

1 The Honorable Board of Lander County Commissioners met in
2 regular session in the Commission Chambers of the Lander County
3 Courthouse and Administration Building in Battle Mountain,
4 Nevada, 50 State Route 305, on July 28, 2016, at 9:00 a.m.
5 Transcript produced by Tiffany Elkington, C.C.R., #930.
6

7 **PRESENT: STEVEN STIENMETZ, COMMISSIONER**
8 **PATSY WAITS, COMMISSIONER**
9 **SEAN BAKKER, COMMISSIONER**
10 **ART CLARK III, COMMISSIONER**
11 **DOUG MILLS, COMMISSIONER**
12 **KEITH WESTENGARD, EXECUTIVE DIRECTOR**
13 **LAKEN MARINE, REPRESENTATIVE OF THE COUNTY CLERK**
14 **THEODORE HERRERA, DISTRICT ATTORNEY**
15 **ELIZABETH DIAS, FISCAL OFFICER**
16

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

21 CHAIRMAN BAKKER: I call this Lander County Commission
22 meeting, Town Board of Battle Mountain, and Austin Board of
23 County Highway Commissioners, July 28th, 2016, to order.
24 Steve, will you lead us in the pledge.
25

26 (Pledge of Allegiance)
27

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

30 (Moment of silence)
31
32

33 COMMISSIONER REPORTS

34
35 CHAIRMAN BAKKER: Commissioner reports on meetings and
36 conferences and seminars attended.

37 Steve?

38 COMMISSIONER STIENMETZ: I don't have anything.
39 Everything's in here.

40 CHAIRMAN BAKKER: Okay.

1 COMMISSIONER MILLS: The only thing I've got's that I
2 attended the -- our first rec center construction meeting and
3 then went on a site tour of the construction site. And things
4 seem to be going fairly well on the rec center.

5 CHAIRMAN BAKKER: Okay. We've got an update on that today.
6 Patsy?

7 COMMISSIONER WAITS: Thank you. On July 19th, I had a
8 Commission on Aging meeting. They're busy working on their bill
9 draft request and such.

10 We actually are not allowed any ourselves. So we work very
11 closely with, like, the Silver-Haired Forum and such that
12 reports on senior issues.

13 And we do have an assembly person and a senator that sit on
14 our commission. So they also bring forth those.

15 We had an update on an initiative to support Nevada veterans.
16 And it was a special surveillance report on veteran suicide.

17 It was given to us by the Division of Public and Behavioral
18 Health. And a real concern, of course, is because the state of
19 Nevada ranks in the top five for the highest suicide rates in
20 the nation.

21 And I've spoken before about the elderly and the seniors
22 that have those high rates.

23 Well, it's a real concern, not just for our veterans that
24 are getting older and running those up, but it's a concern for
25 our -- our young folks that are coming out of the military and
26 also in that situation.

27 There's 224,232 veterans in Nevada. And our military
28 veterans are dying from suicide at alarming rates above the state
29 already high rates.

30 So we're really looking at the -- some prevention and
31 support efforts. And those that we have implemented so far have
32 been having a positive effect. So at least it's going down
33 some. So we're looking at getting that risk down.

34 The other thing they're doing, which is kind of interesting,
35 is a reactivation of Nevada Senior Center Association. And they
36 used to have this at one time.

37 We have four senior centers, actually, in -- in Lander.
38 They consider Yomba in Austin and part of Yomba as -- as
39 Lander County also. So our two Indian colonies and then, of
40 course, Battle Mountain and Austin.

1 And the Senior Center Association is a -- will be meeting
2 quarterly. They look at mentoring, a unified voice, educating
3 the public and our legislatures, collaboration with meal
4 reimbursement rate studies that they expect to get down on some
5 of our costs, market services and the private sector, and the
6 hospital's joint fundraising grant applications, and an increase
7 to personal emergency response systems, and family caregiver
8 training priorities.

9 So everybody was real excited about that. Their first
10 meeting will be in September.

11 And the other thing I wanted to report on, of course, that
12 we've been speaking of most recently was the AT&T hearing coming
13 up for the request to be the last provider and the relief from
14 that.

15 I'd like to bring you up to date of where we are.

16 After our last meeting -- and our deputy DA, Mr. Forgeron,
17 spoke so eloquently about how important this was with our
18 landlines and for everyone to do surveys. And that he most
19 certainly was going to do one and made sure that -- that some of
20 the rest of them had access to that -- we really got quite a few
21 more in.

22 The deadline actually was Friday. Our meeting was on
23 Thursday. So our deadline to get all the information in to the
24 consumer protection regulatory authority, which is part of the
25 Attorney General's Office. They're the only ones that are
26 actually on board and filed in time with the Public Utilities
27 Commission to be heard. So their evidence was due in on Monday.

28 But, actually, we got quite a few extra surveys in that
29 Friday, and it was included. So I wanted to share a couple
30 things with you on that.

31 This is the evidence packet, right here, that Mr. Bob
32 Cooper wrote. And in that, he -- he highlights the consumer
33 sessions that were held around the state and what happened.

34 And I reported before that many of them had no comments at
35 all, unfortunately.

36 Lander County did. And we had our meeting in Battle
37 Mountain. And the folks that actually attended were contacted by
38 AT&T to try and work out their problems. And that was the whole
39 point of the sessions. If you think you don't have service there,
40 let us come out and take a look. And we'll see what we can do

1 to -- to handle all this. So they wanted everything in so they
2 could -- could take care of it and then say to the Public
3 Utilities Commission, Look, they had some problems, but all is
4 good.

5 The other big attendance was in White Pine County. And
6 they had over a hundred people show up. But that was actually
7 held after all the evidence was due. So that was a little bit
8 difficult.

9 Anyway, I wanted to share some of the evidence with you.
10 Our letter went in timely. So that's part of the evidence
11 packet, the letter from the commissioners.

12 Kingston wrote a letter. Shannon Thiss was right on top of
13 it and was very concerned, gave their information on why they
14 needed landlines. And one was because of the alarm system that
15 goes off and alerts them when there's a problem with their water.
16 And -- and so that letter was included.

17 And the other letter that was included was a copy of Hy
18 Forgeron's survey. And he put right on it, district -- you
19 know, deputy district attorney in -- in very large letters and
20 why we don't have good cell service and why he needs a landline.

21 So those three were part of -- of all that we had something
22 to do with.

23 So I wanted to read you the bottom line, like I said, when
24 they finished all of the evidence.

25 He goes on to say how many people showed up, where, and what
26 they were doing.

27 And then he said: This consumer input, which includes 76
28 survey forms, submitted by residents of Lander County,
29 demonstrates that AT&T has not met its burden of proof and
30 clearly showing the two wireless companies provide viable
31 service in the areas described both at Lander County and White
32 Pine County.

33 Then he went on the say which ones he felt should be pulled
34 out of White Pine County. They did have some that he recommended.

35 And then the bottom line is, I'm also recommending that the
36 commission remove all of Lander County from any Provider of Last
37 Resort relief at this time.

38 A -- a real coup going in. The hearing will actually be
39 August 2nd, next Tuesday. If anyone would like to attend, they
40 are more than welcome to attend. We originally were told we were

1 not able to speak.

2 However, things have changed a little bit. On the 26th, a
3 stipulation was signed by the regulatory companies, from the
4 AG's Office, con- -- from --- Public Utilities, and AT&T.

5 And I'm going to just hold up these maps to show you what you
6 can see. The original map, you can see where all the white is on
7 the state, all the counties they're asking from Provider of Last
8 Resort.

9 This is the brand-new one they have filed. Lander County is
10 now solid black, the whole county. They have stipulated that they
11 will pull out their request for relief.

12 Now, because it's a stipulation, we are invited to speak at
13 the hearing.

14 They said, you actually cannot negotiate the way the
15 stipulation is done. It includes White Pine too. So I'm not sure
16 what's going to happen because White Pine was not totally given
17 that relief.

18 But it's excellent news.

19 It's the old David and Goliath story. So if you take them on
20 and you keep trying, perhaps it'll be all right.

21 So we'll know very soon. But I wanted to share with you
22 how excited we were about what's -- what this current situation
23 is. So it looks all good. Thank you.

24 CHAIRMAN BAKKER: Thank you, Patsy.

25 Art?

26 COMMISSIONER CLARK: I don't have anything. Not at this
27 time.

28 CHAIRMAN BAKKER: Okay.

29

30

31 **STAFF REPORTS**

32

33 CHAIRMAN BAKKER: Staff reports on meetings and conferences
34 and seminars attended.

35 KEITH WESTENGARD: Good morning.

36 CHAIRMAN BAKKER: Good morning.

37 KEITH WESTENGARD: We --

38 COMMISSIONER STIENMETZ: Good morning, Keith.

39 KEITH WESTENGARD: We had an EMS open house in Austin last
40 week that went very well.

1 We had the building painted. We put a new garage door up.
2 Kim is working tirelessly to make the service as successful
3 as possible. So I'm really happy to report that.

4 I'll be going to hospital board meeting next week to
5 present the contract, which will include Austin in -- in the
6 contract for the next year and -- or two. I'm sorry.

7 One of the projects I'm looking at is called open -- open,
8 dot, gov. It's a -- it's a service that will make the county even
9 more transparent with our finances, which I think is a good thing.

10 He will be here at the next meeting to present to you the
11 opengov and how it works.

12 Okay.

13 Also, we're working on -- I'm working with -- with Bert and
14 the rec center on the Poseidon system, which is a drowning --
15 predetection drowning system. And he will be here next time to
16 present to you. I've included some literature on -- on the
17 Poseidon system. Did -- did you get it all or --

18 CHAIRMAN BAKKER: Yeah.

19 KEITH WESTENGARD: Okay.

20 CHAIRMAN BAKKER: It's right here.

21 KEITH WESTENGARD: We're looking at about \$110,000 for this
22 system right now and -- plus the installation of it. There are
23 some things that we need to discuss, with the rec center, to
24 help make this installation go easily.

25 I've had a couple meetings on the lands bill. There are a
26 couple of different lands bills that I'm looking at with Bert
27 Paris and with Barrick. Alan Core? Core? Sorry. I can't
28 remember his last name offhand. Anyway, to move that forward.
29 That'll also be in the next probably meeting or two.

30 Our civic center's moving forward very well. Robin is doing
31 a really good job putting things together. It's -- looks to be
32 very successful.

33 I've come to an agreement with the civic center on their
34 inventory. We're looking at \$51,000 for their -- their current
35 inventory. So hopefully we'll have that done in the next two
36 weeks, and that'll be property of Lander County.

37 The -- the Battle Mountain pavement rehab project is slated
38 to start in September.

39 Get the airport runways done.

40 Let me see.

1 We're working on the Battle Mountain Airport master plan.
2 And what else do we have here?
3 The Austin Airport master plan, we're also going to be doing
4 updating this year with -- through J-U-B.
5 I have issued the notice of award to LA Perks for the Austin
6 fueling system. So that should be starting pretty quick here.
7 And we continue to work with Rex on our master plan update.
8 Once that's completed, it'll be given to the district attorney for
9 review.
10 Other than that, I think everything else is on the agenda.
11 CHAIRMAN BAKKER: Okay.
12 Thank you, Keith.
13 KEITH WESTENGARD: Thanks.
14
15

16 **PUBLIC COMMENT**

17
18 CHAIRMAN BAKKER: Public comment for non-agendized items
19 only.
20 Persons are invited to submit comments in writing and/or
21 attend and make comments on any non-agenda item at the board
22 meeting, if any, and discussion of those comments at the
23 discretion of the board. All public comment may be limited to
24 three minutes per person, again at the discretion of the board.
25 Reasonable restrictions may be placed on public comment based
26 upon time, place, and manner, but public comment based upon
27 viewpoint may not be restricted.
28 Any public comment?
29 (No comment.)
30
31

32 **CONSENT AGENDA**

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34 CHAIRMAN BAKKER: Consent agendas. All matters listed
35 under the consent agendas are considered routine and may be
36 acted upon by the Board of County Commissioners with one action,
37 without extensive discussion. Any members of the board or any
38 citizen may request that any item be taken from the consent
39 agenda, discussed, and acted upon separately during this
40 meeting. Consent agenda materials are available at the Lander

1 County Clerk's Office for viewing, and copies are available for
2 a nominal charge.

3 One, approval of agenda notice, July 28th, 2016; two,
4 June 23rd, 2016, meeting minutes; three, June 29th, 2016,
5 special meeting minutes; four, July 14th, 2016, meeting minutes;
6 five, payment of bills; six, payroll change requests.

7 We've got to pull out some minutes.

8 And --

9 Pull out July 14th. Did you get the 14th meeting
10 minutes?

11 COMMISSIONER WAITS: No.

12 COMMISSIONER STIENMETZ: No, I didn't --

13 COMMISSIONER WAITS: Fourteenth isn't out.

14 CHAIRMAN BAKKER: And then -- tell you another thing I
15 noticed.

16 COMMISSIONER WAITS: I'll make a motion that we approve the
17 consent agenda minus the July 14th, 2016, meeting minutes.

18 CHAIRMAN BAKKER: And payment of the bills, there was a
19 payment to Mills Pharmacy.

20 COMMISSIONER MILLS: There's a payment to Mill's Pharmacy
21 fairly often.

22 CHAIRMAN BAKKER: Okay. Just making sure.

23 COMMISSIONER MILLS: Okay.

24 CHAIRMAN BAKKER: Okay.

25 All right. Patsy made a motion.

26 COMMISSIONER STIENMETZ: I'll second the motion.

27 CHAIRMAN BAKKER: Steve seconded it.

28 Any public comment?

29 (No comment.)

30 CHAIRMAN BAKKER: All in favor?

31 COMMISSIONER STIENMETZ: Aye.

32 COMMISSIONER MILLS: Aye.

33 CHAIRMAN BAKKER: Aye.

34 COMMISSIONER WAITS: Aye.

35 COMMISSIONER CLARK: Aye.

36 CHAIRMAN BAKKER: Okay.

37
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40

1 COMMISSIONERS

- 2
- 3 1) Discussion and possible action regarding the Nevada
4 Department of Transportation (NDOT) County Consultation Tour
5 to discuss the proposed Fiscal Year 2017 Work Program, and
6 all other matters properly related thereto.
7

8 CHAIRMAN BAKKER: Agenda Item Number 1.

9 Discussion and possible action regarding the Nevada
10 Department of Transportation, NDOT, county consultation tour,
11 discuss proposal Fiscal Year 2017 Work Program, and all other
12 matters properly related thereto.

13 COMMISSIONER WAITS: Good morning.

14 COMMISSIONER STIENMETZ: Good morning.

15 REID KAISER: Good morning.

16 CHAIRMAN BAKKER: Good morning.

17 REID KAISER: Good morning. I'm Reid Kaiser. I'm
18 assistant director for operations with the Nevada Department of
19 Transportation.

20 And with me today, I have Lee Bonner. He's from our planning
21 division.

22 I have Dave Lindeman. He's the assistant district engineer
23 out of Winnemucca.

24 Randy Hesterlee. He's our assistant district engineer out
25 of Ely. He's responsible for the Austin area.

26 Jim Arbonies. He's our maintenance manager, also from
27 Winnemucca.

28 I have Dave Schwartz. He's our resident engineer out of
29 Winnemucca, who is running the projects we have here on I-80.

30 And I have Boyd Ratliff. He's from the Elko office. He's
31 the assistant district engineer for there also.

32 Kevin Lee, the district engineer for this area, is not able
33 to be with us today. He was tied up in a meeting and dealing
34 with fence in Elko.

35 So what we'd like to do today is just give you an update
36 where we are as a department statewide and also discuss our work
37 program that we have for Lander County.

38 Some of the -- we appreciate the opportunity to be here
39 today. And if you guys have any questions during the
40 presentation, don't hesitate. Just raise your hand or cut me off.

1 That's fine.

2 The presentation is in a packet. Do you guys all have the
3 packet?

4 Okay.

5 In that packet, there's a presentation. That is what I will
6 be going through today.

7 You'll notice on our logo, on the upper left-hand corner of
8 that picture, we have added "Safe and Connected." That is to try
9 and market our -- part of our mission here in the state of Nevada
10 is to get people safely on our roads and connected and keeping
11 them safe as they go from point A to point B.

12 I would also like to update you on what we have -- are doing
13 different in our maintenance division. Since we did lose one of
14 our employees here in Battle Mountain last year, some of the
15 things that we have changed, we have added blue lights to our
16 trucks. And that process is ongoing and getting them installed.
17 We have added additional reflective striping material to our
18 vehicles to make them more visible while our employees are out on
19 a highway. We have modified our traffic control for
20 short-duration work zones while our employees work on the roads.
21 And we've also submitted a bill draft request for the 2017
22 legislative session to have NDOT added to our move-over law.
23 There is a move-over law, but I think that only applies to tow
24 vehicles and the NHP. So we're going to be added to that
25 move-over law. So that's another item that we have modified due
26 to that horrific accident.

27 Another change that we have going on is we are modifying our
28 radios that we use. And, I believe, we have also -- NHP has given
29 Lander County, I think, 14 radios, handheld radios so that they
30 can communicate with the sheriff's department here in Lander
31 County.

32 That technology is old technology. And the manufacturer of
33 that radio system, as of 2017, will not maintain that system
34 anymore.

35 So we are going -- we are updating our radio system
36 statewide. It's a P twenty -- it's P25 technology. And with the
37 current system, we can only handle about 16,000 radios statewide.
38 And that includes a lot of the counties, a lot of the first
39 responders, NDOT, NHP. We're all on the same system.

40 And this new system will allow us to put an unlimited number

1 of radios on the system.

2 It's going to be a very expensive project. We have three
3 partners. We have NDOT. We have NV Energy and Washoe County.

4 Our rough cost for that system is going to be about
5 170 million. And that will be divvied up amongst the three
6 partners.

7 We have an RFP that will probably go on the street here in
8 the next couple of months. And hopefully we'll have a
9 manufacturer on board early in 2017. And it's going to take them
10 probably five to seven years to install the new system because
11 it's all on the mountaintops, statewide. And those are only
12 accessible, you know, a handful of months during the year because
13 of the weather and so forth. And so that is another thing that we
14 have going on.

15 We also are -- the governor has requested that we modify our
16 state entry and exit signs. So if you looked at our website in
17 the last six months, there -- had different pictures on there of
18 entry signs.

19 There's been a -- people voted on them. And we actually have
20 a process -- not a process, we actually have a design picked out
21 there. And there's going to be four different entry signs that
22 will be distributed to the different regions. And they will look
23 a little bit different. But what they will have is the -- the
24 actual plaque will look pretty much the same. But inside where it
25 says "Nevada," it will be a different picture kind of representing
26 the four different regions here in Nevada.

27 So that is also something we have ongoing. Probably will
28 not see those going up for another six to eight months. We're
29 still in the process of getting those -- picking out the actual
30 design.

31 Okay, we'll move to the second page. And hopefully my
32 second page is the same as your second page. I ripped out a
33 page, and I'm not sure which one it was. So...

34 Okay, the second page is, it says, STIP. And that is our
35 Statewide Transportation Improvement Program.

36 We are here to present and gather information related to this
37 STIP. And over the next 18 months, we will be building a
38 long-range plan to implement. And so if you guys have any
39 questions or like to make any additions to that, you know,
40 definitely feel free to contact our planning office. I think they

1 meet with you guys periodically throughout the year. And it'll
2 also give you a contact for any safety issues that you guys have
3 come up that you might be able to contact in our safety division.

4 Okay. Next page. The next page -- is it a -- it's says
5 safety at the top, top left-hand with the pie chart.

6 Okay. That information -- that page is strictly dealing
7 with Lander County.

8 Lander County in the last year had 360 days where there was
9 no fatalities. Unfortunately, there were -- there were five
10 fatalities in 2015. And it is an increase in -- from the previous
11 year.

12 The age of the drivers is that pie chart. And you can tell
13 that 43 percent of the drivers in Lander County are over 50 years
14 of age.

15 We take safety very important here at NDOT. And that is our
16 main focus. And just -- that's one of the reasons we did change
17 our logo is that we wanted people to understand that that's what
18 we're about is getting people safely as they drive our roads.

19 We evaluate our crash data weekly. And with that
20 information, we select some of our projects that we implement
21 using that information.

22 So if we have a section of one of our rural roads where
23 there's a lot of run-off accidents, we may go out there and have a
24 shoulder-widening-type project. So we do use that information to
25 come up with the projects that we have.

26 And you will also notice that on our rural roads we tend to
27 have a few more accidents than our urban roads just because
28 there's more opportunities for animals to run out in front of
29 cars, people tend to go a little faster. We don't have as many
30 pedestrian accidents, obviously, but we do have -- tend to have a
31 little higher percentage rate of car accidents on our rural roads.

32 Okay, the next slide. It shows -- it's a picture of Lander
33 County and gives you an idea of where the accidents have taken
34 place.

35 As the Department of Transportation, safety -- part of the
36 Four E's, there's engineering, education, emergency response, and
37 enforcement.

38 Our responsibility lies in the engineering. We design the
39 roads. We come up with projects to make the roads safety. We
40 add guardrail. Maybe add some overhead signs to advise people

1 of what's going on weather-wise.

2 We partner with the Department of Public Safety on
3 education. And as an example, is the zero fatalities program
4 that we have. That's worked through our safety division.

5 And zero fatalities, it is kind of a -- a -- a hope of
6 everybody. You know, some people say it's a realistic goal. But,
7 you know, when it takes into account your family, talk to your
8 family about zero fatalities, it becomes -- it hits home. So
9 that's why we have taken up the zero fatalities. That is our
10 goal.

11 There -- this last legislative session, 80 miles per hour was
12 passed. And what we have been doing to look at areas on
13 Interstate 80, and maybe I-15, where we can go 80 miles an hour.
14 We have looked at the traffic counts. It's taken us a while
15 because we wanted to make sure when we did our studies on the
16 interstate that it was in sections where they would be going that
17 fast. You can't do it in wintertime when there's ice and snow
18 because people, you know, hopefully are not going that fast. And
19 so we should hopefully have a recommendation to take to our
20 transportation board within the next couple of months. Maybe some
21 sections on I-80 that might be able to go 80 miles per hour.
22 We'll have to see. We haven't analyzed the information that we
23 have yet. But we will be taking a recommendation to our
24 transportation board here soon.

25 Okay. The next page. It beco- -- it talks about the "FAST
26 Act." And that is a program that Congress was able to pass this
27 last year. And it actually allows steady funding to the
28 departments of transportation statewide.

29 And this is a benefit because when -- in the past, they just
30 gave us continuing resolutions which would extend funding for six
31 months to nine months. Well, as a department of transportation,
32 it's very difficult to have a plan and stick with it when you only
33 have money for six months. So at least this gives us a five-year
34 transportation bill where we can go out five years and plan our
35 program and make sure that we do spend all of our money.

36 Also, this last legislative session, AB 191 allows for fel-
37 -- feder- -- fuel revenue indexing in each county. And I'm not
38 sure what the status is here in Lander County on the -- on
39 federal -- or on fuel revenue indexing. But that money that is
40 raised by the counties, in the fuel revenue indexing, has to be

1 spent in the counties.

2 So that is -- that also is one option that the -- each county
3 does have to -- to take into account.

4 Also, our state highway fund, unfortunately, is not as high
5 as we would like it to be and that is due to so many cars out
6 there being fuel efficient, which is a good thing. But it also
7 comes back to haunt us. So that's another reason we -- that
8 federal revenue -- fuel revenue indexing is a benefit for the
9 counties.

10 Are there any questions?

11 Okay. Next slide.

12 Part of our program at the Department of Transportation is to
13 stay in contact with the counties and talk to the commissioners,
14 talk to the people. We have meetings in the counties where we go
15 out and solicit projects. You can also go to our website and
16 solicit a project that way.

17 And this -- this time of the year, May through July, is when
18 we do reach out to our counties and present to them our annual
19 work program.

20 Okay. Next slide is a list of projects that we have
21 received from the commissioners and other folks. And this is --
22 just goes over the list of projects that we have on record. It
23 isn't -- not -- these projects are not part of our work program
24 or our long-term plan yet. There's not funds for them, but we
25 are looking at funding the projects.

26 We have a long list of projects in our safety division and
27 with limited funds. And so when we do receive a project, you
28 know, they go on the list and get potentially -- as -- as the
29 project becomes -- money becomes available, then that project
30 will move forward.

31 Questions?

32 Okay. Next slide.

33 Our funding totals for our work program in Lander County this
34 year is 14 million. And that includes a handful of chip seals and
35 I think a project out here on I-80. And also for funding year '18
36 through '20, the work program in Lander County will be \$6 million.

37 And if you go to the -- the next slide, it's a map of
38 Lander County. And it shows you where those -- where the
39 \$14 million worth of projects is being spent.

40 And then -- and then on the next slide is a list of all those

1 projects and where they are. This list of projects.

2 And is there any questions on the projects that we have
3 going on here in Lander County for '17?

4 CHAIRMAN BAKKER: How much of this money is actually spent
5 in Lander County and not on I-80?

6 With -- and this is just a rough estimate. With \$14 million,
7 I would -- how mu- --

8 Hey, Dave? How big is that project on I-80?

9 DAVE LINDEMAN: Twelve million.

10 REID KAISER: Twelve million. Well, I think we're spending
11 more than 2 million on all these chip seals and stuff. So my
12 guess would be 3 to 5 million.

13 CHAIRMAN BAKKER: Okay.

14 REID KAISER: You know, and that's a rough estimate.

15 But just know -- having an idea what chip seals and those
16 kind of things, I mean, they -- they're not real cheap, but my
17 guess would be to 3 to 5 million.

18 CHAIRMAN BAKKER: Okay.

19 REID KAISER: Okay. Next page.

20 Like -- as I mentioned earlier, our planning department is
21 coming up with a long-range plan that we will be bringing to you
22 guys. And it is also on our website.

23 We just implemented a new computer system on our website with
24 our STIP listed on it. So you can go to our website. I don't
25 have the -- where it's located on our website with me.

26 Do you know where it's at, Lee?

27 Where they can go look at the STIP?

28 LEE BONNER: Yeah. It's estip.nevadadot.com.

29 REID KAISER: Yeah, I mean, --

30 LEE BONNER: And if you look up all the projects.

31 REID KAISER: Yeah.

32 And one of our goals in being here today is that you would
33 have a motion to accept our proposed funding year '17 NDOT work
34 program.

35 And so if there's any questions you have for us, we could
36 answer them.

37 CHAIRMAN BAKKER: I only have one.

38 In our meeting minutes here, it talks about the sheriff was
39 asking about getting some crosswalks put in.

40 REID KAISER: Uh-huh.

1 CHAIRMAN BAKKER: Where's that at on your overall plan for
2 this year?

3 LEE BONNER: The -- the safety team is -- is working on
4 that.

5 We -- we have limited funds for safety.

6 And so when you start looking at pedestrian facilities going
7 in around the state, it's just a matter of putting it on the list
8 and -- and getting to it.

9 We have more projects of the \$21 million that we can do for
10 safety. And with the number of pedestrians in Clark County,
11 obviously they take a lot of the pedestrian dollars.

12 So we're -- we're looking at that.

13 And -- and at the workshop that we completed last year, we
14 talked about, you know, pedestrian facilities in -- in this area
15 because of the new administration building and then over on the
16 other side of 305 where the high school students cross over.

17 CHAIRMAN BAKKER: Okay.

18 LEE BONNER: So we're -- we're looking at that. And I
19 think the -- the rapid flashing beacons, Maverick is supposed to
20 be changing out those bulbs. And so we're working with them to
21 make sure that they're doing that.

22 CHAIRMAN BAKKER: Okay. Yeah, it all looks good. The only
23 thing I would say is try to put the crosswalks priority.

24 COMMISSIONER CLARK: Top. Yeah.

25 REID KAISER: Okay.

26 LEE BONNER: And we -- we want to put them where people are
27 crossing too.

28 CHAIRMAN BAKKER: Right.

29 LEE BONNER: We know there's a lot of jaywalking on the
30 north end.

31 COMMISSIONER MILLS: All right. Are you waiting on that
32 for the pedestrian study?

33 LEE BONNER: I'm sorry?

34 COMMISSIONER MILLS: We've asked you to do that pedestrian
35 study.

36 LEE BONNER: Yes.

37 COMMISSIONER MILLS: And -- and some discussion. Are you
38 waiting to do that before you decide where to put the
39 crosswalks?

40 LEE BONNER: Probably. We're -- we're looking at patterns.

1 And we want to make sure it's a comprehensive solution.

2 So we have the one crosswalk that students may or not --
3 may or may not be using. And so we want to make sure we put it
4 in the right place.

5 And -- and that we're looking at, you know, south of 305 as
6 well.

7 COMMISSIONER CLARK: On the 305 chip seal, are you
8 coordinating that with Paula Tomera?

9 PAULA TOMERA: Is -- I'm sorry.

10 COMMISSIONER CLARK: Have they talked to you about when
11 they're going to do this --

12 PAULA TOMERA: Um.

13 COMMISSIONER CLARK: Because we can't have it --

14 PAULA TOMERA: Paula --

15 COMMISSIONER CLARK: -- interfering --

16 PAULA TOMERA: -- Tomera, --

17 COMMISSIONER CLARK: -- with the race.

18 PAULA TOMERA: -- Lander County Convention and Tourism. We
19 have our World Human Powered Speed Challenge out on 305 every
20 year. I'm not sure if you're aware of that. It's right before
21 the Newmont entrance into the mine. And it goes about eight
22 miles out to the (indiscernible) lift station. And we have, I
23 think -- what was it? -- 2006 or -- or so, we had you pave it
24 with -- without the rumble strips in there.

25 REID KAISER: Uh-huh.

26 PAULA TOMERA: And we want to keep that in mind so that we
27 can continue hosting our international event.

28 REID KAISER: Okay.

29 LEE BONNER: When -- when is the event?

30 PAULA TOMERA: It's -- it's September 12th through the
31 17th. And this is our 17th year.

32 REID KAISER: And you guys got to get a permit for that;
33 right?

34 PAULA TOMERA: And we -- we have permit.

35 REID KAISER: You have a permit. So --

36 PAULA TOMERA: Uh-huh.

37 REID KAISER: So that permit's usually, I would assume,
38 through our district office. So I'm sure they're aware of it.
39 And we'll -- we'll work with you guys on that.

40 PAULA TOMERA: But are you -- are you going to repave it?

1 Chip-seal it? Anything that would interfere with that race?
2 REID KAISER: Jim?
3 JIM ARBONIES: There's no chip seals on that area.
4 PAULA TOMERA: Nothing yet?
5 REID KAISER: Yeah.
6 PAULA TOMERA: Okay. Because they were looking at -- we
7 were looking at coming to you and talking to you about maybe
8 some -- another paving project or something in the future, as
9 it's -- it's not as smooth as it was, you know.
10 REID KAISER: Right.
11 PAULA TOMERA: So.
12 REID KAISER: Well, that -- that road is not alone.
13 Unfortunately, with the economic turn down, our transportation
14 board is spending a large amount of money on economic
15 development.
16 And so our rural roads, you know, they're not in terrible
17 shape, but they're not as good as shape as we'd like them.
18 PAULA TOMERA: But so far you have no plans to repave that?
19 REID KAISER: Not that I'm aware of.
20 PAULA TOMERA: Okay. Great. Great.
21 REID KAISER: You bet.
22 PAULA TOMERA: Thank you.
23 REID KAISER: Uh-huh.
24 COMMISSIONER MILLS: And I have one more. It's kind of
25 off -- it's kind of off the Lander County topic. But I
26 understand NDOT's working on, I believe it's Interstate 11,
27 that's supposed to be a north-south interstate.
28 LEE BONNER: Right.
29 REID KAISER: Uh-huh.
30 COMMISSIONER MILLS: And I've mentioned this a couple times
31 to people from NDOT. But I want to put a plug in that most of
32 the preliminary stuff I've seen on that has Interstate 11 going
33 up the western side of the state. And I would put out my
34 comment that when you go on the western side of the state
35 through Northern Nevada, north of that there's really nothing
36 for that to go to. And I would put the plug in that it should
37 go to Boise. That would be more economically advantageous than
38 going to nowhere's land over on the end of Oregon over there.
39 And in doing that, I think it should come through Lander County
40 and possibly right through Battle Mountain to get there.

1 Because --
2 LEE BONNER: Well, --
3 COMMISSIONER MILLS: From Battle Mountain to Boise, it's
4 about 200 miles --
5 REID KAISER: Hm.
6 COMMISSIONER MILLS: -- straight line.
7 LEE BONNER: Well, we'll make --
8 COMMISSIONER MILLS: But to get --
9 LEE BONNER: -- that --
10 COMMISSIONER MILLS: -- there, it's -- you have to go
11 around either way to get there. And it's like a -- turns into a
12 five-or six-hour trip to get there from Battle Mountain.
13 REID KAISER: Yeah.
14 COMMISSIONER MILLS: But I think that would be my
15 recommendation to have that Interstate 11 actually end up
16 somewhere.
17 LEE BONNER: What --
18 COMMISSIONER MILLS: And I think Boise's a good place to
19 end up.
20 LEE BONNER: Yeah. Well, what happened in the FAST Act in
21 the transportation bill, they did designate I-11 to be along the
22 95 corridor --
23 COMMISSIONER MILLS: Right.
24 LEE BONNER: -- versus the 93. Unfortunately, they didn't
25 put any money towards it so --
26 COMMISSIONER MILLS: Oh. Well.
27 LEE BONNER: -- not a whole lot of working can get done.
28 But -- but your -- your point's well noted.
29 And, you know, I think we're looking at, you know, where
30 will it eventually go?
31 Because the -- the overall goal and vision of I-11 was Mexico
32 to Canada. And so how is it --
33 COMMISSIONER MILLS: Right.
34 LEE BONNER: -- going to get there? Oregon has already
35 said they really don't want it. So --
36 COMMISSIONER MILLS: Oh, is that right?
37 LEE BONNER: Yeah. They did. So, you know, it's a matter
38 of, so where is it going to go?
39 Right now you look at connecting the two commerce areas of
40 Reno and Vegas. And if you can somehow connect that and be able

1 to drive in four hours, that's -- that's a big economic boost.
2 And I think that's the driver for it right now.
3 But when we look at the long-range freight plan, we look at
4 that 93 corridor because it's vitally important. And we know
5 that there are pinch points around McGill and Hiko. So we
6 want to -- we want to continue to look --
7 COMMISSIONER MILLS: Right.
8 LEE BONNER: -- at those areas, you know, and make sure
9 that -- that freight's able to move around, you know, those
10 pinchpoints as it -- as it goes around the state. Because
11 that's a -- that's a great route.
12 And as we learned when I-15 went out, and that was an
13 alternate route to -- to get, you know, freight around, it was
14 very heavily used --
15 COMMISSIONER MILLS: Uh-huh.
16 LEE BONNER: -- and a lot of wear on and tear on the road
17 too. So --
18 COMMISSIONER MILLS: Yeah. So that -- anyway, just my plug
19 for that. I (indiscernible).
20 LEE BONNER: Yeah, it's -- it's well noted. And I think
21 we're -- we're looking at it. If -- let's say it goes up, you
22 know, and then kind of curves around and, you know, makes it up
23 through Idaho, you know, that -- that's a -- a possibility.
24 COMMISSIONER MILLS: Yeah.
25 LEE BONNER: Long range. But we're --
26 COMMISSIONER MILLS: Yeah.
27 LEE BONNER: -- we're --
28 COMMISSIONER MILLS: No, that's a --
29 LEE BONNER: -- talking decades. Right?
30 COMMISSIONER MILLS: Yeah, that's a long --
31 REID KAISER: Very long --
32 COMMISSIONER MILLS: -- range.
33 REID KAISER: -- range.
34 COMMISSIONER MILLS: That's a long one.
35 LEE BONNER: Yeah. I think the NEPA study might take a
36 decade. So...
37 COMMISSIONER WAITS: Okay. I'll make a motion to accept
38 the proposed FY '17 NDOT Work Program.
39 COMMISSIONER STIENMETZ: I will second the motion.
40 CHAIRMAN BAKKER: Patsy made a motion. Steve seconded it.

1 Any public comment?
2 (No comment.)
3 CHAIRMAN BAKKER: All in favor?
4 COMMISSIONER STIENMETZ: Aye.
5 COMMISSIONER MILLS AND CHAIRMAN BAKKER: Aye.
6 COMMISSIONER WAITS: Aye.
7 COMMISSIONER CLARK: Aye.
8 CHAIRMAN BAKKER: Thank you, guys.
9 COMMISSIONER STIENMETZ: Thank you --
10 REID KAISER: Thank you.
11 COMMISSIONER WAITS: Gentlemen.
12 COMMISSIONER STIENMETZ: -- so much.
13 LEE BONNER: Thank you for your time.
14 COMMISSIONER MILLS: Thank you.
15

16 **2) Update from Lander County Emergency Medical Services and all**
17 **other matters properly related thereto.**
18

19 CHAIRMAN BAKKER: Okay. Number 2. Update from Lander
20 County Emergency Medical Services and all other matters properly
21 related thereto.

22 RICK BELL: Good morning, Commissioners.

23 CHAIRMAN BAKKER: Good morning, Rick.

24 COMMISSIONER WAITS: Good morning.

25 RICK BELL: I don't know if this got in your packets or
26 not. Circumstances past my control -- cir- --

27 CHAIRMAN BAKKER: State your name.

28 RICK BELL: Rick Bell, Lander County EMS.

29 CHAIRMAN BAKKER: Okay.

30 RICK BELL: Sorry.

31 KEITH WESTENGARD: Did you -- did everybody get the
32 handouts?

33 Perfect.

34 Thank you.

35 RICK BELL: Thanks for getting those in there, Keith.

36 KEITH WESTENGARD: Okay.

37 RICK BELL: I appreciate it. Sorry they were late, though.
38 I couldn't get my hands on them until two days ago.

39 Anyways, this report will be for May 2016.

40 Looks like we had 64 runs. Twenty-one of them generated

1 revenue.
2 Billed out -- or potential revenue \$46,377.
3 Bottom line on the contractual adjustments was 4600.
4 Accounts sent to collections was 2,773 -- 2,273 -- excuse me.
5 Received 21,136.
6 And total expenses to operate for the month were 62,566.
7 I had -- once she generated this report for me, she also,
8 this morning, gave me June's. I'm not going to report on that
9 right now. But I'm seeing the trend of the expenses and the
10 revenue coming together, you know, starting to trend that way a
11 little better. So kind of exciting about the --
12 Anybody got any questions?
13 COMMISSIONER MILLS: And your -- I like your bar graph.
14 That helps visualize that over time.
15 RICK BELL: Yes, it does.
16 COMMISSIONER MILLS: Yeah.
17 RICK BELL: Cindy did a great job on that.
18 COMMISSIONER WAITS: Now what -- I really would appreciate
19 maybe separating this report just a little bit now that Austin
20 has a new coordinator. And I don't mean for you to keep track
21 of everything separately, but perhaps at least the runs. And
22 maybe the billed runs, something like that. You wouldn't have
23 to give us the exact amounts, because I --
24 RICK BELL: Actually, I should pull that right out of a
25 program I got, Patsy. And I can get to you next also. Not a
26 problem.
27 COMMISSIONER WAITS: Okay. I don't want it to be financial
28 nightmare. But I would like to know, you know, roughly --
29 RICK BELL: Absolutely.
30 COMMISSIONER WAITS: -- what's going on. So that'd be
31 great. Thank you.
32 RICK BELL: Uh-huh.
33 CHAIRMAN BAKKER: Anybody else?
34 KEITH WESTENGARD: Actually, I -- I do have one thing. I'm
35 -- I was looking at the revenue and expenses by month. And
36 in -- in five of the months, the revenue exceeded the expenses.
37 So is that -- is that what we're talking about, we're going
38 to be splitting -- in the contract we talk about splitting the --
39 the profits?
40 RICK BELL: I think revenue generated and revenue collected

1 are two different items.

2 KEITH WESTENGARD: Okay.

3 RICK BELL: I'm not familiar with the contract, Keith. I
4 think Doug would have a better idea than I would.

5 KEITH WESTENGARD: Actually, I'll probably ask at -- at the
6 meeting next week --

7 CHAIRMAN BAKKER: Yeah, because revenue generated,
8 regardless if you collected it or not, we should still be
9 splitting that profit.

10 KEITH WESTENGARD: Yeah, and --

11 COMMISSIONER MILLS: I believe -- I believe that revenue
12 deal is based on a quarterly basis. And I don't think on a
13 quarterly basis we have had revenue exceed expenses.

14 KEITH WESTENGARD: If you go back to July of '15 in the --
15 in the revenue here, it does show -- there's a couple
16 significant increases or revenue exceeding expenses.

17 So I'll -- I'll ask next week at the hospital board meeting
18 when their CEO -- or CFO's there.

19 CHAIRMAN BAKKER: Okay.

20 KEITH WESTENGARD: Okay. Thanks.

21 CHAIRMAN BAKKER: Thank you.

22 COMMISSIONER STIENMETZ: Thank you.

23 COMMISSIONER WAITS: Thank you.

24

25 **3) Discussion and possible action to approve the confidentiality**
26 **addendum agreement between Aging & Disability Services**
27 **Division and Lander County, and all other matters properly**
28 **related thereto.**

29

30 CHAIRMAN BAKKER: Number 3. Discussion and possible action
31 to approve the confidential -- confidentiality addendum
32 agreement between Aging & Disabilities Services Division in
33 Lander County, and all other matters properly related thereto.

34 KEITH WESTENGARD: This is generally attached to the back
35 of a grant. It wasn't attached to the back of the grant.

36 I did ask Sandy Smith to show up. She did have a family
37 emergency -- or family matter she had to deal with so she was
38 unable to.

39 I have discussed it with the district attorney and with
40 that...

1 DISTRICT ATTORNEY HERRERA: And, Commissioners, the -- this
2 document has Keith's signature on it to sign. So if your motion
3 could include that. And his signature is on it because he's the
4 one that made the grant.

5 CHAIRMAN BAKKER: Hey, Keith, what's this grant funding?

6 KEITH WESTENGARD: It's through the senior center. And
7 it's -- it's part of their disabilities services. Food and
8 transportation.

9 CHAIRMAN BAKKER: Okay.

10 KEITH WESTENGARD: Meals and transportation.

11 DISTRICT ATTORNEY HERRERA: It -- this is usually contained
12 in the agreement --

13 COMMISSIONER WAITS: In the contract.

14 DISTRICT ATTORNEY HERRERA: -- itself.

15 COMMISSIONER WAITS: Uh-huh.

16 DISTRICT ATTORNEY HERRERA: And the -- it was just
17 overlooked. So they're just doing it by a grant.

18 CHAIRMAN BAKKER: Okay.

19 With that, do you guys have any questions?

20 COMMISSIONER MILLS: No. I'll make a motion to approve the
21 confidentiality addendum agreement between Aging & Disability
22 Services Division of Lander County and authorize Keith to sign.

23 COMMISSIONER STIENMETZ: I'll second the motion.

24 CHAIRMAN BAKKER: Doug made a motion. Steve seconded.

25 Any public comment?

26 (No comment.)

27 CHAIRMAN BAKKER: All in favor?

28 COMMISSIONER STIENMETZ: Aye.

29 COMMISSIONER MILLS AND CHAIRMAN BAKKER: Aye.

30 COMMISSIONER WAITS: Aye.

31 COMMISSIONER CLARK: Aye.

32 CHAIRMAN BAKKER: We're going to take a five-minute break
33 real quick, Austin.

34 MITESHELL LANHAM: Okay.

35 FRANK WHITMAN: We know that.

36 CHAIRMAN BAKKER: Okay.

37 Laken?

38
39 (Break taken between 9:44 a.m. and 9:54 a.m.)
40

1 CHAIRMAN BAKKER: Call this meeting back to order.
2 We're going to jump to -- what number was I on?
3 COMMISSIONER STIENMETZ: Eight.
4
5

6 **BOARD APPOINTMENTS**
7

- 8 8) Discussion for possible action regarding appointment or
9 reappointment of three individuals to serve on the Lander
10 County Board to Manage Wildlife -- three-person board (per
11 Resolution 2008-05)/three vacancies -- from July 1, 2016,
12 through June 30, 2019; three-year term, and to consider the
13 following applicants to include: a) Shawn Mariluch, b) Phil
14 Gray, c) Scott Torgerson, d) James Matheus; and all other
15 matters properly related thereto.
16

17 CHAIRMAN BAKKER: Number 8. Discussion for possible action
18 regarding appointment or reappointment of three individuals to
19 serve on the Lander County Board to Manage Wildlife --
20 three-person board, per Resolution 2008-05, three vacancies --
21 from July 1st, 2016, through June 30th, 2019; three-year term,
22 and to consider the following applicants to include: A, Shawn
23 Mariluch, B, Phil Gray, C, Scott Torgerson, and D, James
24 Matheson [verbatim]; and all other matters properly related
25 thereto.

26 SHAWN MARILUCH: I'm here to -- to express my interest in
27 being on the board.

28 CHAIRMAN BAKKER: State your name, please.

29 SHAWN MARILUCH: Shawn Mariluch.

30 JAMES MATHEUS: James Matheus.

31 SHAWN MARILUCH: And I'd also recommend to the board that
32 they make a new resolution to go to a five board member and
33 maybe even an alternate because with my miners and everything,
34 it's just really hard to get a quorum together.

35 And with only three board members, when we have the quotas
36 and all that stuff that comes up, you can't talk to another board
37 member.

38 COMMISSIONER MILLS: Hm.

39 SHAWN MARILUCH: So I would really appreciate if the board
40 would consider going to a five board member.

1 CHAIRMAN BAKKER: Okay.

2 COMMISSIONER CLARK: Does anybody know why they dropped it
3 to three?

4 JAMES MATHEUS: I talked --

5 COMMISSIONER WAITS: They couldn't --

6 JAMES MATHEUS: -- to --

7 COMMISSIONER WAITS: -- get a quorum.

8 JAMES MATHEUS: -- I talked to Brian yesterday. And he
9 called Chuck. And they said because they didn't have any
10 applications for the board.

11 And my understanding is, is if -- the only way you left the
12 board is if you submitted a resignation letter to the
13 commission. And you just rolled over into the next term.

14 That's the -- the verbiage that I understood it to be.

15 So consequently, we never did send any letters in.

16 The last letter I sent in was -- my term was supposed to be
17 up in December 31st of 2017.

18 I searched the minutes yesterday and still couldn't find it.
19 But I know it was -- I was appointed at that time.

20 I was unaware that this resolution took place. I was on the
21 board at this time.

22 And I'm sorry to say that we've been probably operating
23 outside of the open meeting law because we've had five members on
24 the board this whole period of time. And we were unaware of this
25 resolution.

26 Apologize for not checking on this anymore. But we do need
27 to have -- we do need to have a five-member board. It's -- it's
28 most imperative we do.

29 We're working on some projects right now, trying to get a
30 (indiscernible) out in the Dunphy Hills on the Lander County
31 side, on the south side of Interstate 80 with the BLM to
32 probably alleviate some of the traffic issues with deer-auto
33 contact out there.

34 We're trying to present the commission with a letter to open
35 up Lander County elk plan, before the fact, unlike Humboldt County
36 where they already had elk in position and then had to scramble to
37 get an elk plan.

38 So consequently, just a few things that we're trying to do.
39 And it's really hard to do it with a three-member board. We
40 weren't aware of this at the time.

1 We had five members on the board. We had Gary Sweeney, Ed
2 Taylor, Scott Torgerson, Phil Gray, and myself.

3 CHAIRMAN BAKKER: We should probably appoint three members
4 to the board now so they can still operate and then work on a
5 resolution?

6 COMMISSIONER CLARK: Yep.

7 DISTRICT ATTORNEY HERRERA: You can do that.

8 COMMISSIONER CLARK: Well, --

9 COMMISSIONER MILLS: Yeah.

10 COMMISSIONER CLARK: -- we --

11 COMMISSIONER WAITS: Yeah.

12 COMMISSIONER CLARK: -- we can --

13 CHAIRMAN BAKKER: Yeah.

14 COMMISSIONER CLARK: -- do that and -- and still be good --

15 UNIDENTIFIED PARTICIPANT: Yep.

16 COMMISSIONER CLARK: -- because we have Scott Torgerson.

17 CHAIRMAN BAKKER: And then we can reappoint --

18 DISTRICT ATTORNEY HERRERA: We have --

19 COMMISSIONER MILLS: Make it --

20 DISTRICT ATTORNEY HERRERA: -- to --

21 COMMISSIONER MILLS: -- easier --

22 DISTRICT ATTORNEY HERRERA: -- agendize --

23 COMMISSIONER MILLS: -- for these guys to --

24 DISTRICT ATTORNEY HERRERA: -- this --

25 COMMISSIONER MILLS: -- function.

26 CHAIRMAN BAKKER: -- before the --

27 DISTRICT ATTORNEY HERRERA: -- the next meeting --

28 CHAIRMAN BAKKER: -- resolution. Yeah.

29 DISTRICT ATTORNEY HERRERA: -- for a resolution, changing
30 it from three to five.

31 CHAIRMAN BAKKER: Yeah.

32 COMMISSIONER CLARK: If --

33 CHAIRMAN BAKKER: But right now we can appoint three of you
34 and then agendize the resolution.

35 COMMISSIONER WAITS: Okay. We can appoint three. But two
36 of them are still on for '17; right? So make a total of five.
37 We're still going to keep the five. That's what --

38 DISTRICT ATTORNEY HERRERA: Well, --

39 COMMISSIONER WAITS: -- we're saying.

40 CHAIRMAN BAKKER: No, no, no.

1 DISTRICT ATTORNEY HERRERA: You can't --
2 CHAIRMAN BAKKER: Just --
3 COMMISSIONER STIENMETZ: No.
4 CHAIRMAN BAKKER: -- appoint three now --
5 DISTRICT ATTORNEY HERRERA: -- now.
6 COMMISSIONER WAITS: But we have two that are still on
7 until the 17th.
8 COMMISSIONER CLARK: But they're not -- it's not a
9 five-member board.
10 COMMISSIONER WAITS: I -- I understand that, --
11 CHAIRMAN BAKKER: I get what --
12 COMMISSIONER WAITS: -- but we have --
13 CHAIRMAN BAKKER: -- what you're saying, Patsy.
14 COMMISSIONER STIENMETZ: So you appoint one --
15 COMMISSIONER WAITS: -- but it has been --
16 COMMISSIONER STIENMETZ: -- other person --
17 COMMISSIONER WAITS: -- operating --
18 COMMISSIONER STIENMETZ: -- to the board.
19 COMMISSIONER WAITS: -- as a five-member board --
20 JAMES MATHEUS: Pardon me.
21 COMMISSIONER WAITS: -- so now it's brought to our
22 attention, we just can't take two people off that are still --
23 COMMISSIONER STIENMETZ: If -- if we -- how many people are
24 actually on the board?
25 JAMES MATHEUS: Five people.
26 COMMISSIONER WAITS: Five.
27 COMMISSIONER STIENMETZ: Five?
28 UNIDENTIFIED PARTICIPANT: Okay.
29 JAMES MATHEUS: That's what -- that's -- I mean. Not --
30 DISTRICT ATTORNEY HERRERA: Commissioners, --
31 JAMES MATHEUS: -- legally, obviously.
32 COMMISSIONER STIENMETZ: No, but I mean, --
33 COMMISSIONER WAITS: But you've been operating under five.
34 DISTRICT ATTORNEY HERRERA: Commissioners, last year you --
35 in -- in a meeting -- you decided that all -- all boards expire
36 this year so you can start doing it right.
37 CHAIRMAN BAKKER: Right.
38 COMMISSIONER CLARK: Yeah.
39 DISTRICT ATTORNEY HERRERA: If you recall that.
40 COMMISSIONER STIENMETZ: So we need three people on it

1 to --
2 CHAIRMAN BAKKER: Yeah.
3 COMMISSIONER CLARK: To keep it going. And then the next
4 meeting we can have a new resolution and appoint two more --
5 DISTRICT ATTORNEY HERRERA: Unless you --
6 COMMISSIONER CLARK: -- and an alternate.
7 DISTRICT ATTORNEY HERRERA: Unless you want to include two
8 that -- that you're talking about as the three people. It
9 doesn't matter to me. I'm just telling you what you've done --
10 CHAIRMAN BAKKER: Well, their --
11 DISTRICT ATTORNEY HERRERA: -- before.
12 CHAIRMAN BAKKER: -- name's not on the list.
13 JAMES MATHEUS: As -- as it -- as -- what -- what my latest
14 information was is that Phil Gray's expires in 12/31 of '16; Ed
15 Taylor's expires in 12/31 of '17; myself -- myself '17; Gary
16 Sweeney has expired in December 31 of '15; and Louis Lemaire
17 expires in 12/31 of '17 as the alternate.
18 CHAIRMAN BAKKER: They all expired this year.
19 JAMES MATHEUS: And Scott expires --
20 SHAWN MARILUCH: Except for the two '17s.
21 JAMES MATHEUS: -- in '16 also.
22 COMMISSIONER STIENMETZ: Two '17s, a '16, and a '15?
23 JAMES MATHEUS: Yes.
24 DISTRICT ATTORNEY HERRERA: But you guys did decide that
25 they all --
26 CHAIRMAN BAKKER: Yeah. We -- we --
27 DISTRICT ATTORNEY HERRERA: -- expire this --
28 COMMISSIONER CLARK: Right.
29 CHAIRMAN BAKKER: We already -- we made a meeting that they
30 all expire, regardless.
31 COMMISSIONER STIENMETZ: Absolutely.
32 JAMES MATHEUS: That's my understanding.
33 CHAIRMAN BAKKER: Yeah.
34 JAMES MATHEUS: And we were -- were not aware of that when
35 we posted the agenda for the last meeting.
36 So consequently, we didn't have a meeting because we didn't
37 have a quorum.
38 CHAIRMAN BAKKER: Okay. So let's appoint three people to
39 this board. And we'll work on the resolution.
40 JEANNE FALZONE: (Indiscernible) the resolution.

1 SHAWN MARILUCH: Thank you.
2 COMMISSIONER STIENMETZ: Thank you.
3 JAMES MATHEUS: Just -- just --
4 JEANNE FALZONE: (Indiscernible.)
5 JAMES MATHEUS: -- one -- one note for you people so you
6 understand this a little bit.
7 Outdoor recreation in the state of Nevada produces a large
8 amount of money.
9 In 2015, it produced \$14.9 billion in the state of Nevada.
10 It created 148,000 jobs with \$4.8 billion salaries included in
11 that. It produced \$1 billion in taxes.
12 What -- some of the projects that we're working on don't only
13 just affect Lander County -- or Battle Mountain area, but they
14 will affect Lander County wholly.
15 And trying to improve the economy of Austin is one of the
16 aspects that we're working on right now to -- probably with the
17 elk plan -- produce some hunters into the area and some revenue
18 dollars in that country.
19 So this is -- this is one of the things that I really
20 appreciate, to appoint the board members that we have now and
21 get the resolution back so that we can continue on with what we
22 were doing.
23 CHAIRMAN BAKKER: Thank you.
24 DISTRICT ATTORNEY HERRERA: Mr. Chairman, this is the one
25 that I talked to you earlier about. The wrong resolution
26 number's listed on the -- on the agenda. It should be SB
27 2007-15.
28 JEANNE FALZONE: Which is in their packets.
29 DISTRICT ATTORNEY HERRERA: Which is -- which is in your
30 packet.
31 You have the right resolution in your packet.
32 CHAIRMAN BAKKER: Just was posted wrong.
33 DISTRICT ATTORNEY HERRERA: It's the wrong resolution
34 number on the agenda.
35 CHAIRMAN BAKKER: Do you want us to rerun this?
36 DISTRICT ATTORNEY HERRERA: Well, it -- it -- I'm -- I'm --
37 you can either correct the record or -- or --
38 CHAIRMAN BAKKER: Okay. The -- let me correct the record
39 on the agenda item as per Resolution 2007-17.
40 DISTRICT ATTORNEY HERRERA: Fifteen.

1 JEANNE FALZONE: Fifteen.
2 CHAIRMAN BAKKER: Fifteen. Excuse me.
3 COMMISSIONER WAITS: Fifteen.
4 CHAIRMAN BAKKER: Okay. So with that, I need a motion to
5 appoint three people.
6 COMMISSIONER CLARK: Well, I'll make --
7 COMMISSIONER MILLS: So --
8 COMMISSIONER CLARK: -- a motion to -- do you want to do it
9 one at a time or --
10 CHAIRMAN BAKKER: No.
11 COMMISSIONER MILLS: No, do three at once.
12 COMMISSIONER CLARK: Shawn Mariluch, James Trapper Matheus,
13 and Scott Torgenson [verbatim].
14 CHAIRMAN BAKKER: To...
15 COMMISSIONER CLARK: We'll get -- we'll get this -- these
16 three seated and then in the next meeting we'll have a
17 resolution and we can appoint two more and an alternate.
18 CHAIRMAN BAKKER: Hey, Art, what board are you appointing
19 them to?
20 JAMES MATHEUS: Will they need to have additional letters
21 in at that time?
22 SHAWN MARILUCH: You'll have to have --
23 COMMISSIONER CLARK: You should --
24 SHAWN MARILUCH: -- a couple more names than you have.
25 COMMISSIONER CLARK: Right.
26 DISTRICT ATTORNEY HERRERA: You have to republish for the
27 other two.
28 COMMISSIONER CLARK: Right.
29 CHAIRMAN BAKKER: Okay.
30 COMMISSIONER STIENMETZ: Right.
31 CHAIRMAN BAKKER: Everyone.
32 COMMISSIONER CLARK: And -- and this is for the --
33 COMMISSIONER STIENMETZ: But he hasn't said what board he's
34 talking --
35 CHAIRMAN BAKKER: Yeah.
36 COMMISSIONER STIENMETZ: -- about.
37 COMMISSIONER WAITS: I'll second --
38 COMMISSIONER CLARK: The Lander --
39 COMMISSIONER WAITS: -- the motion.
40 COMMISSIONER CLARK: -- County Advisory Board to Manage

1 Wildlife.
2 CHAIRMAN BAKKER: Okay. Art made a motion. Patsy
3 seconded.
4 Any public comment?
5 (No comment.)
6 CHAIRMAN BAKKER: All in favor?
7 COMMISSIONER STIENMETZ: Aye.
8 CHAIRMAN BAKKER AND COMMISSIONER MILLS: Aye.
9 COMMISSIONER WAITS: Aye.
10 COMMISSIONER CLARK: Aye.
11 COMMISSIONER STIENMETZ: Thank you, guys, --
12 CHAIRMAN BAKKER: Thank you, gentlemen.
13 COMMISSIONER STIENMETZ: -- for your service.
14 JAMES MATHEUS: Thank you.
15 SHAWN MARILUCH: Thank you, guys.
16 CHAIRMAN BAKKER: Okay. Now let's go back --
17 COMMISSIONER MILLS: We're on Number 4?
18 CHAIRMAN BAKKER: -- to four.
19 COMMISSIONER WAITS: I have a question on the resolution.
20 And can we -- when we do the resolution to move that to five,
21 can we say that we can stagger?
22 Does the resolution have to --
23 DISTRICT ATTORNEY HERRERA: You sure --
24 COMMISSIONER WAITS: -- say that?
25 DISTRICT ATTORNEY HERRERA: You can.
26 COMMISSIONER WAITS: Can if we want it to?
27 DISTRICT ATTORNEY HERRERA: Yes. You can stagger them if
28 you want, with --
29 COMMISSIONER WAITS: From that point?
30 DISTRICT ATTORNEY HERRERA: -- the other two members.
31 COMMISSIONER MILLS: Yeah.
32 COMMISSIONER WAITS: Is that your --
33 COMMISSIONER STIENMETZ: Yeah, I would do --
34 COMMISSIONER WAITS: -- pleasure?
35 COMMISSIONER STIENMETZ: -- that.
36 COMMISSIONER MILLS: They should be --
37 COMMISSIONER WAITS: Okay.
38 COMMISSIONER MILLS: -- staggered.
39 CHAIRMAN BAKKER: Yeah.
40 COMMISSIONER WAITS: Okay. Thank you.

1 4) Discussion and possible action regarding appointment or
2 reappointment to the Lander County Debt Management Board
3 (five-person board/five vacancy), which consists of two
4 public, one representative of the county, one representative
5 of the school district, and one representative of the General
6 Improvement Districts, to serve from January 1, 2017, through
7 December 31, 2019, two-year term, as per NRS 350.115, and to
8 consider all of the following applicants to include: a) Louis
9 Lani, b) Daun Bohall; and all other matters properly related
10 thereto.
11

12 CHAIRMAN BAKKER: Okay. Four.
13 Discussion and possible action regarding appointment or
14 reappointment to the Lander County Debt Management Board,
15 five-person board, five vacancy, which consists of two public, one
16 representative of the county, one representative of the school
17 district, and one representative of the General Improvement
18 District, to serve from January 1st, 2017, through December 31st,
19 2019, two-year term, as per NRS 350.115, and to consider all of
20 the following applicants to include Louis Lani and Donna -- Daun
21 Bohall, and all other matters properly related thereto.

22 DISTRICT ATTORNEY HERRERA: Commissioner -- Mr. Chairman,
23 this is one of the four that -- that weren't posted properly.

24 CHAIRMAN BAKKER: Okay. So I need a motion to repost this
25 properly.

26 COMMISSIONER STIENMETZ: I'll make a motion that the
27 announcement for this board be reposted properly.

28 COMMISSIONER CLARK: Second.

29 CHAIRMAN BAKKER: Keith? Okay.
30 Steve made a motion. Art seconded.

31 Any public comment?
32 (No comment.)

33 CHAIRMAN BAKKER: All in favor?

34 COMMISSIONER STIENMETZ: Aye.

35 CHAIRMAN BAKKER AND COMMISSIONER MILLS: Aye.

36 COMMISSIONER WAITS: Aye.

37 COMMISSIONER CLARK: Aye.
38
39
40

1 5) Discussion for possible action regarding appointment or
2 reappointment of four individuals to serve on the Lander
3 County Planning Commission (five-person board, two alternate
4 commissioners, five vacancies), which leaves one vacant
5 position, from July 1, 2016, through June 30, 2020; four-year
6 term, and to consider all of the following applicants to
7 include: a) John Williams, b) Louis Lani, c) Monte Price, d)
8 Walt Holland; and all other matters properly related thereto.
9

10 CHAIRMAN BAKKER: Okay. Five. Discussion for possible
11 action regarding appointment or reappointment of four
12 individuals to serve on the Lander County Planning Commission,
13 five-person board, two alternate commissioners, five vacancies,
14 which leaves one vacant position, from July 1st, 2016, through
15 June 30th, 2020; four-year term, and to consider all the other
16 --the following applicants to include: John Williams, Louis
17 Lani, Monte Price, and Walt Holland; and all other prop- -- all
18 other matters properly related thereto.

19 Okay.

20 Sensing there's a vacancy, Ted, one commissioner will sit on
21 this board until we fill that position; right?

22 DISTRICT ATTORNEY HERRERA: Yes.

23 CHAIRMAN BAKKER: Okay.

24 Just curious.

25 COMMISSIONER WAITS: As a voting member?

26 DISTRICT ATTORNEY HERRERA: You know, I'm not sure about
27 that.

28 CHAIRMAN BAKKER: Have to look into it.

29 DISTRICT ATTORNEY HERRERA: Because it -- it doesn't say
30 anywhere that the commissioner's a voting member.

31 But it does say that if -- if one of the members are gone,
32 the alternative will sit in his place.

33 It's -- so I'd have to do more research or call somebody
34 because that's -- definitely a --

35 CHAIRMAN BAKKER: Hey, Keith, why don't we re-advertise for
36 that one position too.

37 KEITH WESTENGARD: So we're going to table five and
38 re-advertise?

39 CHAIRMAN BAKKER: No, no. We can appoint --

40 KEITH WESTENGARD: Okay.

1 CHAIRMAN BAKKER: -- these four, but, I mean, we need to
2 re- -- there's one vacancy.
3 KEITH WESTENGARD: Okay.
4 For a vacancy and an alternate or just a vacancy?
5 COMMISSIONER CLARK: Yeah.
6 CHAIRMAN BAKKER: Just a vacancy.
7 COMMISSIONER CLARK: Vacancy.
8 CHAIRMAN BAKKER: Because Art's the commissioner on there,
9 so he's -- he'd be the alternate --
10 COMMISSIONER CLARK: But I -- I don't vote. I haven't been
11 voting since I was assigned that commission.
12 DISTRICT ATTORNEY HERRERA: And -- and I don't know if it's
13 a voting member or not.
14 CHAIRMAN BAKKER: We'll have to find --
15 DISTRICT ATTORNEY HERRERA: I --
16 CHAIRMAN BAKKER: -- out.
17 DISTRICT ATTORNEY HERRERA: -- I -- I'll have to --
18 CHAIRMAN BAKKER: But, anyway, let's re-advertise for that
19 one position.
20 DISTRICT ATTORNEY HERRERA: Do -- do you know, Commissioner
21 Waits?
22 COMMISSIONER WAITS: I -- I don't know because I didn't --
23 I thought the NRS was pretty clear about we sat in an advisory
24 position.
25 DISTRICT ATTORNEY HERRERA: Right.
26 COMMISSIONER WAITS: But this is a little bit different
27 situation because you're saying -- stepping in as an alternate
28 because you've got four members. And four members isn't the way
29 it's supposed to go --
30 DISTRICT ATTORNEY HERRERA: Right.
31 COMMISSIONER WAITS: -- because you can't have a stalemate
32 and you're supposed to have a quorum so --
33 DISTRICT ATTORNEY HERRERA: That's right.
34 COMMISSIONER CLARK: If you don't have the volunteers, what
35 are you going to do?
36 DISTRICT ATTORNEY HERRERA: So --
37 CHAIRMAN BAKKER: Right.
38 DISTRICT ATTORNEY HERRERA: -- I can do more --
39 CHAIRMAN BAKKER: Re- --
40 DISTRICT ATTORNEY HERRERA: -- research.

1 CHAIRMAN BAKKER: -- advertise.
2 DISTRICT ATTORNEY HERRERA: I can do more research into it.
3 COMMISSIONER STIENMETZ: Yeah, couldn't it be stated that
4 --
5 COMMISSIONER WAITS: So you want us to wait --
6 COMMISSIONER STIENMETZ: -- if the -- it was a tie that the
7 commissioner could vote?
8 COMMISSIONER WAITS: I don't remember --
9 COMMISSIONER CLARK: It's got to --
10 COMMISSIONER WAITS: -- that.
11 COMMISSIONER CLARK: -- be. It's got to --
12 COMMISSIONER STIENMETZ: I don't -- I'm not saying it is.
13 I just said, --
14 COMMISSIONER MILLS: Well, --
15 COMMISSIONER STIENMETZ: -- could it be stated that way?
16 DISTRICT ATTORNEY HERRERA: I -- I don't know. I can't
17 answer that question.
18 From what I've read so far, again, if one of the members
19 aren't there, the commissioner's supposed to sit, but it doesn't
20 say he can vote anywhere.
21 COMMISSIONER STIENMETZ: Right.
22 CHAIRMAN BAKKER: Okay.
23 Well, it's -- we'll find out. As of right now, I think we
24 need to appoint these four so the board can still operate.
25 COMMISSIONER MILLS: I'll make a motion that we appoint
26 John Williams, Louis Lani, Monte Price, and Walt Holland to the
27 Lander County Planning Commission.
28 COMMISSIONER WAITS: And --
29 CHAIRMAN BAKKER: Doug made a motion.
30 COMMISSIONER CLARK: What about Tom Reichert?
31 CHAIRMAN BAKKER: He's not on there.
32 COMMISSIONER STIENMETZ: Tom Reichert's term doesn't
33 expire.
34 COMMISSIONER CLARK: Okay.
35 CHAIRMAN BAKKER: Oh, then there's five.
36 COMMISSIONER CLARK: Yeah.
37 CHAIRMAN BAKKER: Well, I'll --
38 UNIDENTIFIED PARTICIPANT: They all have five.
39 CHAIRMAN BAKKER: I'll -- they all expire.
40 DISTRICT ATTORNEY HERRERA: They all expire.

1 COMMISSIONER WAITS: But they --
2 COMMISSIONER STIENMETZ: Yeah.
3 COMMISSIONER WAITS: -- all expire.
4 CHAIRMAN BAKKER: So contact him and see if he didn't know
5 because he didn't think he -- his --
6 KEITH WESTENGARD: Who was it?
7 CHAIRMAN BAKKER: -- expired. Tom --
8 COMMISSIONER CLARK: Tom --
9 CHAIRMAN BAKKER: -- Reichert.
10 COMMISSIONER CLARK: -- Reichert.
11 UNIDENTIFIED PARTICIPANT: Tom Reichert.
12 COMMISSIONER WAITS: So if we don't take action today and
13 the comment was, we would like the board to continue, doesn't
14 the board continue until --
15 DISTRICT ATTORNEY HERRERA: Yes.
16 COMMISSIONER WAITS: -- until we do?
17 DISTRICT ATTORNEY HERRERA: Absolutely.
18 COMMISSIONER WAITS: So we don't have to take this action
19 of just four?
20 DISTRICT ATTORNEY HERRERA: So you can repost and -- and
21 keep --
22 COMMISSIONER STIENMETZ: No, because they all expire.
23 COMMISSIONER CLARK: They expire. The '16s --
24 CHAIRMAN BAKKER: We'd have to appoint them.
25 COMMISSIONER CLARK: -- expire.
26 COMMISSIONER WAITS: But even though it expires, if they're
27 not reappointed, it stays in action until it is.
28 DISTRICT ATTORNEY HERRERA: Yes. And the -- and the
29 ordinance is clear on that.
30 COMMISSIONER WAITS: Uh-huh.
31 DISTRICT ATTORNEY HERRERA: You -- you can have them remain
32 seated --
33 COMMISSIONER WAITS: They still operate.
34 DISTRICT ATTORNEY HERRERA: -- until --
35 CHAIRMAN BAKKER: I don't think it really matters, though.
36 Just appoint four now, repost that one position, and then the
37 board can still operate regardless.
38 What's the big deal of postponing it or not?
39 COMMISSIONER CLARK: Yeah.
40 CHAIRMAN BAKKER: I don't -- I don't understand why you

1 would do that.

2 COMMISSIONER CLARK: We have three that expired.

3 COMMISSIONER WAITS: Because it's four, and -- and you need
4 an uneven number to operate because of --

5 CHAIRMAN BAKKER: You only need --

6 COMMISSIONER WAITS: -- a quorum.

7 CHAIRMAN BAKKER: -- three for a quorum, though.

8 COMMISSIONER WAITS: That's not the point. There's two and
9 two. And they can't do anything if -- if that's the way it
10 turns out. That's why you have five and three as an uneven
11 member.

12 COMMISSIONER CLARK: Well, if it's 2-2, then it can be
13 brought to us.

14 CHAIRMAN BAKKER: Well, the alternate's the commissioner.
15 So there's five sitting up there.

16 COMMISSIONER CLARK: We have one, two, three people that
17 have already expired. So if we reappoint them, it's good.
18 So I'll make a motion to --

19 CHAIRMAN BAKKER: Doug made a motion. He just --

20 COMMISSIONER WAITS: Doug's made --

21 CHAIRMAN BAKKER: -- needs a second.

22 COMMISSIONER CLARK: Okay. Second.

23 CHAIRMAN BAKKER: Okay. Doug made the motion. Art
24 seconded.

25 Any public comment?

26 (No comment.)

27 CHAIRMAN BAKKER: All in favor?

28 COMMISSIONER STIENMETZ AND COMMISSIONER CLARK: Aye.

29 COMMISSIONER MILLS: Aye.

30 CHAIRMAN BAKKER: Aye.

31 COMMISSIONER WAITS: Aye.

32 CHAIRMAN BAKKER: Okay.

33 DISTRICT ATTORNEY HERRERA: And so you want us to republish
34 for the other --

35 CHAIRMAN BAKKER: Yeah, you're going to have to --

36 COMMISSIONER STIENMETZ: Yes, please.

37 CHAIRMAN BAKKER: -- do the one seat.

38 COMMISSIONER WAITS: Republish it?

39 CHAIRMAN BAKKER: Or ask Tom if he didn't know he was
40 supposed to put in his letter.

1 COMMISSIONER CLARK: And we need an alternate.
2 CHAIRMAN BAKKER: You're the alternate, Art.
3 COMMISSIONER CLARK: There's two alternates. One --
4 one's -- the term expires in '18. One, the term expired in
5 6/30/16. There's two alternates. I'm just a commissioner. And
6 you're the alternate commissioner.
7 CHAIRMAN BAKKER: Okay.
8 COMMISSIONER CLARK: I think.
9 COMMISSIONER WAITS: So what do we do about the staggering
10 of -- of it? They're going to come due all the time at the same
11 time?
12 CHAIRMAN BAKKER: No, when we reappoint the other one --
13 I don't know. How do you guys want to do that?
14 KEITH WESTENGARD: So we have Reichert. If he's not
15 interested, we're going to post for a -- advertise for a vacancy
16 and --
17 COMMISSIONER CLARK: Right.
18 KEITH WESTENGARD: -- one alternate. Is that correct?
19 LAKEN MARINE: Maybe she needs to --
20 COMMISSIONER CLARK: And then reappoint --
21 LAKEN MARINE: -- do alternates.
22 COMMISSIONER CLARK: We reappointed --
23 LAKEN MARINE: (Indiscernible) --
24 COMMISSIONER CLARK: -- Holland and Williams.
25 LAKEN MARINE: -- five: the two alternates and a
26 commissioner.
27 DISTRICT ATTORNEY HERRERA: And the alternate --
28 LAKEN MARINE: (Indiscernible) each one.
29 DISTRICT ATTORNEY HERRERA: -- is both commissioners.
30 CHAIRMAN BAKKER: So we need to post for three positions.
31 COMMISSIONER STIENMETZ: Right.
32 CHAIRMAN BAKKER: Two alternates and an open position.
33 COMMISSIONER WAITS: And we can stagger those.
34 CHAIRMAN BAKKER: Yeah.
35 COMMISSIONER WAITS: And we can keep -- we can keep Tom's
36 on too when we reappoint him if we want to keep that state.
37 Okay.
38 KEITH WESTENGARD: The alternates --
39 COMMISSIONER WAITS: Got it.
40 KEITH WESTENGARD: -- are commissioners.

1 UNIDENTIFIED PARTICIPANT: The alternates are
2 commissioners.
3 KEITH WESTENGARD: The alternates --
4 CHAIRMAN BAKKER: Yeah, because Rod Davis is gone.
5 COMMISSIONER CLARK: Right. Rod Davis was one.
6 CHAIRMAN BAKKER: Yeah.
7 DISTRICT ATTORNEY HERRERA: As -- as Commissioner Waits
8 pointed out, you -- you can -- you can leave the other person on
9 the board until he is replaced.
10 CHAIRMAN BAKKER: Right.
11 DISTRICT ATTORNEY HERRERA: So they can --
12 CHAIRMAN BAKKER: Tom will still be on the board.
13 DISTRICT ATTORNEY HERRERA: Right.
14 COMMISSIONER CLARK: Yeah.
15 DISTRICT ATTORNEY HERRERA: So you continue to have five,
16 but you have to make that clear that that's what you're going to
17 do.
18 CHAIRMAN BAKKER: Okay.
19 DISTRICT ATTORNEY HERRERA: Instead of having a vacant
20 position, you can have him continue until he is replaced. He
21 could be replaced by himself.
22 CHAIRMAN BAKKER: Right.
23 DISTRICT ATTORNEY HERRERA: I think that's what
24 Commissioner Waits was saying.
25 COMMISSIONER WAITS: Yes. If he sends his letter. Yes.
26 DISTRICT ATTORNEY HERRERA: Right.
27 CHAIRMAN BAKKER: Okay.
28 KEITH WESTENGARD: One more. Sorry. I need one more
29 clarification.
30 So the alternates are the commissioners?
31 DISTRICT ATTORNEY HERRERA: Yes.
32 KEITH WESTENGARD: And we're not going to advertise?
33 DISTRICT ATTORNEY HERRERA: No. We don't -- we don't
34 advertise.
35 KEITH WESTENGARD: Just want to be sure.
36 COMMISSIONER CLARK: Here's my question. If a commissioner
37 were a voting member on the planning commission and it came to
38 the -- an item came to the commissioners, could they vote again?
39 They'd have two votes. So the commissioner can't vote --
40 DISTRICT ATTORNEY HERRERA: It's my understanding, --

1 COMMISSIONER CLARK: -- in the planning commission.

2 DISTRICT ATTORNEY HERRERA: -- again, that I don't believe
3 the commissioners can vote.

4 COMMISSIONER CLARK: Yeah.

5 DISTRICT ATTORNEY HERRERA: I mean, I can look it up more,
6 but I don't --

7 COMMISSIONER CLARK: That's where it doesn't make sense.

8 DISTRICT ATTORNEY HERRERA: -- believe --

9 I -- I didn't find any language in the NRS or the ordinance
10 where it says a commissioner can vote. Only that, as an
11 alternate, he would sit and deliberate with the rest of the
12 board, but -- but he can't vote.

13 COMMISSIONER WAITS: It's pretty clear on the advisory
14 boards that we sit on, of which -- which we cannot vote.

15 DISTRICT ATTORNEY HERRERA: Right.

16 COMMISSIONER WAITS: And advisory boards, we do not. We're
17 just the representation.

18 DISTRICT ATTORNEY HERRERA: I agree. I agree.

19 CHAIRMAN BAKKER: Okay. Sounds good.
20

21 **6) Discussion for possible action regarding appointment or**
22 **reappointment of two individuals to serve on the Lander**
23 **County Board of Equalization (three-person board, which**
24 **includes one commissioner/two vacancies) from July 1, 2016,**
25 **through June 30, 2020, four-year terms, and to consider all**
26 **of the following applicants to include: a) Marla J. Sam, b)**
27 **Kimberlie Buffington; and all other matters properly related**
28 **thereto.**
29

30 CHAIRMAN BAKKER: Six. Discussion for possible action
31 regarding appointment or reappointment of two individuals to
32 serve on the Lander County Board of Equalization, three-person
33 board, which includes one commissioner, two vacancies, from July
34 1st, 2016, through June 30th, 2020, four-year term, and to
35 consider all of the following applicants to include: Marla J.
36 Sam, Kimberlie Buffington; and all other matters properly
37 related thereto.

38 Pretty clear.

39 COMMISSIONER WAITS: So I guess the question there also is:
40 Does Cynthia Walsh truly know she should have put a letter in?

1 Because her term really should run until the '17, or not.
2 We can vote on the two that are here.
3 And it doesn't -- you know --
4 DISTRICT ATTORNEY HERRERA: Commissioner, that's what I
5 said. I -- I don't know if these have been properly noticed.
6 Any of these.
7 But -- but because of that. Because, you guy- -- this august
8 body, a year ago, said that all of them expire this year.
9 Now, were they noticed in the paper that they all expired
10 this year? I -- I don't believe so, in my reading of the notes,
11 no.
12 CHAIRMAN BAKKER: So let's table it and get it
13 re-advertised.
14 DISTRICT ATTORNEY HERRERA: However you want to do it.
15 COMMISSIONER WAITS: There, again, you have the third
16 member that is -- that may think she has one more year. So it's
17 the same as Tom Reichert.
18 CHAIRMAN BAKKER: So it --
19 COMMISSIONER WAITS: We --
20 CHAIRMAN BAKKER: -- staggers.
21 COMMISSIONER WAITS: -- we can --
22 CHAIRMAN BAKKER: Yeah.
23 COMMISSIONER WAITS: -- we can do these two. And then --
24 and then question her and ask her. And if she doesn't want it,
25 and, you know, because she can continue.
26 CHAIRMAN BAKKER: Right.
27 COMMISSIONER WAITS: Or we may have to go back out. So
28 let's --
29 CHAIRMAN BAKKER: Okay.
30 COMMISSIONER WAITS: -- let's do that.
31 CHAIRMAN BAKKER: Okay.
32 Do I need a motion?
33 COMMISSIONER WAITS: I'll make motion that we reappoint
34 Marla J. Sam and Kimberlie Buffington to the Lander County Board
35 of Equalization.
36 COMMISSIONER MILLS: Patsy made a motion.
37 COMMISSIONER STIENMETZ: I'll second it.
38 CHAIRMAN BAKKER: Steve seconded it.
39 Any public comment?
40 (No comment.)

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

- 7 7) Discussion for possible action regarding appointment or
8 reappointment of four individuals to serve on the Lander
9 County Convention and Tourism Board (five-person board/four
10 vacancies) which consist of: one member to represent motel
11 operators, one member to represent hotel operators, one
12 member to represent other commercial interests, one member to
13 represent the county at-large, and one commissioner to serve
14 from July 1, 2016, through June 30, 2018, two-year term, as
15 per NRS 244A.599, and consider the following applicants to
16 include: a) Ann Miles (motel/hotel), b) Philip Williams
17 (commercial interest), c) Richard Ripley (motel/hotel), d)
18 Grady Pierce (at-large), e) Christy Apple-Johnson (at-large);
19 and all other matters properly related thereto.
20

21 CHAIRMAN BAKKER: Okay, Number 7.

22 Discussion for possible action regarding appointment or
23 reappointment of four individuals to serve on the Lander County
24 Convention and Tourism Board, five-person board, four vacancies,
25 which consist of: one member to represent motel operators, one
26 member to represent hotel operators, one member to represent other
27 commercial interests, one member to represent the county at-large,
28 and one commissioner to serve from July 1st, 2016, through June
29 30th, 2018, two-year term, as per NRS 244A, dash, 599, and to
30 consider the following applicants to include: A, Ann Miles,
31 motel/hotel; Philip Williams, commercial interest; Richard Ripley,
32 motel/hotel; Grady Pierce, at-large; and Christy Apple-Johnson,
33 at-large; and all other matters properly related thereto.

34 Now, was this posted properly?

35 DISTRICT ATTORNEY HERRERA: It -- it was posted improperly.

36 CHAIRMAN BAKKER: So we need to repost it and these members
37 can still serve as --

38 DISTRICT ATTORNEY HERRERA: Yes.

39 CHAIRMAN BAKKER: Okay.

40 Do I need a motion?

1 No?
2 Just repost --
3 DISTRICT ATTORNEY HERRERA: Repost --
4 CHAIRMAN BAKKER: -- it.
5 DISTRICT ATTORNEY HERRERA: -- it.
6 CHAIRMAN BAKKER: Motion to table this one.
7 DISTRICT ATTORNEY HERRERA: You can table it.
8 KEITH WESTENGARD: Just table it.
9 CHAIRMAN BAKKER: Okay.
10 DISTRICT ATTORNEY HERRERA: And --
11 CHAIRMAN BAKKER: We're going to table --
12 DISTRICT ATTORNEY HERRERA: (Indiscernible) --
13 CHAIRMAN BAKKER: -- Number 7.
14 DISTRICT ATTORNEY HERRERA: -- properly.
15 COMMISSIONER WAITS: Okay. Now for a clarification,
16 though. Because we do -- we do have all the letters that came
17 in. But do you want them to redo letters?
18 DISTRICT ATTORNEY HERRERA: No.
19 CHAIRMAN BAKKER: No.
20 DISTRICT ATTORNEY HERRERA: There's no reason.
21 COMMISSIONER WAITS: Just that we want to clarify what we
22 are advertising for.
23 DISTRICT ATTORNEY HERRERA: Yes.
24 COMMISSIONER WAITS: So this is just a clarification.
25 Everybody that's put in their letters -- because it looks like
26 they did read it that they had to reapply.
27 CHAIRMAN BAKKER: Uh-huh.
28 COMMISSIONER WAITS: So everybody has in their letters.
29 We're all okay.
30 CHAIRMAN BAKKER: Yes.
31 DISTRICT ATTORNEY HERRERA: Right.
32 COMMISSIONER WAITS: We're just going to ask again. Okay.
33 DISTRICT ATTORNEY HERRERA: Ask again and anybody else can
34 put in.
35 CHAIRMAN BAKKER: And the board will still operate just how
36 it does now.
37 COMMISSIONER WAITS: Okay. Yeah.
38 CHAIRMAN BAKKER: Yes. Okay.
39 COMMISSIONER WAITS: Thank you.
40 COMMISSIONER CLARK: This is one of the boards with

1 qualifiers?
2 DISTRICT ATTORNEY HERRERA: Yes.
3 COMMISSIONER WAITS: Yes.
4 PHILIP WILLIAMS: This is Philip Williams out in Austin.
5 CHAIRMAN BAKKER: Philip?
6 PHILIP WILLIAMS: What are you guys doing with that?
7 CHAIRMAN BAKKER: Nothing, actually.
8 COMMISSIONER WAITS: We -- we are -- we have to
9 re-advertise because we were not clear on the advertisement,
10 Philip, that one had to apply from a hotel, one from a motel,
11 one from commercial.
12 Now you folks knew that, on the board, and that was taken
13 care of. But we didn't advertise properly.
14 So we have to advertise to clarify for the county. But all
15 your -- your information and submittals, to be on the board, are
16 fine.
17 CHAIRMAN BAKKER: Yeah.
18 COMMISSIONER WAITS: Okay?
19 CHAIRMAN BAKKER: So it'll just go onto the next meeting.
20 COMMISSIONER WAITS: Yeah. You don't have to do anything.
21 CHAIRMAN BAKKER: Right.
22 PHILIP WILLIAMS: Okay. Because I don't write letters very
23 well.
24 CHAIRMAN BAKKER: Okay.
25 COMMISSIONER WAITS: You're fine, Paula.
26 CHAIRMAN BAKKER: Thank you, Philip.
27 COMMISSIONER STIENMETZ: Thanks, Philip.
28 PHILIP WILLIAMS: Thank you.
29 PAULA TOMERA: Paula Tomera, Lander County Convention and
30 Tourism.
31 I just have a clarification on here. It says, and one
32 commissioner to serve from July 1st till June 30th. Is that to
33 re -- to appoint a different commissioner? Or is this just for
34 the board members?
35 COMMISSIONER WAITS: Just for the board members because our
36 commissioners are appointed to the advisory boards at the
37 beginning of the year.
38 CHAIRMAN BAKKER: Yeah.
39 COMMISSIONER STIENMETZ: Yeah.
40 PAULA TOMERA: Great. Thank you so much.

1 CHAIRMAN BAKKER: Thanks, Paula.

- 2
3 9) Discussion for possible action regarding appointment or
4 reappointment of two individuals to serve on the Austin
5 Airport Advisory Board (four-person board/three vacancies),
6 which leaves one vacant position, from July 1, 2016, through
7 June 30, 2018, two-year term, and to consider all of the
8 following applicants to include: a) Ray H. Williams, Jr., b)
9 Frank Whitman; and all other matters properly related
10 thereto.
11

12 CHAIRMAN BAKKER: Nine. Discussion for possible action
13 regarding appointment or reappointment of two individuals to
14 serve on the Austin Airport Advisory Board, four-person board,
15 three vacancies, which leave one vacant position, from July 1st,
16 2016, through June 30th, 2018, two-year term, and to consider
17 all of the following applicants to include: Ray H. Williams,
18 Jr., B, Frank Whitman --

19 And we got a letter.

20 UNIDENTIFIED PARTICIPANT: From Joe Dory.

21 CHAIRMAN BAKKER: Let me read that in. And --

22 COMMISSIONER STIENMETZ: Joe Dory.

23 CHAIRMAN BAKKER: -- Joe Dory; and all other matters
24 properly related thereto.

25 So with that...

26 COMMISSIONER WAITS: I'll make a motion that we reappoint
27 Ray Williams, Jr., Frank Whitman, and Joe Dory to the Austin
28 Airport Advisory Board.

29 Do I have to do staggered? Let me take a look at that. No,
30 they're all the same.

31 COMMISSIONER STIENMETZ: Yeah.

32 COMMISSIONER WAITS: So no?

33 COMMISSIONER STIENMETZ: I'll -- I'll second the motion.

34 CHAIRMAN BAKKER: Okay. Patsy made a motion. Steve
35 seconded.

36 Any public comment?

37 COMMISSIONER CLARK: We -- we still need one more person on
38 here.

39 COMMISSIONER WAITS: No, there's only three.

40 CHAIRMAN BAKKER: There's only a three-person board.

1 COMMISSIONER WAITS: Joe Dory.
 2 COMMISSIONER CLARK: Okay.
 3 UNIDENTIFIED PARTICIPANT: One's a commissioner.
 4 CHAIRMAN BAKKER: Any other public comment?
 5 (No comment.)
 6 CHAIRMAN BAKKER: All in favor?
 7 COMMISSIONER STIENMETZ: Aye.
 8 CHAIRMAN BAKKER AND COMMISSIONER MILLS: Aye.
 9 COMMISSIONER WAITS: Aye.
 10 CHAIRMAN BAKKER: Okay. But it says a four-person board
 11 with three vacancies.
 12 UNIDENTIFIED PARTICIPANT: With one commissioner.
 13 COMMISSIONER WAITS: I'm -- I'm the fourth person --
 14 COMMISSIONER CLARK: Oh.
 15 COMMISSIONER WAITS: -- sitting in as advisory.
 16 COMMISSIONER CLARK: Okay.
 17 CHAIRMAN BAKKER: You need to vote, Art.
 18 COMMISSIONER CLARK: Aye.
 19 CHAIRMAN BAKKER: Thank you.
 20

- 21 10) Discussion and possible action regarding appointment or
 22 reappointment of three individuals to serve on the Lander
 23 Economic Development Authority (nine-person board/three
 24 vacancies), which consist of: six public, two state/federal
 25 government, and one commissioner, from July 1, 2016, through
 26 June 30, 2018; two-year term, per Resolution 2008-05, and to
 27 consider the following applicants to include: a) Jay Fischer,
 28 b) Sarah Edgar, c) George Fennemore; and all other matters
 29 properly related thereto.
 30

31 CHAIRMAN BAKKER: Ten. Discussion and possible action
 32 regarding appointment or reappointment of three individuals to
 33 serve on the Lander Economic Development Authority, nine-person
 34 board, three vacancies, which consist of: six public, two
 35 state/federal government, and one commissioner, from July 1st,
 36 2016, through June 30th, 2018; two-year term, per Resolution
 37 2008-05, consider the following applicants to include: Jay
 38 Fischer, Sarah Edgar, George Fennemore; and all other matters
 39 properly related thereto.

40 We need to table this one too.

1 KEITH WESTENGARD: Re-advertise?
2 CHAIRMAN BAKKER: Yeah, re-advertise.
3 Okay.
4 Eleven.
5 PAULA TOMERA: Sorry.
6 CHAIRMAN BAKKER: Oh.
7 PAULA TOMERA: I guess.
8 CHAIRMAN BAKKER: Sorry.
9 Public comment.
10 PAULA TOMERA: Paula Tomera. I'm on that board as well.
11 So is this another one of the boards that everyone had to
12 reapply?
13 CHAIRMAN BAKKER: Yeah.
14 No.
15 JEANNE FALZONE: Five were appointed last year.
16 CHAIRMAN BAKKER: Can you state your name, please.
17 JEANNE FALZONE: Jeanne Falzone with the District
18 Attorney's Office.
19 Last year, you guys had five individuals that were
20 nominated. And in there, you did state specifically that their
21 term would end in 2017. Because that's where we noticed
22 everything was wrong. So we were trying to make that board
23 correct.
24 So therefore, this year there's only three positions
25 available out of that nine-person board.
26 So that's why there's only three vacancies.
27 So --
28 COMMISSIONER CLARK: Oh, okay.
29 JEANNE FALZONE: -- this will stagger this board. Because
30 you'll have the five people that will expire in 2017. And then
31 you will have the three people that will expire in 2018.
32 CHAIRMAN BAKKER: We just need to re-advertise it properly?
33 JEANNE FALZONE: Correct.
34 CHAIRMAN BAKKER: Okay.
35 PAULA TOMERA: Thanks.
36
37
38
39
40

1 11) Discussion and possible action regarding appointment or
2 reappointment of five individuals to serve on the Lander
3 County Public Lands Use Advisory Planning Commission
4 (eight-person board/five vacancies), which consist of: five
5 public, two ex-officio non-voting (one U.S. Forest, one BLM),
6 and one commissioner, from July 1, 2016, through June 30,
7 2018; two-year term, per Lander County Code 2.52.010(C)(1)
8 and to consider the following applicants to include: a)
9 Philip Williams, b) Dan Tomera, c) Frank Whitman, d) Chris
10 McAviney, e) Jeff Glascock; and all other matters properly
11 related thereto.

12
13 CHAIRMAN BAKKER: Okay.

14 Eleven. Discussion for -- and possible action regarding
15 appointment or reappointment of five individuals to serve on
16 Lander County Public Lands Use Advisory Planning Commission,
17 eight-person board, five vacancies, which consist of: five public;
18 two ex-officio non-voting, one U.S. Forest, one BLM; and one
19 commissioner; from July 1st, 2016, through June 30th, 2018;
20 two-year term, per Lander County Code 2.52.010(C)(1) and to
21 consider the following applicants to include: Philip Williams,
22 Dan Tomera, Frank Whitman, Chris McAviney, and Jeff Glascock; and
23 all other matters properly related thereto.

24 We need to postpone this one too.

25 DISTRICT ATTORNEY HERRERA: Well, --

26 CHAIRMAN BAKKER: Okay.

27 DISTRICT ATTORNEY HERRERA: -- I don't know if this one
28 needs to be reposted, because you actually have five people.

29 The -- the Forest Service and the BLM are nonvoting members.
30 So --

31 CHAIRMAN BAKKER: No, we need to re- -- if it wasn't posted
32 properly, we need --

33 DISTRICT ATTORNEY HERRERA: Well, it wasn't posted
34 properly.

35 CHAIRMAN BAKKER: Okay. Then, yeah, we need to --

36 DISTRICT ATTORNEY HERRERA: Just --

37 CHAIRMAN BAKKER: -- repost it.

38 DISTRICT ATTORNEY HERRERA: -- distinguish between the --

39 CHAIRMAN BAKKER: It needs to be --

40 DISTRICT ATTORNEY HERRERA: Okay.

1 COMMISSIONER WAITS: But when we -- what didn't we post
2 properly? The BLM and Forest Service?

3 UNIDENTIFIED PARTICIPANT: Right.

4 UNIDENTIFIED PARTICIPANT: Uh-huh.

5 FRANK WHITMAN: I'm a little confu- --

6 Frank Whitman, here, for the record. Austin.

7 I'm a little confused on why we need to repost. The BLM
8 and the Forest Service have always just simply appointed their
9 own liaison without approval of the county. I don't believe
10 that either of those posts have ever been approved by the county
11 as acceptable or unacceptable. And whatever commissioner has
12 been on was decided among you folks.

13 The only reappointments in the past ten years that I can ever
14 remember has been the five -- the, you know, the board -- the
15 board particular itself.

16 DISTRICT ATTORNEY HERRERA: I -- I think that's probably
17 true. And we have five -- five public people.

18 CHAIRMAN BAKKER: Okay.

19 DISTRICT ATTORNEY HERRERA: I think you can probably
20 proceed with this one.

21 COMMISSIONER CLARK: Yeah.

22 CHAIRMAN BAKKER: Okay. With that, then I need a motion.

23 COMMISSIONER CLARK: Oh. I'll make a motion that we
24 appoint Williams, Tomera, Whitman, McAviney, and Glascock to the
25 PLUAC.

26 COMMISSIONER WAITS: I'll second that motion.

27 CHAIRMAN BAKKER: Art made a motion. Patsy seconded.

28 Any public comment?

29 COMMISSIONER WAITS: The only --

30 COMMISSIONER CLARK: I -- I'm --

31 COMMISSIONER WAITS: -- question is the staggering again.
32 Do we need to stagger anything?

33 DISTRICT ATTORNEY HERRERA: I think -- I think they're
34 already staggered.

35 COMMISSIONER CLARK: Yeah, because --

36 DISTRICT ATTORNEY HERRERA: You've got three of them --

37 COMMISSIONER CLARK: Right.

38 COMMISSIONER WAITS: They were. But you said they all
39 terminated.

40 DISTRICT ATTORNEY HERRERA: (Indiscernible.)

1 COMMISSIONER WAITS: So there again.
2 DISTRICT ATTORNEY HERRERA: I believe.
3 UNIDENTIFIED PARTICIPANT: The two that were staggered was
4 Frank Whitman and Jeff Glascock.
5 FRANK WHITMAN: We -- Whitman here from Austin. We used to
6 be staggered. Last year, we were told we all had to reappoint.
7 And I know that Chris McAviney is new to the board.
8 Walt Holland is left.
9 But I was under the impression that what you wanted from us
10 was every June to simply ask again and be reaffirmed on a yearly
11 basis even though we are staggered on our -- our meetings. I
12 don't understand that, but that's what -- what I thought the DA
13 had said last year.
14 COMMISSIONER WAITS: Okay. You're -- you're correct,
15 Frank, that that is what we said last year. But now we are
16 reappointing, and now we have the option to stagger if we want
17 to stagger.
18 So my -- my question in that to -- to Art, then, would you
19 like to go ahead and stagger and use Mr. Whitman as expiring in
20 2017 and Mr. Glascock as 2017 and leave the --
21 DEE HELMING: Stagger.
22 COMMISSIONER WAITS: -- rest on the two years and --
23 DISTRICT ATTORNEY HERRERA: The two years.
24 COMMISSIONER WAITS: -- stagger?
25 DISTRICT ATTORNEY HERRERA: That's the way to do it.
26 COMMISSIONER CLARK: That's the way to do it.
27 CHAIRMAN BAKKER: Yep.
28 COMMISSIONER WAITS: Okay. You want to amend your motion?
29 COMMISSIONER CLARK: So I'll modify -- I'll modify my -- my
30 motion to appoint Whitman, Williams, Tomera, Glascock with --
31 Mr. Whitman's expiration date would be 6/30/17. This is a
32 three-year board?
33 DISTRICT ATTORNEY HERRERA: And two. And who else?
34 COMMISSIONER WAITS: Two?
35 UNIDENTIFIED PARTICIPANT: One other --
36 COMMISSIONER CLARK: Two.
37 DISTRICT ATTORNEY HERRERA: One other person.
38 And who's the other one that's staying?
39 COMMISSIONER WAITS: Jeffrey Glascock is '17.
40 COMMISSIONER CLARK: Is 17. So those two would expire in

1 '17. And the others would expire at the end of the normal term.
2 DISTRICT ATTORNEY HERRERA: Two-year term.
3 COMMISSIONER WAITS: Eighteen.
4 COMMISSIONER CLARK: Two years.
5 Okay.
6 COMMISSIONER WAITS: In '18.
7 DISTRICT ATTORNEY HERRERA: In '18.
8 COMMISSIONER WAITS: Okay.
9 DISTRICT ATTORNEY HERRERA: So that would be '18.
10 So --
11 COMMISSIONER WAITS: And I will amend my second.
12 CHAIRMAN BAKKER: Okay.
13 COMMISSIONER CLARK: Okay.
14 CHAIRMAN BAKKER: Art made a motion. Patsy seconded. Any
15 public comment?
16 COMMISSIONER CLARK: I have a question for Frank. Frank,
17 does Louis Lani come as a Forest Service?
18 FRANK WHITMAN: No, we had the new ran- -- years ago, Louis
19 Lani -- may -- that would be -- no, he's not.
20 COMMISSIONER CLARK: Okay.
21 FRANK WHITMAN: But we have -- which is -- Eric -- Eric
22 Taylor is now our liaison.
23 COMMISSIONER CLARK: Okay. Okay.
24 FRANK WHITMAN: He's our new ranger.
25 Yeah.
26 COMMISSIONER CLARK: Okay.
27 COMMISSIONER WAITS: He replaced Steve Williams who used to
28 attend.
29 FRANK WHITMAN: And Kyle Hendrix is our BLM liaison.
30 COMMISSIONER CLARK: Right. I know. They -- they come all
31 the time.
32 CHAIRMAN BAKKER: Thanks, Frank.
33 Okay. Art made a motion. Patsy seconded.
34 Any other public comment?
35 (No comment.)
36 CHAIRMAN BAKKER: All in favor?
37 COMMISSIONER STIENMETZ: Aye.
38 COMMISSIONER MILLS: Aye.
39 CHAIRMAN BAKKER: Aye.
40 COMMISSIONER WAITS: Aye.

1 COMMISSIONER CLARK: Aye.

2 CHAIRMAN BAKKER: Okay.

3 FRANK WHITMAN: Gentlemen, I just want to say thank you
4 again for reaffirming me for both the Austin Airport and the
5 Public Lands. Thank you.

6 CHAIRMAN BAKKER: Thank you, Frank.

7 COMMISSIONER CLARK: Thank you, Frank. I don't know what
8 we'd do without your volunteering.

9

10

11 **COMMISSIONERS**

12

13 12) **Discussion and possible action regarding the change order**
14 **submitted by Day Engineering in the amount of \$68,306.94 for**
15 **the water and sewer system improvements 2016 project, and all**
16 **other matters properly related thereto.**

17

18 CHAIRMAN BAKKER: Okay. Twelve. Discussion and possible
19 action regarding the change order submitted by Day Engineering
20 in the amount of \$68,306.94 for the water and sewer system
21 improvements 2016 project, and all other matters properly
22 related thereto.

23 KEITH WESTENGARD: We ask that you table this one, --

24 CHAIRMAN BAKKER: Okay.

25 KEITH WESTENGARD: -- Mr. Chairman.

26 CHAIRMAN BAKKER: Tabling Number 12.

27

28 13) **Discussion with a Tri-Signal representative, who should be**
29 **available for questions regarding security and office entry**
30 **into elected officials' offices, located in the Lander County**
31 **Courthouse/Administrative Building, and all other matters**
32 **properly related thereto. (Possible action item.)**

33

34 CHAIRMAN BAKKER: Thirteen. Discussion with a Tri-Signal
35 representative, who should be available for questions regarding
36 security and office entry into elected officials' offices,
37 located in the Lander County Courthouse/Administrative Building,
38 and all other matters properly related thereto. Possible action
39 item.

40 KEITH WESTENGARD: We have a phone number there,

1 Commissioner Bakker. Let me see if the treasurer is available.
2 CHAIRMAN BAKKER: Okay. Hold on.
3 (Establishing teleconference with Tri-Signal representative.)
4 JOHN PRITCHARD: John Pritchard.
5 CHAIRMAN BAKKER: John? Hey, this is Sean Bakker, Lander
6 County.
7 JOHN PRITCHARD: How you doing, sir?
8 CHAIRMAN BAKKER: Good. You?
9 JOHN PRITCHARD: Good. Let me walk to my office here --
10 CHAIRMAN BAKKER: Okay.
11 JOHN PRITCHARD: -- so it'll be nice and quiet.
12 All right. I'm all yours.
13 CHAIRMAN BAKKER: Okay. Hold on, John. Austin, you still
14 there?
15 MITESHELL LANHAM: We're still here.
16 CHAIRMAN BAKKER: Okay. Just making sure I didn't drop
17 you.
18 Okay. I read the agenda item in. And it was: Discussion
19 with Tri-Signal representative, who should be available for
20 questions regarding security and office entry into elected
21 official offices, located in Lander County
22 Courthouse/Administrative Building.
23 Grace?
24 GRACE KEMP: Good morning.
25 CHAIRMAN BAKKER: How are you?
26 GRACE KEMP: Grace Kemp, Lander County treasurer. I'm
27 awesome. How are you?
28 CHAIRMAN BAKKER: Good.
29 Now, should I open fourteen too?
30 DISTRICT ATTORNEY HERRERA: You -- you certainly could. I
31 mean, it's --
32 COMMISSIONER WAITS: Kim?
33 DISTRICT ATTORNEY HERRERA: -- it's the same -- Grace --
34
35 14) Discussion and possible action regarding a modifications
36 request to elected officials' offices located in the Lander
37 County Administration Building, and all other matters
38 properly related thereto. This request was made by Grace
39 Kemp duly-elected treasurer of Lander County.
40

1 CHAIRMAN BAKKER: Okay. Agenda Item Number 14.
2 DISTRICT ATTORNEY HERRERA: (Indiscernible) both.
3 CHAIRMAN BAKKER: Discussion and possible --
4 GRACE KEMP: Sure.
5 CHAIRMAN BAKKER: -- action regarding a modification
6 request to elected officials' offices located in Lander County
7 administrative building, and all other matters properly related
8 thereto. This request was made by Grace Kemp, duly-elected
9 treasurer of Lander County.
10 GRACE KEMP: Item Number 13.
11 I believe it's been at least in April, maybe earlier, the
12 last commission meeting, I believe we were under the
13 understanding we could get a report when we wanted it. And I
14 have requested many, many times. And I don't know if the other
15 elected officials have, but I'd really like to know who's coming
16 and going, if anyone, within my office, day or night or weekends
17 or --
18 And I just don't know how to officially get a report, a
19 detailed, itemized report on the person who entered my office,
20 rightfully or wrongfully.
21 And I'd like it from way back in December. I'd like to
22 know who's coming and going.
23 COMMISSIONER WAITS: So you -- you have reason to believe
24 somebody has been in your offices?
25 GRACE KEMP: How would you know, Patsy?
26 COMMISSIONER WAITS: Well, that's what I'm asking. Is --
27 GRACE KEMP: Yeah, me too.
28 COMMISSIONER WAITS: -- there something to lead you to
29 believe they would? Otherwise --
30 GRACE KEMP: I know some --
31 COMMISSIONER WAITS: -- I assume they wouldn't.
32 GRACE KEMP: No, someone has. They have. And I want a
33 report to know if anyone else has.
34 COMMISSIONER WAITS: Okay. And when we set up the system,
35 there actually is a report, everyone that comes and goes.
36 GRACE KEMP: That's what we were lead to believe. And we
37 were told we could ask upon request to get it. My personal
38 feeling is I'd like to have a report every month.
39 I would -- I don't think I should have to ask for it. I
40 think that there should be something we can sign on the computer,

1 have a passcode from my office, and be able to get that report any
2 time I want it.

3 It's a modern day. It should be available to us. And it
4 should be available to any elected official, any department head,
5 any commissioner, to look into your offices or look into what's
6 going on in the building.

7 COMMISSIONER WAITS: Has anyone else expressed a concern --
8 a concern at all to our executive director or DA?

9 KEITH WESTENGARD: Yes. There have been -- two of the
10 other elected officials have: the clerk to me -- the clerk and
11 the assessor.

12 DISTRICT ATTORNEY HERRERA: You have Tri-Signal on the
13 phone. You can ask him.

14 CHAIRMAN BAKKER: John, can we get a report?

15 JOHN PRITCHARD: So here's what -- here's what can be done,
16 just so that -- so that everyone knows what the capabilities of
17 the system are.

18 We can set up a canned report for each department if they
19 would like to know who's entering and exiting their doors. Or
20 the -- the head of each department can just log in to a central
21 computer. We -- you guys only have a three-concurrent license,
22 which means only three computers can be logged in.

23 CHAIRMAN BAKKER: So we can have a centrally located
24 computer that each one can log in to?

25 JOHN PRITCHARD: Yeah, which I think would be the smart
26 thing to do You can leave it in the IT office. Just go -- go
27 over to there and -- and log in. And -- and I could have -- I
28 could have canned reports set up for each department. And each
29 department can -- can pull a report based on doors that are in
30 their department.

31 CHAIRMAN BAKKER: Okay.

32 COMMISSIONER WAITS: How many computers do we have set up
33 now that can log in?

34 JOHN PRITCHARD: Right now -- right now the only one that
35 is capable of logging into the system right now is the actual
36 server inside of the -- inside of the IT room.

37 GRACE KEMP: Who has access to that?

38 JOHN PRITCHARD: I'm sorry. I did not hear that.

39 CHAIRMAN BAKKER: Who has access to that?

40 JOHN PRITCHARD: The IT department. And then when we

1 come -- when we come down, there's a -- there's a -- a already
2 programmed card that sits on a -- like a bungee-type thing.
3 It's there by the door. So anyone that can get -- once they get
4 into the IT door -- basically anyone can get into the IT room --
5 they would have to have access to that computer, as far as the
6 password.

7 CHAIRMAN BAKKER: So when can we set up this centrally
8 located computer?

9 JOHN PRITCHARD: If you have (indiscernible) the computer,
10 do you want us to provide you -- I guess there is some logistics
11 that need to be worked out. I mean, we can -- right now as far
12 as installation, you need that done --

13 The month of August is a really hard month for -- month for
14 us because it's the end of -- the end of -- everyone's going
15 back to school. We take care of 17 different school districts.
16 So we're -- we're a little tied up. But I could probably get
17 someone there towards the third week of August. We'll be done
18 with most of our school work. So anywhere from the 15th on, I
19 think we can accommodate you almost any day.

20 CHAIRMAN BAKKER: Okay.

21 COMMISSIONER WAITS: I have a concern on -- on most
22 certainly the cost and -- and the necessity of everybody having
23 the access.

24 I think it would have been nice, perhaps, if we'd have done
25 it originally. But at this point, you're saying somebody in our
26 IT department can go in and access this and actually give
27 this -- this information on a monthly basis to our elected
28 officials that are requesting it?

29 That's --

30 JOHN PRITCHARD: Uh-huh.

31 COMMISSIONER WAITS: -- correct?

32 JOHN PRITCHARD: Absolutely.

33 COMMISSIONER WAITS: Then --

34 JOHN PRITCHARD: I mean, and --

35 COMMISSIONER WAITS: Then I guess --

36 JOHN PRITCHARD: -- (indiscernible).

37 COMMISSIONER WAITS: -- we want to know who?

38 JOHN PRITCHARD: (Indiscernible.) So just so you
39 understand, the only reason why it's -- it's -- it's not cost
40 effective for us to be driving out there for us, we're three --

1 we're three-and-a-half hours away. But we can set it up for you
2 so that we can have remote access if you want us to -- a lot of
3 our customers do -- where if you want a special report, if you
4 give us remote access and give us an authorization to do that,
5 then what we would do is we would -- we would log in from here,
6 generate the specific report that you're asking for with
7 specific doors, specific time frames and generate the report and
8 e-mail it to you.

9 COMMISSIONER WAITS: I think that sounds a whole lot easier
10 and more cost-effective. Yes.

11 GRACE KEMP: Excuse me. Are they on their way here now?

12 JOHN PRITCHARD: You know, as long as it's not, --

13 CHAIRMAN BAKKER: Huh?

14 JOHN PRITCHARD: -- like, an everyday thing, you know, I'm
15 not going to sit there and -- and charge you a ton of money to
16 do that. I mean, you know, there's no reason to.

17 You know, we appreciate your business and we want to
18 maintain you as a customer.

19 Now, we -- we don't want to drive out there and have
20 somebody turn around -- and of course it's a lot more
21 cost-effective for us. So I think it'll be a very good solution
22 for you.

23 And on top of that too, as -- as people do change offices or
24 leave their -- leave their offices as far as their -- their --
25 their tenure there, or whatever, we -- we don't change. We'll
26 still be here. We'll still have access. And we can change names
27 and things like that.

28 I can even print ID badges for you from here. And they --
29 and they print there and pop out over there.

30 So all you have to do is take a picture of somebody, send me
31 the picture via e-mail, and I can create the badge.

32 CHAIRMAN BAKKER: Cool.

33 COMMISSIONER WAITS: Grace, do you have a concern with
34 doing something like that and getting the -- you're still going
35 to get the --

36 GRACE KEMP: The report is wonderful. The report would be
37 wonderful.

38 My concern is from December 7th to today, why haven't I
39 been able to get a report?

40 I have requested --

1 JOHN PRITCHARD: So -- so --
2 GRACE KEMP: -- ten --
3 JOHN PRITCHARD: -- I --
4 GRACE KEMP: -- times --
5 JOHN PRITCHARD: -- can --
6 GRACE KEMP: -- if once --
7 JOHN PRITCHARD: -- explain that to you. When we were
8 hired -- we were hired, and -- and we were given a point of
9 contact. Whenever we're given a single point of contact, we're
10 not allowed to take direction from other people, unless --
11 For example, I sat down with members of the commission. I
12 hope you all remember that. We sat down to talk about how we --
13 how we wanted this thing to operate. And I was told at that
14 meeting, at CORE's office, that my point of contact was Judge
15 Max Bunch.
16 So I was told not to take direction from anybody else
17 because it would cause chaos. And there would be too many
18 people pulling and tugging at us, wanting different things, you
19 know, from us.
20 We had -- we had to focus to complete the installation,
21 complete the programming of the system, and get it up and running.
22 GRACE KEMP: And I agree with that, John.
23 JOHN PRITCHARD: That's what we do.
24 GRACE KEMP: That's exactly what you told me. You told me
25 you took direction from Justice of the Peace Max Bunch or the
26 commission. And I talked to you. And I talked to you in
27 length. You told me if I wrote you a letter on my letterhead to
28 cover your butt so that you wouldn't get in trouble, that --
29 JOHN PRITCHARD: Well, --
30 GRACE KEMP: -- you would see --
31 JOHN PRITCHARD: -- and you -- and you did --
32 GRACE KEMP: -- what you could do.
33 JOHN PRITCHARD: -- write that letter. But I'm here in
34 Reno at that point. If I was -- if you would have -- if I would
35 have had a letter in my hand while I was on-site, this
36 probably -- Ms. Powrie, I would have already done the report for
37 you.
38 GRACE KEMP: I appreciate that. However, it went through
39 the executive director. You were here on-site. Because you
40 were here for other projects. You were here for other work

1 orders. You went back --
2 JOHN PRITCHARD: Uh-huh.
3 GRACE KEMP: -- in the back to run me --
4 JOHN PRITCHARD: Absolutely.
5 GRACE KEMP: -- a report, and the justice of the peace did
6 stop you because you weren't here to do that specific job that
7 day. You told me later that that's what happened.
8 So basically, when I sent this letter in July, then I got a
9 response from you saying that you could do this for me, not -- not
10 only in-house, that I would have to pay basically a thousand
11 dollars to bring your staff out here to do a report that I have
12 been asking for for at least five months.
13 JOHN PRITCHARD: I -- I understand that. And I'm not
14 trying to be con -- contrary to anyone. I was just given
15 direction to -- to take direction from one person.
16 And so if you guys are actually willing to do off-site access
17 with us, we -- we owe -- we owe Lander County a trip to come out
18 and do training.
19 GRACE KEMP: And that was supposed --
20 JOHN PRITCHARD: Absolutely at no cost.
21 GRACE KEMP: -- to be this week; is that correct?
22 JOHN PRITCHARD: I can -- I can do your report at that time
23 with no cost because --
24 GRACE KEMP: Are you going to be --
25 JOHN PRITCHARD: -- I'll be there. There's no reason for
26 me to charge you.
27 GRACE KEMP: Are you coming this week, --
28 JOHN PRITCHARD: But --
29 GRACE KEMP: -- as you --
30 JOHN PRITCHARD: -- but if I have to --
31 GRACE KEMP: -- stated?
32 JOHN PRITCHARD: -- come for -- if I have to come up there
33 just to generate a report, I have to charge you. I have to have
34 some -- some reason to -- we're not a nonprofit organization. I
35 have to charge for my services.
36 If I do it online, I'll -- I'll charge you to set it all up
37 because we're going to have to set up a proxy and some other
38 things. But once I do it, it's a one-time charge. And I'll be
39 more than glad to help you when you guys call and say, I need a
40 report ran. I need you to check on this. I need you to check

1 the health of the system, all these different things. That's a
2 free service from us.

3 GRACE KEMP: How many times have I called you, John?

4 JOHN PRITCHARD: Multiple. Many times.

5 GRACE KEMP: And Mr. Executive Director, how often have I
6 brought this to your attention?

7 KEITH WESTENGARD: Multiple times.

8 GRACE KEMP: And I was told I had to go through the
9 executive director, to go through Max, to give me permission,
10 which happened several times.

11 I was also --

12 JOHN PRITCHARD: I have not received any communication from
13 anyone else, other than yourself, about this report. If someone
14 would have gave me direction, we would -- we would have taken
15 care of it.

16 GRACE KEMP: Well, and I apologize you're put in the
17 middle. Because at the end of the day, I am an elected
18 official. I am responsible for that office. No commission nor
19 executive director or another elected official has the right to
20 tell me I can't have a report as to who come and goes in the
21 office I'm entrusted in. Period.

22 JOHN PRITCHARD: Again, I'm sitting in the middle of
23 something that I shouldn't be in the middle of.

24 GRACE KEMP: And I apologize to you.

25 COMMISSIONER MILLS: John? Are you coming out this week?

26 JOHN PRITCHARD: Absolutely. We were planning on going --
27 what we're waiting on, sir, is Hunewill, who is the manufacturer
28 of the -- of the system. Have some updates we have to install.
29 And the updates are not ready yet.

30 CHAIRMAN BAKKER: Okay.

31 JOHN PRITCHARD: They should be ready by mid next week. So
32 we -- we want to come mid next week so we can -- we can install
33 all the updates and then do the training.

34 Because once we install the updates, we want to make sure
35 that they're going to work properly before I train you on
36 something that goes kind of haywire on you.

37 CHAIRMAN BAKKER: Right. Then can you generate a report
38 then?

39 JOHN PRITCHARD: Absolutely.

40 CHAIRMAN BAKKER: Okay. Thank you.

1 COMMISSIONER WAITS: My -- my question, John, is: Can you
2 do a retro report?

3 Is that --

4 JOHN PRITCHARD: (Indiscernible.)

5 COMMISSIONER WAITS: -- still on --

6 JOHN PRITCHARD: (Indiscernible.)

7 COMMISSIONER WAITS: -- your system?

8 JOHN PRITCHARD: Whenever we started collecting data from
9 the system --

10 So -- so everybody knows, around February or so of this
11 year, the server itself needed to be rebuilt because the
12 software was inc- -- was the incorrect version.

13 We rebuilt the server.

14 So we should have every -- we should have enough
15 information to go back to February for -- for any transactions,
16 unless you guys have exceeded, you know, 2 million transactions,
17 which I doubt is the case.

18 COMMISSIONER WAITS: Okay. Our treasurer is -- is
19 requesting the back information. So if you go back as far as
20 you can on that for her --

21 JOHN PRITCHARD: I'll go -- I'll go back as far as -- as
22 the system will allow me.

23 COMMISSIONER WAITS: Great.

24 JOHN PRITCHARD: I'll give her that report.

25 COMMISSIONER WAITS: I'd appreciate --

26 JOHN PRITCHARD: (Indiscernible.)

27 COMMISSIONER WAITS: -- that.

28 Now back to how many other elected officials need this
29 report. And -- and if we don't need to set it up all the way,
30 can we set it up where our executive director can access that
31 report? And anyone else who needs it, then you can supply that?
32 Can we do something like that?

33 JOHN PRITCHARD: Sure. Sure. I mean, like I said, we're
34 going to do -- we're going to do training. This -- this next
35 trip that we're coming up for, we're going to complete any --
36 any of the quirks that are in the system. We're going to --
37 we're going to make sure that they're worked out, everything's
38 working properly, which everything seems to be fine.

39 After that, we'll set up another -- another trip to come
40 out and do extensive training, a full day of training. Then

1 when I do the full day of training, how -- how I normally do
2 this, just so everyone's aware, is I'll set it up in two-hour
3 blocks so that -- usually when there's ten or fifteen people in
4 the room, nobody -- nobody learns anything. So -- but when I
5 have two or three people and I'm showing them how to operate the
6 system, then usually it absorbs a lot better and the class goes
7 a lot -- a lot smoother because there's a lot less questions at
8 one time. And we're able to actually teach --

9 COMMISSIONER WAITS: Since it's --

10 JOHN PRITCHARD: -- (indiscernible).

11 COMMISSIONER WAITS: -- training, I just say, coordinate
12 with our executive director. And -- and the two of you can take
13 care of that part. Okay. So --

14 GRACE KEMP: I have one other --

15 JOHN PRITCHARD: Yes.

16 GRACE KEMP: -- question. How detailed --

17 JOHN PRITCHARD: So that's what I like to do. Set up a
18 schedule. You know, I prefer for maybe two full days. We'll
19 stay overnight there and set it up for, like, about five
20 classes. And whoever you'd like to attend them, just give me
21 how many -- how many students are going to be there. And I'll
22 give you -- I'll give you guys the -- the -- the full tour of
23 the system so you guys can learn about how it operates.

24 GRACE KEMP: What details are available on the report? A
25 detailed report?

26 JOHN PRITCHARD: The report itself depends on how we build
27 the report. There's no -- there's no canned reports that come
28 with that system.

29 What happens is, is the report is -- is actually built. So
30 you tell the system what you want to know, and that's the report
31 that -- that you receive. It's a data mining system. So it
32 collects data. We tell -- we tell the system what we want to
33 know. And it's just like a report.

34 For example, I can do a door-access report, which is
35 basically what -- what Ms. Powrie wants, I believe. Where she
36 wants to know who accessed what doors at what time and what day.
37 Is that correct?

38 GRACE KEMP: It is. Can it be 24/7?

39 JOHN PRITCHARD: Yeah. It's a 24/7 report. So, for
40 example, if I put in the dates -- I'm just going to use round

1 numbers, everybody -- but if I put the dates July 1st to July
2 15th -- right? -- it'll go from 12:01 July 1st to whatever time
3 I set -- set it to on July 15th. And every transaction that
4 happened within that time frame, it will show me.

5 GRACE KEMP: Will it tell who had access and who was taken
6 off and then who has access now?

7 JOHN PRITCHARD: I'm sorry. Say that one more time. I
8 couldn't hear you. I'm sorry.

9 GRACE KEMP: The access report, does it state the history
10 of who's had access?

11 JOHN PRITCHARD: Of who had access?

12 There's not a who-had-access issue. What it will tell me is,
13 by operator, who went in, who altered access to anything.

14 GRACE KEMP: It won't tell you the company, for instance,
15 that there's a vendor here working? It won't tell you that
16 that's the specific vendor versus another vendor?

17 JOHN PRITCHARD: Yeah, so it depends on -- on -- so right
18 now, there's only two -- there's only two logins and passwords.
19 One was a general one for you guys to use and then one is one
20 for Tri-Signal.

21 So, for example, if we log in as Tri-Signal, anything that
22 we do on the system, there -- there's a trail.

23 The other -- the other login password, whoever logs in and
24 uses the system, whatever they do, there's a -- there's a trail.

25 CHAIRMAN BAKKER: Okay.

26 Thank you, John.

27 JOHN PRITCHARD: Thank you.

28 GRACE KEMP: I wrote a John a letter and my e-mails. I
29 want to put this in the record as to every effort that I tried
30 to communicate so that it's on record. Because if something
31 goes wrong in the Treasurer's Office, I want to know that the
32 county knows that I did my part to have it secure.

33 CHAIRMAN BAKKER: Okay.

34 GRACE KEMP: Do you need to see this first?

35 JOHN PRITCHARD: So can -- can I make a suggestion?

36 GRACE KEMP: Ted? Ted, can --

37 CHAIRMAN BAKKER: Yeah.

38 GRACE KEMP: -- I do that?

39 Can I submit my --

40 JOHN PRITCHARD: So --

1 DISTRICT ATTORNEY HERRERA: You -- you can --
2 JOHN PRITCHARD: -- at the Treasurer's Office, --
3 DISTRICT ATTORNEY HERRERA: -- give it --
4 JOHN PRITCHARD: -- the thing is an independent --
5 DISTRICT ATTORNEY HERRERA: -- to the clerk.
6 JOHN PRITCHARD: -- office.
7 GRACE KEMP: Thank you.
8 JOHN PRITCHARD: And she has additional locks on the doors
9 anyway that are different from our electric locks. You could
10 just disable the system for her space and then the cards
11 wouldn't work there. And then she wouldn't have to worry about
12 who's accessing any of the access controls.
13 GRACE KEMP: Well, John, anything that's disabled can be
14 enabled. And that's going to be another agenda item. Thank
15 you.
16 JOHN PRITCHARD: Yes. It -- it could be disabled via
17 software or you could -- I could show you how to hard -- hard --
18 to unwire the card readers so there would be no way -- way to
19 access it or remove the card readers completely from the wall.
20 And if you wanted to use them again at a later date, they can
21 be put back on. It's pretty simple stuff.
22 GRACE KEMP: I really don't want to mess with the --
23 JOHN PRITCHARD: It might give you a peace of mind if you
24 knew that nobody could access your -- your area with -- with a
25 card key system.
26 GRACE KEMP: I don't want to jeopardize the -- the security
27 system.
28 I have another option that won't -- won't hurt the security
29 system.
30 JOHN PRITCHARD: Okay.
31 GRACE KEMP: Thank you.
32 CHAIRMAN BAKKER: Okay. Thank you, John.
33 JOHN PRITCHARD: All right. Thank you.
34 CHAIRMAN BAKKER: We don't need him? Okay. Thanks, John.
35 Austin, you still there, though?
36 MITESHELL LANHAM: We're still here.
37 CHAIRMAN BAKKER: Okay. Thank you.
38 Okay. Agenda Item Number 14, which I read into the record.
39 GRACE KEMP: Excuse me. Are we going to make a motion on
40 thirteen to make it to where it's in the record that we'll be

1 able to get these reports?

2 CHAIRMAN BAKKER: Okay.

3 You want -- so I need a motion.

4 COMMISSIONER WAITS: I'll make a motion that we have our
5 executive director work with Tri-Signal representative to
6 actually gain remote -- or gain information remotely on who is
7 entering specific offices in the county buildings and have that
8 available for any of our elected officials for their
9 departments.

10 COMMISSIONER STIENMETZ: I'll second the motion.

11 CHAIRMAN BAKKER: Patsy made a motion. Steve seconded.
12 Any public comment?

13 JUDGE MAX BUNCH: I have a public comment.

14 So -- just so the -- the record's clear -- my name's Max
15 Bunch. I'm the justice of the peace. I'm the person that this
16 commission and the previous commission has asked me to work on
17 this project.

18 I have been asked numerous times by Mr. -- by the executive
19 director, Mr. Westengard, to go, and I'm not sure that
20 Mr. Pritchard -- John, who was on the phone, understood the
21 question.

22 Because I have asked numerous times to get a report. He
23 has told me, on numerous times, one of his personnel was fired.
24 The other quit because they quit giving insurance. So they
25 could not create the report.

26 He also said on the phone that he had to get trained from
27 Hunewill. He does not have anybody that can come and train us.
28 We have not been trained or had what we call our end-user
29 training.

30 Our end-user training allows us to be able to run the
31 report. And I've num- -- numerous times told Mr. Westengard
32 that when that was there, I'd be happy to have whomever in the
33 room when we were able to learn how to actually create the
34 program or to ask the program for whatever it is, that there
35 could be numerous people in the room so that somebody couldn't
36 say that it was messed with.

37 It -- it -- we're just -- we're just not wanting to do that.

38 I understand Grace wants this thing. I would love nothing
39 more to do than to be able to provide it for her. But I have
40 not had the end-user training. So I have no training to be able

1 to get into the system to be able to do it.

2 I can barely make a card. And I can assign a door to a
3 card or I can take a door off a card. That's all I can --
4 that's all they've showed me. And it's the people who are no
5 longer with Tri-Signal.

6 I've asked them numerous times if I could get a report from
7 them, and they were unable to do it.

8 COMMISSIONER WAITS: They didn't tell you that -- like they
9 did today, well, the person in the IT, whoever the IT mystery
10 phantom is, had access to get that report?

11 JUDGE MAX BUNCH: No, no, no. The --

12 COMMISSIONER WAITS: This is the first time it's been
13 mentioned?

14 JUDGE MAX BUNCH: They can't -- not just anybody from IT
15 can go in there. If you have IT -- if you have --

16 COMMISSIONER WAITS: No, --

17 JUDGE MAX BUNCH: -- access --

18 COMMISSIONER WAITS: -- I understand that.

19 JUDGE MAX BUNCH: -- with your card, --

20 COMMISSIONER WAITS: But it sounds like someone with
21 specifically identified -- that's what we tried to get from him
22 and --

23 JUDGE MAX BUNCH: No.

24 COMMISSIONER WAITS: -- he kept saying your IT.

25 JUDGE MAX BUNCH: Okay. Well, whoever has access to the IT
26 closet. Okay. And the IT people have access, as everybody in
27 the Assessor's Office -- Performance Computing, who has access
28 there, myself who has access there. Then you go into a second
29 door. And I believe that Mr. Westengard's been in there with me
30 and come in. And I've unlocked the door. There's a key that
31 unlocks the door that puts in all the home computer system that
32 runs this whole building.

33 Then there's a little section -- a little server to the left
34 that you have to get into that runs the Hunewill system, which is
35 the safety and security of the building.

36 And maybe when somebody was in there taking pictures or we
37 were getting cards printed out, one or two of the commissioners
38 may have walked back in there with me at that point in time and
39 saw all the computer stuff that's back there.

40 So I would like nothing more than, when the first time she

1 asked, to be able to produce it. Really, I would have. I'd love
2 to be able to do it right now. I'd love to be able to walk over
3 there and say, hey, let's go get it done right now. I can't.

4 But I'm told that that's not an appropriate answer.

5 I'm sorry if it's not an appropriate answer. If I say I
6 can't do it because I haven't been trained, that's the best
7 answer I have. And that's the only answer I have.

8 And they was supposed to be training at the end of the month.
9 Grace is absolutely right. She received an -- an e-mail from John
10 Pritchard that said it was going to be here by the end of the --
11 end of July. Correct?

12 GRACE KEMP: Yes.

13 JUDGE MAX BUNCH: And I've called him. I've asked him.
14 And he told me, the 4th and 5th of August, I'll be there. Now,
15 he didn't even say that on the phone, but I've written it down
16 on my calendar because I've talked to him on Friday about
17 finding out, are you coming next week for this meeting, for --
18 to give me the training?

19 Because when I've come before the commission before, you
20 guys wanted me to be in charge. I don't have to be in charge.
21 And I'm not going be in charge anymore. You can figure out
22 whoever needs to be in charge, whether it's another elected
23 official or whomever you want.

24 But this is all -- you want to talk about somebody who's
25 caught in the middle, I, for years, with the prior commission
26 and the current commission, have worked my tail off on this
27 whole entire building. And this one issue has come up. Not
28 only does it come up, but I can tell you that on one occasion
29 when there were two commissioners sitting here in this room
30 right now, walked down the hall, had an issue with the
31 administration door, the treasurer's door was left wide open.
32 There were photos taken of that door. There was nobody in that
33 office. I did not touch the door. The two commissioners that
34 were there looked at the door. And I said, you guys need to
35 make sure you close that door.

36 And there's two commissioners in this room that will remember
37 being done with a -- a rec center meeting. And we walked down the
38 hall because they were having a problem getting into their door.
39 They come and got me when I was at the meeting, went down there.
40 We did not enter that door. We did not open that door. That door

1 was left open after hours.

2 GRACE KEMP: And I -- I'm going to make a comment. That's
3 true. It's been open a couple times after hours.

4 You come to work and it's open sometimes.

5 But my staff hasn't been in there. I'm not saying Max has
6 any control over it other than the people working on the building
7 after hours and before hours. If there's a work order being done
8 and I'm unaware of it, makes me very leery with what's in my
9 office.

10 Whether somebody has intent to take it or not, we all need
11 to be safe.

12 Each elected official needs to know who's coming and going.
13 If we're entrusted by the public, by the taxpayers, we need to
14 know that we're safe.

15 If something goes wrong in my office, I want it to be my
16 fault or my three employees'. No one else in these buildings or
17 no one else in another position should ever be put in that -- in
18 that situation to be pointed at.

19 Max should only have to secure him and his employees. I
20 should only have to ensure mine and mine. The assessor should
21 only be responsible for her employees.

22 If people come and go before, during, after hours, on
23 weekends, it needs to be approved by the elected official or at
24 least a department employee so that we can justify who's coming
25 and going.

26 JUDGE MAX BUNCH: Well, I would --

27 GRACE KEMP: And the frustrating --

28 JUDGE MAX BUNCH: -- I would disagree with that.

29 Because, just for example, this morning, you notice that
30 this room got hot. I've had the heating, HVAC people here for
31 two days. There are thousands of VAVs, which are boxes that
32 come out when it -- when it blows. And then these, they blow
33 out of these long things here.

34 I've had the guy here for two days. He's been in this
35 building. I've been with him almost the whole time. And I
36 attempt to be with almost everybody that comes in here all the
37 time, making sure that the elected official or the office knows
38 that somebody is here to do work.

39 We had warranty work done the other day.

40 We approached the treasurer's office. One of the

1 treasurer's employees let an employee in. And Grace went out
2 and accosted the guy and said, well, how'd you get in here?

3 And once she found out that her employee let that person in
4 to change batteries, that -- that become an issue.

5 And then it become an issue to yell at me at that time. I
6 never entered that office. I never went past the counter.

7 But I'm -- I'm not wanting to come in here and put all the --
8 everything out. But I'm a little bit tired of being blamed for
9 whatever issue is coming up.

10 This way, you have all access of all keys. I will make sure
11 whomever you put in charge has access of all the card keys. I'm
12 not going to be put in the middle of this anymore. I'm done.

13 I appreciate the fact that the past commission and this
14 current commission has allowed me to work on this building to
15 make it the best building that we can make it for the citizens
16 of this community and this county.

17 So having said that, I'm happy to help whomever get
18 accomplished to whatever they need to do. Or I can just give
19 them -- and maybe Ms. Powrie wants to be in charge -- I'm sorry --
20 Ms. Kemp wants to be in charge of all the keys. And I'm good with
21 that. I'm good with one elected official being in charge. I
22 think that's the right way to do it.

23 We are all entrusted by the people who elected us.

24 And I think that's great idea. So I think that Ms. Kemp
25 could be in charge, and you guys should include her so that -- so
26 that she knows exactly what type of work it takes to be able to do
27 this.

28 So I would suggest that that would be the case.

29 GRACE KEMP: I'd just like to make a comment. Max has done
30 a great job. The sad thing is -- is we can't get a report. We
31 can't get a report. And if we can't get a report, I just think
32 we need to make our Tri-Signal responsible to give a report.

33 COMMISSIONER WAITS: Well, hopefully that's what we've done
34 today, and we'll --

35 GRACE KEMP: I mean, that's --

36 COMMISSIONER WAITS: -- leave it up --

37 GRACE KEMP: -- all I want.

38 COMMISSIONER WAITS: -- to the executive --

39 GRACE KEMP: I just want a report.

40 COMMISSIONER WAITS: -- director to take care of that.

1 Because I think John understands where we're coming from. Is
2 that right, Mr. Chairman?

3 CHAIRMAN BAKKER: Yeah.

4 KEITH WESTENGARD: I -- I would like to say something real
5 quick -- and Grace brought this up -- that -- that she's asked
6 for these reports, and she's never got them.

7 Every time she's come to me, I've -- I've gone and talked
8 with -- with Max. I've e-mailed him. And I believe he's made
9 every attempt to -- to get what he can get. So it's not like
10 I've stopped him.

11 Because I -- Max knows I've come to you almost every -- every
12 time to discuss this or e-mailed it. And he's tried to get the
13 reports.

14 JUDGE MAX BUNCH: Every time.

15 KEITH WESTENGARD: Every time. So we have tried. And I --
16 I think it rests with Tri-Signal.

17 It's -- it's n- --

18 COMMISSIONER WAITS: Well, it sounds like that's exactly
19 what it's been.

20 KEITH WESTENGARD: Yeah.

21 COMMISSIONER WAITS: We've been all in-house. And as they
22 say, we want to shake hands and come out fighting; right?

23 Hopefully that's all beyond us, whatever we've done. And
24 it's going to move forward here. And we're going to make sure
25 it's moved forward because this commission is responsible for
26 this. And we'll stay on it.

27 CHAIRMAN BAKKER: Keith, talk to Tri-Signal.

28 Max, I just want to thank you for the good building you did
29 build and all your effort and work you've done.

30 COMMISSIONER CLARK: Me too.

31 COMMISSIONER WAITS: Do we have a motion on --

32 COMMISSIONER CLARK: Me too, Max.

33 COMMISSIONER WAITS: Did we ever vote on that?

34 COMMISSIONER STIENMETZ: Thanks, Max.

35 CHAIRMAN BAKKER: Any other public comment? Yeah, we voted
36 on that.

37 COMMISSIONER WAITS: I don't think so.

38 CHAIRMAN BAKKER: We can --

39 DISTRICT ATTORNEY HERRERA: No, you didn't. You didn't
40 vote. It went to --

1 CHAIRMAN BAKKER: Okay.
2 DISTRICT ATTORNEY HERRERA: -- public comment.
3 CHAIRMAN BAKKER: Any other public comment?

4 (No comment.)

5 CHAIRMAN BAKKER: All in favor?

6 COMMISSIONER MILLS: Aye.

7 COMMISSIONER STIENMETZ: Aye.

8 CHAIRMAN BAKKER: Aye.

9 COMMISSIONER WAITS: Aye.

10 COMMISSIONER CLARK: Aye.

11 CHAIRMAN BAKKER: Okay.

12 Grace? Fourteen?

13 GRACE KEMP: Do you have to read it into the record?

14 COMMISSIONER STIENMETZ: He's already been --

15 CHAIRMAN BAKKER: I already did.

16 COMMISSIONER WAITS: She [verbatim] did.

17 GRACE KEMP: Oh, did you? Okay.

18 As far as modifications go, you know, it -- it was -- it's
19 basically a -- addition to thirteen.

20 You know, when you don't know who's coming and going,
21 whether there is anyone coming or going, there needs to be some
22 type of security. And I feel really strong about that, having
23 the finances in the office. Plain and simple. There's a lot of
24 information in that office.

25 And I got in trouble by the commission for changing my door
26 lock back in January.

27 Well, I'm sorry.

28 But in April, a gentlemen came into my office probably, oh,
29 I don't know, I'm going to say -- anyway, sometime in April. He
30 was working on my desk, apparently, the night before. And he
31 couldn't get in my door. So he came in and told my staff
32 members that he had to come back because he couldn't get in the
33 night before.

34 That's where I'm a little concerned. Because people do come
35 and go.

36 And -- and I don't think that they're going to take anything.
37 But I want to make sure they don't.

38 There's no background checks on any of these people that
39 come into our offices.

40 It's not our -- our administration. It's not our county

1 employees. It's people from outside that I don't know them from
2 Adam.

3 I really don't feel secure with them walking around in my
4 office without me knowing they're there. Plain and simple.

5 So if I have to get cameras, if I have to get door locks, I
6 want a secure office to where I am truly the one responsible. I
7 don't have any outside interference.

8 Because if I go down, we all go down. It's supposed to be
9 a team thing.

10 We can't get reports. I don't know who's coming and going.

11 I mean, we open -- we open the doors to anybody in the
12 world, but we have to use keys to get in and out of our offices.
13 It doesn't make sense.

14 It's like we're -- we're all so secured. And the outside
15 world isn't.

16 Because they don't have background checks. They work for a
17 company. They're sent out here. They're given a badge to go do
18 whatever job they're going to do.

19 COMMISSIONER CLARK: I have a question. Keith, the
20 companies that work on this building, they're all bonded; right?

21 KEITH WESTENGARD: Yes. That's correct.

22 COMMISSIONER CLARK: And if they're bonded, they -- they
23 have -- they background check their employees. And they're
24 responsible for their employees?

25 KEITH WESTENGARD: I would say, yes. But I don't know a
26 hundred percent.

27 COMMISSIONER CLARK: Right.

28 COMMISSIONER WAITS: But they all have the key cards that
29 can enter any office? That's what I'm confused about.

30 I'm assuming if they're doing work, they're doing work
31 and -- and acknowledging that department head.

32 GRACE KEMP: Sometimes those -- I mean -- sometimes --

33 COMMISSIONER WAITS: Not -- not that I'm going to show up
34 at 9:00 o'clock the next night and do work.

35 KEITH WESTENGARD: I would refer that to Max, since he's
36 running the show. Or was.

37 CHAIRMAN BAKKER: Was running the show?

38 JUDGE MAX BUNCH: Was. That's correct.

39 I can give you some updates.

40 Max Bunch.

1 There -- there are two cards that -- actually, there --
2 there are three cards that have complete access to the whole
3 building, with the exception, every single card that -- that has
4 access to the building does not have access to Grace's front
5 door or Grace's back door. They have been eliminated from those
6 cards.

7 I spent about four or five hours on one Sunday afternoon
8 trying to work through the computer program back there of how to
9 take a card off.

10 So I've self taught myself how to get a door off a card.

11 And -- and these access cards, there is an all-access card in
12 the KNOX-BOX -- and so -- and I'm assuming what ever -- everybody
13 knows what a KNOX-BOX is -- which is attached to the back of the
14 back of the building. And there's separate keys that have access
15 to that, which is emergency personnel that have access to that, in
16 case of a fire or ambulance or whatever they need. So that's
17 locked up completely away from everything.

18 The -- the access cards, when people come in and go to work,
19 they come up and they'll ask me for that.

20 For example, I don't know if the gentleman showed up -- did
21 the electrical get fixed in --

22 CASEY GUNTHER: He got here about ten minutes ago.

23 JUDGE MAX BUNCH: He got here about ten minutes ago.

24 So there's a gentleman that -- the power's out. There's a
25 relay out in the back hallway.

26 So he'll come to my office. He'll get the key to be able
27 to -- and what I mean by "the key," I mean by the card key. And
28 then he'll be able to get into wherever he needs to go to fix
29 the relay in the electrical.

30 And then he will contact, whether it be the Building
31 Department to be able to get into what we have a
32 mechanical/janitorial key, which is a hard key that allows him
33 into some of those areas that require only a hard key that don't
34 have a reader on them. So it's a mechanical/janitorial key
35 that -- that they -- that they have -- that they have to go find.

36 And I have a mechanical/janitorial key from the Building
37 Department, which allows them to get into any janitorial closet or
38 any mechanical closet.

39 COMMISSIONER WAITS: Well, --

40 JUDGE MAX BUNCH: The boiler room, whatever it might be.

1 COMMISSIONER WAITS: And that sounds all very sensible of
2 what you're doing. But it's the idea of somebody has a key that
3 can go into any single office they want to and that's one of our
4 vendors that we would give that key to?

5 JUDGE MAX BUNCH: It's -- it's not a vendor. It's -- it's
6 part of the warranty work that we're having done on the
7 building.

8 There's numerous times, like, for example, the -- the HVAC
9 guy, who I was just talking about was here.

10 COMMISSIONER WAITS: Right, but -- but --

11 JUDGE MAX BUNCH: He had the key. He gives that key back
12 to -- to me, and then I keep it locked up.

13 And then when the next time that somebody comes, I give
14 that key to them, who is one of the vendors from -- from this
15 place so that they can --

16 COMMISSIONER WAITS: Are these regular office hours, it
17 sounds like?

18 JUDGE MAX BUNCH: Yes. Normally they are coming in during
19 --

20 COMMISSIONER WAITS: Then -- then --

21 JUDGE MAX BUNCH: -- office hours.

22 COMMISSIONER WAITS: Then that doesn't seem to be our
23 concern. Our concern is, who would have access to a key card to
24 go anywhere they want to after hours?

25 JUDGE MAX BUNCH: They turn it in to -- to me at the end.
26 Sometimes I'm here 6:00, 7:00 o'clock at night waiting for them
27 to get done.

28 And they're working on the HVAC unit. They're working on
29 some -- they're never in Room 115. I can tell you that right now.
30 I -- I've made that plain, clear to them. They are not to walk in
31 there. They are only to ask permission for anybody to go in
32 there, even if they think they have a key.

33 COMMISSIONER WAITS: Well, not just Grace's office, but the
34 clerk's or whoever, or yours, for that matter, if you're not
35 here. So --

36 Okay. I --

37 JUDGE MAX BUNCH: I just -- I -- I just stay here and I do
38 the job until they're done with it. And then -- and then I'm
39 good to go.

40 So all they do is they come and they check it out from me.

1 And I give it to them. And I get it back.
2 COMMISSIONER WAITS: I don't --
3 JUDGE MAX BUNCH: And they're only here during the day.
4 COMMISSIONER WAITS: But see, I'm --
5 JUDGE MAX BUNCH: And if it takes me staying --
6 COMMISSIONER WAITS: I don't think that's what Grace is
7 talking about. So --
8 JUDGE MAX BUNCH: I understand that she's talking --
9 COMMISSIONER WAITS: So that --
10 JUDGE MAX BUNCH: -- about something in April and -- an
11 incident in April, which I'm -- first I heard about it was today
12 when you heard about an incident in April.
13 COMMISSIONER WAITS: Okay.
14 JUDGE MAX BUNCH: This is the first time I've heard about
15 an incident in April --
16 COMMISSIONER WAITS: Okay.
17 JUDGE MAX BUNCH: -- with the furniture guy.
18 COMMISSIONER WAITS: Thank you.
19 CHAIRMAN BAKKER: Thank you.
20 GRACE KEMP: So my recommendation -- my suggestion is to
21 allow the elected officials to be able to modify their offices
22 to the security they feel needs fit while they are entrusted in
23 that office.
24 The next person that's entrusted in that office can do what
25 they feel fit.
26 But, you know, to -- to not have security and to not be
27 able to know that when you walk out the door you're the only one
28 that can go back in there or your staff are the only ones that
29 can go back in there before you walk back in again.
30 You don't put every single thing away. It is impractical
31 to put everything away.
32 If I wanted to take my staff to lunch and we have a vendor
33 coming and going, they have come and they swipe the card and they
34 come in without acknowledgment. But they're just vendors. They
35 don't know better.
36 I mean, I'd like to think they'd have the courtesy.
37 But if they're doing a job, they're in and out. Well, if
38 we have stuff sitting there pending until we get back, I can't
39 stay -- say it's going to be there.
40 You put a \$20 bill on your counter at home and you bring in

1 a -- a person to clean your house and you have \$15 in change in
2 your cushions of your couch, 20 bucks may be there. But I bet
3 that \$15 disappears.

4 You can't trust people with money.

5 The first lesson you ever learn is you put obstacles in their
6 path. You don't put it out there so people can take it. And
7 that's the hardest thing for me. Not every office deals with the
8 same situation I have. And I'll give each office respect. But I
9 would like some too.

10 CHAIRMAN BAKKER: Didn't we put a -- a procedure in place
11 or a change in, say, locks or anything like that?

12 KEITH WESTENGARD: Yes, you did.

13 DISTRICT ATTORNEY HERRERA: You put a procedure in place
14 that states generally that -- that anybody that wants to modify
15 the building needs to be put on the -- placed on the agenda
16 and -- and come and ask the commission if they can modify.

17 So -- that's basically what Grace did in fourteen. And so
18 she hasn't yet specified what modifications she wants. She just
19 stated in general that any elected official be given permission to
20 modify how they want. And I don't believe that's consistent with
21 the policy you've already adopted.

22 CHAIRMAN BAKKER: So Grace, what do you want to modify?

23 GRACE KEMP: I either want to put a deadbolt on each of my
24 interior and ex- -- or my exterior doors. Or I want to get some
25 security cameras so that I can access it through my phone and
26 the computers.

27 And I know, talking to the clerk and the assessor, they have
28 similar concerns.

29 So that's why it talks about, you know, not just the
30 Treasurer's Office, but basically the elected officials'
31 offices.

32 You have security with your voting system. You have security
33 with your assessor's. There's just security in all the offices.
34 They're not just an office you sit in and -- and go over paperwork
35 and set files here and there. They're truly working office.
36 They're segregated for a reason. Government is segregated for a
37 reason.

38 COMMISSIONER CLARK: Do you have --

39 GRACE KEMP: And the reason it's segregated is there have
40 been problems in history.

1 CHAIRMAN BAKKER: Do you want to get pricing on what that's
2 going to take?

3 KEITH WESTENGARD: If you give the okay and make it very
4 clear that it -- that it would come out of Grace's budget or
5 whoever -- whatever the elected official's budget, --

6 COMMISSIONER STIENMETZ: Please.

7 KEITH WESTENGARD: -- then, yeah, we can --

8 COMMISSIONER STIENMETZ: (Indiscernible.)

9 KEITH WESTENGARD: -- move forward on what you like.

10 GRACE KEMP: The thing is, I didn't know I'd have to come
11 before you to ask for modifications during budget time.

12 It is a Battle Mountain building. It should come out of
13 Battle Mountain building's budget anytime something modified is
14 done, especially if it's on record. It's part of this building.

15 It may be requested by the elected official in that office.
16 But any modification in this building should come out of the
17 building, so it's noted and properly audited -- audited trail.

18 And it should go before you.

19 Everyone should know what's going on. I don't have any
20 problem with that.

21 I have a problem with stale -- we're stagnated. We've been
22 going through this since December, January, February, all the way
23 to here. And we haven't gone any further. And there's
24 frustration on all -- on everybody involved, there's frustration.
25 It takes a lot of our time. It takes a lot of our effort. I just
26 need it to be right. Right for me, so I can look at a taxpayer
27 and say, yes. I know that's safe. And every person sitting in
28 this room should want that too for everybody's offices, not just
29 one particular.

30 If I have to be the spokesperson for it, so be it. I'll take
31 the tar and feathering. I don't care. I'm still going to stand
32 up for what I believe in.

33 KEITH WESTENGARD: I would have to agree with everything,
34 except the budget part.

35 This -- this process went into effect prior to budget
36 workshop in March. And if there was going to be a modification,
37 I would expect that -- that somebody would -- that that person
38 would know about it and include it in a budget request.

39 Now, we're kind of getting down to the nuts and bolts here of
40 things, but I would expect if I'm going to make a modification,

1 that I would plan for it in my budget.

2 COMMISSIONER CLARK: Well, it would possibly be an IT
3 modification.

4 KEITH WESTENGARD: It could be.

5 And that --

6 COMMISSIONER CLARK: To me, you've got cameras on every
7 single computer. I'm sure that there's some kind of program
8 that you could -- I mean, I don't understand this amount of
9 concern, but --

10 CHAIRMAN BAKKER: Okay. What I was suggesting is get some
11 pricing on what it's going cost and then we can bring it back
12 and do it that way. But -- unless anyone else has got something
13 else to say?

14 COMMISSIONER MILLS: I'm wondering if -- do we have -- of
15 our other department heads, do you have any comments on any of
16 this stuff?

17 LESLEY BUNCH: Me?

18 CHAIRMAN BAKKER: Anyone.

19 LESLEY BUNCH: Just from here?

20 Lesley Bunch, for the record. Lander County recorder.

21 I do not. I do not have any concerns in any -- any way,
22 shape, or form.

23 First of all, anything that we have, we do not leave out,
24 if we're going to leave the office.

25 Second thing is anything that we do during the day is put
26 away and locked up in the vault at night. I have a vault in my --
27 that, you know, nobody is going to get into my vault.

28 I don't have anything that the public can't look at. I don't
29 have anything that if somebody walked out the door with, lives are
30 at stake, that I'm concerned about.

31 Because during the day, we have our -- I feel our security
32 system is as good as anybody could have, preparing for the
33 worst.

34 I don't even know how to react for the worst. So maybe I
35 need to be brought up to date.

36 But as far as what goes on in my office, I always give
37 permission. Somebody -- if somebody needs to come in that is
38 outside of our county, then they ask.

39 If they aren't outside of the county, then they're welcome.

40 Anybody in this room -- anybody here in this office can

1 come into my office anytime, talk to anyone about anything.

2 Our criteria in our office is completely different than what
3 Grace has in her office.

4 We don't leave money out. We don't -- we don't do those kind
5 of thing. So I don't -- you know, I worked in there in her office
6 years ago. And you have piles of detailed work that you work
7 through, piles of money that you -- that you have to -- to put to
8 the right thing. And we never left the office unattended. We
9 never -- we were always right there together so there was never a
10 time. And so I don't understand, but it doesn't mean it's not
11 right. I just have to tell you, as far as my office is concerned,
12 we are fine. I don't want deadbolts. I don't need anything else.
13 Nothing, I'm great. Our girls are fine.

14 CHAIRMAN BAKKER: Thank you.

15 COMMISSIONER CLARK: Ted, how about your office?

16 JEANNE FALZONE: We've got a bulldog.

17 DISTRICT ATTORNEY HERRERA: There is a lot of confidential
18 things in my office: police reports, files, things of that
19 nature.

20 I haven't had any problems in my office. Anybody that's come
21 into my office when I haven't been there, they've -- they've asked
22 for -- for permission and gave me notice.

23 And -- and we took -- we took care of it.

24 When we leave the office, everything that's confidential
25 and stuff is -- is placed in -- in a locked -- locked cabinet.

26 So I haven't had any -- any problems. And I'm not asking
27 for any modifications at this point.

28 And it certainly doesn't demean or belittle the concerns that
29 Grace and other offices have.

30 Every -- every office -- I only have one door in my office.
31 I'm in the corner office, one door. And I have no concerns at
32 this -- this point for security.

33 But Grace is in the middle. She's got back door and front
34 door. And she has different type of operation so --

35 JUDGE MAX BUNCH: Max Bunch, for the record.

36 I do have one more comment. Just so that everyone knows,
37 not only are -- are the doors monitored, but the -- the hallways
38 are videoed 24/7. I purchased extra terabytes of backup for the
39 video. So the video should be able to show -- if somebody went
40 in there with somebody else's card, it would show the person

1 that was in the hallway, if we have a specific date and time.
2 All that is still there. Again, that all goes to the end user.
3 I have no idea how to be able to get on there and get it. I do
4 know that I thought I had enough -- that I bought enough backup
5 for that, having the extra backup on there, for at least six
6 months of video, which all -- there's numerous cameras in and
7 around and on this building. And that records 24/7, is what
8 they were supposed to set it up as.

9 Now, I don't know if it actually does or doesn't, because I
10 can't get into the system to find out. I'd love to. I'd love
11 to have not an issue and not worry about this. But I will tell
12 you that that's the way that I had asked and we had talked at
13 security meetings when there was groups of commissioners there
14 and all the other elected officials that were at the CORE
15 office, when we were discussing that on security, where they
16 would be placed, how they would be done. So we do have that as
17 an additional backup as to -- if somebody is getting into the
18 building.

19 So -- and if that's the case, I'm -- you know, I'm more than
20 happy -- I don't know how to do it. But, like I say, maybe Grace
21 can get trained and learn how to do it.

22 DISTRICT ATTORNEY HERRERA: Is -- is it the same --

23 JUDGE MAX BUNCH: So that's --

24 DISTRICT ATTORNEY HERRERA: -- same --

25 JUDGE MAX BUNCH: -- perfect for me.

26 DISTRICT ATTORNEY HERRERA: Judge Bunch?

27 JUDGE MAX BUNCH: Yes.

28 DISTRICT ATTORNEY HERRERA: Is it Tri-Signal again?

29 JUDGE MAX BUNCH: Yes, that's all Tri- -- that's the whole
30 security, safety-door system that's in there. That is
31 everything in one little unit.

32 COMMISSIONER CLARK: So you --

33 JUDGE MAX BUNCH: I can tell you where it's at, but I don't
34 know how to get into it.

35 COMMISSIONER CLARK: -- you prepared in case there was a
36 glitch with the -- with the card keys that you'd have video to
37 back it up.

38 JUDGE MAX BUNCH: There's video for -- should be video
39 attached to everything.

40 COMMISSIONER CLARK: Right. Well, that's smart. Because

1 you could get a glitch with a key. Maybe three doors open up
2 when somebody is trying to open one door. But you have the
3 video that shows that one person walked into one door.

4 There's always the possibility of a glitch.

5 JUDGE MAX BUNCH: Yeah.

6 COMMISSIONER CLARK: And you covered that.

7 JUDGE MAX BUNCH: I would like to get into it and tell you,
8 show you, --

9 COMMISSIONER CLARK: Yeah.

10 JUDGE MAX BUNCH: -- but I can't. So...

11 BERT RAMOS: Bert Ramos, for the record.

12 I've been hearing this since December. And I think a couple
13 of deadbolts is pretty cheap for this -- comfort of the citizens
14 and the employees.

15 I don't think it's something, personally, that should turn
16 into what it is, for a couple of deadbolts.

17 COMMISSIONER CLARK: I think that the problem is with the
18 warranty of the doors. You can't modify the doors or you'll
19 lose the warranty.

20 GRACE KEMP: Well, I thought I already voided it. I was
21 told at my meeting when I put my office door that I voided every
22 door and lock in this building.

23 JUDGE MAX BUNCH: No.

24 COMMISSIONER STIENMETZ: Uh-uh.

25 JUDGE MAX BUNCH: Every -- every door and lock that was
26 changed.

27 DISTRICT ATTORNEY HERRERA: Just yours.

28 GRACE KEMP: Okay.

29 COMMISSIONER CLARK: Right.

30 GRACE KEMP: Well, I'll void two more. I mean, I'll take
31 the responsibility. The void's got to be up or the warranty's
32 got to be up here pretty soon anyway.

33 JUDGE MAX BUNCH: October 1st is the warranty deadline.
34 And --

35 As I understand it.

36 COMMISSIONER MILLS: Anna, do you have -- do you have any
37 problems with your office?

38 ANNA PENOLA: I have traffic 24/7 through there. And I
39 don't have a problem.

40 It's that -- it's the straight-through for everybody. And I

1 don't have a problem.

2 COMMISSIONER WAITS: Our warranty is up before a year?

3 JUDGE MAX BUNCH: No, it's --

4 CASEY GUNTHER: From the date of substantial completion.
5 Sorry. Casey Gunther, for the record.

6 The substantial completion date is when it -- when it goes
7 into effect.

8 JUDGE MAX BUNCH: That -- that was discussed in the
9 January 14th, 2016, commission meeting.

10 There was numerous pages, about 69 of them, on this issue,
11 that were transcribed out.

12 And yes, that is substantial completion. But in addition to
13 that, CORE did say that they would be around here after that. So
14 if there were some issues, they wouldn't mind taking care of
15 those, if I remember correctly.

16 CASEY GUNTHER: That's absolutely correct.

17 JUDGE MAX BUNCH: So --

18 COMMISSIONER WAITS: Thank you.

19 JUDGE MAX BUNCH: -- so that is the substantial completion
20 date is when warranty goes.

21 DISTRICT ATTORNEY HERRERA: So basically, it's my
22 understanding, Commissioners, that -- that Grace's two doors
23 have already -- the warranty's already been tampered with.

24 GRACE KEMP: Apparently so, on the two to my internal
25 office and the storage room.

26 DISTRICT ATTORNEY HERRERA: So I -- I think she's asking to
27 put deadbolts in?

28 GRACE KEMP: On the external doors.

29 Because that won't -- the thing is, --

30 CHAIRMAN BAKKER: Okay.

31 GRACE KEMP: -- your swipe readers, they overrule every
32 door lock --

33 CHAIRMAN BAKKER: Can I get a motion?

34 GRACE KEMP: -- we have. So even if you --

35 COMMISSIONER MILLS: It'll be done with this.

36 GRACE KEMP: I mean, I can't lock my door out here. It's
37 constantly locked. I can't open it. And I don't want to mess
38 with the security that's there. I mean, that isn't my -- my
39 thought is a deadbolt. You put a deadbolt on, you can swipe
40 till you're blue in the face. It's not going to hurt the door.

1 It's not going to hurt your system.

2 DISTRICT ATTORNEY HERRERA: So that's what you're asking.

3 GRACE KEMP: The only key that can go in there are the four
4 people that have the key and the responsibility of the office
5 that they work in.

6 DISTRICT ATTORNEY HERRERA: So you're asking for your
7 outside doors?

8 GRACE KEMP: Yes.

9 DISTRICT ATTORNEY HERRERA: Okay.

10 CHAIRMAN BAKKER: Okay.

11 Thank you.

12 JUDGE MAX BUNCH: And just so that it's clear, only the
13 locks -- the warranty on the locks, not the warranty on the
14 doors were -- were voided.

15 Only the locksmithing of that, that was all that was altered
16 on those doors -- that got voided.

17 GRACE KEMP: The locks weren't -- the locks didn't come off
18 the doors. They just rekeyed it. They rekeyed the pin in each
19 door.

20 And apparently that voided the lock, which is fine with me.
21 Because it's proven -- it's proven by that man that came in and
22 told us he'd been in my office the night before and couldn't get
23 in. Hallelujah. At least one thing worked for me.

24 Because no one told me he was coming. I don't even know if
25 Max knew he was coming.

26 I just know he told my staff that he had been in there the
27 night before and couldn't get into my office so he had to come
28 back the next day.

29 Well, if one person did that, I want to see how many other
30 people did that.

31 Because it's not necessarily the person that holds the
32 keys. I want to hold these vendors accountable. I want them to
33 be respectful to the offices. I want them to do what Max asks
34 them to do, not what they choose to do.

35 Because they get -- they truly get in their focus of doing
36 a job. And I get that. And if all this happened prior to
37 December, I wouldn't have much of a gripe.

38 But once we took occupancy of this building and we started
39 putting our confidential stuff and our -- our entrusted
40 properties in our offices -- and I don't care it's a department

1 head or otherwise, elected official.

2 They shouldn't have the run of the muck anymore unless it's
3 truly been told to that office or that department that they're
4 coming.

5 It's a respect and a courtesy.

6 You know, when you don't have anybody in a building, you
7 run completely different than when you do.

8 It's just -- it's one of those things.

9 Construction guys are truly in their mode. Office people
10 are in their mode. And we are now in business. So I would like
11 them to approach us professionally.

12 COMMISSIONER CLARK: Did you let the guy in the next day
13 when he came to make the repairs?

14 GRACE KEMP: He did come in. Yes. And he changed
15 something on my desk.

16 But it's nice to know they're coming. It's nice to know what
17 they're working on. I mean, one guy one day came in and -- and he
18 was working on my alarm button underneath my cash box. And it's
19 -- kind of bothers you when you've got cash sitting there and
20 you've got this guy, which supposedly, you know, he's got a key,
21 so apparently he's been given authorization. But it makes you
22 kind of leery when you've got cash sitting there and the doors --
23 the drawers can't lock. One does, but the other one doesn't. You
24 know, it -- it gives you an uneasy feeling, when -- even when
25 auditors come in, you never leave them alone at your cash box.
26 It's a given fact. You don't trust anybody around your cash. You
27 secure it. That's what I was elected for.

28 CHAIRMAN BAKKER: Okay. With that...

29 Guys? Ladies?

30 Motion?

31 COMMISSIONER MILLS: I'll make -- I'll make a motion that
32 we grant the Treasurer's Office a modification to their office
33 by adding deadbolts to the front and back doors and that the
34 modification be paid for through the Treasurer's Office.

35 CHAIRMAN BAKKER: Doug made a motion.

36 COMMISSIONER STIENMETZ: I'll second the motion.

37 CHAIRMAN BAKKER: Steve seconded it. Any public comment?

38 (No comment.)

39 CHAIRMAN BAKKER: All in favor?

40 COMMISSIONER STIENMETZ: Aye.

1 COMMISSIONER MILLS: Aye.
2 CHAIRMAN BAKKER: Aye.
3 COMMISSIONER WAITS: Aye.
4 COMMISSIONER CLARK: Aye.
5 CHAIRMAN BAKKER: Thank you.
6 GRACE KEMP: Thank you very much.
7 COMMISSIONER CLARK: Take a br- -- take a --
8 CHAIRMAN BAKKER: Five-minute --
9 COMMISSIONER CLARK: -- break, Sean.
10 CHAIRMAN BAKKER: -- break, Austin -- or two minutes,
11 hopefully.

12 (Break taken from 11:25 a.m. to 11:33 a.m.)

13
14
15 CHAIRMAN BAKKER: Call this meeting back to order.

16
17
18 **PUBLIC WORKS**

19
20 **15) Update from public works director regarding the status of**
21 **projects and all other matters properly related thereto.**
22

23 CHAIRMAN BAKKER: Fifteen. Update from the public works
24 director regarding the status of projects and all other matters
25 properly related thereto.

26 BERT RAMOS: All right. Bert Ramos, for the record.
27 I have just jotted down some of things that are going on.
28 Right now, we're having a little bit of trouble on some of
29 our dirt roads. We have some blowouts. It's real dry.

30 Anywhere there's a fire, they send about 75 of their big
31 trucks up and down them roads a ton. And they're just blowing
32 them out. We're having a hard time keeping up with them.

33 But other than that, the rest of our roads are looking
34 good.

35 We started on our seal project out in Hill Top on Tuesday.

36 And then -- and that'll be continuing -- that'll be
37 continuing on for about next six, eight weeks, not just in Hill
38 Top. That will -- be in Hill Top for a few weeks, Battle
39 Mountain, Austin, and Kingston. So we have a lot of ongoing work.

40 So on the water, I think the -- the water rights from Fair

1 and Rec got turned over to the county, from my understanding. And
2 so we're in the process with Jay Fischer to get them in the
3 county's name.

4 I don't know where, you know, how long that will take.
5 Water rights kind of go by their rules.

6 CHAIRMAN BAKKER: So they signed the paperwork and you guys
7 sent it in to the State already?

8 BERT RAMOS: Jay's supposed to have it and supposed to be
9 getting it over to the state. I did speak to the guy yesterday
10 on -- on that so --

11 CHAIRMAN BAKKER: Okay.

12 NILLA FULLER: Nilla Fuller, for the record.

13 The paperwork is still on my desk. And we're awaiting a
14 check. Jay can't take it until we have a check written for him
15 to take.

16 BERT RAMOS: To Jay Fischer. Okay. So as soon as we get
17 Jay Fischer a check, he'll take it and get our name put on it.

18 CHAIRMAN BAKKER: Okay.

19 BERT RAMOS: Thank you, Nilla.

20 NILLA FULLER: You're welcome.

21 BERT RAMOS: And then, we did turn Well 6 on. We got Well
22 6 online right now.

23 We went through the state. And the state approved us to
24 turn it on. We can run it for three months out of the year
25 nonstop and be our only source of water for the community of
26 Battle Mountain and still be under our exposure limits to
27 arsenic.

28 CHAIRMAN BAKKER: Do we need it?

29 BERT RAMOS: We do need it with -- with everything going
30 on. Well, we don't -- I shouldn't say that -- we need it right
31 now because we're pulling some wells out in the valley and --
32 and doing some work on them, putting in new seals, packing. And
33 we do need it while we're doing that, as opposed to waiting this
34 winter to pull them pumps. Maybe save us some -- some
35 additional maintenance money by pulling them now as opposed to
36 letting any damage be done to them and trying to -- trying to
37 squeeze through the summer.

38 CHAIRMAN BAKKER: Right.

39 BERT RAMOS: And -- and it also justifies water rights in
40 this other basin. Because that is a division line. We do need

1 to justify some water rights off of it anyway. So it helps.

2 CHAIRMAN BAKKER: Right.

3 BERT RAMOS: We -- we're going to be taking samples off it
4 regularly. And depending on the mixture rates, we might be able
5 to run it for seven months a year. We probably won't do that.
6 But it's just a good backup in case something does happen to any
7 of our wells out in the valley.

8 CHAIRMAN BAKKER: So when we do the purple pipe project
9 with that well, it's still going to be tied to town too, though.

10 BERT RAMOS: Yes, there will be -- it will be --

11 CHAIRMAN BAKKER: Okay.

12 BERT RAMOS: -- valved off --

13 CHAIRMAN BAKKER: Yeah.

14 BERT RAMOS: -- and tied --

15 CHAIRMAN BAKKER: Okay.

16 BERT RAMOS: -- to town.

17 And then we've just finished up out here on Chukar, Round
18 Mountain, and Quail Run. The water line that was installed
19 there, there's a couple of meter pits that they were finishing
20 yesterday and today. And they're just blank meter pits that go
21 to property that can be tied into when they're ready to be tied
22 into. And today, they started on Third Street over off Forest
23 Avenue so...

24 CHAIRMAN BAKKER: Clarify where Round Mountain really is.

25 BERT RAMOS: We have two Round Mountains. So -- and I
26 think --

27 CHAIRMAN BAKKER: And everyone's saying that whoever --

28 BERT RAMOS: Yes.

29 CHAIRMAN BAKKER: -- voted on whoever's property. Please
30 clarify.

31 BERT RAMOS: Yeah. So I think in budget hearing, when I
32 went forward and asked for the money to put water line and to
33 pave Round Mountain, Round -- the Round Mountain I'm referring
34 to is the Round Mountain that comes off of 305 --

35 CHAIRMAN BAKKER: Uh-huh.

36 BERT RAMOS: -- over by Clark's Industrial Park. And it
37 goes up to Chukar Lane, Quail Run.

38 Now, there's some private property between there and
39 Lemaire Road, which is where the Lemaire school is. And then --
40 so the -- Round Mountain continues through. And if you don't

1 know any different, you would think that it's all one road and
2 it jumps on over to Allen Road. And it does jump over to Allen
3 Road as per the map. But that is not the section of road that
4 --

5 CHAIRMAN BAKKER: Or the project that we approved.

6 BERT RAMOS: No.

7 CHAIRMAN BAKKER: Yes. Okay.

8 BERT RAMOS: The project -- because I've been approached
9 with that just recently. And I -- I didn't know there was a
10 second Round Mountain.

11 CHAIRMAN BAKKER: Okay.

12 BERT RAMOS: I thought that was the only Round Mountain I
13 knew of was out there by the --

14 CHAIRMAN BAKKER: Right.

15 BERT RAMOS: -- industrial park.

16 CHAIRMAN BAKKER: I just wanted to clarify on the record.

17 BERT RAMOS: Okay.

18 CHAIRMAN BAKKER: Thank you, Bert.

19 BERT RAMOS: Yeah.

20 COMMISSIONER CLARK: We have the right size water line now
21 going down the industrial park so we can have a fire hydrant at
22 the end?

23 BERT RAMOS: We do. And we have hydrants. All of our
24 hydrants are already set. And we got it looping. So it's
25 all -- as much fire protection as anybody would ever need.

26 Okay. And then, with the landfill, we're -- we got with
27 NDEP. And we got everything caught up to where we need to be as
28 far as I can get us with -- with getting the proper cover and
29 our birds and -- and all the things that we can do.

30 Now we're getting a -- another company that's going to come
31 in and get our monitoring wells, our gas and water monitoring
32 wells, up to date. I haven't got a quote from them. They --
33 they were out here yesterday, and we looked at it. I haven't
34 got a quote from them for the exact amount of what that will be.
35 But I'll be back in front of you with an update on it. Then
36 we're up to date with NDEP and everything that needs to happen
37 out there. It's been kind of a -- it's been a process and a --
38 and a pretty steep learning curve. But the landfill's looking
39 really good. It's coming around.

40 CHAIRMAN BAKKER: Good deal. Good job.

1 BERT RAMOS: I'm going to be working on getting that shop
2 built out there. We have all that equipment, the -- and some --
3 like the D8 and the D9 dozer, we have to actually pay a company
4 to transport it into town to service it.

5 And we got approved in the last budget workshop to build a
6 shop out there so we can start our own servicing and stuff out
7 there. That'll help.

8 All righty.

9 CHAIRMAN BAKKER: What about the project to the airport --
10 water line to airport?

11 BERT RAMOS: It's -- it's coming up.

12 CHAIRMAN BAKKER: Okay.

13 BERT RAMOS: Engineering's going forward on that right now.

14 CHAIRMAN BAKKER: Awesome.

15 BERT RAMOS: So --

16 Then the golf course. I want to clarify something on the
17 golf course I'd heard around town that -- that we're doing a
18 bunch of maintenance for Hunewill on different things that are
19 breaking out there. And that -- that isn't true.

20 The -- they installed all the -- all the main lines. But
21 all the irrigation that was around the greens, they never --
22 they -- that was never touched.

23 And with the new booster pump and the pressures we have,
24 we're blowing out some -- some tees that go -- that tie into
25 them -- the greens. And so we're going and replacing them as
26 they blow out.

27 And that -- then that is on us, because it's not -- it wasn't
28 work that they did. So I know some people see us digging up
29 sprinkler lines and heads and working on them. And that's what it
30 entails is right around the greens. That's our -- that's our
31 deal, not theirs.

32 And then Austin Pool -- I'm sure you guys heard -- it got
33 closed. That was on the 15th, Friday the 15th, due to the
34 chlorinator.

35 Last year, when they did their inspection on the pool, they
36 told us that we were going to have to get a new chlorinator at
37 some point in time. And this year when they came up and looked
38 at it, they said that we definitely need a new chlorinator. So
39 they closed the pool. And we got the new chlorinator. It took
40 us out -- out about six days -- four actual days that we planned

1 on the pool being opened. It was closed. It's back open now,
2 and everything's back in business.

3 COMMISSIONER CLARK: The bat didn't close the pool?

4 BERT RAMOS: No, sir. Yeah. The bats. They could do
5 that.

6 And then out here at the airport. We have a few water leaks
7 at the airport. The only water leaks that I'm aware of right now
8 are out here at the Battle Mountain Airport. We cannot close
9 the -- we can't shut the water down to fix them because they have
10 the tankers going in there right now.

11 And it's been -- it -- it's showed up a few times. So I
12 just wanted to make you guys aware, that's why we haven't fixed
13 them water leaks. Is if we shut them off, then they can't get
14 the right mixture for their --

15 CHAIRMAN BAKKER: Fire suppression.

16 BERT RAMOS: -- foam. Yeah. It goes bad. So I -- I think
17 the -- the leak's minimal compared to the --

18 CHAIRMAN BAKKER: Having a fire.

19 BERT RAMOS: -- other side.

20 CHAIRMAN BAKKER: Yeah.

21 BERT RAMOS: Other than that, if you guys have any
22 questions or concerns?

23 COMMISSIONER STIENMETZ: I would just like to state on the
24 record that last time I was at the dump out there to take out
25 the landfill, how clean it is. And I appreciate all the work
26 your guys have done out there.

27 BERT RAMOS: Thank you. I will relay that.

28 COMMISSIONER CLARK: Yeah, it's --

29 CHAIRMAN BAKKER: Yeah, tell all your guys they're doing
30 good.

31 BERT RAMOS: I -- I will definitely relay that. They have
32 been doing --

33 CHAIRMAN BAKKER: Doing a --

34 BERT RAMOS: -- a good job.

35 CHAIRMAN BAKKER: -- great job. Thanks, Bert.

36 BERT RAMOS: All righty.

37 COMMISSIONER WAITS: Thank --

38 COMMISSIONER CLARK: Thanks, --

39 COMMISSIONER WAITS: -- you, Bert.

40 COMMISSIONER CLARK: -- Bert.

1 CHAIRMAN BAKKER: Sixteen, seventeen, eighteen I'm going to
2 open up.
3
4

5 COMMISSIONERS
6

- 7 16) Discussion and possible action regarding the
8 approval/disapproval of the job description for the
9 Accounting Specialist I and all other matters properly
10 related thereto.
11

12 CHAIRMAN BAKKER: Discussion and possible action regarding
13 the approval/disapproval of the job description for the
14 Accounting Specialist I and all other matters properly related
15 thereto.
16

- 17 17) Discussion and possible action regarding the
18 approval/disapproval of the job description for the
19 Accounting Specialist II and all other matters properly
20 related thereto.
21

22 CHAIRMAN BAKKER: Seventeen is discussion and possible
23 action regarding the approval/disapproval of the job description
24 for the Accounting Specialist II and all other matters properly
25 related thereto.
26

- 27 18) Discussion and possible action regarding the
28 approval/disapproval of the job description for the
29 Accountant and all other matters properly related thereto.
30

31 CHAIRMAN BAKKER: Eighteen. Discussion and possible action
32 regarding the approval/disapproval of the job description for
33 the Accountant and all other matters properly related thereto.

34 KEITH WESTENGARD: Okay. So the only changes to all three
35 of those job descriptions is who they report to.

36 This commission has been -- has been putting things in line
37 as they should have been put in line through our code and our --
38 our agreements and everything.

39 And this is one thing that I -- that we've talked about --
40 I've talked about with the district attorney.

1 You don't really have a finance director. We have a fiscal
2 officer. That -- that's the job description.

3 That'll be on the next agenda.

4 But the fiscal off- -- or the accounting positions actually
5 are under the direction of the executive director.

6 So nothing's changed in these job descriptions, other than
7 who they report to.

8 CHAIRMAN BAKKER: Okay.

9 DISTRICT ATTORNEY HERRERA: And a copy of the ordinance
10 is --

11 KEITH WESTENGARD: Right.

12 DISTRICT ATTORNEY HERRERA: -- included in the packet.

13 KEITH WESTENGARD: Yeah. It's in the packet there and
14 shows.

15 CHAIRMAN BAKKER: Okay.

16 COMMISSIONER MILLS: I'll make a motion that we approve the
17 job descriptions for Accounting Specialist I, Accounting
18 Specialist II, and the Accountant.

19 COMMISSIONER STIENMETZ: I'll second the motion.

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

22 (No comment.)

23 CHAIRMAN BAKKER: All in favor?

24 COMMISSIONER STIENMETZ: Aye.

25 COMMISSIONER MILLS: Aye.

26 CHAIRMAN BAKKER: Aye.

27 COMMISSIONER WAITS: Aye.

28 COMMISSIONER CLARK: Aye.

29 CHAIRMAN BAKKER: Okay. Thank you.

30
31 **19) Update regarding the status of the Battle Mountain**
32 **Recreational Center project and all other matters properly**
33 **related thereto.**
34

35 CHAIRMAN BAKKER: Nineteen. Update regarding the status of
36 the Battle Mountain Recreational Center project and all other
37 matters properly related thereto.

38 Casey?

39 Well, when you get to that.

40 CASEY GUNTHER: Okay.

1 All right.

2 Good morning, still.

3 Casey Gunther with CORE Construction.

4 CHAIRMAN BAKKER: Good morning.

5 COMMISSIONER WAITS: Good morning.

6 CASEY GUNTHER: So run through a quick update here.

7 So my last update, we talked about the exterior footings
8 getting formed and poured. And the exterior footing on the pool
9 side of the building are complete. They're being waterproofed
10 and backfilled right now. The exterior footings at the locker
11 room, admin area, gymnasium, and racquetball court have been
12 formed, reinforcing steel is in them. They're expected to pour
13 next Friday.

14 Tuesday, Wednesday, all the anchor bolts and embed items will
15 be placed before the pour.

16 We are scheduled to pour the slab-on-grade for the admin,
17 locker room, and gymnasium side, and racquetball court,
18 approximately three weeks.

19 Should start excavating the pool in the next week or so. The
20 pool contractor's working it out with our earthwork contractor,
21 Hunewill, to see which one will get it done quicker. We already
22 know the answer to that so...

23 The pre-engineered metal building is scheduled to be
24 delivered on-site September 15th. So barring any unforeseen
25 events and acts of God and such, shouldn't face any more delays
26 with that.

27 We had our first OAC meeting yesterday. The OAC's the
28 owner-architect-contractor coordination meeting. Discussed
29 progress, things that we see on the plans that are issues. Start
30 reviewing submittals, samples, color selection.

31 And pass these around because -- and these are really not
32 that they're not important. It's a very, very small portion of
33 color inside this building. This is the padding for around the
34 backboard -- basketball backboards and everything.

35 And this is for padding colors and sleeves and volleyball
36 net colors, so on and so forth. So we want to make sure we
37 brought it to the commission so they can all look at it and come
38 to an agreement, hopefully. Get a selection on that and get it
39 ordered.

40 So I'll continue while that's getting passed around. You

1 guys can come back to that one later, come back with a decision.
2 Part of what we -- I guess also was ceramic tile samples.
3 And the problem we have is that there was a color specified on our
4 plans and in the specifications. And from what I understand, the
5 colors have not been ran by Lander County.

6 So that was addressed yesterday. They are coming up. We --
7 we are requiring all new color for every single tile that we have,
8 so a natural selection.

9 CHAIRMAN BAKKER: All the colors and everything will be
10 brought back for the committee -- or the committee --

11 CASEY GUNTHER: Yes.

12 CHAIRMAN BAKKER: -- the commission. And we will all make
13 a vote and decide, as all five commissioners, on the colors and
14 everything to do with the rec center from here on out.

15 CASEY GUNTHER: I would like to go on record that this
16 is -- CORE does not select colors. I'd just like to say that.

17 COMMISSIONER WAITS: Well, we got to choose for the new
18 courthouse. That was -- all kinds of things we got to decide.

19 CHAIRMAN BAKKER: Well, architects don't need to be
20 selecting the colors either. The commissioners need to be
21 selecting the colors.

22 CASEY GUNTHER: I agree 100 percent.

23 CHAIRMAN BAKKER: Yeah.

24 CASEY GUNTHER: So part of that, when that comes about,
25 they will have to be out here and present them to you --

26 CHAIRMAN BAKKER: Yeah. At the next --

27 CASEY GUNTHER: So --

28 CHAIRMAN BAKKER: -- commission meeting.

29 CASEY GUNTHER: On the other side of that, one more aspect,
30 something that was determined yesterday or actually figured out
31 that it was determined before -- the actual color of the
32 building.

33 We already had samples. And it was noted on our shop
34 drawings that there are two colors for the exterior of the
35 building: a Galvalume color, which is a grayish, almost silver
36 metallic, darker gray, and a charcoal gray.

37 And that is pretty much what Van Woert Bigotti Architects put
38 into the rendering. Charcoal gray color, the Galvalume
39 throughout.

40 So I have requested samples of these colors to bring to the

1 commission as well.

2 The downside of that is since it was noted -- notated on our
3 shop drawings and approved, they're already in fabrication.

4 CHAIRMAN BAKKER: The architects made that decision.

5 CASEY GUNTHER: So --

6 DISTRICT ATTORNEY HERRERA: And it would take approximately
7 seven months to correct that?

8 COMMISSIONER STIENMETZ: Right. I have no problems --

9 COMMISSIONER MILLS: Change --

10 COMMISSIONER STIENMETZ: -- with the colors.

11 COMMISSIONER MILLS: The colors are fine.

12 CASEY GUNTHER: It would take some time, --

13 COMMISSIONER STIENMETZ: (Indiscernible.)

14 CASEY GUNTHER: -- go back through and order everything all
15 over again.

16 I'm not sure where seven months came from, but --

17 CHAIRMAN BAKKER: Okay.

18 CASEY GUNTHER: Okay.

19 Other than that, --

20 CHAIRMAN BAKKER: What colors --

21 CASEY GUNTHER: Do we -- do we have a color idea?

22 Something you guys would like to discuss for those items right
23 there that you've looked at?

24 DISTRICT ATTORNEY HERRERA: Do they need to be decided
25 today? Because it wasn't agendized properly for that.

26 CHAIRMAN BAKKER: No, we can do it when we -- we'll
27 agendize everything to choose colors next week.

28 Because they're supposed to bring out the tiles -- not next
29 week, but the next commission meeting.

30 CASEY GUNTHER: Next commission meeting.

31 CHAIRMAN BAKKER: Two weeks. Because then they'll have all
32 the other colors and everything. And then we'll have to
33 agendize that right to make a decision.

34 COMMISSIONER WAITS: So we can get public input.

35 CHAIRMAN BAKKER: Yep. Public comment?

36 Anna?

37 ANNA PENOLA: Anna Penola, for the record.

38 It's just easier. It's hard for all five to come to a
39 consensus doing it with the school, than if you just had a
40 committee to make those decisions and pass it on.

1 CHAIRMAN BAKKER: I understand. But just like you seen
2 today --

3 ANNA PENOLA: Just --

4 CHAIRMAN BAKKER: -- with Grace and Max, all five
5 commissioners are going to vote and make -- have a say so it's
6 on the record.

7 ANNA PENOLA: Oh.

8 CHAIRMAN BAKKER: And there's not one person that --

9 ANNA PENOLA: Got it.

10 CHAIRMAN BAKKER: -- can say, Oh, no. Sean just did it,
11 like they're saying now.

12 So this commission will all be responsible for this building
13 and everything that goes into it.

14 COMMISSIONER STIENMETZ: Right.

15 ANNA PENOLA: Okey dokey.

16 CHAIRMAN BAKKER: Sorry.

17 ANNA PENOLA: No, you're good. Just trying to make it
18 easy.

19 CHAIRMAN BAKKER: Okay.

20 CASEY GUNTHER: Okay.

21 CHAIRMAN BAKKER: Thanks, Casey.

22 CASEY GUNTHER: Thank you.

23 COMMISSIONER STIENMETZ: Thanks, Casey.
24

25 **20) Discussion and possible action to approve Resolution 2016-08,**
26 **directing apportionment of net proceeds received in the month**
27 **of June 2016, and all other matters properly related thereto.**
28

29 CHAIRMAN BAKKER: Twenty. Discussion and possible action
30 to approve Resolution 2016-08, directing apportionment of net
31 proceeds received in the month of June 2016, and all other
32 matters properly related thereto.

33 KEITH WESTENGARD: Okay. I have a resolution to read to
34 you regarding our net proceeds.

35 This is Resolution Number 2016-08 on the Board of Lander
36 County Commissioners.

37 A resolution directing appointment [verbatim] of net
38 proceeds received in the month of June 2016.

39 Whereas, on June 27th, 2016, the Lander County treasurer
40 received \$2,343,089.48 in net proceeds.

1 And whereas, it is the desire of the Lander County Board of
2 Commissioners to appropriate the net proceeds as follows.

3 Mandated: Commission Fees, General Fund 3%, \$112,660.99,
4 Fund 001-000-38045; Assessor Tech Fees 2%, \$75,107.33, Fund
5 300-000-32223; China Springs, \$3,301.21, Fund 001-000-0 -- I'm
6 sorry. Let me start over -- 001-000-38040; State Indigent Fund,
7 \$77,224.82, 004-000-38040; State Indigent NACO, \$17,685.07,
8 004-000-38041; Capital Acquisition, \$35,370.15, Fund
9 031-000-38040; Landfill, \$58,950.24, Fund 011-000-03 -- let me
10 start over one more time -- Fund 011-000-38040; the Hospital,
11 \$572,235.92, Fund 060-000-38040; School, \$840,040.98, Fund
12 070-000-38040; for a total of \$1,792,576.71.

13 Discretionary: Austin Town Fund, 50,000; CCP, \$1,912,789.67,
14 total Discretionary, \$1,962,789.67, for a total of \$3,755,366.38.

15 Whereas, the Lander County Board of Commissioners des--
16 desires to use discretionary net proceeds to fund Austin Town
17 Fund, 020, and CCP Fund, 055.

18 Be it further resolved that the executive director and the
19 treasurer are directed to distribute the payment for net
20 proceeds according to the schedule passed and adopted this 28th
21 day of July 2016.

22 CHAIRMAN BAKKER: Okay. Thank you, Keith.

23 With that...

24 COMMISSIONER WAITS: I'll make a motion the Board of Lander
25 County Commissioners pass the Resolution Number 2016-08 as read
26 into the record according to our executive director --

27 CHAIRMAN BAKKER: Okay.

28 COMMISSIONER WAITS: -- that we --

29 COMMISSIONER STIENMETZ: I'll second that motion.

30 KEITH WESTENGARD: And for the --

31 COMMISSIONER WAITS: -- and authorize the chair to sign.

32 KEITH WESTENGARD: Well, it's actually asks for -- oh,
33 never mind. You're right. Correct.

34 CHAIRMAN BAKKER: Okay.

35 COMMISSIONER STIENMETZ: I'll second that motion.

36 CHAIRMAN BAKKER: Okay. Patsy made a motion. Steve
37 seconded.

38 Any public comment?

39 (No comment.)

40 CHAIRMAN BAKKER: All in favor?

1 COMMISSIONER STIENMETZ: Aye.

2 COMMISSIONER MILLS: Aye.

3 CHAIRMAN BAKKER: Aye.

4 COMMISSIONER WAITS: Aye.

5
6 (Commissioner Clark did not vote.)
7

- 8 21) Discussion and possible action regarding the performance
9 evaluation of Keith Westengard, including but not limited to
10 termination, suspension, demotion, reduction in pay,
11 reprimand, promotion, endorsement, engagement, retention, or
12 "no action" for possible action, and all other matters
13 properly related thereto. (Per NRS 241.031)
14

15 CHAIRMAN BAKKER: Okay.

16 Twenty-one. Discussion and possible action regarding the
17 performance evaluation of Keith Westengard, including but not
18 limited to termination, suspension, demotion, reduction in pay,
19 reprimand, promotion, endorsement, engagement, retention or "no
20 action" for possible action, and all other matters properly
21 related thereto, per NRS 241.031.

22 COMMISSIONER STIENMETZ: We were never given -- I was never
23 given -- she was going to make us a form saying what we were
24 supposed to look after. You know, we talked about that.

25 CHAIRMAN BAKKER: I got one.

26 COMMISSIONER STIENMETZ: Did you?

27 COMMISSIONER MILLS: They were made available.

28 COMMISSIONER STIENMETZ: I never was -- never did receive
29 one.

30 COMMISSIONER WAITS: It was sent to you, probably your
31 e-mail, how about.

32 CHAIRMAN BAKKER: Do we have an extra one?

33 Becky's not here today.

34 KEITH WESTENGARD: She's not here. I'm sure we've got an
35 extra one somewhere. Does anybody have a blank one?

36 CHAIRMAN BAKKER: It's on someone's e-mail.

37 KEITH WESTENGARD: It's on an e-mail. We can --

38 COMMISSIONER STIENMETZ: Print it off.

39 UNIDENTIFIED PARTICIPANT: If you have it in your e-mail,
40 if you want to, I can print it off real quick.

1 CHAIRMAN BAKKER: Okay.
2 COMMISSIONER CLARK: Are we going to wait until after lunch
3 to do this? Because this isn't going to a 15-minute deal.
4 CHAIRMAN BAKKER: Okay.
5 COMMISSIONER CLARK: Probably going to take a while.
6 COMMISSIONER WAITS: But if it takes us a half an hour,
7 then we actually end at 12:30.
8 CHAIRMAN BAKKER: We --
9 COMMISSIONER STIENMETZ: We still have more updates.
10 CHAIRMAN BAKKER: We can come back. To --
11 KEITH WESTENGARD: Would you like to go --
12 CHAIRMAN BAKKER: -- break for lunch and come back?
13 KEITH WESTENGARD: Would you like to do the financial
14 update? That will get another one out of the way.
15 CHAIRMAN BAKKER: Okay.
16 COMMISSIONER CLARK: Yeah.
17 CHAIRMAN BAKKER: I need to read it in; huh?

18
19
20 **FINANCE**

21
22 **22) Update on budget review, contracts, financial update, and all**
23 **other matters properly related thereto.**
24

25 CHAIRMAN BAKKER: Item Number 22. Update on budget review,
26 contracts, financial update, and all other matters properly
27 related thereto.
28 KEITH WESTENGARD: All right. Now this is for -- this is a
29 total for the -- for the entire fiscal -- last fiscal year:
30 Water received was \$79,796.95. Sewer received was \$75,286.98.
31 So that's our water/sewer. I have a full printout here also if
32 you -- if you'd like to see it, as well as a little update on
33 where -- where we're at with the new finance director.
34 Gene Etcheverry is -- is continuing to train her -- and
35 work with her in different areas of finance.
36 We'll be preparing for our audit coming up in September -- or
37 start preparing for it in September.
38 Liz and I are going to be attending a -- a governmental
39 accounting class tomorrow in Reno. Starts tomorrow morning at
40 8:00. And leaving today after -- today this afternoon.

1 The -- what I'm getting from Gene is Liz is picking up on
2 everything very well. She is eager to learn. She wants to learn.
3 And he's real happy with everything.

4 Maybe Liz -- if you have any questions you'd like to ask of
5 her, she might as well get used to speaking to the commission.
6 So want to come up?

7 Overall, I'm -- I'm very happy with the way things are
8 going. I -- I feel our Finance Department with -- with the --
9 with Liz being director in there, as well as a --

10 DISTRICT ATTORNEY HERRERA: Fiscal officer.

11 KEITH WESTENGARD: I'm sorry. A new fiscal officer in
12 there, as well as Robin now taking over the civic center. I
13 think things are going very well. I appreciate that Liz is
14 really picking up on things. And she's -- she's filling in the
15 blank for Robin, as well as learning her new position.

16 So --

17 CHAIRMAN BAKKER: Liz?

18 LIZ DIAS: Well, hello. Liz Dias. Fiscal officer, finance
19 director, in between.

20 CHAIRMAN BAKKER: How are things going?

21 LIZ DIAS: Things are going great so far. I'm learning a
22 lot. Right now, Robin's position has been -- I spent most of
23 the time learning how to enter invoices, learning the codes, the
24 funds, the different things on that.

25 When Gene is here, he's here about two days a week, and so I
26 like to take advantage of the fact that when he is here to learn a
27 lot of different things.

28 We were with -- on the phone with ADS yesterday and got
29 familiar with the system. We have another training on
30 Wednesday, I believe, Keith and I, in Carson City to have more
31 training on ADS. So far it's been going really, really good.

32 CHAIRMAN BAKKER: Good deal.

33 COMMISSIONER STIENMETZ: Good deal. Thank you.

34 COMMISSIONER MILLS: Okay. I'd just like to say if as --
35 as you learn more and you're gaining more experience, as you see
36 things that you need, please be vocal and let us know and we'll
37 try to make those things available.

38 LIZ DIAS: Absolutely.

39 COMMISSIONER WAITS: Gene, do we -- Gene? Yeah. He's on
40 my mind.

1 Do we -- do we have some classes coming up, Keith, with
2 POOL/PACT or something that will be soon this --

3 KEITH WESTENGARD: As --

4 COMMISSIONER WAITS: -- this fall --

5 KEITH WESTENGARD: -- as --

6 COMMISSIONER WAITS: -- for her or --

7 KEITH WESTENGARD: Yes. As things come available, we have
8 an eye out for those -- those training classes and needs. And
9 we plug them in as needed. Like -- like I said, or like Liz
10 said, we've got an ADS training at ADS next week.

11 She was on the phone with them yesterday for a while, --

12 LIZ DIAS: Couple hours.

13 KEITH WESTENGARD: -- couple hours learning ADS. And then
14 we have the governmental cla- -- accounting class tomorrow at
15 UNR, which is sponsored by NACO -- or POOL/PACT.

16 So it's all -- it's all good.

17 COMMISSIONER WAITS: Falling into place.

18 LIZ DIAS: Yes.

19 KEITH WESTENGARD: Yes.

20 COMMISSIONER WAITS: Good. Good.

21 CHAIRMAN BAKKER: Well, glad you're part of the family now.
22 Thanks, Liz.

23 Let's break for lunch.

24 COMMISSIONER CLARK: Sounds good to me.

25 CHAIRMAN BAKKER: I can't pull it up.

26
27 (Recording break at 12:01 p.m.)

28
29 CHAIRMAN BAKKER: Lander County Commissioners will break
30 for lunch from 12:00 p.m. to 1:15 p.m. Thank you.

31
32 (Break from 12:01 p.m. to 1:14 p.m.)

33
34 CHAIRMAN BAKKER: Okay. Call this meeting back to order at
35 1:15 p.m., but we are going to take a five-minute break because
36 we don't have all of our stuff. Just have to call it to order.
37 Thank you.

38
39 (Break from 1:14 p.m. to 1:23 p.m.)
40

1 CHAIRMAN BAKKER: I'm going to call this meeting back to
2 order. It is 1:25.

3 Hold on.
4

5 21) Discussion and possible action regarding the performance
6 evaluation of Keith Westengard, including but not limited to
7 termination, suspension, demotion, reduction in pay,
8 reprimand, promotion, endorsement, engagement, retention, or
9 "no action" for possible action, and all other matters
10 properly related thereto. (Per NRS 241.031)
11

12 CHAIRMAN BAKKER: We're on Agenda Item Number 21. Discuss-
13 -- discussion and possible action regarding the performance
14 evaluation of Keith Westengard, including but not limited to
15 termination, suspension, demotion, reduction in pay, reprimand,
16 promotion, endorsement, engagement, retention, or "no action"
17 for possible action, and all other matters properly related
18 thereto, per NRS 241.031.

19 JEANNE FALZONE: Do you have all the pages?

20 COMMISSIONER STIENMETZ: Yeah, I've got --

21 JEANNE FALZONE: Jeanne, can you give Sean back his?

22 COMMISSIONER STIENMETZ: I've got six --

23 CHAIRMAN BAKKER: Hey, Jeanne. Can you just let me have my
24 --

25 Thank you.

26 Okay.

27 This is only my second rodeo at this.

28 So do we need to read our papers into the record or --

29 DISTRICT ATTORNEY HERRERA: Yes. Yeah. I think you
30 individually should read your evaluations.

31 COMMISSIONER STIENMETZ: Kind of hard for me to do.

32 DISTRICT ATTORNEY HERRERA: And then you can deliberate, if
33 you wish to, and -- and give an --

34 CHAIRMAN BAKKER: Right.

35 DISTRICT ATTORNEY HERRERA: -- overall --

36 COMMISSIONER WAITS: Probably should read in just the
37 rating definitions --

38 CHAIRMAN BAKKER: Okay.

39 COMMISSIONER WAITS: -- first.

40 CHAIRMAN BAKKER: Patsy, I'll let you go first. Rating

1 definitions.

2 COMMISSIONER MILLS: You want to read each of the
3 questions --

4 COMMISSIONER WAITS: You want me to --

5 COMMISSIONER MILLS: -- first.

6 COMMISSIONER WAITS: -- read the rating definitions?
7 Okay.

8 Excellent: Employee performs all tasks in an exceptional
9 manner.

10 CHAIRMAN BAKKER: We don't need to read all that, I don't
11 think.

12 COMMISSIONER WAITS: Requires little or no supervision.
13 Consistently exceeds expectation. Goes above and beyond the
14 call of duty on the majority of the time.

15 Number 4, Good: Employee performs many tasks well and all
16 other tasks adequately. Requires little or no supervision. Meets
17 all standards and frequently exceeds expectations.

18 Number 3, Satisfactory: Performs all tasks satisfactorily.
19 Requires normal supervision. Meets the standards by performing
20 what is expected, the way it is expected to be done.
21 Occasionally may fall below the standard, but lapses are offset
22 by occasionally exceeding expectations.

23 Number 2, Fair: Performs most tasks satisfactorily, although
24 not all. Requires more than normal supervision. Meets the
25 standards much of the time, but there are occasional lapses where
26 performance falls below standard. Lacks consistency in meeting
27 standards.

28 And the rating of Number 1, Unsatisfactory: Fails to
29 perform many tasks well. Requires close and constant
30 supervision. Fails to meet the standards much of the time.
31 Frequent coaching and supervision required.

32 CHAIRMAN BAKKER: Okay. There's 35 points is the most you
33 can get -- right? -- on here, if you add all those up.

34 KEITH WESTENGARD: I believe so.

35 CHAIRMAN BAKKER: Okay.

36 KEITH WESTENGARD: If I remember correctly.

37 CHAIRMAN BAKKER: Well, I'll go.

38 Okay, Keith, my rating turned out to be 32 over 35.

39 Major strengths. You really stay on top of issues that
40 concern our county. And you keep our day-to-day operations

1 running smoothly.

2 The only areas of improvement I would like to see is
3 notification. When people put in agenda items, most of the
4 times they say they weren't notified until the night before. So
5 we need to stay on top of that, a week before or something, I
6 mean.

7 What else did I put?

8 That's just pretty much all I had, really, is we need to
9 start notifying the public when it's their agenda items.

10 KEITH WESTENGARD: Okay.

11 CHAIRMAN BAKKER: Doug?

12 COMMISSIONER MILLS: Okay. So you don't want us to go
13 through each one of these?

14 CHAIRMAN BAKKER: No.

15 COMMISSIONER STIENMETZ: I don't think so.

16 COMMISSIONER MILLS: No? Okay.

17 CHAIRMAN BAKKER: Unless you want to.

18 COMMISSIONER MILLS: All right.

19 CHAIRMAN BAKKER: But I'll let you read it into the record
20 and then you can discuss it as you want.

21 COMMISSIONER MILLS: Okay. I'll -- I'll do it this way.

22 I -- I -- I don't have any problems with your work
23 performance at all.

24 I did say on your -- on your major strengths, they are
25 communication and your organization.

26 I'm always impressed when I go in your office that things
27 are neat. You know where everything's at. You can find stuff
28 quickly, that kind of thing.

29 You communicate with me very well. And I think those are
30 good strengths.

31 The only -- the only goals for improvement, I think, would
32 be, I think there might be some issues with getting caught up a
33 little bit in the politics of things and worrying about that maybe
34 a little more than you need to.

35 And then, to improve on employee focus on work and avoid the
36 gossip, the politics, and those kinds of things, and be a leader
37 in that area for your department.

38 I think that -- that's all I have.

39 CHAIRMAN BAKKER: Steve? Patsy?

40 COMMISSIONER WAITS: My overall number was 30.

1 As far as the strengths, I think he has excellent
2 communication skills, professionalism in all dealings and
3 (indiscernible), conscientious, honest, flexible, and responsible.

4 Areas of improvement would be staff relations and work
5 environment, ongoing classes and workshops with State, NACO,
6 POOL/PACT, and so forth.

7 I'll go ahead and highlight a couple of things. I think he's
8 extremely conscientious, but county government is an area that job
9 knowledge is always ongoing. So you use your resources well, but
10 you need to continue improving and -- and educating on that line.

11 On the interaction, I think one of your strong points is your
12 communications. You express yourself well. And you react very
13 well to adverse situations, professionally and timely.

14 Your attitude is an asset to your management skills. And
15 very effective with your written and verbal.

16 On decision making, I think that's been a very difficult area
17 because so many other influences. I think you need to focus more
18 on your goals and take the action necessary to move the county
19 forward.

20 The multitasking, I think you handle rather well for the most
21 part. I would maybe recommend some timing and some time
22 management skills.

23 Public relations? Excellent. You deal very, very
24 differently and -- and well with the different, unique
25 situations that we have.

26 I think you have an incredible posture and try to focus on
27 all the positives regarding the situations.

28 I would like to see you be a bit more proactive regarding
29 employee morale, training, and development.

30 Work environment needs attention. Better communication
31 with the staff and timely evaluations.

32 Overall, I just think it's been excellent work. I -- I
33 certainly hope you -- you continue your career with Lander County.

34 And it goes, it says goals for next rating period. To
35 establish reasonable goals that promote the county's best
36 interests. And I would request a self-evaluation. I think that's
37 very important for you to give that information back to us.

38 Under the recommendations, I recommend a 2 percent salary
39 increase upon your two-year anniversary.

40 COMMISSIONER STIENMETZ: I haven't had as much time as

1 everybody else to look at this, but just mine, I think Keith has
2 good communication skills. He always keeps me up to date on
3 things. He's always sending me text messages and that, letting
4 me know what's going on.

5 I think he -- he has a good work environment and safety.

6 I know he's got -- I think he's good at multitasking.

7 I mean, he covers a lot of stuff.

8 And I don't really hear anything bad from him out in the
9 public or anything. I haven't.

10 I haven't really thought of areas of improvement.

11 And I had 31 out of 35.

12 CHAIRMAN BAKKER: Art?

13 COMMISSIONER CLARK: I've got a score of 25 out of 35. My
14 lowest score was a three and my highest was a five.

15 I think in light of all that's been done this year, pretty
16 good job.

17 There's been some ups and some downs and some difficulties.
18 But I think that you've pushed through these. And -- and I really
19 think that the county's in a good direction. As hard as it's
20 been, we're going down the right road now.

21 CHAIRMAN BAKKER: Okay.

22 Keith? You have anything to say?

23 KEITH WESTENGARD: Well, I appreciate the time that's gone
24 into this.

25 I'll definitely work on -- I tried to take notes. But I'm
26 going to get a copy of the minutes. And I'm going to work toward
27 my -- my goals.

28 I'll work on the self-evaluation in my spare time.

29 It's been a difficult road. I mean, I'm not going to say it
30 hasn't been.

31 There's been, like Commissioner Clark said, there's been a
32 lot of ups and downs and a lot of challenges. And I think we
33 are really going in a good direction.

34 I think -- I think one of the core problems has been resolved
35 and really happy that it has been. And it's improved, I feel, and
36 I think most of you have seen, it's improved the morale within the
37 administration department.

38 And I hope to continue to work on that. I -- I -- I won't
39 say there hasn't been times I've wanted to get out of here. I've
40 wanted to leave. I think we've -- I've overcome some big

1 obstacles.

2 I appreciate all the support I get from each one of you, from
3 the district attorney and his office, from everybody in this
4 building. It's been a very humbling and a very good experience.

5 So I'll work toward my goals. And hopefully next time the
6 "needs improvement" will be in different areas, if any.

7 Thank you.

8 COMMISSIONER STIENMETZ AND CHAIRMAN BAKKER: Thank you,
9 Keith.

10 COMMISSIONER MILLS: Thank you.

11 CHAIRMAN BAKKER: Okay. Well, we obviously need to sign
12 all these and so does Keith.

13 COMMISSIONER WAITS: Do you sign every one of ours?

14 CHAIRMAN BAKKER: Yeah. Well, there's a spot for all of
15 us.

16 COMMISSIONER WAITS: So everyone one of us signs every- --
17 everybody else's?

18 DISTRICT ATTORNEY HERRERA: No.

19 COMMISSIONER STIENMETZ: No.

20 COMMISSIONER CLARK: No.

21 DISTRICT ATTORNEY HERRERA: Just sign your own.

22 COMMISSIONER STIENMETZ: Just sign your own.

23 CHAIRMAN BAKKER: Yeah, then Keith can sign it.

24 COMMISSIONER WAITS: Okay. Because it says governing
25 board, chairperson signature.

26 CHAIRMAN BAKKER: That's what I was wondering.

27 No, we'll just sign our own and have Keith sign it.

28 DISTRICT ATTORNEY HERRERA: Yeah.

29 CHAIRMAN BAKKER: Yeah.

30 Keith?

31 And then we've got to seal them.

32 Thank you.

33 COMMISSIONER WAITS: There's a place for your comments too.
34 And that doesn't give you time to do it.

35 KEITH WESTENGARD: Yeah. I know.

36 COMMISSIONER WAITS: But you can fill your comments in
37 before you turn them in for your record.

38 KEITH WESTENGARD: Okay. Thanks.

39 CHAIRMAN BAKKER: Art?

40 Can I have yours, please.

1 COMMISSIONER STIENMETZ: Is this your second year or third
2 year?

3 KEITH WESTENGARD: Second.

4 COMMISSIONER STIENMETZ: Is this your second evaluation?

5 KEITH WESTENGARD: Um.

6 CHAIRMAN BAKKER: Uh-huh.

7 KEITH WESTENGARD: First formal written, but yeah. Yeah.

8 COMMISSIONER STIENMETZ: Yeah.

9 CHAIRMAN BAKKER: Everyone -- we got everyone's?

10 COMMISSIONER WAITS: Wow.

11 CHAIRMAN BAKKER: Okay, as far as a raise, since Patsy
12 brought it up, does anyone want to discuss that? Or what's your
13 thoughts?

14 COMMISSIONER MILLS: I think we've already agreed in
15 discussions in the past that there won't be a raise this year.

16 CHAIRMAN BAKKER: Okay.

17 COMMISSIONER STIENMETZ: Oh, you recommend -- she
18 recommended 2 percent.

19 COMMISSIONER MILLS: Next year.

20 COMMISSIONER STIENMETZ: Next year?

21 COMMISSIONER MILLS: After -- after two years, I think, is
22 the --

23 COMMISSIONER WAITS: Do we need to put that on the agenda?

24 CHAIRMAN BAKKER: Next year.

25 KEITH WESTENGARD: In the --

26 COMMISSIONER STIENMETZ: Next --

27 KEITH WESTENGARD: -- future.

28 COMMISSIONER STIENMETZ: -- year.

29 COMMISSIONER CLARK: The 7th -- well, two-year anniversary
30 would be September.

31 CHAIRMAN BAKKER: Well, we'll discuss it down the line
32 then.

33 KEITH WESTENGARD: Okay.

34 CHAIRMAN BAKKER: Okay. Thank you.

35 KEITH WESTENGARD: Thank you.

36
37
38
39
40

1 COMMISSIONERS

2
3 23) Correspondence, reports, potential upcoming agenda items.

4
5 CHAIRMAN BAKKER: Commissioners. Number 23.
6 Correspondence, reports, potential upcoming agenda items.
7

8 (The following correspondence was received:

9 1. United States Department of the Interior, Bureau of
10 Land Management, Mount Lewis Field Office to Interested Public,
11 dated July 7, 2016, regarding the Fire Creek Mine Mitigation
12 Project Environmental Assessment, 3809 (NVB0100), NVN-091111,
13 4110 (NVB0100), RIPS 019332.

14 2. United States Department of the Interior, Bureau of
15 Land Management, Mount Lewis Field Office to Interested Public
16 and Grazing Permittees, received July 12, 2016, announcing
17 meeting dates concerning the Argenta Allotment and Battle
18 Mountain Complex, regarding processing of term grazing permits,
19 4130 (NVB0100).

20 3. Eureka County Board of Commissioners notice of
21 withdrawal from Great Basin Regional Development Authority
22 Interlocal Agreement for Economic Development Activities, dated
23 July 12, 2016.

24 4. Nevada Division of Environmental Protection Bureau of
25 Air Quality Planning, Notice of Public Comment Period regarding
26 revision to the Nevada State Implementation Plan requesting
27 Nevada's side of Lake Tahoe Basin be redesignated as attainment
28 for the federal 8-hour carbon monoxide standard.)
29

30 COMMISSIONER STIENMETZ: I have -- I would like to see HR
31 come to every one of our meetings and give us an update of
32 what's going on, just like Bert does, like everybody else does.
33 Because -- I ought to bring them up right now, but I've got some
34 complaints.

35 COMMISSIONER CLARK: Who? Who do you --

36 CHAIRMAN BAKKER: Okay.

37 COMMISSIONER CLARK: -- want to come? I didn't catch that.

38 COMMISSIONER STIENMETZ: HR.

39 CHAIRMAN BAKKER: Becky.

40 COMMISSIONER STIENMETZ: Becky.

1 COMMISSIONER CLARK: Oh, Yeah.
2 COMMISSIONER WAITS: She's usually here. Just --
3 COMMISSIONER STIENMETZ: I know, but I think she should --
4 COMMISSIONER WAITS: -- we don't get a --
5 COMMISSIONER STIENMETZ: -- come --
6 COMMISSIONER WAITS: -- report.
7 COMMISSIONER STIENMETZ: -- forth with a report --
8 COMMISSIONER CLARK: Yeah, okay.
9 COMMISSIONER STIENMETZ: -- so that we have a chance to
10 talk to her about the stuff we want and it's on the record.
11 COMMISSIONER MILLS: That's true. If she's -- if she's
12 reporting directly to us now, I think that's --
13 COMMISSIONER STIENMETZ: It's --
14 COMMISSIONER MILLS: -- appropriate.
15 CHAIRMAN BAKKER: Okay.
16 Important update.
17 DISTRICT ATTORNEY HERRERA: And that would be on every
18 meeting; right?
19 COMMISSIONER STIENMETZ: Yeah. At --
20 CHAIRMAN BAKKER: Yep.
21 COMMISSIONER STIENMETZ: -- every meeting.
22 CHAIRMAN BAKKER: Keith?
23 KEITH WESTENGARD: Got it.
24 CHAIRMAN BAKKER: Okay.
25 Anyone else?
26 Patsy, you have anything?
27 DISTRICT ATTORNEY HERRERA: The -- the colors of the rec
28 center.
29 CHAIRMAN BAKKER: Oh. Yeah. And we'll get a list of
30 everything.
31 And this way all five will start voting on everything.
32 DISTRICT ATTORNEY HERRERA: So -- so I can do the proper
33 notices.
34 If I get a list of everything, I'll put that down on the
35 agenda and just list it out what you guys are going to cover.
36 CHAIRMAN BAKKER: And everyone can have a say.
37 COMMISSIONER WAITS: I -- I would like you to -- it doesn't
38 have to be an agenda item -- but I would like you to check and
39 see what the status is on the -- the lawsuit that we have with
40 Ormat. And our attorneys are out of Elko. And I don't know

1 whether you had all the information, but you should have enough
2 so you can glean some information from them and tell us what's
3 going on.

4 Every once in a while, I used to see something where we
5 actually paid the attorneys for some of their paperwork. But I
6 haven't even seen that in the while. So...

7 KEITH WESTENGARD: The last invoice that was received
8 regarding Ormat was maybe six weeks ago. And it was about 20-
9 -- \$2200, I think. And they had filed several motions. It just
10 said, motion to file, is all it showed.

11 DISTRICT ATTORNEY HERRERA: Now, --

12 CHAIRMAN BAKKER: Maybe we need to have an update.

13 DISTRICT ATTORNEY HERRERA: Okay. I'll check on that.

14 CHAIRMAN BAKKER: And they can call in -- or --

15 DISTRICT ATTORNEY HERRERA: On the -- on the -- on the
16 potential lawsuit of the Sixth Judicial District Court, I'm
17 waiting for paperwork. I've been waiting for three, four weeks
18 for that, on a stipulation resolution. So as soon as -- as I
19 get that, I'll -- I'll -- I'll meet with all of you and -- in a
20 litigation session and see if that's the direction you want to
21 go.

22 I think it's -- if it's anything like what I've been
23 talking to the DA from Humboldt County and the DA from -- from
24 Pershing County, then -- then it -- it should be acceptable to
25 all three.

26 But, like I said, I've been waiting for this paperwork for --
27 for three, four weeks so --

28 And I keep on calling the office. He promised it to me
29 this week again, but --

30 COMMISSIONER WAITS: Okay.

31 CHAIRMAN BAKKER: Okay.

32 COMMISSIONER MILLS: I'd like to remind you about our --
33 our town hall meeting that we --

34 KEITH WESTENGARD: That's right.

35 COMMISSIONER MILLS: -- are working on and then our
36 commission meeting in Austin.

37 KEITH WESTENGARD: Yeah.

38 CHAIRMAN BAKKER: Yeah.

39 KEITH WESTENGARD: Actually, I have them both on the board
40 in there.

1 COMMISSIONER MILLS: Okay.
2 CHAIRMAN BAKKER: Yeah. We were talking next month. Well,
3 obviously, but either -- either the first meeting or the second
4 meeting, but we'll -- I'll have Keith set it all up.
5 COMMISSIONER WAITS: And the one resolution we have to redo
6 to move from three to five on the --
7 DISTRICT ATTORNEY HERRERA: Oh, that's a good one.
8 COMMISSIONER WAITS: -- conservation --
9 KEITH WESTENGARD: Got that.
10 COMMISSIONER WAITS: -- district.
11 DISTRICT ATTORNEY HERRERA: So we have to agendize that for
12 your --
13 CHAIRMAN BAKKER: (Indiscernible.)
14 DISTRICT ATTORNEY HERRERA: -- approval and then I'll --
15 COMMISSIONER WAITS: Right. This is what we're discussing.
16 Put them on the --
17 DISTRICT ATTORNEY HERRERA: Right.
18 COMMISSIONER WAITS: -- agenda.
19 DISTRICT ATTORNEY HERRERA: And I'll do a resolution --
20 COMMISSIONER WAITS: Okay.
21 DISTRICT ATTORNEY HERRERA: -- to -- to go along with that.
22 CHAIRMAN BAKKER: Okay.
23 Well, --
24 Okay.
25
26

27 **PUBLIC COMMENT**

28
29 CHAIRMAN BAKKER: Public comment for non-agendized items
30 only.
31 Persons are invited to submit comments in writing and/or
32 attend and make comments on any non-agenda item at the board
33 meeting, if any, and at the discretion of those comments at --
34 no -- discussion of those comments at the discretion of the
35 board. All public comment may be limited to three minutes per
36 person, again at the discretion of the board. Reasonable
37 restrictions may be placed on public comment based upon time,
38 place, and manner, but public comment based upon viewpoint may
39 not be restricted.
40 Any public comment?

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(No comment.)
CHAIRMAN BAKKER: Okay. With that...

ADJOURNMENT

COMMISSIONER MILLS: Motion to adjourn.
COMMISSIONER STIENMETZ: Second.
CHAIRMAN BAKKER: Doug made a motion. Steve seconded.
Any public comment?
(No comment.)
CHAIRMAN BAKKER: All in favor?
COMMISSIONER STIENMETZ: Aye.
COMMISSIONER MILLS: Aye.
CHAIRMAN BAKKER: Aye.
COMMISSIONER WAITS: Aye.
COMMISSIONER CLARK: Aye.
CHAIRMAN BAKKER: Thank you, Austin.



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

ATTEST: 
LANDER COUNTY CLERK

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