 financial side, there's nothing that I've seen been done about
20 that. I'd like to see something about that. I'd like to follow
21 the statute, and I'd rather do it with some actual having looked
22 at it, not a seat-of-the-pants kind of thing, if that makes
23 sense.

24 KEITH WESTENGARD: It's not -- this isn't -- this is --
25 okay --

26 COMMISSIONER MILLS: I mean.

27 KEITH WESTENGARD: I understand.

28 COMMISSIONER MILLS: I mean, is it going to be fiscally --
29 we have nothing to show us it is or is not. I'd like some
30 information. It doesn't have to be -- I wouldn't think it would
31 have to be extensive, but I would like some information.

32 And I would like to see some sort of a policy or procedure
33 that's in writing so that we actually have a way we're going to
34 handle the vacation and the holidays and those kinds of things
35 that come up, rather than just saying we're going to change to
36 four tens and then we'll handle it.

37 KEITH WESTENGARD: It's like Road and Bridge, they --

38 COMMISSIONER MILLS: Right.

39 KEITH WESTENGARD: -- have work a -- they use ten hours of
40 vacation. That's the way it is.

1 COMMISSIONER MILLS: Yeah.
2 KEITH WESTENGARD: Is that written?
3 COMMISSIONER CLARK: So I --
4 COMMISSIONER MILLS: I don't know. Do they do --
5 COMMISSIONER WAITS: I'll make a motion we --
6 COMMISSIONER MILLS: -- have a written policy?
7 COMMISSIONER WAITS: -- defer agenda item number 15.
8 COMMISSIONER MILLS: So --
9 COMMISSIONER CLARK: Well, I'd like to say another thing.
10 If you understand public agency function, you understand a CBA,
11 and you can buy in to site-based decision making, this is
12 Keith's call. And if we're not going to support Keith, what are
13 we -- what are we telling Keith?
14 Keith has gone --
15 COMMISSIONER MILLS: Well, I don't think anyone --
16 COMMISSIONER CLARK: -- through all this.
17 COMMISSIONER MILLS: I don't think anyone's saying they're
18 not supporting Keith.
19 COMMISSIONER CLARK: Well, it's exactly what we're saying
20 if we don't --
21 COMMISSIONER MILLS: What I'm saying is I'd like to --
22 because there's -- there's issues coming out, and I'd like to
23 know how they're going to be addressed.
24 KEITH WESTENGARD: These are --
25 COMMISSIONER MILLS: And I'd rather have it addressed --
26 KEITH WESTENGARD: These are things that came up in the
27 past.
28 COMMISSIONER MILLS: Right.
29 KEITH WESTENGARD: These are issues that came out last year
30 in the notes and in the minutes.
31 COMMISSIONER WAITS: Mm-hm.
32 COMMISSIONER MILLS: Right. And I read through all of
33 those. And everybody's got these issues. And before we start
34 this, I'd like -- I'd like to see in advance how we're going
35 handle those. How are we going to deal with them? And then
36 I'll be more comfortable on it.
37 COMMISSIONER WAITS: On the motion to defer, there is no
38 time frame. If Keith puts something together and wanted to
39 bring it back next month, he could. Or if --
40 COMMISSIONER MILLS: Right.

1 COMMISSIONER WAITS: -- we wanted to wait, we could. It's
2 certainly --
3 CHAIRMAN STIENMETZ: I have a ques- --
4 COMMISSIONER MILLS: And I'm -- I'd really especially
5 support a trial period. Let's try it and see how it works. And
6 is it working?
7 CHAIRMAN STIENMETZ: I'd like to --
8 COMMISSIONER MILLS: Rather than just --
9 CHAIRMAN STIENMETZ: -- ask Donnie and Bert.
10 COMMISSIONER MILLS: -- say yes to the whole thing.
11 CHAIRMAN STIENMETZ: How do you guys handle like Monday was
12 a vacation?
13 DONALD NEGRO: They get Tuesday off.
14 CHAIRMAN STIENMETZ: They get Tuesday off?
15 DONALD NEGRO: And what you've got to remember too, is it's
16 not our office help that's on -- on four tens. It's -- we work
17 five -- five eights.
18 And the way I think of it, this is my opinion, is you get
19 away from who we work for. We work for the John Q. Public.
20 CHAIRMAN STIENMETZ: Mm-hm.
21 COMMISSIONER MILLS: Mm-hm.
22 DONALD NEGRO: And I don't know how you feel, but when I go
23 in on a Friday and there's an office closed down, you know, I --
24 you know, there --
25 CHAIRMAN STIENMETZ: Mm-hm.
26 DONALD NEGRO: -- needs to be somebody there.
27 COMMISSIONER MILLS: Well, Keith is addressing that. The
28 only issue in that case would then be that's it's -- you've got
29 the shorter staff on the Friday.
30 KEITH WESTENGARD: Correct. No office will be --
31 COMMISSIONER MILLS: It's not going to be closed. And
32 that's fine. And I think that's good.
33 KEITH WESTENGARD: HR would be closed one day, but I'll be
34 there or I'll be available to handle HR issues that would come
35 up.
36 COMMISSIONER MILLS: But the other issue is how are you
37 going to handle when -- is on a holiday, are they going to be
38 paid the ten hours?
39 KEITH WESTENGARD: I'm not -- no, they would get eight
40 hours.

1 COMMISSIONER MILLS: They would get paid eight hours?
2 KEITH WESTENGARD: They would have to take two hours.
3 Absolutely.
4 COMMISSIONER MILLS: Okay. And is that --
5 COMMISSIONER BAKKER: Is that written in the policy
6 already?
7 KEITH WESTENGARD: It is --
8 COMMISSIONER MILLS: Does that --
9 CHAIRMAN STIENMETZ: There is no policy.
10 COMMISSIONER MILLS: -- policies on any of this stuff?
11 COMMISSIONER CLARK: It would be in the CBA.
12 LURA DUVALL: How is that any different from the Road and
13 Bridge four tens?
14 KEITH WESTENGARD: No I'd follow Road and Bridge. They --
15 you have a written policy for four tens.
16 COMMISSIONER BAKKER: Donnie, in your policy on vacations
17 --
18 COMMISSIONER CLARK: It's not policies.
19 DONALD NEGRO: Just the way on our time sheets --
20 COMMISSIONER BAKKER: Yeah.
21 DONALD NEGRO: -- is how we do it.
22 COUNTY CLERK SULLIVAN: Also, if I may comment, too, on the
23 previous meetings, which Donnie may have been here and then
24 Patsy and Steve as well.
25 The confusion, I feel, with Road and Bridge is it states in
26 the minutes of administration, so Donnie states his gals and
27 Water and Sewer for Jake, they're in the office Monday through
28 Friday 8:00 to 5:00. That's their focus. The men that are out
29 in the field are four tens. So Donnie and Jake have their
30 office covered. So there's not any issues with that coverage.
31 And that's where it states in the minutes as well as the
32 administration. So like on some of the questions that you have,
33 Lura, you know it was more in the meetings --
34 LURA DUVALL: Right.
35 COUNTY CLERK SULLIVAN: -- for the office itself that
36 office coverage. So they have their office plus out in the
37 field covered. But that's -- just out of clarification, I hope
38 that may answer some of your guys' questions. And previous
39 meetings is for the offices themselves because it's state
40 administration.

1 COMMISSIONER MILLS: Okay. So --
2 COUNTY CLERK SULLIVAN: We're going to confuse it.
3 COMMISSIONER CLARK: And for the record, I'm going back on
4 the record, and I'm saying if we don't support Keith, that's
5 nonsupport.
6 And that's --
7 COMMISSIONER MILLS: Well, make a motion.
8 COMMISSIONER CLARK: That's how I --
9 KEITH WESTENGARD: There's already a motion out there.
10 COMMISSIONER CLARK: Yeah.
11 COMMISSIONER WAITS: No, it died.
12 CHAIRMAN STIENMETZ: It died.
13 COMMISSIONER WAITS: It died.
14 CHAIRMAN STIENMETZ: Nobody seconded it.
15 KEITH WESTENGARD: Oh, okay.
16 COMMISSIONER CLARK: I make a motion that we approve the
17 four-day work week for the 2nd Street Annex Building on a trial
18 basis of six months.
19 And at that time, Keith will come back to us and tell us if
20 there are any glowing errors.
21 Obviously, there are people think that it doesn't work. I
22 happen to think that a ten-day work -- or a ten-hour work week
23 is probably a lot more efficient than an eight-day. I know
24 there are people that would like to see the sheriff's office
25 patrol on eight hours a day. That -- that's -- those days are
26 gone.
27 COMMISSIONER WAITS: This is all part of your motion?
28 COMMISSIONER CLARK: No. My motion is --
29 COMMISSIONER BAKKER: Is there a way that we can get -- you
30 can write up, maybe, a policy and a mockup?
31 COMMISSIONER MILLS: Does HR have a policy --
32 COMMISSIONER BAKKER: So --
33 COMMISSIONER MILLS: -- already?
34 CHAIRMAN STIENMETZ: Uh-uh.
35 KEITH WESTENGARD: There's nothing.
36 COMMISSIONER BAKKER: And get some guidelines.
37 Say we defer this until next meeting. In the next two weeks
38 come back with policies and guidelines on how you want to
39 effectively execute this plan. And we'll review it and go -- does
40 that sound fair?

1 KEITH WESTENGARD: Sure. Yep.

2 DISTRICT ATTORNEY HERRERA: Somebody has to make a motion.

3 COMMISSIONER BAKKER: I make a motion to defer it until

4 next week with Keith writing up policies and ways on to

5 successfully execute the four, ten-hour work week.

6 COMMISSIONER WAITS: The motion was to defer it to next

7 week.

8 COMMISSIONER BAKKER: Yeah. No. Defer until next meeting.

9 COMMISSIONER MILLS: Next meeting.

10 COMMISSIONER WAITS: Oh. Okay.

11 COMMISSIONER MILLS: I'll second that.

12 CHAIRMAN STIENMETZ: Any public comment?

13 (No comment.)

14 CHAIRMAN STIENMETZ: All in favor?

15 COMMISSIONER MILLS: Aye.

16 COMMISSIONER WAITS: Aye.

17 COMMISSIONER BAKKER: Aye.

18 CHAIRMAN STIENMETZ: Aye.

19 COMMISSIONER CLARK: Nay.

20

21 **16) Discussion for possible action regarding the appointment of a**

22 **county commissioner representative(s) to the Lander County**

23 **Courthouse Building Commission, and other matters properly**

24 **related thereto.**

25

26 CHAIRMAN STIENMETZ: All right. Let's go to item 16,

27 discussion for possible action regarding appointment of a county

28 commissioner representative to the Lander County Courthouse

29 Building Commission, and other matters properly related thereto.

30 COMMISSIONER BAKKER: I actually had Keith put this on

31 here. I've been working for the last six months with CORE and

32 Max. And I just wanted to put it on here so --

33 CHAIRMAN STIENMETZ: Officially on here.

34 COMMISSIONER BAKKER: Yeah. And get your guys' support one

35 way or the other.

36 COMMISSIONER WAITS: Who was on it before?

37 CHAIRMAN STIENMETZ: Brian. No, I was on it.

38 COMMISSIONER BAKKER: And Brian.

39 CHAIRMAN STIENMETZ: And Brian.

40 COMMISSIONER WAITS: Okay. So you stay on it?

1 CHAIRMAN STIENMETZ: Yeah.
2 COMMISSIONER MILLS: So you'd be as an alternate? Is that
3 what you want to --
4 COMMISSIONER WAITS: No, no.
5 COMMISSIONER BAKKER: No, there's two commissioners on it.
6 CHAIRMAN STIENMETZ: There's two commissioners on it. Since
7 we can --
8 COMMISSIONER MILLS: There's two commissioners on it.
9 CHAIRMAN STIENMETZ: -- have five, we can have --
10 COMMISSIONER MILLS: Okay.
11 CHAIRMAN STIENMETZ: -- two on there.
12 COMMISSIONER MILLS: Okay. So --
13 CHAIRMAN STIENMETZ: Make a motion to --
14 COMMISSIONER MILLS: Make a motion to have -- do we -- do
15 we need to say Sean Bakker --
16 CHAIRMAN STIENMETZ: Yeah.
17 COMMISSIONER MILLS: -- specifically?
18 COMMISSIONER WAITS: Yeah.
19 COMMISSIONER MILLS: Make a motion to appoint Sean Bakker
20 to the -- which -- Lander County Courthouse Building Commission.
21 COMMISSIONER WAITS: I'll second that motion.
22 CHAIRMAN STIENMETZ: Do we have any public comment?
23 (No comment.)
24 CHAIRMAN STIENMETZ: All in favor?
25 COMMISSIONERS: Aye.
26 CHAIRMAN STIENMETZ: Aye.
27 COMMISSIONER WAITS: Aye.
28
29 17) Discussion for possible action regarding the appointment of a
30 county commissioner representative(s) to the Lander County
31 Aquatic Center Building Commission, and other matters
32 properly related thereto.

33
34 CHAIRMAN STIENMETZ: Seventeen, discussion for possible
35 action regarding appointment of a county commissioner
36 representative to the Lander County Aquatic Center Building
37 Commission.

38 COMMISSIONER BAKKER: I had this put on here, too, just so
39 I'm officially on there. For the last month, I have been
40 sitting down with CORE and the architects. And we have been

1 struggling a little bit, but we are working through some
2 problems. So hopefully we can have an aquatic center. So I
3 just really need your support.

4 CHAIRMAN STIENMETZ: Same thing.

5 COMMISSIONER MILLS: Okay. I make a motion that we appoint
6 Sean Bakker to the Lander County Aquatic Center Building
7 Commission.

8 COMMISSIONER WAITS: Is he our only representative from the
9 --

10 CHAIRMAN STIENMETZ: I'm on it.

11 COMMISSIONER WAITS: -- commission. Okay. Let's clarify
12 that.

13 COMMISSIONER MILLS: Is this another that has two
14 commissioners, right?

15 COMMISSIONER WAITS: I'll second that motion.

16 COMMISSIONER CLARK: I'll second it.

17 CHAIRMAN STIENMETZ: Any public comment?

18 (No comment.)

19 CHAIRMAN STIENMETZ: All in favor?

20 COMMISSIONER CLARK: Aye.

21 COMMISSIONER BAKKER: Aye.

22 COMMISSIONER MILLS: Aye.

23 COMMISSIONER WAITS: Aye.

24 CHAIRMAN STIENMETZ: Aye.

25

26 18) Discussion for possible action regarding commission chair or
27 vice chair to sign Resolution No. 2015-02, a resolution
28 designating the existence of a critical labor shortage,
29 authorizing the district attorney to fill said position, and
30 other matters properly related thereto.

31

32 CHAIRMAN STIENMETZ: Eighteen, discussion for possible
33 action regarding commission chair or vice chair to sign the
34 Proclamation 2015-02, a resolution designating the existence of
35 a critical labor shortage and authorizing the district attorney
36 to fill said position, and other matters properly related
37 thereto.

38 DISTRICT ATTORNEY HERRERA: This is just a resolution.
39 This is just asking to you sign it.

40 CHAIRMAN STIENMETZ: Because isn't this what we asked you

1 to do last time?

2 DISTRICT ATTORNEY HERRERA: I did it up.

3 CHAIRMAN STIENMETZ: Yeah.

4 DISTRICT ATTORNEY HERRERA: (Indiscernible) sign it. So
5 it's -- you guys approved it. It's there for your signature,
6 basically, that's what it is.

7 CHAIRMAN STIENMETZ: This is just asking us to sign it.

8 DISTRICT ATTORNEY HERRERA: That's it.

9 COMMISSIONER WAITS: PERS wants the resolution with the
10 letter and the -- and your application or whatever; is that
11 correct?

12 DISTRICT ATTORNEY HERRERA: Yeah. It's to be submitted to
13 PERS. It needs to be signed by resolution.

14 COMMISSIONER WAITS: I'll make a motion that we approve
15 Resolution Number 2015-02, a resolution designating the
16 existence of a critical labor shortage, authorizing the district
17 attorney to fill the said position, and authorize the chair the
18 sign.

19 COMMISSIONER BAKKER: Second.

20 CHAIRMAN STIENMETZ: Any public comment?

21 I have one. We did get a letter from somebody protesting
22 this. But they didn't bother to sign it. So as far as I'm
23 concerned the letter isn't any good. And with that, I would say
24 all in favor.

25 COMMISSIONERS: Aye.

26 COMMISSIONER WAITS: Aye.

27 CHAIRMAN STIENMETZ: Aye.

28

29 **19) Discussion for possible action to approve/disapprove J-U-B**
30 **Engineers "Annual General Service Agreement" to Lander County**
31 **for Austin Airport, and other matters properly related**
32 **thereto.**

33

34 CHAIRMAN STIENMETZ: Discussion for possible action to
35 approve/disapprove J-U-B Engineers "Annual General Service
36 Agreement" to Lander County for Austin Airport, and other
37 matters properly related thereto.

38 COMMISSIONER WAITS: We don't have any amount on this, Nan.
39 Is it the same amount that it was last year?

40 NAN ANCHO: Same amount. Yes.

1 COMMISSIONER WAITS: What is it?
2 NAN ANCHO: 15,000 per each airport.
3 COMMISSIONER WAITS: Each airport? Exactly the same for
4 Austin and Battle Mountain?
5 KEITH WESTENGARD: We may not need -- will you have any
6 questions for J-U-B?
7 CHAIRMAN STIENMETZ: No, this is something we do every
8 year.
9 KEITH WESTENGARD: Right.
10 CHAIRMAN STIENMETZ: It states in here --
11 COMMISSIONER MILLS: This is pretty routine; isn't it?
12 CHAIRMAN STIENMETZ: -- that it is for not to exceed 15,000
13 for tasks during the -- per calendar year 2015.
14 COMMISSIONER WAITS: I'll make a motion that we approve
15 J-U-B Engineers, the "Annual General Service Agreement," to
16 Lander County for the Austin Airport.
17 COMMISSIONER BAKKER: Second.
18 CHAIRMAN STIENMETZ: Any public comment?
19 (No comment.)
20 CHAIRMAN STIENMETZ: All in favor?
21 COMMISSIONER CLARK: Aye.
22 COMMISSIONER MILLS: Aye.
23 CHAIRMAN STIENMETZ: Aye.
24 COMMISSIONER BAKKER: Aye.
25 COMMISSIONER WAITS: Aye.
26
27 20) Discussion for possible action to approve/disapprove J-U-B
28 Engineers "Annual General Service Agreement" to Lander County
29 for Battle Mountain Airport, and other matters properly
30 related thereto.
31
32 CHAIRMAN STIENMETZ: All right. Now we have item 20.
33 Discussion for possible action to disapprove -- or to
34 approve/disapprove J-U-B Engineers "Annual General Service
35 Agreement" to Lander County for the Battle Mountain Airport and
36 other properties -- other matters properly there rel- -- related
37 thereto.
38 COMMISSIONER BAKKER: Same thing; right?
39 CHAIRMAN STIENMETZ: Yes.
40 COMMISSIONER BAKKER: I make a motion to approve J-U-B

1 Engineers "Annual General Service Agreement" to Lander County
2 for Battle Mountain Airport.

3 COMMISSIONER MILLS: Second.

4 CHAIRMAN STIENMETZ: Any public comment?

5 COMMISSIONER CLARK: I have a question. You work with
6 these guys, Bert?

7 BERT RAMOS: Occasionally, mainly they work -- occasionally
8 mainly they work with you guys.

9 COMMISSIONER CLARK: Okay.

10 DONALD NEGRO: Work with Keith.

11 CHAIRMAN STIENMETZ: All in favor?

12 COMMISSIONER CLARK: Aye.

13 COMMISSIONER BAKKER: Aye.

14 COMMISSIONER MILLS: Aye.

15 CHAIRMAN STIENMETZ: Aye.

16 COMMISSIONER WAITS: Aye.
17

18 21) Discussion for possible action regarding approval/disapproval
19 of base salary of \$50,000.00 a year for the office manager
20 for the district attorney to be retroactive January 5, 2015,
21 and other matters properly related thereto.
22

23 CHAIRMAN STIENMETZ: Item number 21, discussion for
24 possible action regarding approval/disapproval of base salary of
25 50,000 a year for an office manager for the district attorney to
26 be retroactive to January 5th, 2015, and other matters properly
27 related thereto.

28 KEITH WESTENGARD: This actually should have been in the
29 payroll change request in the front of the book, but I got with
30 the DA and discussed this as well. And we did a comparison with
31 similar counties. And actually we're still under what similar
32 counties like Pershing and Storey -- White Pine and Storey
33 County. And we're still about 5,000 under what an office
34 manager makes in a district attorney's office.

35 COMMISSIONER WAITS: But it's still higher than what we
36 were paying; is that correct?

37 KEITH WESTENGARD: It's still higher, but it's still within
38 his budget, yes.

39 CHAIRMAN STIENMETZ: Do we have any other office managers
40 in the county at any of the places?

1 KEITH WESTENGARD: Boy, I don't --
2 CHAIRMAN STIENMETZ: For any other --
3 KEITH WESTENGARD: Do you guys have one?
4 UNDERSHERIFF ROBERT QUICK: Our office manager is covered
5 by contract though.
6 CHAIRMAN STIENMETZ: Oh. Well, that's what I was just
7 wondering was how we compared to that.
8 COMMISSIONER WAITS: Did you advertise this, Counselor, or
9 was this just your choice?
10 DISTRICT ATTORNEY HERRERA: Pardon me.
11 COMMISSIONER WAITS: Did you advertise this position?
12 DISTRICT ATTORNEY HERRERA: Yes, I did.
13 COMMISSIONER WAITS: And did have you have a salary when
14 you advertised?
15 DISTRICT ATTORNEY HERRERA: What I said is to be determined
16 depending on their level of experience. So when I -- when --
17 when I got the application, her level of experience was 12 years
18 in the district attorney's office. I then called other district
19 attorneys' offices and I found that the two other -- the two
20 other counties that are -- they are county classification
21 number. So we're county classification number four. There are
22 three counties in that designation. And two of them pay more
23 for the office manager than I'm -- told her I'd pay her.
24 Then there's -- there's counties that are designated county
25 classification number five, which are smaller counties, like
26 Pershing County, that pay significantly more, like 58,000, then
27 65,000.
28 COMMISSIONER WAITS: Those counties are in bad trouble too.
29 I don't think we can compare them, right?
30 DISTRICT ATTORNEY HERRERA: Well, what we -- I'm just
31 comparing the services to services.
32 COMMISSIONER WAITS: Okay. Again, and I respectfully
33 request when we do this, I would like to see the letter, the
34 offer letter that you made to these people.
35 DISTRICT ATTORNEY HERRERA: It's in your department. It's
36 in HR. It's your department.
37 COMMISSIONER WAITS: Usually that's part of our -- our
38 information. I mean, when we -- well, no. When we hire -- is
39 it not? When we hire people, that's part of what's in our
40 information. This is something I call and ask for.

1 DISTRICT ATTORNEY HERRERA: But it's your department.
2 Commissioner, with all due respect, I -- yes, I expect you to
3 get it because I'm submitting it to people in your department.
4 I'll get you a copy. Yes.
5 COMMISSIONER WAITS: I guess it comes back to --
6 DISTRICT ATTORNEY HERRERA: I will.
7 COMMISSIONER WAITS: Okay, because, again, I'm curious, I
8 mean, when does she get her next raise? Was she promised a
9 raise in six months?
10 DISTRICT ATTORNEY HERRERA: No.
11 COMMISSIONER WAITS: Three months?
12 DISTRICT ATTORNEY HERRERA: No. No, I said I'd start her
13 off at this.
14 COMMISSIONER WAITS: Okay. And then she gets a four
15 percent raise in the middle of the year.
16 DISTRICT ATTORNEY HERRERA: And she's -- and she -- she
17 realizes she's getting 6- to 8,000 less than a comparable
18 position. She realizes that. And she's making a jump. And the
19 last office manager we had wasn't an office manager. We haven't
20 had a real office manager in this county for four years. So it
21 was just a glorified secretary. That's what they're used for.
22 That's what the last district attorney used the office manager
23 for. And this office manager has been working her butt off and
24 putting that office back to- -- back together.
25 COMMISSIONER WAITS: Well, she's worked for the county
26 before in that position; has she --
27 DISTRICT ATTORNEY HERRERA: Yes.
28 COMMISSIONER WAITS: -- not?
29 DISTRICT ATTORNEY HERRERA: Yes.
30 COMMISSIONER WAITS: Okay.
31 DISTRICT ATTORNEY HERRERA: Twelve years. Eight. Eight of
32 those twelve years were office manager.
33 COMMISSIONER WAITS: Thank you.
34 COMMISSIONER CLARK: I'd like to make a motion that we
35 approve a base salary of 50,000 dollars a year for the office
36 manager of the district attorney to be retroactive January 5th,
37 2015.
38 COMMISSIONER BAKKER: Second.
39 CHAIRMAN STIENMETZ: Did we get a second?
40 COMMISSIONER BAKKER: Second.

1 CHAIRMAN STIENMETZ: Oh, any public comment?
2 (No comment.)
3 CHAIRMAN STIENMETZ: All in favor?
4 COMMISSIONER BAKKER: Aye.
5 COMMISSIONER CLARK: Aye.
6 COMMISSIONER MILLS: Aye.
7 COMMISSIONER WAITS: Aye.
8 CHAIRMAN STIENMETZ: Aye.
9

10 **22) Discussion for possible action regarding the bid process in**
11 **Lander County, and all other matters properly related.**
12

13 CHAIRMAN STIENMETZ: Item 22, discussion for possible
14 action regarding the bid process in Lander County, and all other
15 matters properly related.

16 KEITH WESTENGARD: I would like to try to manage what you
17 guys have asked me or put me in here to do. So I'm looking at
18 putting together a bid oversight committee.

19 Our bid process will remain the same. It will come into
20 the clerk's office, and it'll be opened in the clerk's office.
21 But I want to include so it's not just one person making these
22 decisions. I want to have the district attorney involved. And
23 I spoke to the district attorney about it. I want to have
24 Finance involved. I want to have a commissioner involved and
25 the department head who's generating this project.

26 I'm trying to get any question about -- I'm trying to be
27 transparent on everything we do in this county. It's very similar
28 to our audit committee. So I want to put together a bid oversight
29 committee.

30 COMMISSIONER WAITS: Would that be a permanent committee or
31 one that -- that changes like with the commissioners serves six
32 months, does another commissioner --

33 KEITH WESTENGARD: Well, yes. If a commissioner is voted
34 out and not voted back in, whichever, it would have -- that
35 person would need to be replaced.

36 COMMISSIONER WAITS: Well, that's for sure -- what I'm
37 saying --

38 KEITH WESTENGARD: The DA -- the DA's going to stay on it,
39 the finance director, the building official, and then the person
40 who generates the --

1 DISTRICT ATTORNEY HERRERA: If I may add legally, this is
2 covered by NRS 332.039. And it says that the pertinent part --
3 a governing body or its authorized representative shall
4 advertise all contracts in which the estimated annual amount to
5 perform the contract exceeds \$50,000. And that's really what
6 we're talking about, a process we put in place.

7 What we need is, in my opinion -- legal opinion, you need
8 to designate one representative. And I would suggest it be the
9 ex officio clerk's office because these are time, date
10 sensitive. And she has the only -- that I'm aware of -- time,
11 date stamp. And she has the ability and resources to keep
12 these -- these bids secretive until it's time to pull them out
13 and do that. So part of the process that I'm suggesting
14 legally, is that you appoint her as your representative to do
15 this. And then -- and then follow what Keith's saying and make
16 some guidelines on -- on the whole process.

17 COMMISSIONER WAITS: And the rest.

18 DISTRICT ATTORNEY HERRERA: So this is a process.

19 COMMISSIONER WAITS: Isn't that what we've been doing?

20 DISTRICT ATTORNEY HERRERA: Well, technically, any of your
21 representatives could do it.

22 So you haven't ever established that we want the clerk to do
23 it as ex officio --

24 KEITH WESTENGARD: Of you.

25 DISTRICT ATTORNEY HERRERA: -- of you.

26 COMMISSIONER WAITS: But she brings -- I mean, once she
27 opens the bids and everything, then it comes to us.

28 DISTRICT ATTORNEY HERRERA: Yeah, but technically anything
29 over \$50,000 any one of your representatives could do it.

30 You need to establish a policy, a procedure.

31 COMMISSIONER WAITS: I see. We've been doing it, but
32 that's -- nothing's been set.

33 Okay. Thank you. That answers that.

34 COMMISSIONER CLARK: This is your recommendation, Ted?

35 DISTRICT ATTORNEY HERRERA: My recommendation is that we
36 need to establish a policy --

37 COMMISSIONER CLARK: Okay.

38 DISTRICT ATTORNEY HERRERA: -- and procedure. And I have
39 talked to Keith and he suggested this committee. And that's an
40 oversight. That's a checks and balance. But I think the clerk

1 needs to -- it needs to be put there in the motion and that she
2 is your acting representative --
3 COMMISSIONER WAITS: Okay.
4 DISTRICT ATTORNEY HERRERA: -- for this.
5 COMMISSIONER WAITS: She always has been. It just hasn't
6 been --
7 DISTRICT ATTORNEY HERRERA: Exactly.
8 COMMISSIONER WAITS: Got it. Okay.
9 COMMISSIONER CLARK: This is NRS 33- --
10 DISTRICT ATTORNEY HERRERA: Let me put my glasses on. This
11 is 332.039. And this deals with contracts over \$50,000.
12 And that's --
13 COMMISSIONER CLARK: Right. Okay.
14 DISTRICT ATTORNEY HERRERA: The one from 25- to \$50,000 and
15 0 to \$25,000, it's a different procedure. But that's laid out
16 in the statute. But -- but you need someone in charge as your
17 representative. You're in charge. You're in charge. There's
18 no question. But it says, or their representative and --
19 COMMISSIONER WAITS: Got it.
20 DISTRICT ATTORNEY HERRERA: That's --
21 COMMISSIONER WAITS: Thank you.
22 DISTRICT ATTORNEY HERRERA: So if you follow Keith's
23 suggestion, the motion would be that you make a motion to
24 appoint the -- the county clerk as your legal representative for
25 all bids and establish a committee, a bid oversight committee,
26 to -- to work with your representative in all these situations.
27 COMMISSIONER WAITS: But you want it for only the bids over
28 50,000?
29 DISTRICT ATTORNEY HERRERA: Well, by statute. If it's
30 under \$50,000, you -- they can do it a different way if they
31 want. If it's --
32 COMMISSIONER WAITS: But you want the motion just to
33 address the 50,000 is what I'm saying.
34 CHAIRMAN STIENMETZ: That's the -- (indiscernible).
35 DISTRICT ATTORNEY HERRERA: Yeah.
36 COMMISSIONER WAITS: Okay.
37 DISTRICT ATTORNEY HERRERA: Yeah. It should be.
38 Because -- because, you know, if somebody wants to -- if Water
39 and Sewer or Roads and Bridge if they have a \$25,000 contract,
40 perhaps -- the way the motion is, they would talk to Sadie.

1 They would talk -- because that's your representative. But they
2 would be allowed to -- to put it out for only two known people
3 that they're allowed to do that under though --
4 KEITH WESTENGARD: Three.
5 DISTRICT ATTORNEY HERRERA: Yeah. Two or three, yeah.
6 COMMISSIONER WAITS: I understand that part. And I think
7 that's where we've been a little bit negligent on many of our
8 bids that are under 50,000 with the county that we have not done
9 this on. So I guess I'm just clarifying what you want the
10 motion to -- just to address --
11 DISTRICT ATTORNEY HERRERA: It probably should include all
12 bids.
13 COMMISSIONER WAITS: Okay. I'll make that motion. Okay.
14 I move that we appoint the clerk's office as our legal
15 representation for all bids for the county and establish a bid
16 committee. Is that?
17 KEITH WESTENGARD: Oversight committee.
18 COMMISSIONER WAITS: Oversight committee?
19 KEITH WESTENGARD: Correct.
20 COMMISSIONER WAITS: Do I need something else?
21 DISTRICT ATTORNEY HERRERA: To include four members. He
22 suggested four members.
23 JENNIFER O'KANE: More than that.
24 COMMISSIONER WAITS: To include four members.
25 DISTRICT ATTORNEY HERRERA: The DA, the county
26 commissioner, --
27 KEITH WESTENGARD: Building official and finance.
28 DISTRICT ATTORNEY HERRERA: -- and building official and
29 Finance.
30 COMMISSIONER WAITS: Building official and finance. Okay.
31 COMMISSIONER BAKKER: I second it.
32 DONALD NEGRO: Now is this on, like, where we go out for
33 equipment and stuff or is this, like, road bids and sewer and
34 water bids?
35 UNIDENTIFIED PARTICIPANT: Builds.
36 COUNTY CLERK SULLIVAN: Bids.
37 DISTRICT ATTORNEY HERRERA: It would be on all bids, but on
38 those small bids, you can just talk to Sadie and just do it.
39 DONALD NEGRO: Okay. Like what we do, Ted, is like on our
40 equipment and stuff is we piggyback through gov- -- through

1 other government agencies.
2 DISTRICT ATTORNEY HERRERA: That's -- yes.
3 DONALD NEGRO: Just tell her what we're doing?
4 DISTRICT ATTORNEY HERRERA: Absolutely. So she can -- so
5 she can report to the commission.
6 DONALD NEGRO: Normally --
7 DISTRICT ATTORNEY HERRERA: It saves you.
8 DONALD NEGRO: Normally what -- we'd report --
9 COMMISSIONER WAITS: Yeah. They can come in and we --
10 DONALD NEGRO: Okay.
11 DISTRICT ATTORNEY HERRERA: And you'd both be reporting.
12 COUNTY CLERK SULLIVAN: And this is basically to get it on
13 the record so everybody's clear. That's why this has been
14 brought before the board.
15 JAKE EDGAR: So we're going take our -- if we want to do
16 the three -- get three requests, quotes, we're going to give
17 those quotes to you?
18 DISTRICT ATTORNEY HERRERA: Well, you guys have to
19 establish a policy. I mean, you just have to talk to them.
20 JAKE EDGAR: I'm just asking is that -- she's going to be
21 the point person that we take the quotes to. They're in there.
22 She has them. It's on the record. And we go about our business
23 the --
24 DISTRICT ATTORNEY HERRERA: That's the intent. That's my
25 intent.
26 COMMISSIONER CLARK: So we're cutting out the department
27 heads?
28 DISTRICT ATTORNEY HERRERA: No.
29 JAKE EDGAR: No.
30 COMMISSIONER WAITS: No, no.
31 COUNTY CLERK SULLIVAN: No, no.
32 DISTRICT ATTORNEY HERRERA: Not at all.
33 COMMISSIONER CLARK: Okay.
34 KEITH WESTENGARD: They're going to take their bids, work
35 with Sadie on it. And then we'll also have the bid oversight
36 committee.
37 COMMISSIONER CLARK: Okay.
38 KEITH WESTENGARD: For change orders, for things like that,
39 we'd look at them. It's a transparency thing in my opinion.
40 COMMISSIONER WAITS: We have the legal --

1 KEITH WESTENGARD: It's not just -- just not one person is
2 making the decision. It's a -- there's a group doing it.

3 COMMISSIONER WAITS: And you have your legal
4 representative, you have your oversight committee. And it's a
5 process we are putting in and establishing.

6 KEITH WESTENGARD: Yes.

7 COMMISSIONER WAITS: Not a whole lot different than they
8 were, but --

9 DISTRICT ATTORNEY HERRERA: No, it's a --

10 COUNTY CLERK SULLIVAN: Currently, the steps that are being
11 taken -- Sadie Sullivan, for the record -- and the gentlemen can
12 help me. They get with an engineering firm. They go out to
13 bid. They let me know the bids are opened in my office. We
14 time stamp them and date and time stamp. They do not get opened
15 until after the close of bid -- two staff members in my office:
16 one opens, one writes down the amounts. Whoever's there,
17 depending on the department head, they get copies. The contract
18 company, they get copies as well. The gentlemen take the bids
19 with them or the engineering firm. They overlook every- -- look
20 over everything to make sure that things are legal. And then
21 they bring back everything to be held in my office. And that's
22 just kind of a basic steps.

23 DISTRICT ATTORNEY HERRERA: I'm putting -- I'm suggesting a
24 process so that no one in the future can come back and say
25 anything was untoward or done wrong or there was any collusion
26 or anything else. With this process, that will -- that will
27 just, you know, obliterate any of those things, the allegations.

28 COMMISSIONER BAKKER: There's a motion. And I think I
29 seconded it.

30 COMMISSIONER WAITS: You did. You did.

31 CHAIRMAN STIENMETZ: All right. Any other public comment?

32 (No comment.)

33 CHAIRMAN STIENMETZ: All in the favor?

34 COMMISSIONER BAKKER: Aye.

35 COMMISSIONER MILLS: Aye.

36 CHAIRMAN STIENMETZ: Aye.

37 COMMISSIONER CLARK: Aye.

38 COMMISSIONER WAITS: Aye.

39 COMMISSIONER MILLS: Do we need to now appoint a
40 commissioner to be on that --

1 KEITH WESTENGARD: We have to --
2 COMMISSIONER MILLS: -- committee.
3 KEITH WESTENGARD: I'll put it on the next --
4 COMMISSIONER WAITS: Put it on the agenda.
5 COMMISSIONER MILLS: Yeah.
6 CHAIRMAN STIENMETZ: An agenda item. Our next ag- --
7 meeting.

8
9 **23) Discussion for possible action regarding status of the Lander**
10 **County Courthouse/Administration Building Project, and other**
11 **matters properly related thereto.**
12

13 CHAIRMAN STIENMETZ: Item 23, discussion for possible
14 action regarding status of the Lander County Courthouse, slash,
15 Administration Building Project, and other matters properly
16 related thereto.

17 JUDGE MAX BUNCH: Max Bunch for the record. Casey Gunther
18 is also here from CORE Construction.

19 I was tasked with attempting to come back with the different
20 colors. Some of the commission members are new. I know that you
21 may have had an opportunity to get out there and take a look at
22 things.

23 COMMISSIONER CLARK: Max?
24 Are these open or do you have glass here?

25 COMMISSIONER BAKKER: No, they're open.

26 JUDGE MAX BUNCH: They're open.

27 CASEY GUNTHER: Folding accordion doors.

28 COMMISSIONER CLARK: They're open.

29 COMMISSIONER BAKKER: That's where the public --

30 JUDGE MAX BUNCH: So --

31 COMMISSIONER BAKKER: -- will come in.

32 JUDGE MAX BUNCH: -- I was tasked because the commission

33 indicated to me -- and I put together a building committee
34 meeting with CORE Construction, Van Woert Bigotti. The message
35 I got was that the building was too dark originally when you got
36 some -- some pictures and some different colors.

37 So what they've created for me is some renderings that you
38 have that I just handed out to you on -- on the building.

39 So as you go through those, I can tell you what we did. We
40 had a building committee meeting. Mr. Bakker was actually at the

1 meeting. We had it here. Mr. Stienmetz, I believe, was working
2 and we probably got that done before you got back.

3 CHAIRMAN STIENMETZ: Right.

4 JUDGE MAX BUNCH: So -- and the other person on the
5 building committee, myself and Randy Clark. There were some
6 other people that were in the courthouse that come in and
7 looked. So if I can actually just show you -- and anybody who
8 wants to get up can get up and look. Nan Ancho was there.

9 And so if you look at this side here, on page three, this
10 was the original colors that were the carpet that was in -- in
11 the building -- okay -- which is on this side.

12 So on -- on the other side is -- so we were trying to delete
13 these three here. And I will slide these over this direction. So
14 the task was that this was too dark. So we went to try to do
15 something different that would -- and the wall coloring were too
16 dark too.

17 So when everybody was sitting together and we did that, we
18 chose those three pieces there that are sitting there. We have
19 an option, if we choose to, which if you'll put that one on top
20 of this, that could potentially be what it looks like. Okay.

21 So -- so that's what we're bringing to the commission for you
22 to give us a final answer on and so that we can move forward and
23 to go.

24 So the building committee and the people that were in the
25 room at the time and everybody was sitting there. There were
26 elected officials. There were -- Finance was there.
27 Mr. Herrera, I think, even showed up. And so they were kind of
28 trying to give their input. Mr. Herrera wanted blue. He was
29 X'd out of that pretty fast. So it didn't take long.

30 COMMISSIONER BAKKER: The shag red would have looked
31 better.

32 UNIDENTIFIED PARTICIPANT: Yeah.

33 JUDGE MAX BUNCH: This piece here is -- if you actually
34 look at your last page of your rendering, I believe it's on the
35 last page.

36 UNIDENTIFIED PARTICIPANT: It is.

37 JUDGE MAX BUNCH: You will notice that that is the floor
38 that is in there. That is this.

39 COMMISSIONER WAITS: Break room?

40 JUDGE MAX BUNCH: In the break room.

1 UNIDENTIFIED PARTICIPANT: Correct.
2 JUDGE MAX BUNCH: So that is the floor that's in the break
3 room. There was a choice between gray, a little darker gray
4 than this.
5
6 (Simultaneous conversations.)
7
8 JUDGE MAX BUNCH: And we actually liked this and thought
9 this would be recommended. So those are things that we looked
10 at.
11 Also, I know there was a concern about the wall.
12 So what CORE has done is they have created this. And the
13 break room wall, as you see, is more like this than what you might
14 see in -- in the photo. Just so you know that it gets skinny and
15 let me kind of turn so everybody else has an opportunity to
16 quickly see it, if you'll keep out of the way.
17
18 (Simultaneous side conversations.)
19
20 COMMISSIONER WAITS: They get skinnier like a wave?
21 CHAIRMAN STIENMETZ: No, it's --
22 JUDGE MAX BUNCH: Well, it's kind of --
23 CASEY GUNTHER: It represents geo strata, layers of the
24 rock and all that. That's -- that's the intent of it from what
25 I understand.
26
27 (Simultaneous side conversations.)
28
29 COMMISSIONER WAITS: Yeah, well, I saw that. But I said he
30 said it gets skinnier, and I said like a wave --
31 JUDGE MAX BUNCH: Well, it does. If you look at it, it's
32 thicker here than it is here.
33 CHAIRMAN STIENMETZ: That's what he's talking about. It
34 looks like here to here.
35 JUDGE MAX BUNCH: So -- and it does that -- you may not see
36 that --
37
38 (Simultaneous side conversations.)
39
40 COMMISSIONER WAITS: Oh, I see what you're saying. Yeah,

1 these are all the same size it looks like.
2 CHAIRMAN STIENMETZ: No, these are all skinnier. Not as
3 much, but --
4
5 (Simultaneous side conversations.)
6
7 CHAIRMAN STIENMETZ: I don't have any problem with that.
8 COMMISSIONER WAITS: It's the same size all the way across.
9 There's different sizes of the colors.
10 They're wider. Some colors are wider, but --
11 CHAIRMAN STIENMETZ: Mm-hm.
12 COMMISSIONER WAITS: I see.
13 JUDGE MAX BUNCH: I like the -- what the -- what they
14 picked out there --
15 CHAIRMAN STIENMETZ: I do too.
16
17 (Simultaneous side conversations.)
18
19 JUDGE MAX BUNCH: These other ones were a little darker,
20 but -- when I actually put out the photos. And that one there
21 really only goes with this one here.
22
23 (Simultaneous conversations throughout entire chamber.)
24
25 JUDGE MAX BUNCH: So I just wanted to give the commission
26 an opportunity -- I know we're kind of taking a little break
27 here to look at that.
28 DISTRICT ATTORNEY HERRERA: I still want blue. I told you
29 I'd try.
30 JUDGE MAX BUNCH: So basically you have -- you have some
31 renderings here, potentially, about as close as we can get right
32 now. And those renderings are actually made for you to look at
33 the paint colors on the walls within the offices.
34 So if you look at page two, you can actually see the walls
35 on the side there that kind of give you some colors that were
36 -- if you will recall, when I was here in December, they were
37 darker. They were diesel.
38 CHAIRMAN STIENMETZ: It looks a lot better.
39 JUDGE MAX BUNCH: Okay. They were a diesel color. And you
40 indicated to me, which I took back to the building committee and

1 the architects that they were too dark.
2 The other one is bunny rabbit --
3 CASEY GUNTHER: Bunny brown.
4 JUDGE MAX BUNCH: Bunny rabbit?
5 CASEY GUNTHER: Bunny brown.
6 JUDGE MAX BUNCH: Bunny brown.
7 CASEY GUNTHER: Or brown bunny.
8 JUDGE MAX BUNCH: Brown bunny.
9 CASEY GUNTHER: Brown bunny.
10 JUDGE MAX BUNCH: So that's the tan that you're actually
11 looking at.
12 CASEY GUNTHER: It's that color right there.
13 JUDGE MAX BUNCH: And so that they understand, brown bunny
14 is that particular color that's second.
15 COMMISSIONER CLARK: Tan.
16 JUDGE MAX BUNCH: So that's kind of what the --
17 COMMISSIONER MILLS: Khaki.
18 CHAIRMAN STIENMETZ: Tan bunny.
19 COMMISSIONER CLARK: Tan bunny.
20 CHAIRMAN STIENMETZ: Bunny brown.
21 COMMISSIONER CLARK: Okay. And we'll have extras for
22 replacement? That was something I want --
23 JUDGE MAX BUNCH: Yes.
24 CASEY GUNTHER: That is part of the closeout procedure.
25 When we get ready, we'll be handing over a certain amount of
26 materials of each product.
27 COMMISSIONER CLARK: How hard are they to replace to bring
28 up? Are they glued down.
29 CASEY GUNTHER: They do have an adhesive, but they are not
30 hard to --
31 COMMISSIONER CLARK: Adhesive backing? Or you use
32 adhesive?
33 CASEY GUNTHER: They will have an adhesive backing.
34 COMMISSIONER CLARK: Oh, okay.
35 JUDGE MAX BUNCH: So there are numerous things that we will
36 have, just not in carpet. We have ceiling tiles. I think I've
37 got some floor box outlets that -- now, those might not need a
38 percentage because those are just extras that we've deleted out
39 of the project in certain areas. We've deleted some floor
40 boxes. So we have that already on site. We've already been

1 paid for them. So we'll keep those to be able to utilize for
2 replacement cost if necessary. But I do want you to understand
3 that the building is under warranty for a period of one year on
4 the building. There are other things that have more warranty on
5 them than just one year. The roof and different things like
6 that have different warranties that go along with them. So the
7 boilers may have a different warranty than one year.

8 The elevator, I can't recall off the top of my head.

9 CASEY GUNTHER: The solar has a two-year warranty.

10 JUDGE MAX BUNCH: And the solar that's up and operating has
11 a two-year warranty.

12 So this is just kind of to give you an overview of what
13 offices potentially could look like. And I mean, I know there
14 was -- I've already had somebody ask me a question about the
15 countertops. And somebody has asked me about the pulling of the
16 accordion doors.

17 If you go up to Mills Pharmacy and you look at the
18 accordion up there at Mills Pharmacy, you'll see that they pull
19 across to hold in their prescription area, to be able to lock
20 down the prescription area.

21 COMMISSIONER CLARK: Right.

22 JUDGE MAX BUNCH: Okay. These are the same -- on the same
23 line. The architects and I and all of us went up there, took a
24 look at them to see where they -- what they looked like, how
25 they worked. They're not exactly the same as far as having
26 grommets every so often because you're working on that counter.
27 Where they have grommets every so often that they can slide in
28 to keep it from bending. But we purchased a different type of
29 system that actually is solid so you can't push the windows
30 open. But they are double-bolt locked up on the top and on the
31 bottom on the counters. So when they're lock locked, your
32 office is secure.

33 Plus I have another door that keeps people from getting into
34 that section so they won't be able to get in past the second door.
35 They'll only be able to enter the first door. They won't be able
36 to enter the second door to get to the counters in the first place
37 without being a lot on video every place.

38 So as far as that goes, you can see the commissioners'
39 area. I don't know if you guys noticed that, probably about
40 page five or six. And I don't have them numbered. Sorry about

1 that. But it is a photo that looks like this that's actually
2 potential with the commissioner chambers is going to look like.
3 So you have that in your packet there.

4 As you can see on the side -- so not only that page, but if
5 you go to the next page also is the commission chambers. And
6 that's probably the better option where you can actually see the
7 next page after that. You will see that on the left and on the
8 right, where your staffs, your department heads, your staffs, your
9 finance will be up with you so that when you have a question, you
10 don't have to have to -- have to go across the room. Because the
11 room is going to be slightly larger than what you currently are
12 working out of now.

13 And -- and, for example, if you look in that photo there, if
14 you look at the TVs up on the -- up on the ceiling there, those
15 are going to be for agendas so that the -- the clerk when an
16 agenda item's done, it'll be able to show the public. Because as
17 we know, we all come in and say, what agenda item are they on?
18 This will be able to tell them what agenda item you're on because
19 it's going to be green. If it's red, it's done. So there will be
20 a little thing that as you're sitting there, the clerk will be
21 able to do it.

22 COMMISSIONER WAITS: Is that window in the middle? What is
23 that?

24 JUDGE MAX BUNCH: That is a door for the commissioners to
25 come in and to go out.

26 COMMISSIONER WAITS: In the middle?

27 CHAIRMAN STIENMETZ: Uh-huh.

28 JUDGE MAX BUNCH: It was requested as an emergency exit
29 behind when incidents happened within the commission chamber,
30 they have a fast escape. So that's how it was designed.
31 Because the two commissioners that were on the committee wanted
32 that. So that's why it's designed.

33 COMMISSIONER CLARK: That door will actually have --

34 COMMISSIONER BAKKER: I didn't know that.

35 COMMISSIONER WAITS: -- very well.

36 JUDGE MAX BUNCH: It will actually have the wood paneling
37 on it. They're just kind of showing you the door.

38 COMMISSIONER WAITS: Oh.

39 JUDGE MAX BUNCH: You don't even see it.

40 COMMISSIONER WAITS: Oh.

1 JUDGE MAX BUNCH: You'll just see the handle.
2 COMMISSIONER WAITS: Okay.
3 COMMISSIONER CLARK: It's a secret passage.
4 JUDGE MAX BUNCH: And then over to the left of that, as you
5 look at the picture, on the left, there's another door over on
6 that side.
7 COMMISSIONER WAITS: I saw that one.
8 JUDGE MAX BUNCH: Okay. So --
9 COMMISSIONER BAKKER: And from the back of the seats are
10 going to be bullet proof vests, --
11 CHAIRMAN STIENMETZ: Mm-hm.
12 COMMISSIONER BAKKER: -- just to make sure we're secure.
13 JUDGE MAX BUNCH: There was -- when we were planning this,
14 there was an incident that happened in the commissioner chambers
15 with a citizen who come in and had knives and different things
16 and was really upset with the commission.
17 Well, he was just upset with life in general, not necessarily
18 the commissioners. But something happened at the commission
19 office which caused the gentlemen to go to jail, which then caused
20 him to come to the commission meeting. And they were a little bit
21 worried that somebody could just walk in with a gun and you'd have
22 no escape. So we planned safety into this. And that's part of
23 what the planning process was when that was done.
24 So, you know, as you go through that, you kind of look at
25 those renderings. And basically these renderings are for --
26 inside there this is not -- this is not paint that's on the walls.
27 These are acoustic -- acoustic wall panels for sound that will
28 be -- if you -- as you look at the commissioners. And so there's
29 some cloth that is being selected to match the floor, the wood
30 grain and all of that.
31 COMMISSIONER WAITS: Did you get your questions all
32 answered?
33 JUDGE MAX BUNCH: I don't know. Oh, for the decision on
34 the carpet, I don't know.
35 Mr. Bakker? You have a decision on the carpet.
36 COMMISSIONER BAKKER: Huh? Which one did you like better?
37 COMMISSIONER CLARK: Let's take a vote.
38 JUDGE MAX BUNCH: I mean, it's up to you guys. I can tell
39 you what the building committee is recommending, because you
40 told me that that other one was too dark so the building

1 committee is recommending this section here. Okay.
2 And then --
3 CHAIRMAN STIENMETZ: That for the break room floor.
4 JUDGE MAX BUNCH: -- also, I don't have the other piece,
5 but I can tell you that it was really a dark, dark gray.
6 CHAIRMAN STIENMETZ: Well, that looks nice.
7 JUDGE MAX BUNCH: And we think that when you look at the
8 rendering it really flows with the office. There's no blue.
9 You know, we're thinking about blue throw rugs.
10 CHAIRMAN STIENMETZ: In Ted's office.
11 JUDGE MAX BUNCH: Well, basically, I've done my job to go
12 and go to the building committee and report back to you. In
13 addition to that, we've really wanted to bring you a sample of
14 this wall because on the one rendering, it looked like there was
15 a great big green piece. And this is actually the true color
16 that we had, the subcontractor produced for us so that we could
17 provide it to you at the meeting.
18 COMMISSIONER WAITS: Okay.
19 CHAIRMAN STIENMETZ: I think the consensus that we go with
20 what the building committee said. Have we got any objections to
21 that?
22 JUDGE MAX BUNCH: So all I need is, if you guys are happy
23 with what the building committee's recommended, we'll be happy
24 to go that direction.
25 We -- we -- I have some more update about the building. And
26 I'm trying to think off top of my head and Casey may have to help
27 me, because I didn't print it off for me.
28 Yeah, the gas meter was set yesterday. So now we have full
29 power to the building, and we have gas to the building for heat.
30 And --
31 COMMISSIONER MILLS: Is the building enclosed yet?
32 CASEY GUNTHER: About 90 percent.
33 COMMISSIONER MILLS: Ninety percent.
34 CASEY GUNTHER: As of Monday, if it's not permanently
35 enclosed, it will be temporarily enclosed because the heaters
36 are going on.
37 COMMISSIONER MILLS: So the building is dry now, is that --
38 CASEY GUNTHER: It's pretty much dry, yeah.
39 JUDGE MAX BUNCH: So -- and they're putting on the roof?
40 CASEY GUNTHER: The roof was started Monday.

1 JUDGE MAX BUNCH: Update about the roof part.

2 CASEY GUNTHER: Okay. So Monday the roofers showed up and
3 they started staging their material and went ahead and started
4 installing what they had to start, the crickets insulation and
5 so on. And that's going to be probably a two-week activity. We
6 should be able to get pretty much everything done. But foresee
7 the roof being done completely second week of February.

8 We have to wait for the front to get done for the brick
9 veneer to wrap it over completely.

10 JUDGE MAX BUNCH: And then in addition to that they've just
11 installed the light poles for the lighting. We're in the
12 process of working on the boulders that will be part of the
13 desert landscape that -- that the commission has given us
14 direction to go in. And the overhead electrical, mechanical,
15 and plumbing are going. They're, I mean, it's going in as we're
16 speaking. It's going in yesterday. When we went for the site
17 meeting after our owner contractor architect meeting yesterday.
18 So I think things are moving pretty smoothly right now. I mean
19 you have a few hiccups. And we're trying to get some
20 information on some of those hiccups. Cost-wise, if we're able
21 to -- if we're going to cut things out to make things work. So,
22 I mean, you're trusting me as -- I'm grateful that you trust me
23 to do it. And we are doing it even though it may be 7:30, 8:00
24 o'clock at night, CORE's making sure they're there with me when
25 we're having to do it so late at night. Unfortunately my day
26 job has taken a different turn.

27 COMMISSIONER CLARK: Max, I know you're working --

28 DISTRICT ATTORNEY HERRERA: Sorry.

29 COMMISSIONER CLARK: -- five twelves on this. Outside of
30 kidding around, I -- I really appreciate what you're doing.

31 This -- this project would not have moved along without your --
32 your help. I mean that. You're doing a great job.

33 JUDGE MAX BUNCH: I will tell you that Nan has been a great
34 help me too. She's -- she's there at the owner architect
35 contractor meetings. She's been to different meetings with me.
36 So it's truly not all me. And CORE is really working hard as
37 our general contractor on this job to do the right thing for
38 this community.

39 COMMISSIONER CLARK: Well, you're doing two jobs at once,
40 and I commend you for -- for your time on this project.

1 You're -- you're really putting your heart and soul in this.
2 JUDGE MAX BUNCH: Thank you.
3 COMMISSIONER WAITS: It's his vision.
4 JUDGE MAX BUNCH: No.
5 CHAIRMAN STIENMETZ: I think we all --
6 JUDGE MAX BUNCH: Actually it was Ray Williams' vision.
7 CHAIRMAN STIENMETZ: -- appreciate you, Max. You're doing
8 a great job.
9 COMMISSIONER MILLS: How are we doing on the time and
10 budget? Are we close?
11 CASEY GUNTHER: We're there.
12 JUDGE MAX BUNCH: Budget is -- budget is not like you would
13 normally have. This is a guaranteed maximum price. It's a
14 construction manager at-risk job. So if it goes over, they're
15 responsible.
16 So that's -- that's how this is set up. It's not a -- where
17 we come back and ask for change orders, unless we decide that
18 there's a change of scope of work. Now the scope of work that's
19 been presented, they have to cover under the guaranteed maximum
20 price that we already have. So -- and there is something that may
21 change that I may have to come back. But I'm not sure. We were
22 trying to make that work. And that's what I'm trying to get
23 numbers for right now and trying to see and prevent from coming
24 back to the commissioners for anything other than just your
25 approvals on items.
26 I mean, we're working on the furniture. That is one of the
27 other things. We have three chairs right now at the
28 commissioners' office over at the annex. They are being used by
29 the employees to see if that's what they like or don't like. We
30 had some -- some sample chairs brought in. They're actually the
31 real chairs. But they are utilizing them. And I don't know from
32 Finance or HR. Have you guys heard anything back at this point in
33 time?
34 NAN ANCHO: Most people are --
35 JUDGE MAX BUNCH: They have?
36 So there are task chairs. And then there are executive
37 chairs. So as we go through this, you -- and they're very nice
38 chairs.
39 And then I have to get through the potential bid process or
40 piggybacking on an existing contract within that they've already

1 went out the bid and all that. So I am looking at potentially
2 piggybacking with Washoe County. Nan and I are kind of working on
3 that right now. It could potentially save us 70 percent on -- on
4 the items if we're able to piggyback onto their contract. So
5 that's a substantial savings for this project or being able to get
6 nice stuff for the employees of the county.

7 COMMISSIONER WAITS: Thank you.

8 JUDGE MAX BUNCH: Okay. Any questions? Any other
9 questions that I haven't answered?

10 COMMISSIONER CLARK: Another thank you.

11 JUDGE MAX BUNCH: Okay. Thank you. Appreciate it.

12 DISTRICT ATTORNEY HERRERA: Good job, Max.

13 COMMISSIONER WAITS: Max, before you leave, I did have one
14 picture. And it's also got the website for you for just general
15 information.

16 JUDGE MAX BUNCH: Okay.

17 COMMISSIONER WAITS: And like I said, they've have all
18 kinds of --

19 COMMISSIONER MILLS: Are they using LED lighting --

20 COMMISSIONER WAITS: -- different replicas and ideas. But
21 that was just one --

22 COMMISSIONER BAKKER: Casey, are you guys using LED
23 lighting in the building?

24 COMMISSIONER WAITS: -- and that gave you the full website
25 to check it out for your building committee.

26 JUDGE MAX BUNCH: All right. Well, actually the
27 committee -- I mean, this is pretty simple. You guys have given
28 -- you've given direction to the build -- to us right now --

29 COMMISSIONER WAITS: Right, but I mean, is it plaque or
30 what are we doing? I'm just saying that was just an idea.

31 JUDGE MAX BUNCH: Right. And I'll give that to Casey and
32 we'll go through that. We've -- we've looked over a few
33 different things. We'll try to get something back to you --

34 COMMISSIONER WAITS: Thank you.

35 JUDGE MAX BUNCH: -- before we actually open the building
36 so you have an understanding of what's going to be there.

37 COMMISSIONER WAITS: Thank you.

38 JUDGE MAX BUNCH: It's a -- so maybe we'll have that for
39 the next meeting, some little options that potentially which
40 would --

1 COMMISSIONER WAITS: Right.

2 JUDGE MAX BUNCH: And I don't know that will happen after
3 the meeting -- we've got a lot of stuff to do.

4

5 **24) Correspondence/reports/potential upcoming agenda items.**

6

7 CHAIRMAN STIENMETZ: All right, item number 24,
8 correspondence, reports, and potential upcoming agenda items.

9

10 (The following correspondence was received:

11 1. Division of Water Resources to Lander County
12 Commissioners, Notice of Hearing and workshops in Lovelock,
13 Winnemucca, and Elko on January 14-15, 2015.

14 2. BLM to Interested Public, Mule Canyon Spring
15 Mitigation Project.

16 3. BLM (Rod Davis) to Interested Parties, letter inviting
17 Interested Parties to a meeting.

18 4. Elko County Board of Commissioners to Lander County
19 Commissioners, letter announcing Elko County's chair and vice
20 chair.

21 5. Department of Transportation to Public, Notice of
22 Hearing time change.

23 6. BLM to Interested Public, Preliminary Environmental
24 Assessment (EA) for Newmont Mining Corporation's Lone Tree Mine
25 expansion.

26 7. NDOT, January agenda.

27 8. Coalition for Nevada's Wildlife, to legislator, Report
28 on Economic Benefits from Sportsmen.

29 9. Board of County Commissioners, Support for Public
30 Lands Renewable Energy Act.

31 10. Division of Water Resources to Eureka and Lander
32 County Boards of Commissioners regarding Application 83240.

33 11. Division of Water Resources regarding permits 51280,
34 51281, and 51282.

35 12. Lander County Clerk to Commissioners, monthly reports
36 for October 2014.

37 13. Lander County Clerk to Commissioners, monthly reports
38 for November 2014.

39 14. Lander County Clerk to Commissioners, monthly reports
40 for December 2014.)

1
2 CHAIRMAN STIENMETZ: Everybody has a list of the -- of all
3 the correspondence, and any comments?

4 All right.
5
6

7 **PUBLIC COMMENT**
8

9 CHAIRMAN STIENMETZ: Then we'll go to public comments for
10 non-agendized items only.

11 Do we have any public comments for non-agendized items?

12 JENNIFER O'KANE: Well, it's an agenda item. We just
13 didn't --

14 CHAIRMAN STIENMETZ: You can comment on it.

15 JENNIFER O'KANE: Okay. Again, this is Jennifer O'Kane.

16 I received this from you, and I appreciate this very much.
17 It says we're supposed to have it on -- excuse me -- again, I'm
18 back up here for the changing of the agenda and the time for --
19 for our local community. So let me back that up.

20 I received this from you. Thank you. I did a little bit
21 of checking on it. It says we can have it twice a month. But
22 it doesn't say anything about the time.

23 And that seems to more of the issue for the community. So I
24 know it's not going to be voted on today. I am going to do a
25 follow-up. But that's one thing that seems to be very important
26 is the time of when we have this meeting.

27 If we're going to try to have the community. And that's what
28 this is about is getting our community that voted everybody in, in
29 here for their opinions so they don't do this.

30 DISTRICT ATTORNEY HERRERA: You have to remember that it
31 has to be fiscally neutral.

32 JENNIFER O'KANE: Well, yeah. And it has to be on either
33 one Thursday a month or both Thursdays a month.

34 DISTRICT ATTORNEY HERRERA: It just has to be fiscally
35 neutral. The commissions can put it whenever they want as long
36 as it's a fiscally neutral.

37 JENNIFER O'KANE: I don't know. I'm not a district
38 attorney. And I'm not an attorney but according to what I -- it
39 doesn't show the time. But what I'm asking for is something for
40 the community because it's on here several times over the years.

1 I mean, over the years, people have asked for a different
2 time. So other than, you know, 9:00 o'clock in the morning.
3 That's it. That's important. So, again, I thank you for
4 this.

5 CHAIRMAN STIENMETZ: Thank you.

6 Now we have our -- anymore more public comments?
7 (No comments.)
8

9 **ADJOURNMENT**

10
11 CHAIRMAN STIENMETZ: Our final motion?

12 COMMISSIONER BAKKER: Make a motion to adjourn.

13 COMMISSIONER CLARK AND COMMISSIONER MILLS: Second.

14 CHAIRMAN STIENMETZ: All in favor?

15 COMMISSIONER BAKKER: Aye.

16 COMMISSIONER WAITS: Aye.

17 CHAIRMAN STIENMETZ: Aye.
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**CHAIRMAN OR VICE CHAIRMAN OF THE
BOARD OF LANDER COUNTY
COMMISSIONERS AND THE LANDER
COUNTY LIQUOR BOARD**

33
34
35 ATTEST:


LANDER COUNTY CLERK

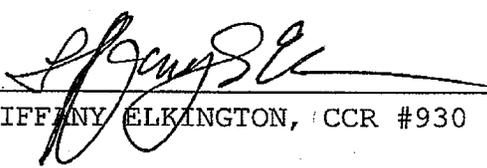
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39 Note: The Board of Lander County Commissioners serves as the Town Board for the unincorporated towns of
40 Battle Mountain and Austin, Nevada.

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STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "FOR
THE RECORD" ELECTRONIC AUDIO RECORDING OF A MEETING WHICH TOOK PLACE
THE 22ND DAY OF JANUARY 2015, AND SAID RECORDING AND INFORMATION
PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER
COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS
THE AUDIO RECORDING ALLOWED.

DATED AT SPRING CREEK, NEVADA,
THIS 12th DAY OF FEBRUARY 2015.


TIFFANY ELKINGTON, CCR #930