

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 October 27, 2016, at 9:00 a.m.  
5 Transcript produced by Tiffany Elkington, C.C.R., #930.  
6

7 **PRESENT: PATSY WAITS, COMMISSIONER**  
8 **SEAN BAKKER, COMMISSIONER**  
9 **ART CLARK III, COMMISSIONER**  
10 **DOUG MILLS, COMMISSIONER**  
11 **KEITH WESTENGARD, EXECUTIVE DIRECTOR**  
12 **SADIE SULLIVAN, COUNTY CLERK**  
13 **THEODORE HERRERA, DISTRICT ATTORNEY**  
14 **BECKY JOHNSON, HUMAN RESOURCES**  
15 **ELIZABETH DIAS, FISCAL OFFICER**  
16

17 **ABSENT: STEVEN STIENMETZ, COMMISSIONER**  
18  
19

20 (Let the record reflect the presence of a quorum of four  
21 commissioners. Let the record reflect the presence of Austin  
22 via teleconference.)  
23

24 CHAIRMAN BAKKER: I call this meeting to order. Lander  
25 County Commission meeting, Town Board of Battle Mountain, and  
26 Austin Board of County Highway Commissioners, October 27<sup>th</sup>,  
27 2016.

28 Doug, will you lead us in the pledge please?  
29

30 (Pledge of Allegiance)  
31

32 CHAIRMAN BAKKER: Can I have a moment of silence, please.  
33

34 CHAIRMAN BAKKER: Lander County Commissioners will break  
35 from lunch from 12:00 p.m. to 1:15 p.m.  
36  
37

### 38 COMMISSIONER REPORTS

39

40 CHAIRMAN BAKKER: Commissioners' reports on meetings,

1 conferences and seminars attended.  
2 Doug?  
3 COMMISSIONER MILLS: Okay. I had a hospital board meeting  
4 on the 18<sup>th</sup>. That was a good meeting.  
5 On the financial report, especially, we're -- we're  
6 starting to see some of the work that we've been doing in the  
7 last year starting to pay off where our finances are better.  
8 Payroll is -- is under budget for the first time in quite  
9 sometime and is projected to stay under budget for the rest of  
10 the year.  
11 Things are looking pretty good. So there's been a lot of  
12 work done at the hospital. And we're finally starting to see  
13 some of that really come to fruition. Things are really getting  
14 better at the hospital.  
15 Other than that, we've had some meetings with -- pertain to  
16 Austin Airport. We'll be discussing that today in our agenda.  
17 I think that's it.  
18 CHAIRMAN BAKKER: Okay. We also had a rec center meeting.  
19 COMMISSIONER MILLS: Oh, that's right.  
20 CHAIRMAN BAKKER: Our safety score is up.  
21 COMMISSIONER MILLS: The safety score is up. But we are  
22 two weeks -- they're telling us two weeks behind. I think it's  
23 more than two weeks behind, but they're telling us two weeks  
24 behind. And we're hoping to be able to make that up at -- at  
25 some point. We -- we have till next June to make that up so  
26 we're hoping to make that up.  
27 CHAIRMAN BAKKER: And I'm thinking after the next meeting,  
28 the commissioners will do a walk-through. We'll all do a tour  
29 of the rec center. So that will -- I'll have Keith set all that  
30 up, so kind of go from there.  
31 COMMISSIONER MILLS: Yeah.  
32 CHAIRMAN BAKKER: But --  
33 COMMISSIONER MILLS: It's actually -- it's looking good.  
34 It's --  
35 CHAIRMAN BAKKER: Yeah.  
36 COMMISSIONER MILLS: -- impressive with the -- with all  
37 that framing up, you get a real sense of the space and the size,  
38 and it's -- it's nice.  
39 CHAIRMAN BAKKER: So anyway.  
40 Patsy?

1 COMMISSIONER WAITS: Thank you. On October 19<sup>th</sup>, I  
2 attended the Kingston Town Board meeting. They are working on  
3 their budget items a little bit earlier, requested by our  
4 finance department to do that. So we're working hard on that.

5 And there was a question that came up regarding the road  
6 repair between the cattle guard and 376. And it's always been  
7 the right-of-way of the state. And for some reason, the state  
8 is under the impression that they gave that right-of-way to  
9 Kingston some time ago.

10 COMMISSIONER MILLS: Wow.

11 COMMISSIONER WAITS: And if they did, then it's a county  
12 responsibility. So right now there's some really big potholes  
13 and nobody's doing anything. So we're trying to investigate on  
14 that and run it to down to see who ac- -- why would they give  
15 the right-of-way? That doesn't make any sense. They didn't  
16 anywhere else. But it's -- it's confusing but they're --  
17 they're trying to finish it out so we can get the potholes fixed  
18 anyway.

19 And on the 21<sup>st</sup> of October, we had a NACO meeting. Couple  
20 of things I wanted to share with you on that because most of  
21 them will be gone over at our annual membership meeting next  
22 month in Pahrump.

23 On Question 2, which is the marijuana issue, they wanted to  
24 be sure that we knew there was no opt-out for counties on -- on  
25 that, that the only thing -- when somebody applies for a  
26 license, it will go through the Department of Taxation. They  
27 will have 90 days for the Department of Taxation to make a  
28 determination. If they don't hear back from the county saying,  
29 excuse me, we have a zoning prohibiting that, it's automatic and  
30 they get the license.

31 So it isn't anything that would ever come before us to make  
32 a decision or anything.

33 DISTRICT ATTORNEY HERRERA: Right. And you're absolutely  
34 right, Commissioner. It's about zoning. It's all going to be  
35 about zoning.

36 COMMISSIONER WAITS: So I'm assuming we will have that on  
37 the agenda somewhere after --

38 DISTRICT ATTORNEY HERRERA: If it -- if it --

39 COMMISSIONER WAITS: -- the election --

40 DISTRICT ATTORNEY HERRERA: -- passes.

1           COMMISSIONER WAITS: And we'll see what's going on and so  
2 forth.

3           They wanted to bring that up to be sure we knew that.

4           The proposed amendment to the NACO bylaws that we worked on  
5 last -- our last meeting that was to add the -- to add our  
6 bylaws where the county would have a special assessment on our  
7 PILT payments. And they took a look at that and said that they  
8 would have to give us some kind of a -- a maximum amount. The  
9 counties are unhappy with what we were going to do, which is  
10 what you all brought up. They said, we really need to work on  
11 that because we need to provide a funding source for the  
12 continued and the increasing amount of work that we have to do  
13 regarding the public land issue. It's not going to go away.

14           So we think it's pretty imperative that NACO stay involved  
15 and consolidate all of our county efforts to do that. So we're  
16 going to put it back on the agendas. And they're giving us  
17 right now a 4 percent maximum, which will be under \$4,000 for  
18 our county. And they could even tweak that a little bit lower.  
19 But that's what they had settled on, that it would not be any  
20 higher than that for people to take another look at it.

21           Jeff Fontaine, our executive director, told us that the  
22 governor's finance office website has posted the state agency's  
23 budget request for the next biennium. And he's watching that  
24 close to see how that's going to be affecting our counties. And  
25 he'll be reporting back on that for us.

26           And we also discussed the Navy. They're -- what we  
27 discussed last time, again, the proposed expansion of the Fallon  
28 Range training for the Navy. And it was pretty well decided,  
29 although Lander isn't affected quite that much -- and we  
30 reported on that -- we still are affected some. The  
31 commissioners expressed a lot of concerns on some of the other  
32 counties and how it was affecting with the PILT payments,  
33 property tax loss, some mining claims, renewable energy  
34 corridors, grazing allotments, and so forth. So NACO will be  
35 putting together a letter to send in on the environmental impact  
36 for our area on that.

37           On 10/26, we did have a conference call with J-U-B and --  
38 regarding the master plan in Austin. And as Doug said, that's  
39 on our agenda. J-U-B is with us. So we'll be discussing that.

40           Oh, and one other thing on the NACO one that they brought

1 up was on the -- the fuel tax addendum, the fuel indexing that's  
2 on our ballot for all the different counties except Washoe and  
3 Clark. The Department of Taxation actually came out with a  
4 statement that said that -- that was one of the few taxes that  
5 absolutely had a clear user benefit. And I thought that was  
6 kind of an -- an unusual comment to have them make that  
7 regarding taxes. So that was something we wanted to pass along  
8 that indeed it would be going directly to the counties. And it  
9 was a little bit different than some of the other taxes that  
10 have been passed.

11 So thank you.

12 CHAIRMAN BAKKER: Thank you, Patsy.

13 Art?

14 COMMISSIONER CLARK: Nothing really stellar to report, but  
15 I have a couple of observations around town.

16 One, you know, I drive around town and I see Keith  
17 Westengard in the trucks with workers. And I applaud Keith for  
18 that. That shows that he's willing to get out there and help.  
19 And he really is supervising.

20 And the second thing is -- and I've been waiting about a  
21 month to report this, but the water pressure in my part of town  
22 is now consistent all the time. We had periods of time where we  
23 didn't have much pressure. And then we would be okay. And I  
24 thought maybe it was the plumbing in my house, but it's not.  
25 And I think we're doing a good job with our water and sewer.

26 That's all I have.

27 CHAIRMAN BAKKER: Thank you, Art.

28  
29  
30 **STAFF REPORTS**

31  
32 CHAIRMAN BAKKER: Staff reports on meetings, conferences,  
33 and seminars attended.

34 Keith?

35 KEITH WESTENGARD: Late last week, the first thing is, I  
36 did receive a letter of resignation from the treasurer. It's  
37 not in your packets because it was after posting time. So it  
38 will be on the agenda next -- next agenda -- for direction.

39 Yesterday, we had a airport TAC, Technical Advisory  
40 Committee meeting. Steve Marshall from J-U-B is here to go over

1 our future plans, see if you guys are in agreeance with that and  
2 get any input from you.

3 We had a safety meeting this week. Our accidents in the  
4 county are up a little bit. So we'll be working on trying to  
5 get those back down.

6 The fuel at Austin Airport currently is on hold. We ran  
7 into some issues with the electrical at the airport. And the  
8 holdup's not on the county or L.A. Perks. It's actually with NV  
9 Energy on the design of the three-phase power. So currently  
10 there's a stop work order in place so they won't burn up all  
11 their workdays, in accordance with their contract.

12 The Battle Mountain Airport rehab project is continuing for  
13 the pavement rehab. Hopefully, it should be finished up this  
14 week with striping and painting.

15 Oh. Back to Commissioner Waits, your -- your NACO, the  
16 PILT money. The actual amount -- I did get this email from Jeff  
17 Fontaine -- Lander County's portion is -- is \$3,931  
18 (indiscernible).

19 COMMISSIONER WAITS: But that was based on, I think, 5  
20 percent. And after that, I believe that NACO said 4 percent  
21 max.

22 KEITH WESTENGARD: This -- this is -- yeah, this is the  
23 four --

24 COMMISSIONER WAITS: With the new 4 percent?

25 KEITH WESTENGARD: -- percent. Yes. Yeah. And there's  
26 been some back --

27 COMMISSIONER WAITS: Are you sure? Because mine said five.  
28 Okay.

29 KEITH WESTENGARD: Yeah. It's --

30 COMMISSIONER WAITS: Oh, good. Okay.

31 KEITH WESTENGARD: It's right here. It's four -- point --

32 COMMISSIONER WAITS: Thank you.

33 KEITH WESTENGARD: -- four percent. There's some back and  
34 forth on it from some other counties too about putting a cap on  
35 that based on county population and so forth, just this week. So  
36 they are working on that.

37 Other than that, I believe the rest of the items are on the  
38 agenda. Thank you.

39 CHAIRMAN BAKKER: Okay.

40 DISTRICT ATTORNEY HERRERA: Commission, Mr. Chairman.

1 CHAIRMAN BAKKER: Yep.

2 DISTRICT ATTORNEY HERRERA: I have an update on -- on the  
3 Sixth Judicial District Court dissolution of the interlocal  
4 agreement. We finally got the signature from Pershing County.  
5 We've been waiting for that. We had the signature from the  
6 other two counties. It was filed yesterday.

7 Now Humboldt County has 30 days to give us \$103,000. We  
8 should be getting that check in the next 30 days. And that  
9 issue will be -- is put to bed.

10 And now we have part of the new issue on today's calendar  
11 about interlocal agreement or with Elko County for the detention  
12 of our juveniles. So we're now looking forward to the Eleventh  
13 because the Sixth should be behind us.

14 CHAIRMAN BAKKER: Okay.

15 COMMISSIONER WAITS: Good.

16 CHAIRMAN BAKKER: One problem down. Okay.

17

18

19 **PUBLIC COMMENT**

20

21 CHAIRMAN BAKKER: Public comment. Persons are invited to  
22 submit comments in writing and/or attend and make comments on  
23 any non-agenda item at the board meeting, if any, and discussion  
24 of those comments at the discretion of the board. All public  
25 comment may be limited to three minutes per person, again at the  
26 discretion of the board. Reasonable restrictions may be placed  
27 on public comment based upon time, place, and manner, but public  
28 comment based upon viewpoint may not be restricted.

29 Public comment?

30 (No comment.)

31 CHAIRMAN BAKKER: Okay.

32

33

34 **CONSENT AGENDA**

35

36 CHAIRMAN BAKKER: Consent agenda. All matters listed under  
37 the consent agenda are considered routine and may be acted upon  
38 by the Board of County Commissioners with one action, without  
39 extensive discussion. Any member of the board or any citizen  
40 may request that any item be taken from the consent agenda,

1 discussed, and acted upon separately during this meeting.  
2 Consent agenda materials are available at the Lander County  
3 Clerk's Office for viewing and copies are available for a  
4 nominal charge.

5 One, approval of agenda notice, October 27<sup>th</sup>, 2016; two,  
6 October 13<sup>th</sup>, 2016, meeting minutes; three, payment of bills;  
7 four, payroll change requests.

8 We need to take out the meeting minutes.

9 Any others? Any new bills? Payroll change requests?

10 COMMISSIONER WAITS: I'll make a motion we approve the  
11 consent agendas, number one, three, and four, taking out the  
12 October 13<sup>th</sup> meeting minutes.

13 CHAIRMAN BAKKER: Okay.

14 COMMISSIONER MILLS: I'll second.

15 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded it.  
16 Any public comment?

17 (No comment.)

18 CHAIRMAN BAKKER: All in favor?

19 COMMISSIONER MILLS: Aye.

20 CHAIRMAN BAKKER: Aye.

21 COMMISSIONER WAITS: Aye.

22 COMMISSIONER CLARK: Aye.

23  
24  
25 **COMMISSIONERS**

- 26  
27 1) **Discussion and presentation of "Assessment of Drought**  
28 **Resilience of the Battle Mountain and Austin Public Water**  
29 **Supply Systems: Results of a Groundwater Modeling Study by**  
30 **the Desert Research Institute" by John Cobourn, and all other**  
31 **matters properly related thereto.**  
32

33 CHAIRMAN BAKKER: Okay. One, discussion and presentation  
34 of "Assessment of Drought Resilience of the Battle Mountain and  
35 Austin Public Water Supply System: Results of a Groundwater  
36 Modeling Study by the Desert Research Institute" by John  
37 Cobourn, and all other matters properly related thereto.

38 JOHN COBOURN: Good morning.

39 COMMISSIONER MILLS: Good morning.

40 CHAIRMAN BAKKER: Good morning.

1 COMMISSIONER WAITS: Morning.

2 JOHN COBOURN: I'm John Cobourn.

3 I'll be talking about this drought study. It was a  
4 groundwater modeling study. It was commissioned by the Nevada  
5 Division of Emergency Management as part of their hazard  
6 mitigation research to determine whether any of the towns, rural  
7 towns in northern Nevada are vulnerable to a drought.

8 So they commissioned Dr. Greg Pohll from Desert Research  
9 Institute to do a groundwater modeling study of the town. I'll  
10 show you where the towns were in -- in a moment.

11 And I'm with the University of Nevada Cooperative  
12 Extension. I'm here to just briefly introduce the study. I've  
13 given a hard copy to Sadie. And there are also -- you can also  
14 get more electronic copies by -- and I have an email address  
15 where you could get more electronic copies.

16 CHAIRMAN BAKKER: Okay.

17 JOHN COBOURN: So the -- you can see this map from Nevada  
18 shows the different groundwater basins that were studied. Of  
19 course Battle Mountain is the Clovers area. Austin was studied.  
20 And then other -- other towns in northern Nevada included Ely,  
21 Elko, Spring Creek, Eureka, Hawthorne, Lovelock, and Winnemucca.  
22 So those were the -- the groundwater basins that were studied.  
23 I'll be reporting mainly on the Austin and Battle Mountain  
24 results.

25 A groundwater model known as mod flow was used. And the  
26 way the study was done, they looked at all the wells in the  
27 basin. So for Battle Mountain, it was the whole Clovers  
28 groundwater basin. They're aware of all the agricultural and --  
29 and different kind of wells in the area. They know it's  
30 available information from the state as to what the water rights  
31 are for each well.

32 And the simulations in the model were run at -- as though  
33 the wells were pumping at full water right. And not all the  
34 wells are pumped at full water right. But they did a  
35 conservative study and said if a well was allowed to pump 100  
36 acre-feet, that's how a simulation was done.

37 The simulation was run 15 years into the future with two  
38 different weather scenarios. The first scenario for weather was  
39 an average amount of precipitation for -- for 15 years, just a  
40 normal amount of precipitation with all wells pumping at full

1 water right to see what would happen, to see if the -- the water  
2 table would drop.

3 Then the second simulation in each -- in each basin was at  
4 50 percent of an average annual recharge. So simulating a  
5 15-year drought at 50 percent of normal. So they were then  
6 compared.

7 Domestic wells are actually allowed two acre-feet a year,  
8 but they were simulated at 0.7 acre-feet annually. AFA is the  
9 acronym there.

10 So then with these different scenarios, you could compute  
11 the drawdown, the amount that the water table would drop when  
12 the wells were pumping and see if there was an effect over time.

13 UNIDENTIFIED PARTICIPANT: Okay.

14 UNIDENTIFIED PARTICIPANT: Okay.

15 JOHN COBOURN: Now this -- I'm sorry about this. It's  
16 difficult to read it. But basically, it's kind of a summary  
17 table of information from the State of Nevada about how much was  
18 pumped in each town, in each municipality. And the -- really  
19 the focus of this study is the municipal wells, even though  
20 they're simulating all the wells, including agricultural wells.  
21 They wanted to find out what would happen in each of the towns  
22 with their public water supply systems.

23 So you can see all the towns on the left. And then the  
24 col- -- the columns going across show how much water was pumped  
25 in each town for each of the different categories.

26 So the first category mining and milling is on the left.  
27 And actually Austin doesn't have any water devoted to that.  
28 Battle Mountain has 676 acre-feet.

29 Industrial and construction. Battle Mountain has 3176  
30 acre-feet of water pumps. And these were 2013 figures.

31 The column just about in the middle, irrigation, for many  
32 of the towns is the largest. And that's true for both Austin  
33 and Battle Mountain: 18,819 acre-feet was pumped in 2013 in  
34 Austin or nearby Austin for agriculture and 10,804 acre-feet was  
35 pumped near Battle Mountain for agriculture.

36 Two columns over further, then, is the municipal column.  
37 And neither town had a great deal of -- of water pumped for  
38 municipal. Austin pumped 44 acre-feet and Battle Mountain  
39 pumped 113 acre-feet.

40 The columns on the far right total and then the one just to

1 the right of that, perennial yield, show the total amount that  
2 was pumped in 2013 versus the perennial yield. Now, the  
3 perennial yield in an aquifer is the amount of water that's  
4 recharged to that aquifer each year. It's -- it's an estimate.  
5 And it varies from year to year. But it would be considered the  
6 average amount that would be -- it would be recharged into an  
7 underground aquifer from rain and snow each year. So it would  
8 be a little less during drought years. It might be a little  
9 more than that amount during larger than -- than average years.

10 So we're going to look first at Austin. Now, this aerial  
11 photo, you can see Austin in the upper right. This is the Upper  
12 Reese Valley Aquifer. And the dots on the aerial photo indicate  
13 the well locations. The green dots are for irrigation wells.  
14 Blue dots are for domestic wells. The red dot -- just a couple  
15 of them for our municipal wells for Austin. And then orange  
16 dots are other wells. Some -- in some counties those are where  
17 mining is taking place.

18 So the perennial yield figure. That's the average amount  
19 that's -- that's estimated to be recharged to this underground  
20 aquifer per year is 37,000 acre-feet annually.

21 Now, the -- the small table is important because it shows  
22 the total water rights that were allowed that have been granted  
23 for pumping of groundwater in the Upper Reese River Valley --  
24 45,256 acre-feet. That's a little bit more than the actual  
25 perennial yield. So you could say that it's over appropriated.  
26 If it's about 116.9 percent of the perennial yield figure.

27 However, in 2013, estimated use was less than that. It was  
28 only 19,490 acre-feet or only 52.7 percent of the perennial  
29 yield.

30 And while it's not a lot, it's -- I don't think it's a lot.  
31 It's a rule of thumb that, generally speaking with aquifers, to  
32 be sustainable you don't want to pump out a great deal more than  
33 its recharge each year for precipitations. It's kind of common  
34 sense. Austin, it's not. It's only pumping 52 percent of the  
35 estimated perennial yield. That's a good thing.

36 Now, for the study, in the simulation, though, they  
37 actually simulated in the upper line of the table. They're  
38 simulating it's at 43,000 acre-feet were pumped each year. So  
39 these -- these are the two, kind of the summary aerial photos  
40 that tell the results of the simulation. Now, on the left is

1 the simulation done with 100 percent recharge, pumping all wells  
2 at full water right. Then the right one, it actually shows what  
3 if there was a 50 percent -- what if there was a drought and  
4 only 50 percent of the water was recharged for that 15-year  
5 period?

6 So let's look first at the left side. And -- and the -- it  
7 started -- again, at the legend, I'll just try to interpret that  
8 for you. The different colored lines, the dark-blue line is one  
9 foot of drawdown. The -- the bright-red line is 20 feet of  
10 drawdown. And -- and, like, orange is about 16 feet of  
11 drawdown.

12 Now, Austin's up in the upper right. And it's just the  
13 blue and the -- and the light green -- or the blue-green lines.  
14 So there's not a whole lot of drawdown in the Austin area.

15 In the agricultural area west of town, however, you can see  
16 drawdown simulated at -- between 15 and 20 feet in that  
17 agricultural area.

18 So that's -- that's the simulation without drought. That's  
19 just full pumping of full water right.

20 Now, with the drought, it doesn't change the situation very  
21 much out in the agricultural area.

22 The drought actually has more impact around the fringes of  
23 the valley because most precipitation comes in the mountains  
24 surrounding the valley. And the -- the -- the way that water  
25 moves underground down towards the valley, it's a little more  
26 rapid in the mountains. And it's slower -- it's more of a lag  
27 time in the valley. So the Austin wells have about an  
28 additional -- let's see, it's hard to read from there. Check,  
29 see -- can we go around that?

30 Okay. The drought -- because Austin is fairly near the  
31 mountains, it has a one -- it shows about a one- to two-foot  
32 drawdown just from the drought. It didn't have this -- it only  
33 had one to three feet for the regular simulation and additional  
34 one to two feet for the drought.

35 The -- the black dots on the right side are also the  
36 domestic wells. The domestic wells, many of them are out in the  
37 valley and they have very little drought in them. But any  
38 domestic wells, like near Austin there's a couple, in the  
39 southern end of the valley that are near the mountains, they're  
40 going to have larger drawdown, possibly in the range of -- well,

1 let's see -- if you look at the left side, let's -- let's take a  
2 look at the -- the ones near Austin. Probably one to two feet  
3 from the -- from -- if there was no drought, an additional --  
4 about another foot if there was a drought.

5 So it's actually pretty good news because there's not a lot  
6 of drawdown. And also it's good because we're simulating as if  
7 all the wells were pumped at their full water right. And we  
8 know that that isn't really happening.

9 So there's actually a fair amount of resilience to the  
10 drought. So, number one, the conclusion for Austin, agricul- --  
11 agricultural pumping is the leading contributor to drawdown in  
12 those wells in -- in the Austin area, particularly southwest in  
13 Austin. And it's nearly 20 feet of drawdown, if they were all  
14 pumped at full water right.

15 The proximity of the municipal well to the mountain block  
16 increases vulnerability to drought. So one to -- 1.2 to 1.3  
17 feet of drawdown, additional drawdown during the drought  
18 scenario.

19 If new municipal supply wells were -- were needed in the  
20 Austin area, they should be located closer to the  
21 (indiscernible) of the valley as possible and -- and not up near  
22 the mountains, because wells near the mountains are more  
23 vulnerable to drought.

24 Okay.

25 COMMISSIONER CLARK: I have a question.

26 JOHN COBOURN: A question, yes. Yes.

27 COMMISSIONER CLARK: What's your drawdown --

28 JOHN COBOURN: Do -- do you want me to go --

29 COMMISSIONER CLARK: What's your draw --

30 JOHN COBOURN: -- back to the last one?

31 COMMISSIONER CLARK: No, what's your drawdown time frame?  
32 You said 1.2 to 1.3 drawdown, --

33 JOHN COBOURN: Okay.

34 COMMISSIONER CLARK: -- but the length of time that it took  
35 to get that drawdown.

36 JOHN COBOURN: Okay. Good question. So the question is,  
37 if it was going to be one to three feet -- an additional 1.3  
38 feet during the drought, those are actually simulated after the  
39 15 years.

40 COMMISSIONER CLARK: Fifteen years. It took 15 years to --

1 to draw it down that much?

2 JOHN COBOURN: That's correct.

3 COMMISSIONER CLARK: Okay.

4 JOHN COBOURN: It's not each year but a total of one to  
5 three feet after the 15-year simulation.

6 COMMISSIONER CLARK: And what -- what do you project in a  
7 normal year of snowfall and rain? How much would it lift that  
8 drawdown to a smaller number?

9 JOHN COBOURN: Well, let's go back two slides. Yeah, this  
10 one. Yeah.

11 The -- the aerial photo on the left actually is assuming 15  
12 years of normal precipitation.

13 COMMISSIONER CLARK: Okay.

14 JOHN COBOURN: So what it's really showing is that, since  
15 the -- the drawdown is more on the left side, it's really  
16 showing that the -- the water table in -- in these -- in these  
17 towns is more sensitive to pumping of water out.

18 The way -- the amount that we pump out, in this case, I  
19 think it's 18,000 acre-feet for irrigation. That has a larger  
20 impact on the water table in that area than a 15-year drought  
21 does.

22 COMMISSIONER CLARK: Okay. And how long, with normal  
23 precipitation, would it take to get back to where you think the  
24 water table should be?

25 Or can't it come back to where it should be because of the  
26 water that's being pumped out?

27 JOHN COBOURN: Well, that's -- I don't know if I can answer  
28 that.

29 The -- if the pumping continues, even at the current rate,  
30 probably it's -- it may or may not ever come back up.

31 COMMISSIONER CLARK: Okay.

32 JOHN COBOURN: It -- it depends a lot on the particular  
33 kinds of soils in the area, whether there's possibly been a  
34 little bit of land subsidence, which can happen when the water  
35 table drops.

36 COMMISSIONER CLARK: Okay.

37 JOHN COBOURN: Okay.

38 CHAIRMAN BAKKER: Art, I'll tell you, on a normal year when  
39 you're pumping irrigation, your water table still drops, whether  
40 there's a drought or not. So everyone would have to stop using

1 water for it to go back to normal.

2 JOHN COBOURN: That's right. And usually when the state --  
3 the state also measures the -- the water table. And I believe  
4 the state when they measure the water table in different parts  
5 of the state of the Nevada, they go out in the spring before the  
6 irrigation starts. And they -- they keep track of the amount  
7 of -- whether the water table is steady or going up and down.

8 And in most -- most areas it's going down a little bit each  
9 year --

10 CHAIRMAN BAKKER: Uh-huh.

11 JOHN COBOURN: -- where there's -- where there's a lot of  
12 pumping.

13 CHAIRMAN BAKKER: Right.

14 JOHN COBOURN: Okay. So for the Battle Mountain area now,  
15 which is the Clovers Aquifer, for Number 64, it's also called  
16 the groundwater basin, perennial yield is estimated at 71,000 --  
17 acre-feet annually. Now, again, the dots show the different  
18 color. The different colors show what kind of well it is. So  
19 Battle Mountain's in the lower right corner. You have blue  
20 domestic wells right around town. There's red municipal wells  
21 close to town and then quite a few -- there's some irrigation  
22 wells close to town and then quite a few north of town.

23 Humboldt River it's going through from the southeast to the  
24 northwest.

25 And in the graph, the total water rights for the whole  
26 groundwater basin for -- for the Clovers area is only 40,000 --  
27 -- 47,063 acre-feet a year. So even when being pumped at total  
28 water rights, that's about 66 percent of the perennial yield or  
29 the average amount of recharge for the aquifer.

30 Now, the estimated use is even much less. It's only 15,701  
31 acre-feet per year according to 2013 figures. That's only 22  
32 percent -- 22.8 percent of perennial yield.

33 That's a pretty good scenario, you would think, because  
34 it's estimated that more water is coming in. This might be one  
35 of those cases where you could expect the water table to come  
36 up. You might wonder if it was going to come up. The  
37 simulation doesn't show it coming to power.

38 So let's look at the next slide. So this shows the two  
39 scenarios similar to what I showed for Austin. The one on the  
40 left shows if all the wells were pumped at full water right and

1 we're having normal precipitation, so just normal 15 years of  
2 snow and rain at about the normal or average rate. And it  
3 shows -- the lines show the amount of drawdown in that scenario.

4 Again, they're a little hard to read so I'll try and help  
5 you with those numbers.

6 The red lines show 17 feet of drawdown. The light-green  
7 lines -- and there's sort of some light-green and light-yellow,  
8 yellowish-green lines around Battle Mountain. Those are more  
9 like eight feet of drawdown. And those -- those are essentially  
10 what you see.

11 The average -- the amount of drawdown simulated by the  
12 computer model is going to be around 17 feet in the agricultural  
13 areas north of town after 15 years. And for municipal wells  
14 near -- in the Battle Mountain area, you're going to see around  
15 six to eight feet of drawdown if all wells are pumped at full  
16 water right. And they're pumped -- only pumped at about half of  
17 that.

18 So the right side, then, you take the same amount of  
19 pumping as you had on the left, but you decrease the recharge  
20 down to 50 percent of recharge for those 15 years. And the --  
21 the impact again is -- is around the fringes of the valley. And  
22 you see them on the -- on the east side, north side, and south  
23 side of -- of the valley near the mountain blocks. That's where  
24 you're going to see the -- the influence of a drought sooner.  
25 But the influence is small. The largest amount of -- of  
26 decrease or drawdown in the water table around -- from the  
27 drought around the fringes of the valley is only 1.72 feet.

28 Again, the amount of -- you can see that the amount of  
29 drawdown from the drought is about 1/10 of the amount of  
30 drawdown that you might see -- you would see if it was pumped at  
31 the full water right.

32 Also, if you look at domestic well locations, the domestic  
33 wells -- there -- there are very few domestic wells in the area  
34 of where the greatest simulated drawdown from the drought would  
35 be. But that's -- sometimes there are few in the very southern  
36 end of the valley that will probably see more drawdown if there  
37 is a drought.

38 Now, because the Humboldt River flows through the area, two  
39 additional simulations were performed.

40 So on the left you have -- they did a simulation of if the

1 river stage dropped two feet. And then the right, they did  
2 another simulation. What hap- -- would happen if the river  
3 stage dropped five feet during the drought?

4 So these are both additional dr- -- ways of looking at it  
5 with drought recharge. And they actually can plug in the impact  
6 of the river. Because the impact of the river is -- the river  
7 also communicates with the aquifer.

8 And in this particular case, it does show that some  
9 additional drawdown would occur if the river stage dropped. But  
10 it has a very small impact, particularly on the municipal wells  
11 in the Battle Mountain area.

12 The largest -- on the left side, the largest amount of  
13 impact was shown way over in the west side of the valley. And  
14 that's only about 2/100 of a foot of draw- -- of additional  
15 drawdown if the river went down.

16 On the right side, if the river went down five feet, you  
17 would have possibly four to five one-hundredths of a foot of  
18 additional drawdown, again, over on the west side of the valley,  
19 not near the municipal wells in Battle Mountain.

20 Next slide. So for Battle Mountain the conclusions are  
21 that groundwater pumping, again, exerts a significant- -- a  
22 stronger influence on the groundwater elevation or drawdown than  
23 does a 15-year severe drought.

24 Drawdown at municipal wells and in the irrigated area north  
25 of the river should be monitored to assess aquifer and well  
26 performance.

27 And that's actually true for -- for every town. They alw-  
28 -- all towns should be monitoring their -- their -- the water  
29 levels in their wells on a consistent basis.

30 Declines in the liver -- in the river level would have a  
31 very small influence.

32 And then again, any -- if any new municipal wells were  
33 needed, they should be located far from the existing pumping  
34 wells and far from the mountain block.

35 General conclusions, as I pointed out, I've already  
36 described, wells located in or near the mountain block are more  
37 vulnerable to drought impact than those located near the center  
38 of the valley.

39 And under drought conditions, the greatest decline in  
40 groundwater levels occurs in the mountains where recharge is

1 delivered to the models.

2 And the last -- last slide.

3 Now, these are general recommendations that apply to all  
4 the towns. And these are actually considered hazard mitigation  
5 actions which could be put into a -- to a county hazard  
6 mitigation plan, as I just mentioned. Monitoring the water  
7 supply or the water levels in the wells is important. Eliminat-  
8 -- eliminating leaks in the water supply and delivery system.  
9 Good common sense. Educating residents on water-saving  
10 techniques, indoors and out. And possibly even incorporating  
11 some drought-tolerant or water-efficient landscaping practices  
12 into landscape ordinances or providing incentives for that.

13 Finally, here is the -- Janell Woodward at the Department  
14 of Public Safety, her email address is there. If you would like  
15 an electronic copy, you can email her for one. And she can send  
16 you one. And I had left a -- a hard copy of the report with  
17 Sadie. And also there's -- there's more information on the  
18 governor's drought Nevada dot -- drought.nevada.gov.

19 And we don't really know yet if we're out of the current  
20 drought. We did have an average year last year. We're starting  
21 off with a good fall this year, but we don't know if there's  
22 going to be another dry year or wet year this winter.

23 So that concludes the presentation. I'd be happy to take  
24 any questions.

25 CHAIRMAN BAKKER: Any questions?

26 COMMISSIONER CLARK: Yeah. I have a question, a couple  
27 questions.

28 How did you establish normal? Normal water table?

29 JOHN COBURN: So the normal is actually the precipitation  
30 rate. And that's -- from basically from weather records.

31 COMMISSIONER CLARK: Okay.

32 JOHN COBURN: All the counties have meteorological site  
33 stations so that look at the average amount of precipitation in  
34 various parts of -- of the valley over, I think, probably a  
35 period of 40 or 50 years to get an average amount. That's the  
36 normal. There -- as far as the water table, if I said there was  
37 a normal water level, I -- I probably misspoke, because --

38 COMMISSIONER CLARK: Yeah, I --

39 JOHN COBURN: -- it's not -- it doesn't necessarily apply.

40 COMMISSIONER CLARK: And what has been recommended for

1 Clark County water use?  
2 JOHN COBOURN: This study didn't -- didn't look at the  
3 Clark County.  
4 COMMISSIONER CLARK: That's all you need to say.  
5 JOHN COBOURN: Okay.  
6 CHAIRMAN BAKKER: Any public comment?  
7 COMMISSIONER MILLS: I have -- I have one question. On the  
8 water basins that are over appropriated, is the state still  
9 issuing water permits for those areas? For those basins?  
10 CHAIRMAN BAKKER: He's not with the state.  
11 JOHN COBOURN: Yeah. I -- I'm not clear on their policy.  
12 COMMISSIONER MILLS: Okay.  
13 JOHN COBOURN: I think in some cases they -- they probably  
14 are. I know that in some places they're tightening -- in some  
15 valleys they've told the local people that they must cut back.  
16 If they're -- if they're not only over appropriated, but if the  
17 water table is really going down, down, down --  
18 COMMISSIONER MILLS: Right.  
19 JOHN COBOURN: -- on a consistent basis, the state has --  
20 has actually indicated that -- that they're going to have to cut  
21 back on their own or the state will curtail their use. And that  
22 has -- that's only happened as far as I know in -- in Eureka  
23 County.  
24 CHAIRMAN BAKKER: Yeah. Diamond Valley.  
25 COMMISSIONER MILLS: Diamond Valley. I was going to ask  
26 about what you know about Diamond Valley and how successful are  
27 they in -- in their attempts to solve their problems over there.  
28 JOHN COBOURN: I haven't --  
29 COMMISSIONER MILLS: I don't know --  
30 JOHN COBOURN: -- I haven't been involved. But I -- what  
31 I've heard from colleagues is that, in Diamond Valley in Eureka,  
32 the community is really coming together. They're meeting every  
33 month. They have a consultant that's working with them on  
34 revising and revamping the way their water is used in the valley  
35 and that they're coming up with a plan to meet the state's  
36 requirements. And it's going to take time. It's probably going  
37 to be some sort of a trial period, like a five-year trial period  
38 to see if they can get that under control. But they're working  
39 on --  
40 COMMISSIONER MILLS: Yeah.

1 JOHN COBOURN: -- it pretty seriously.  
2 COMMISSIONER MILLS: Right.  
3 CHAIRMAN BAKKER: Keith, when -- when did Jake say he'd  
4 come?  
5 KEITH WESTENGARD: Next meeting. And we --  
6 CHAIRMAN BAKKER: Jake will --  
7 KEITH WESTENGARD: -- do have --  
8 CHAIRMAN BAKKER: -- be here at the next meeting.  
9 KEITH WESTENGARD: We do have this in our hazard mitigation  
10 plan for the county, drought conditions. It's part of our --  
11 our hazard (indiscernible).  
12 CHAIRMAN BAKKER: Jake will be at our next meeting to give  
13 us an update on Diamond Valley and what they're doing.  
14 KEITH WESTENGARD: Yes, that's what he said.  
15 CHAIRMAN BAKKER: Okay.  
16 COMMISSIONER MILLS: All right.  
17 CHAIRMAN BAKKER: Awesome. Any other --  
18 JOHN COBOURN: Thank --  
19 CHAIRMAN BAKKER: -- questions?  
20 JOHN COBOURN: -- you very --  
21 COMMISSIONER WAITS: Thank --  
22 JOHN COBOURN: -- much.  
23 COMMISSIONER WAITS: -- you.  
24 CHAIRMAN BAKKER: Okay. Thank you.  
25 JOHN COBOURN: Okay.

26  
27 2) Discussion and possible action to approve/disapprove the  
28 route for the annual Parade of Lights to be held December 3,  
29 2016, and all other matters properly related thereto.  
30

31 CHAIRMAN BAKKER: Two, discussion and possible action to  
32 approve or disapprove the route for the annual Parade of Lights  
33 to be held December 3<sup>rd</sup>, 2016, and all the other matters  
34 property related thereto.

35 DAWN McCLARY: Good morning. My name is Dawn McClary. I'm  
36 the new executive director for the Battle Mountain Chamber of  
37 Commerce, for the record.

38 I'm here just to get the approval on the well-known Parade  
39 of Lights that happens December 3<sup>rd</sup> this year from 6:00 o'clock.  
40 And it should be done around 6:30.

1           You have your packets in front of you, I think. The parade  
2 route is the exact same as last year. If you have any  
3 questions, I'd be more than happy to answer them. But I would  
4 really like to have some approval so I can get going forward on  
5 this project.

6           COMMISSIONER MILLS: Is there a theme for the parade this  
7 year?

8           DAWN McCLARY: Christmas traditions.

9           COMMISSIONER MILLS: Christmas traditions.

10          COMMISSIONER CLARK: Do you have this covered, Ron?

11          SHERIFF RON UNGER: Yes, sir.

12          COMMISSIONER CLARK: Okay.

13          CHAIRMAN BAKKER: Okay.

14          COMMISSIONER MILLS: I'll make a motion to approve the  
15 route for the annual Parade of Lights to be held December 3<sup>rd</sup>,  
16 2016.

17          COMMISSIONER CLARK: Second.

18          COMMISSIONER MILLS: It's --

19          COMMISSIONER WAITS: You need --

20          COMMISSIONER MILLS: -- approve --

21          COMMISSIONER WAITS: -- a signature.

22          COMMISSIONER MILLS: -- a closing -- closing of the road  
23 and approve chair to sign.

24          COMMISSIONER WAITS: You need a signature too, I think,  
25 from our chair.

26          COMMISSIONER MILLS: Yeah.

27          COUNTY CLERK SULLIVAN: Excuse me. Sadie Sullivan, for the  
28 record.

29            It has executive director.

30          COMMISSIONER MILLS: Oh. For the executive director to  
31 sign?

32          COUNTY CLERK SULLIVAN: Yes, please.

33          CHAIRMAN BAKKER: Closing a road, Keith. Moving up.

34          KEITH WESTENGARD: I guess so.

35          COMMISSIONER MILLS: There you go.

36          COMMISSIONER WAITS: I will s- --

37          CHAIRMAN BAKKER: You've got to amend your motion, though.

38          COMMISSIONER WAITS: I will second that motion.

39          COMMISSIONER MILLS: I -- I -- for the executive director  
40 to sign.

1 CHAIRMAN BAKKER: Okay. Doug made a motion. Patsy  
2 seconded it.

3 Any public comment?

4 (No comment.)

5 CHAIRMAN BAKKER: All in favor?

6 COMMISSIONER MILLS: Aye.

7 CHAIRMAN BAKKER: Aye.

8 COMMISSIONER WAITS: Aye.

9 COMMISSIONER CLARK: Aye.

10 DAWN McCLARY: Thank you.

11 CHAIRMAN BAKKER: Okay. Thank you --

12 COMMISSIONER WAITS: Thank you, Dawn.

13 CHAIRMAN BAKKER: -- Dawn.

14 COMMISSIONER WAITS: Good --

15 COMMISSIONER MILLS: Thanks.

16 COMMISSIONER WAITS: -- luck in your new position.

17 DAWN McCLARY: Thank you.

- 18  
19 3) Discussion and possible action regarding the fees charged to  
20 the Lander County Convention & Tourism Authority for the use  
21 of the Battle Mountain Civic Center for special events, and  
22 all other matters properly related thereto.

23  
24 CHAIRMAN BAKKER: Three, discussion and possible action  
25 regarding the fees charge to the Lander County Convention and  
26 Tourism Authority for the use of the Battle Mountain Civic  
27 Center for the special events, and all the matters properly  
28 related thereto.

29 Also, we're going to open up 18.

- 30  
31 18) Discussion and possible action to approve/disapprove  
32 Resolution 2016-13 that would appoint two individuals on the  
33 Lander County Convention and Tourism Authority to serve a  
34 one-time, three-year term, then revert to a two-year term,  
35 and all other matters properly related thereto.

36  
37 CHAIRMAN BAKKER: Discussion and possible action to  
38 approve/disapprove Resolution 2016-13 that would appoint two  
39 individuals to -- on the Lander County Convention and Tourism  
40 Authority to serve a one-time, three-year term to revert to a

1 two-year term, and all other matters properly related thereto.  
2 Okay.  
3 GRADY PIERCE: I'm Grady Pierce. Lander County Convention  
4 and Tourism, if you have any questions.  
5 MARSHA FORGERON: Marsha Forgeron, new member and learning.  
6 COMMISSIONER WAITS: Good morning.  
7 CHAIRMAN BAKKER: Any questions?  
8 COMMISSIONER WAITS: Just what positions that we're going  
9 to put in what term slots. That's all.  
10 COMMISSIONER MILLS: Do you -- do you have a preference on  
11 who does the three-year terms?  
12 GRADY PIERCE: No.  
13 DISTRICT ATTORNEY HERRERA: Commission, what I suggested  
14 last time and it wasn't part of the motion, so somebody had to  
15 bring it up again, was that the -- the two positions that --  
16 that no one competed against, maybe perhaps they should be the  
17 three years. And that would be -- that would be the other two  
18 positions aside from these two individuals here that would be --  
19 CHAIRMAN BAKKER: So Rich and Ann.  
20 DISTRICT ATTORNEY HERRERA: Yes. And --  
21 COMMISSIONER MILLS: Oh, Ann Miles?  
22 CHAIRMAN BAKKER: Uh-huh.  
23 DISTRICT ATTORNEY HERRERA: And you only --  
24 COMMISSIONER WAITS: So Rich and Anne would be the --  
25 GRADY PIERCE: Three years.  
26 CHAIRMAN BAKKER AND DISTRICT ATTORNEY HERRERA: Three  
27 years.  
28 COMMISSIONER WAITS: Three-year.  
29 DISTRICT ATTORNEY HERRERA: One time, three years.  
30 GRADY PIERCE: One time only. So we're staggered.  
31 DISTRICT ATTORNEY HERRERA: So they'd be staggered there.  
32 That's just a suggestion.  
33 COMMISSIONER WAITS: Okay.  
34 GRADY PIERCE: That's fine with -- with -- with me.  
35 COMMISSIONER WAITS: Actually, that's the motel/hotel  
36 anyway. And that's probably a good one to leave --  
37 DISTRICT ATTORNEY HERRERA: Yep.  
38 COMMISSIONER WAITS: -- with the continuity on that type of  
39 thing.  
40 DISTRICT ATTORNEY HERRERA: Yep.

1 COMMISSIONER WAITS: I agree.  
2 CHAIRMAN BAKKER: Someone want to make a motion on that?  
3 COMMISSIONER WAITS: I'll -- I'll --  
4 DISTRICT ATTORNEY HERRERA: So it's basically filling in  
5 the blanks. If you look at the resolution, --  
6 COMMISSIONER WAITS: Okay.  
7 DISTRICT ATTORNEY HERRERA: -- you have to name the names  
8 so we can fill in the blanks.  
9 COMMISSIONER WAITS: Okay. I'll make a motion that we  
10 approve the Resolution 2016-13 that would appoint two  
11 individuals to the Lander County Convention and Tourism  
12 Authority to serve a one-time, three-year term and that would be  
13 the motel and hotel representatives. And authorize the chair to  
14 sign.  
15 COMMISSIONER MILLS: I'll second.  
16 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded.  
17 Any public comment?  
18 (No comment.)  
19 CHAIRMAN BAKKER: All in favor?  
20 COMMISSIONER MILLS: Aye.  
21 CHAIRMAN BAKKER: Aye.  
22 COMMISSIONER WAITS: Aye.  
23 COMMISSIONER CLARK: Aye.  
24 CHAIRMAN BAKKER: Okay. Now --  
25 DISTRICT ATTORNEY HERRERA: And this is a -- a joint  
26 resolution. So as soon as it's all signed, we will be sending  
27 it to --  
28 COMMISSIONER CLARK: Yeah.  
29 GRADY PIERCE: Our board.  
30 CHAIRMAN BAKKER: Their board.  
31 COMMISSIONER WAITS: Giving it to Convention and Tourism  
32 for your board.  
33 CHAIRMAN BAKKER: Okay. And then issue number three.  
34 Charging the Convention and Tourism to use the civic center.  
35 GRADY PIERCE: We -- you know, obviously this was back when  
36 we managed the -- the civic center, we always let the county  
37 government utilize the facility with no fee.  
38 And I guess we would just like to have that same respect  
39 back.  
40 COMMISSIONER WAITS: Rich, the question that came up was

1 when we were looking at that, we -- we queried into the same  
2 thing. We thought the government offices did not pay a fee, but  
3 they assured us that they did, that the school had paid.  
4 GRADY PIERCE: Right.  
5 COMMISSIONER CLARK: The Resource Center has paid.  
6 GRADY PIERCE: The Resource Center had paid?  
7 COMMISSIONER CLARK: Yeah, when they have their crab feed.  
8 When -- when you have alcohol, you have to pay.  
9 GRADY PIERCE: Well, --  
10 COMMISSIONER CLARK: I know where you're coming from,  
11 Grady. I don't have a problem with it.  
12 GRADY PIERCE: Right. I guess --  
13 COMMISSIONER CLARK: This is just the way it's really been.  
14 GRADY PIERCE: The -- but what we're doing is not a -- a  
15 fundraiser for a particular group. What we're doing is to help  
16 the entire community.  
17 COMMISSIONER CLARK: The Resource Center is a 503.  
18 GRADY PIERCE: Well, yeah, I guess you can take your stance  
19 however you want as far as whether you want to bring people to  
20 Lander County or you don't. I know we do. We want to promote,  
21 and we want to bring people in. But just down to the dollars  
22 and cents and, you know, I guess we'll just have to figure that  
23 out.  
24 COMMISSIONER CLARK: How much money do you have in your  
25 bank account?  
26 GRADY PIERCE: That's irrelevant to what --  
27 COMMISSIONER CLARK: No, it's not irrelevant.  
28 GRADY PIERCE: It is irrelevant.  
29 COMMISSIONER CLARK: No, it's not.  
30 GRADY PIERCE: How much money do you have?  
31 COMMISSIONER CLARK: It's public record. How much do you  
32 have?  
33 GRADY PIERCE: Well, same as yours.  
34 COMMISSIONER CLARK: How much do you have?  
35 GRADY PIERCE: Not as much as you.  
36 COMMISSIONER CLARK: You still haven't given me a figure,  
37 Grady.  
38 Last time I checked it was 980,000. And it was 600,000.  
39 Are you hurting for money?  
40 GRADY PIERCE: Yes.

1 COMMISSIONER CLARK: What's your balance? It's public  
2 record. You know it.  
3 GRADY PIERCE: I know it.  
4 COMMISSIONER CLARK: Well, tell me.  
5 GRADY PIERCE: But if we're not frugal with it, it won't be  
6 there. Do you see the motels full every night? No.  
7 COMMISSIONER CLARK: That wasn't my question. My question  
8 is: What is your balance?  
9 GRADY PIERCE: Yes, we have enough to -- to -- to rent the  
10 civic center.  
11 COMMISSIONER CLARK: You still haven't answered my  
12 question, Grady, because you know you have a fat bank account.  
13 It's that simple.  
14 COMMISSIONER MILLS: I think I would say that how much  
15 money someone has is irrelevant to the question or -- or the  
16 discussion.  
17 GRADY PIERCE: Yeah, I mean, it's about using a facility  
18 for an event --  
19 COMMISSIONER MILLS: Right. To me, it's --  
20 GRADY PIERCE: -- that sponsors and helps the community.  
21 COMMISSIONER MILLS: To me, it's more about treating  
22 similar organizations similarly. So if it's a 501(c)(3), they  
23 all get a similar rate for the civic center. If it was a  
24 private individual, they all pay a similar rate. If it's a  
25 county entity or a government entity, they pay a similar rate.  
26 That's what I would be more concerned about.  
27 GRADY PIERCE: Right, I mean, --  
28 CHAIRMAN BAKKER: What does the schools pay, then?  
29 GRADY PIERCE: I think the last -- I haven't been on there  
30 for two years, but the last I knew it was \$5,000 a year.  
31 CHAIRMAN BAKKER: \$5,000 a year?  
32 GRADY PIERCE: Yeah. And that opened it up to the entire  
33 year, whenever they needed or wanted it.  
34 DISTRICT ATTORNEY HERRERA: Is that true?  
35 UNIDENTIFIED PARTICIPANT: That is correct.  
36 CHAIRMAN BAKKER: Okay.  
37 COMMISSIONER MILLS: Then I would -- I would say that if  
38 Convention and Tourism wants to do it, you could -- we could  
39 come up with an annual rate or a per-use rate.  
40 GRADY PIERCE: So does that mean that --

1 ROBIN SMITH: Robin Smith, for the record.  
2 CHAIRMAN BAKKER: Oh. What's up?  
3 GRADY PIERCE: (Indiscernible.)  
4 ROBIN SMITH: I'd think that if you're going to do an  
5 annual rate for Convention and Tourism and the school, then you  
6 have to look at all of the 501(c)(3)s. It has to be fair across  
7 the board.  
8 If you guys want to honor their contract this year because  
9 it was already set in place for a no-fee, that's fine. But I  
10 think moving forward, if one club has to follow the rate  
11 schedule, all clubs need to. Not saying Convention and Tourism  
12 is a club, but there's other -- the Bass Club brings people into  
13 this town. Family Resource for the crab feed brings people into  
14 this town. Yes, you guys bring people into this town for the  
15 chukar tournament, but other organizations --  
16 GRADY PIERCE: Well --  
17 ROBIN SMITH: -- do too. And if they have to pay, then  
18 I --  
19 GRADY PIERCE: Then --  
20 ROBIN SMITH: -- think --  
21 GRADY PIERCE: -- you're right.  
22 ROBIN SMITH: -- it's only fair to be straight across the  
23 board.  
24 COMMISSIONER CLARK: What's your recommendation, --  
25 COMMISSIONER MILLS: That's --  
26 COMMISSIONER CLARK: -- Robin?  
27 ROBIN SMITH: Well, I mean, I don't think this needs to  
28 turn into a huge deal. If we want to honor their contract this  
29 year, that's fine. Moving forward, I think we need to sit tr--  
30 -- stay to our rate schedule that we agreed on last commission  
31 meeting. Fair is fair.  
32 COMMISSIONER WAITS: I don't look at it quite the same  
33 because they -- they are a board set up by the NRS statute. And  
34 that's still just a little bit different than somebody that has  
35 an individual club that they're doing things for.  
36 ROBIN SMITH: Okay.  
37 COMMISSIONER WAITS: You can't --  
38 ROBIN SMITH: -- Family --  
39 COMMISSIONER WAITS: -- compare that.  
40 ROBIN SMITH: -- Resource Center. Are they under the NRS

1 statute? Is the school? I mean, where is the line drawn?  
2 Where --

3 COMMISSIONER WAITS: Well, but their --  
4 ROBIN SMITH: -- is the line drawn?

5 COMMISSIONER WAITS: But their mission is not to obtain the  
6 -- and collect the taxes that go back in grants for all of the  
7 county. I mean, it's just -- I look at it differently. I --

8 GRADY PIERCE: Yeah. No, it --  
9 You're right. It -- it could go either way. And we could  
10 be here all day. But, yeah, I mean. Yeah, I can see, you know,  
11 there's no happy medium so however we decide to leave this.

12 COMMISSIONER WAITS: Well, on the other side too is we  
13 still -- now that the county has taken it over, has to -- has  
14 to, you know, maintain the costs that -- that we have too. But  
15 I don't think it should be anything excessive. And I think we  
16 can still treat that a little bit differently than we do every  
17 other individual club.

18 CHAIRMAN BAKKER: I feel, honestly -- and if we come up  
19 with an annual rate, I would actually be okay with that. That's  
20 not a bad idea. But when you say the county got it for free, we  
21 didn't get it for free, because we paid all the maintenance,  
22 minor or major. So it was like we were paying for maintenance  
23 to use the building. And you guys collected the fees, which is  
24 fine. But there has to be -- it can't just be nothing. Because  
25 if you look at it from a business standpoint, you can say -- say  
26 Convention and Tourism wasn't using it and we could find someone  
27 else to rent it out for that whole week, they would be paying.

28 GRADY PIERCE: Right.

29 CHAIRMAN BAKKER: The county would be making money.

30 GRADY PIERCE: And that might be the best solution too is  
31 that we don't use that facility.

32 CHAIRMAN BAKKER: And then the county wouldn't be out  
33 nothing either one way or the other.

34 GRADY PIERCE: No, and that -- that would be good.

35 CHAIRMAN BAKKER: Because we never made money off of it --

36 GRADY PIERCE: Right.

37 CHAIRMAN BAKKER: -- in the past. So if you don't use it  
38 and you don't do an event, the county itself wouldn't be losing  
39 money one way or the other. Because there wouldn't be no  
40 maintenance.

1 GRADY PIERCE: You're right.  
2 CHAIRMAN BAKKER: And there wouldn't be no upkeep.  
3 GRADY PIERCE: Running that facility, you're right. You  
4 can't lose money. I mean, you're making money hand over fist.  
5 So -- so it's -- it's a good -- good move that you took that  
6 back.  
7 COMMISSIONER CLARK: You're shaking your head no, Robin.  
8 ROBIN SMITH: That building does not make money hand over  
9 fist. I'm sorry.  
10 COMMISSIONER CLARK: Okay.  
11 ROBIN SMITH: And you know that. You guys ran it for five  
12 years.  
13 GRADY PIERCE: Five?  
14 ROBIN SMITH: Or Paula was in there five years. I don't  
15 know, however many years you guys ran it. But you know that  
16 that building's not making money hand over fist. And giving the  
17 facility away for free just puts the county farther and farther.  
18 GRADY PIERCE: So when -- when it is rented, we would have  
19 the full support staff of people there monitoring and -- and  
20 keeping things moving along.  
21 ROBIN SMITH: Yes. And as you did when you got it for the  
22 bike race.  
23 GRADY PIERCE: Hm.  
24 CHAIRMAN BAKKER: So what do you guys want to do?  
25 COMMISSIONER MILLS: Well, I just think they should be  
26 treated the same as other organizations. I'm --  
27 And I'm fine with giving it to them for the chukar feed  
28 this year at no charge. That's fine with me.  
29 But going in the future, I think they should be treated the  
30 same as everyone else.  
31 COMMISSIONER WAITS: I'll make a motion that we -- we allow  
32 them to use the facility for the chukar feed this year at no  
33 cost to honor our contract.  
34 But that you go back to your board and see if you would  
35 consider an annual fee or a separate fee or if you don't want to  
36 use the facility at all. I'm going to leave it up to your board  
37 to -- to take a look at that and talk about it and then bring it  
38 back to our board.  
39 GRADY PIERCE: So --  
40 COMMISSIONER MILLS: Um.

1 COMMISSIONER WAITS: I mean, it's very evident that it's  
2 leaning towards that they want to charge you.  
3 GRADY PIERCE: Correct.  
4 COMMISSIONER WAITS: Before they just say automatically, I  
5 think we should do it like everybody else, --  
6 GRADY PIERCE: Correct.  
7 COMMISSIONER WAITS: -- I would like a chance for your  
8 board to have the input on that. Because your comment was,  
9 perhaps we don't want to use it. Well, then if we don't want to  
10 use it, we're not going to set a fee.  
11 GRADY PIERCE: Right.  
12 COMMISSIONER WAITS: So if you don't want to -- you might  
13 think about, well, let's have two or three things there and go  
14 with an annual fee. And I'd like the input from your board  
15 first --  
16 GRADY PIERCE: Okay.  
17 COMMISSIONER WAITS: -- before we make that decision.  
18 COMMISSIONER MILLS: I think I'm -- I'm okay with that. So  
19 I would -- I'll second that motion.  
20 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded.  
21 Any public comment?  
22 ALECIA: I -- I agree that they should say --  
23 CHAIRMAN BAKKER: Hey, Alecia, you've --  
24 ALECIA: -- it should be a --  
25 CHAIRMAN BAKKER: -- got to state your name.  
26 ALECIA: Alecia (indiscernible), --  
27 CHAIRMAN BAKKER: Okay.  
28 ALECIA: -- for the record.  
29 COUNTY CLERK SULLIVAN: You've got to actually come up and  
30 (indiscernible).  
31 ALECIA: First on the public -- as a citizen, I think they  
32 -- everyone should pay straight across. I think you probably  
33 should do a fee because it might come up later again with  
34 another organization. And they should prove that they're a  
35 501(c)(3). We have to do it whether we're doing the Burners or  
36 the Sober Seniors. If whoever you're doing, you have to give  
37 you guys, Convention and Tourism, you have to prove to them your  
38 bank accounts and your 501(c)(3)s. So I think that -- that  
39 should be an effort in there.  
40 And then secondly, as a business owner, they say they're

1 doing it for the best of the community. They spend a great  
2 amount of money out of town when there's local businesses that  
3 could help them with some of those prizes. Their ATV, you're  
4 not going to be able to buy that here. There are a lot of  
5 things that they do. And they send a big trailer out of town,  
6 fill it up with thousands and thousands of dollars of  
7 merchandise that they could buy at lots of places here in town.  
8 So that's my two cents.

9 GRADY PIERCE: Yeah. No, we -- we -- to combat that, we --  
10 we spend a great deal of money in Lander County for prizes with  
11 different businesses that have --

12 ALECIA: What percentage is that?

13 GRADY PIERCE: Probably 6 percent. Well, I take that back,  
14 with the guns, probably 50 or 60.

15 MARSHA FORGERON: I was about to say, it's about half.

16 CHAIRMAN BAKKER: Yeah, but don't they buy the guns out of  
17 town?

18 GRADY PIERCE: No.

19 MARSHA FORGERON: No.

20 CHAIRMAN BAKKER: Did they buy them in town this year?

21 GRADY PIERCE: Yeah. Always buy them --

22 CHAIRMAN BAKKER: Because I know --

23 GRADY PIERCE: -- in town.

24 CHAIRMAN BAKKER: -- last year they went to Cabela's in  
25 Reno. Last year they bought damn -- darn near everything in  
26 Reno --

27 GRADY PIERCE: That's --

28 CHAIRMAN BAKKER: -- because I was at those meetings.

29 GRADY PIERCE: That's because there was no one in Lander  
30 County that had the ability to sell a gun.

31 CHAIRMAN BAKKER: You can go to Ace.

32 GRADY PIERCE: He --

33 CHAIRMAN BAKKER: They order them.

34 GRADY PIERCE: -- didn't want to.

35 CHAIRMAN BAKKER: Huh?

36 GRADY PIERCE: After he got broken into --

37 CHAIRMAN BAKKER: He -- he will --

38 GRADY PIERCE: -- he was gun --

39 CHAIRMAN BAKKER: -- order --

40 GRADY PIERCE: -- shy.

1 CHAIRMAN BAKKER: -- guns for you.  
2 GRADY PIERCE: He was gun-shy. He told us no.  
3 CHAIRMAN BAKKER: Okay, --  
4 GRADY PIERCE: But now --  
5 CHAIRMAN BAKKER: -- what about the gun --  
6 GRADY PIERCE: -- this year he --  
7 CHAIRMAN BAKKER: -- safes?  
8 GRADY PIERCE: -- is.  
9 CHAIRMAN BAKKER: What about -- 95 percent of everything  
10 was bought in Reno last year --  
11 GRADY PIERCE: Uh-huh.  
12 CHAIRMAN BAKKER: -- and the year before.  
13 COMMISSIONER CLARK: You know, nobody argues that you guys  
14 aren't doing a good job. You're doing a good job.  
15 The argument comes --  
16 GRADY PIERCE: No, --  
17 COMMISSIONER CLARK: -- over money.  
18 GRADY PIERCE: -- I don't think so.  
19 COMMISSIONER CLARK: That's --  
20 GRADY PIERCE: The money?  
21 COMMISSIONER CLARK: The money. That's the issue. I mean,  
22 that had been the issue with the contract. And that's the issue  
23 right now, fair payment.  
24 CHAIRMAN BAKKER: Anyway.  
25 GRADY PIERCE: Huh? No, you're right. I just -- I had  
26 just thought that maybe a lot of the old animosity had died.  
27 But I guess it hasn't. So -- so we'll just stay the course.  
28 COMMISSIONER CLARK: Well, define animosity. I mean, we're  
29 just trying to be fair with this.  
30 One person pays. The other person should pay.  
31 CHAIRMAN BAKKER: Ted, can we get clarification that they  
32 need to be a 501(c)(3) or if they're governmental?  
33 DISTRICT ATTORNEY HERRERA: They're a separate entity.  
34 They're a legal entity. Subdivision of State of Nevada by NRS  
35 statute.  
36 CHAIRMAN BAKKER: So they governmental, though? Or what's  
37 the --  
38 DISTRICT ATTORNEY HERRERA: Well, they're -- they're just  
39 like the -- the hospital board --  
40 CHAIRMAN BAKKER: Okay.

1 DISTRICT ATTORNEY HERRERA: -- or the hospital district.  
2 Do you charge them? I -- I don't -- it's a matter of what  
3 policy you want to develop. I can't look at any ordinance or  
4 statute to help you out on this one.  
5 CHAIRMAN BAKKER: Okay.  
6 DISTRICT ATTORNEY HERRERA: I guess that's the best answer.  
7 You -- you have to set a policy on -- on your relationship with  
8 this other governmental agency -- entity, I should say. That's  
9 what it is. It's a policy decision.  
10 COMMISSIONER WAITS: Well, there's not another governmental  
11 agency that --  
12 DISTRICT ATTORNEY HERRERA: Well --  
13 COMMISSIONER WAITS: -- that simply collects the taxes and  
14 gives them all out --  
15 DISTRICT ATTORNEY HERRERA: They're a --  
16 COMMISSIONER WAITS: -- as grants.  
17 DISTRICT ATTORNEY HERRERA: -- governmental entity.  
18 COMMISSIONER WAITS: I mean, back to the county. I mean,  
19 that's a little bit different than the hospital, even though  
20 it's maybe set up the same through NRS. They're still --  
21 they're unique. They're different.  
22 DISTRICT ATTORNEY HERRERA: They are. They are. But  
23 there's nothing in the statute and the ordinance. And I'll  
24 empha- -- reemphasize to help you out on this.  
25 COMMISSIONER WAITS: I --  
26 DISTRICT ATTORNEY HERRERA: You have to set a policy is my  
27 only point.  
28 COMMISSIONER WAITS: I understand.  
29 CHAIRMAN BAKKER: Any other public comment?  
30 (No comment.)  
31 CHAIRMAN BAKKER: Okay. All in favor?  
32 COMMISSIONER MILLS: Aye.  
33 CHAIRMAN BAKKER: Aye.  
34 COMMISSIONER WAITS: Aye.  
35 COMMISSIONER CLARK: Aye.  
36 CHAIRMAN BAKKER: Okay. Thank you, guys.  
37  
38  
39  
40

- 1 4) Discussion of advertisement of grants received by Eleventh  
2 Judicial Youth and Family Services: Youth Apprenticeship  
3 Program, \$14,850; Project Magic, \$25,274; Alcohol  
4 /Marijuana-Wise, Nicotine 101/Other Drugs, \$3,300; and all  
5 other matters properly related thereto.  
6

7 CHAIRMAN BAKKER: Four, discussion of advertisement of  
8 grants received by the Eleventh Judicial Youth and Family  
9 Services: Youth Apprenticeship Program, \$14,850; Project Magic,  
10 \$25,274; Alcohol/Marijuana-Wise, Nicotine 101/Other Drugs,  
11 \$3,300; and all other matters properly related thereto.  
12

13 (Multiple side conversations in the room.)  
14

15 DAN BALDINI: Good morning.

16 COMMISSIONER WAITS: Good morning.

17 CHAIRMAN BAKKER: Good morning, guys.

18 DAN BALDINI: Dan Baldini, juvenile probation.

19 CRAIG TIPPENS: Craig Tippens. I'm the chief juvenile  
20 probation officer.  
21

22 (Multiple side conversations in the room.)  
23

24 CHAIRMAN BAKKER: Craig, long time no see.

25 UNIDENTIFIED PARTICIPANT: Critter.

26 DISTRICT ATTORNEY HERRERA: Yeah, I think I do.

27 CRAIG TIPPENS: We can sign this one.

28 DISTRICT ATTORNEY HERRERA: Yeah, this -- (indiscernible).  
29 Is that his?

30 Did we have an original?

31 JEANNE FALZONE: No.

32 UNIDENTIFIED PARTICIPANT: No.

33 DISTRICT ATTORNEY HERRERA: Okay. That's it.

34 CRAIG TIPPENS: All right.

35 UNIDENTIFIED PARTICIPANT: We don't have --

36 JEANNE FALZONE: I've never seen it.

37 DISTRICT ATTORNEY HERRERA: It's okay. No, we saw it.

38 CRAIG TIPPENS: Yeah, you saw it.

39 DISTRICT ATTORNEY HERRERA: Yeah.

40 UNIDENTIFIED PARTICIPANT: She hasn't seen it.

1           JEANNE FALZONE: I haven't seen it.  
2           DISTRICT ATTORNEY HERRERA: Right.  
3           CRAIG TIPPENS: Does she --  
4           DISTRICT ATTORNEY HERRERA: (Indiscernible), no. We -- we  
5 we've seen the --  
6           UNIDENTIFIED PARTICIPANT: I've seen it. She hasn't.  
7           CRAIG TIPPENS: All right. So we're good.  
8           DISTRICT ATTORNEY HERRERA: We're good.  
9           UNIDENTIFIED PARTICIPANT: Yeah.  
10          CRAIG TIPPENS: This was agendized as a discussion of  
11 advertisement. And it should be just an advisement of the  
12 grants that we received.  
13          I have no doubt that that error is due to my penmanship.  
14 So it -- it's not her fault. That is definitely my fault.  
15          And we just wanted to advise you guys of the grants that we  
16 received, specifically for Lander County and the Eleventh.  
17          And it looks like the first one on there is the Youth  
18 Apprenticeship Program. That is money received from the feds  
19 passed through the -- the -- received from the state, passed  
20 through the feds. And we wrote it to -- to employ five Lander  
21 County youth at local businesses. This grant would pay the  
22 wages. And the youth would be required to complete Job Connect  
23 curriculum. So whether it's résumé building, interview skills,  
24 cover letter writing, Job Connect will tailor that -- that  
25 curriculum to whatever we -- we want it to be.  
26          What I ran into was payroll taxes and workers comp issues.  
27 So it looks like we may only be able to employ four youth this  
28 year. And then next year I can write those amounts into that  
29 grant.  
30          It's a competitive grant. So they're broken down into  
31 areas. And no one else in the state applied for money out of  
32 that area. Had I known that, I would've doubled it. And we  
33 would've done ten in each county instead of five in each county.  
34          So lessons learned on that one. But that's where we're at  
35 on that.  
36          So we will approach local businesses about hiring -- I  
37 always say our kids. If we're not able to place our kids, we  
38 will open it up to schools, if they have kids they want to place  
39 through the school counselor, someone they're working with, or  
40 just kids that we know that could definitely use the job

1 experience.

2 And we're trying to go with a different -- different route,  
3 a different type of experience. Because I know in the other two  
4 counties there's certain businesses that do a good job of hiring  
5 the kids, let's -- McDonald's, for instance, they've always done  
6 a good job in the other two counties of hiring youth.

7 So we want to look at different businesses. So we approach  
8 the hardware stores, law firms, and those types of businesses.

9 The other county commissioners asked a question about is  
10 it -- would it be open to county agencies? And so that's really  
11 a question for you guys.

12 As an example, in Pershing County the building and grounds  
13 supervisor said, I'd be more than willing to hire -- hire  
14 someone to work -- to shadow my guys and you guys pay the wages.  
15 But I want you to approach the commissioners and make sure  
16 they're okay with that.

17 So I would ask that same question of you guys, if you would  
18 be okay with us approaching any county agency about  
19 participating in that program.

20 CHAIRMAN BAKKER: I'm good with it.

21 COMMISSIONER WAITS: Is this your first year for this type  
22 of grant?

23 CRAIG TIPPENS: It is.

24 It is. It is the first year.

25 COMMISSIONER WAITS: Thank you.

26 CHAIRMAN BAKKER: I think we need a gopher trapper, Keith.

27 KEITH WESTENGARD: Sounds good --

28 CHAIRMAN BAKKER: Out at the --

29 KEITH WESTENGARD: -- to me.

30 CHAIRMAN BAKKER: -- the ball fields.

31 KEITH WESTENGARD: Sounds good to me.

32 CRAIG TIPPENS: So we're working out MOUs with local  
33 businesses. And then we'll have participation agreement for the  
34 youth and their parents to -- to fill out that they're going to  
35 comply with whatever the program requirements are and that if  
36 they don't, you know, they won't be able to get -- receive the  
37 money that they haven't received already. That they'll complete  
38 the Job Connect curriculum.

39 COMMISSIONER MILLS: What's -- what are the ages for the  
40 youth on this?

1 CRAIG TIPPENS: Pershing County, the finance department is  
2 telling me it'd have to be 16. So 16 to 18.  
3 COMMISSIONER MILLS: Sixteen to 18?  
4 CRAIG TIPPENS: Yeah. For payroll purposes is what -- is  
5 what she's telling me.  
6 So they kind of have to be quasi-county employees because  
7 Pershing County is the fiscal agent. I envision them being kind  
8 of contract employees. Much simpler in my head. But once we  
9 got them involved, it didn't -- didn't seem to work out that  
10 way. So -- that's how we'll -- that's how we'll --  
11 CHAIRMAN BAKKER: And they'll be paid --  
12 CRAIG TIPPENS: -- administer --  
13 CHAIRMAN BAKKER: -- through Pershing County anyway.  
14 CRAIG TIPPENS: Yes. Because -- because the grant will be  
15 deposited --  
16 CHAIRMAN BAKKER: Right.  
17 CRAIG TIPPENS: -- through Pershing County.  
18 CHAIRMAN BAKKER: Right.  
19 CRAIG TIPPENS: Yeah. Any -- and all the grants we  
20 received, are -- there's no county matches for any of them.  
21 CHAIRMAN BAKKER: Right.  
22 COMMISSIONER CLARK: So this is -- you -- you can employ  
23 four students in the tri county?  
24 CRAIG TIPPENS: No. It -- it was written for fif- --  
25 COMMISSIONER CLARK: In each of them?  
26 CRAIG TIPPENS: Yes. Yes, it was written for 15  
27 district-wide.  
28 COMMISSIONER CLARK: Okay.  
29 CRAIG TIPPENS: So in my mind, it was five --  
30 COMMISSIONER CLARK: Okay.  
31 CRAIG TIPPENS: -- in each district.  
32 COMMISSIONER CLARK: All right.  
33 CRAIG TIPPENS: But if, in Mineral, we're not able to  
34 employ five and we have six here, since Lander County right now  
35 has really gotten real busy in the last three to four months,  
36 then we can do that too. It's -- the grant is for the district,  
37 not --  
38 COMMISSIONER CLARK: Right.  
39 CRAIG TIPPENS: -- separate for each county.  
40 COMMISSIONER CLARK: Well, these -- these programs work. I

1 know when we had job shadowing at the -- at the high school, it  
2 was a big success just for any of the kids that entered the  
3 program. So...

4 CRAIG TIPPENS: Yeah. The Mineral County commission shared  
5 the exact same story. Years ago they had the program --

6 COMMISSIONER CLARK: Yeah.

7 CRAIG TIPPENS: -- and there was -- there was a young man  
8 that participated in the program. And he was still working with  
9 the public works department today.

10 COMMISSIONER CLARK: Yeah.

11 CRAIG TIPPENS: That many years --

12 COMMISSIONER CLARK: It's --

13 CRAIG TIPPENS: -- later.

14 COMMISSIONER CLARK: -- good.

15 CRAIG TIPPENS: So --

16 COMMISSIONER CLARK: And it keeps kids --

17 CRAIG TIPPENS: -- we'll give --

18 COMMISSIONER CLARK: -- busy.

19 CRAIG TIPPENS: -- it a shot.

20 Yeah, our hopes is that -- that the kid gets in there, gets  
21 trained under -- under -- we pay the wages, a position comes  
22 open, and then they're able -- the agency's able to pick them up  
23 and keep them employed. That's certainly our hopes. And we can  
24 certainly open it up to Austin. We'll call local businesses  
25 there and see if they're willing to do that, see what that --

26 COMMISSIONER CLARK: So in general, --

27 CRAIG TIPPENS: -- see what that looks like as well.

28 COMMISSIONER CLARK: -- how -- how are the kids doing these  
29 days? It's been ten years since I retired from teaching.

30 CRAIG TIPPENS: The kids are -- kids are --

31 CHAIRMAN BAKKER: Getting more creative.

32 CRAIG TIPPENS: Yes. They're -- they're hard to keep up  
33 with.

34 COMMISSIONER CLARK: Yeah.

35 CRAIG TIPPENS: Yeah. That's a good way to put it is  
36 they're -- they're very creative. They're -- they're moving  
37 from one thing to the next.

38 COMMISSIONER CLARK: A lot of --

39 CRAIG TIPPENS: When you think you get a handle on one,  
40 they've moved on.

1 COMMISSIONER CLARK: Okay.  
2 CRAIG TIPPENS: And there's certainly new things being  
3 created, whether it's drugs or --  
4 COMMISSIONER CLARK: Yeah. Yeah.  
5 CRAIG TIPPENS: -- or anything else, and they're finding  
6 it.  
7 COMMISSIONER WAITS: So how long is the employment actually  
8 for?  
9 CRAIG TIPPENS: It's up -- minimum wage for up to 120  
10 hours. So when I wrote the grant, I was thinking after school  
11 and on Fridays because in all three counties there's no schools  
12 on Fridays. And so like I said, --  
13 COMMISSIONER WAITS: Okay.  
14 CRAIG TIPPENS: -- it was a competitive grant. So I'm  
15 trying to be somewhat reasonable in my request. But now that I  
16 know no one applied for it, next year I'll double that, you  
17 know. I'll --  
18 COMMISSIONER WAITS: Okay.  
19 CRAIG TIPPENS: We'll shoot for certainly --  
20 COMMISSIONER MILLS: So --  
21 CRAIG TIPPENS: -- a higher rate.  
22 COMMISSIONER MILLS: -- that's 120 hours total?  
23 CRAIG TIPPENS: Yes.  
24 COMMISSIONER MILLS: Okay.  
25 CRAIG TIPPENS: For each youth.  
26 DAN BALDINI: Then hopefully the youth may be such a good  
27 influence on the employer that the employer says, no, I'll hire  
28 you, you know. I'll give you a position.  
29 COMMISSIONER MILLS: Right.  
30 COMMISSIONER CLARK: Well, I sure apprec- --  
31 CHAIRMAN BAKKER: It could backfire too, though.  
32 DAN BALDINI: It could too. Yes.  
33 CRAIG TIPPENS: Well, --  
34 DAN BALDINI: Yes. Absolutely.  
35 CRAIG TIPPENS: -- and some of the businesses we approach  
36 are like, who are you sending us?  
37 CHAIRMAN BAKKER: Yeah.  
38 CRAIG TIPPENS: Right? Because they understand sometimes  
39 the kids that we get, but...  
40 CHAIRMAN BAKKER: And I talked to Baldini about this a

1 couple weeks ago.  
2 DAN BALDINI: Yeah, a couple weeks ago.  
3 CHAIRMAN BAKKER: And I turned to my wife and asked her.  
4 And she said, well, as long as I get to choose the youth. So I  
5 mean, yeah, it's going to be some give-and-take here, but --  
6 CRAIG TIPPENS: Sure, absolutely.  
7 CHAIRMAN BAKKER: -- yeah.  
8 CRAIG TIPPENS: And we understand that going in. And we  
9 have that discussion up front when we're approaching businesses.  
10 DAN BALDINI: I --  
11 CHAIRMAN BAKKER: Right.  
12 DAN BALDINI: -- would hate to set up a young man to  
13 fail --  
14 CHAIRMAN BAKKER: Right.  
15 CRAIG TIPPENS: Right.  
16 DAN BALDINI: -- or a young lady to fail.  
17 CHAIRMAN BAKKER: Right.  
18 CRAIG TIPPENS: So that is --  
19 CHAIRMAN BAKKER: You don't want another court case on top  
20 of that.  
21 CRAIG TIPPENS: Right.  
22 DAN BALDINI: I don't know about that.  
23 CRAIG TIPPENS: So that is the youth apprenticeship  
24 program. If you have any questions about that, I'll be glad to  
25 answer any of them.  
26 COMMISSIONER CLARK: No, I think it's great.  
27 CHAIRMAN BAKKER: I do too.  
28  
29 (Side conversations in the gallery.)  
30  
31 COMMISSIONER CLARK: And I really appreciate you guys  
32 dedicating your life to helping these kids. I know what it  
33 takes.  
34 CRAIG TIPPENS: Thank you.  
35 The next one is Project Magic. And those amounts on there  
36 are district-wide for the youth apprenticeship progr- -- oh, I'm  
37 sorry, Lander and, yeah, district wide for the youth  
38 apprenticeship program. Project Magic, that money only covers  
39 Lander and Pershing County. That money is a grant received from  
40 the Frontier Community Coalition. Carter Burton facilitates the

1 Magic class in Lander County. And she is about to start her  
2 second class and is looking at already serving close to 15 youth  
3 already.

4 CHAIRMAN BAKKER: So she's going to add two classes a week  
5 or --

6 CRAIG TIPPENS: No. The -- there's -- there's 20 or 21  
7 sessions in each class.

8 CHAIRMAN BAKKER: Oh. Okay.

9 CRAIG TIPPENS: So she's already finished one, and she's  
10 just started another one -- what? -- last week or the week  
11 before?

12 DAN BALDINI: We're in our second week of the second one  
13 this year.

14 CRAIG TIPPENS: Yeah. And so that --

15 CHAIRMAN BAKKER: Okay.

16 CRAIG TIPPENS: -- that class will go 20 to 21 sessions.

17 DISTRICT ATTORNEY HERRERA: And Commissioners, --

18 CHAIRMAN BAKKER: And how many times a week do they meet?

19 DISTRICT ATTORNEY HERRERA: This -- this Magic Program is a  
20 wonderful program. Been here for years. And it's just -- I  
21 have nothing negative to say about this program.

22 CRAIG TIPPENS: Yeah.

23 DAN BALDINI: We currently have seven kids this time. And  
24 -- and I think --

25 CRAIG TIPPENS: He asked how many times in a week did they  
26 meet.

27 DAN BALDINI: Oh. It's Mon- -- Tuesday, Wednesdays, and  
28 Thursdays from 4:00 o'clock to 5:00 o'clock every week until  
29 they get through 21 periods of it. And it's held upstairs at  
30 our office.

31 CRAIG TIPPENS: And this is the first year that we're being  
32 the financial responsible for it. Cooperative Extension was  
33 responsible prior to -- to us taking it over.

34 CHAIRMAN BAKKER: Cool.

35 CRAIG TIPPENS: And so that is Project Magic.

36 The next one is what we call -- we call it the Wise  
37 programming. But it's Alcohol-Wise, Marijuana-Wise, Nicotine  
38 101 and other drugs.

39 The Nicotine 101 is -- is kind of just in Pershing County  
40 because they're the only county that has the nicotine statute.

1 The state apparently left it up to the counties and Pershing  
2 County passed it.

3 So Alcohol-Wise, I will use that as an example. If a young  
4 man or a young lady in Lander County receives a citation for  
5 drinking or their parent catches them drinking, they can bring  
6 them into the probation office. We have an online intervention  
7 class anywhere from two to four hours. They'll complete that  
8 program in our office. And it's an intervention education  
9 program. It'll print them out a certificate. It'll print a --  
10 what's called a -- it's individualized.

11 So the youth will sit down. He'll answer the questions --  
12 he or she will answer the questions. And then it'll -- it'll --  
13 it'll kind of tailor that rest of that program based on those  
14 questions. Lander County has the first quarter. So from July  
15 to -- what? -- October?

16 DAN BALDINI: Uh-huh.

17 CRAIG TIPPENS: No, September.

18 DAN BALDINI: September. It's September.

19 CRAIG TIPPENS: July to September. Lander County has  
20 already served seven youth and four parents. That program has a  
21 parent component called Parent-Wise, which is of no cost. And  
22 so we've served seven youth and four parents already in Lander  
23 County in that first quarter.

24 COMMISSIONER CLARK: Do you get a good response from  
25 parents when their kids get in trouble?

26 CRAIG TIPPENS: Not really. Some parents -- some parents  
27 are really involved, and they're really active. Other parents  
28 are not really willing to -- to stop doing their own thing to --

29 COMMISSIONER CLARK: Yeah.

30 CRAIG TIPPENS: -- to really make sure their kids are  
31 properly supervised. But we do have some that are certainly  
32 involved. And they want their kids to stay out of trouble. And  
33 we get really good cooperation. But we always run into some  
34 that are just -- they're going to do their own thing. And we  
35 get -- we get that.

36 DAN BALDINI: And when -- when I recommend something like  
37 the Alcohol-Wise or any of the Wise programming, I -- I always  
38 approach the parents and encourage them to do the  
39 Parenting-Wise --

40 COMMISSIONER CLARK: Right.

1 DAN BALDINI: -- in association with it so they can be  
2 exposed or understand some of the things that their children are  
3 being introduced to and exposed to. And then they can kind of  
4 bump off of that with one another on a family-relationship-type  
5 thing.

6 COMMISSIONER CLARK: Well, it was my observation for many,  
7 many years that the kids that got in trouble more than three  
8 times, four times, they -- they wound up career problems. And  
9 the kids that got rattled the first time, they stopped. They  
10 behaved. But I think the parents were a key part of that.

11 CRAIG TIPPENS: Oh, yeah. Without a doubt. Yeah, parental  
12 supervision is most definitely --

13 COMMISSIONER CLARK: I --

14 CRAIG TIPPENS: -- the key.

15 COMMISSIONER CLARK: I -- I just applaud you guys.

16 CRAIG TIPPENS: And so that is what we call the Wise  
17 programming. And that's -- that's done upstairs as well on a  
18 computer.

19 COMMISSIONER CLARK: What's the nicotine ordinance in  
20 Pershing?

21 CRAIG TIPPENS: It's -- it's unlawful, illegal for youth in  
22 Pershing County to possess or use tobacco.

23 DAN BALDINI: Tobacco.

24 COMMISSIONER CLARK: For what age? Up to what age?

25 CRAIG TIPPENS: Eighteen.

26 DAN BALDINI: Eighteen.

27 COMMISSIONER CLARK: Eighteen and down?

28 CRAIG TIPPENS: Yeah.

29 COMMISSIONER CLARK: Okay.

30 CHAIRMAN BAKKER: So do you guys need anything from us?

31 CRAIG TIPPENS: We don't. I -- I do want to make you  
32 aware, Dan and Noliena have been going to the junior high and  
33 facilitating a program that you guys funded for us, a division  
34 program that we proposed to you called the Botvin LifeSkills  
35 class. They've been teaching it with the sixth-grade class  
36 since the beginning of the school year.

37 DAN BALDINI: Yeah.

38 CHAIRMAN BAKKER: Cool.

39 CRAIG TIPPENS: And it's going really well. We're getting  
40 really good feedback. We're doing it in two counties. We're

1 working on getting it into the third. And it's going really  
2 well. We were going to roll that programming out in phasing  
3 that you guys funded. It's slower because the -- the other  
4 caseload really picked up here. And so we just -- we need that  
5 continued patience and that support that you gave us back then.

6 But Dan and Noliena are doing a good job facilitating that.  
7 It's with the sixth graders this year. Next year it'll be the  
8 sixth and the seventh graders. It'll be level one for the sixth  
9 graders. The seventh graders will get level two. That  
10 following year, the eighth graders will get level three; seventh  
11 graders will get level two; and the sixth graders will get level  
12 one.

13 CHAIRMAN BAKKER: So sixth through eighth?

14 CRAIG TIPPENS: Yes.

15 CHAIRMAN BAKKER: Yeah.

16 CRAIG TIPPENS: It will be. We just decided to roll out  
17 sixth graders this --

18 DAN BALDINI: It's a --

19 CRAIG TIPPENS: -- year.

20 DAN BALDINI: -- pilot class, a sixth-grade class.

21 CHAIRMAN BAKKER: Right. There's 72 students.

22 CRAIG TIPPENS: There's a lot of them.

23 CHAIRMAN BAKKER: Wow.

24 CRAIG TIPPENS: But we're kind of fortunate right now  
25 because they're able to get all of the sixth graders right now.  
26 So we're hoping at the semester to approach Austin about how  
27 many sixth graders they -- or sixth through eighth graders they  
28 have and see if we can make that work in the second semester out  
29 there.

30 DAN BALDINI: I think --

31 CHAIRMAN BAKKER: Cool.

32 DAN BALDINI: -- I think at this point we're about halfway  
33 done. There's 18 components, actually 15 --

34 CRAIG TIPPENS: Fifteen.

35 DAN BALDINI: -- with -- with three additional optional  
36 ones that they would be exposed to as seventh graders. Mr.  
37 Melder at the school, when we first approached him, said you  
38 could do every student. And we're talking 300 kids. And so we  
39 kind of all brainstormed and said, well, let's get a pilot class  
40 with the sixth graders. And it's -- it's going really well.

1 Our first two class periods, we have six kids in the first  
2 class, five in the second class. And then the last period, we  
3 get the other 58 kids.

4 So what we've done is Noliena, we've split them up in  
5 halves. And Noliena takes one to another class. And I have --  
6 we've split it right down the middle.

7 CHAIRMAN BAKKER: Right.

8 DAN BALDINI: And that's how we're addressing. Because we  
9 tried to do it with all 50, but we've had to do it a couple two  
10 or three times with 58 kids. And it's just a little hard to  
11 keep 58 kids under control, --

12 CRAIG TIPPENS: Focused.

13 DAN BALDINI: -- try to get them the message. But it's  
14 working out really well.

15 And Mr. Melver and the junior high school have been very  
16 open and receptive to us coming in. I just hope that we have a  
17 positive -- at the end of this, it's positive and -- and that  
18 they stay interested so that we can move into the seventh and  
19 eighth grade too.

20 CRAIG TIPPENS: So thank you for funding that.

21 CHAIRMAN BAKKER: Good job, --

22 COMMISSIONER WAITS: But you're --

23 CHAIRMAN BAKKER: -- guys.

24 COMMISSIONER WAITS: -- pleased with --

25 COMMISSIONER CLARK: Good job.

26 COMMISSIONER WAITS: -- the interaction.

27 COMMISSIONER CLARK: Thank you.

28 CRAIG TIPPENS: It's definitely appreciated.

29 COMMISSIONER MILLS: So that's going to -- that program is  
30 going to be sixth, seventh, and eighth all the time?

31 CRAIG TIPPENS: Well, with --

32 COMMISSIONER MILLS: And then all --

33 CRAIG TIPPENS: -- this class we'll --

34 COMMISSIONER MILLS: -- all the kids will just --

35 CRAIG TIPPENS: -- follow them to the seventh grade. And  
36 we'll follow this class to the eighth grade --

37 COMMISSIONER MILLS: Right.

38 CRAIG TIPPENS: -- and bringing in -- in the future.

39 COMMISSIONER MILLS: You don't go to ninth grade with --

40 DAN BALDINI: No, there's --

1 COMMISSIONER MILLS: -- section four of the --  
2 DAN BALDINI: -- there's a different --  
3 COMMISSIONER MILLS: -- program --  
4 CRAIG TIPPENS: There -- there is one.  
5 COMMISSIONER MILLS: They're just -- they're just three  
6 progr- -- two parts of the --  
7 CRAIG TIPPENS: There is one, but we only have two  
8 probation officers here.  
9 COMMISSIONER MILLS: Okay.  
10 CRAIG TIPPENS: So unless you want to have that  
11 conversation, we -- we'll -- we'll leave it sixth, seventh --  
12 COMMISSIONER MILLS: All right.  
13 CRAIG TIPPENS: -- and eighth grade.  
14 CHAIRMAN BAKKER: Let's have that --  
15 COMMISSIONER MILLS: Just trying to understand the --  
16 CHAIRMAN BAKKER: We'll have that --  
17 COMMISSIONER MILLS: -- (indiscernible).  
18 CHAIRMAN BAKKER: -- conversation in February.  
19 COMMISSIONER MILLS: Yeah.  
20 DAN BALDINI: Well, I -- it -- we have -- we go in the  
21 school at 1:00 o'clock, Mr. Mills.  
22 COMMISSIONER MILLS: Uh-huh.  
23 DAN BALDINI: And -- and we leave the school at 4:00  
24 o'clock Thursday afternoons. We get them the last period, --  
25 CRAIG TIPPENS: Wow.  
26 DAN BALDINI: -- their last block periods of advisory  
27 period.  
28 COMMISSIONER MILLS: Okay.  
29 DAN BALDINI: So it's going to become bigger.  
30 CHAIRMAN BAKKER: Testing the --  
31 DAN BALDINI: When they're --  
32 CHAIRMAN BAKKER: -- water.  
33 DAN BALDINI: -- eighth graders --  
34 CRAIG TIPPENS: Yes.  
35 DAN BALDINI: -- and we're working with sixth, --  
36 COMMISSIONER MILLS: Right.  
37 DAN BALDINI: -- seventh, and eighth.  
38 CRAIG TIPPENS: Sixth graders because the sixth graders  
39 will have received all three levels in -- in three years.  
40 COMMISSIONER MILLS: Right.

1 CHAIRMAN BAKKER: Good deal.  
2 CRAIG TIPPENS: And we'll see --  
3 COMMISSIONER MILLS: That's great.  
4 CRAIG TIPPENS: Yeah.  
5 CHAIRMAN BAKKER: Keep --  
6 COMMISSIONER WAITS: Well, thank you, again, for pursuing  
7 the grants. That's such critical alternatives for our -- our  
8 youth --  
9 CRAIG TIPPENS: Yes.  
10 COMMISSIONER WAITS: -- and most certainly the other  
11 programs.  
12 CRAIG TIPPENS: Yes.  
13 COMMISSIONER WAITS: So thank you.  
14 CRAIG TIPPENS: Yes.  
15 COMMISSIONER WAITS: We appreciate your coming --  
16 COMMISSIONER CLARK: Thanks, guys.  
17 COMMISSIONER WAITS: -- and advising us today.  
18 CRAIG TIPPENS: Yes.  
19 COMMISSIONER CLARK: Good to --  
20 DAN BALDINI: We're on --  
21 COMMISSIONER CLARK: -- see you.  
22 DAN BALDINI: -- again.  
23 CRAIG TIPPENS: Yes.  
24 DAN BALDINI: Well, we're here again, I believe, --  
25 CRAIG TIPPENS: We are, for the con- --  
26 COMMISSIONER WAITS: For the next one.  
27 CRAIG TIPPENS: -- -tract. And I have a -- can you go  
28 ahead and announce that?  
29 CHAIRMAN BAKKER: Yeah.  
30 CRAIG TIPPENS: Thank you.  
31

32 5) Discussion and possible action to approve/disapprove a  
33 contract to detain Lander County youth in Northeastern Nevada  
34 Juvenile Detention Center in Elko County, and all other  
35 matters properly related thereto.  
36

37 CHAIRMAN BAKKER: Five, discussion and possible action to  
38 approve/disapprove a contract to detain Lander County youth in  
39 Northeastern Nevada Juvenile Detention Center in Elko County,  
40 and all other matters properly related thereto.

1 CRAIG TIPPENS: So as Mr. Herrera advised you guys earlier  
2 or that interlocal agreement was signed, it's my understanding  
3 that it was signed September 8<sup>th</sup> or 9<sup>th</sup> so Lander County --

4 DISTRICT ATTORNEY HERRERA: It wasn't signed by the third  
5 county.

6 CRAIG TIPPENS: Okay. So Lander County was appropriately  
7 billed for the month of September for youth being detained in  
8 Lander County? Or that should not have started until yesterday?

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

10 No, that was -- that was fine.

11 CRAIG TIPPENS: Okay.

12 DISTRICT ATTORNEY HERRERA: That -- that was fine.

13 CRAIG TIPPENS: Okay.

14 DISTRICT ATTORNEY HERRERA: It's -- because the way  
15 Humboldt County's looking at it is -- is when it's an interlocal  
16 agreement between three counties. And when all three counties  
17 had -- had signed it, that's -- that's --

18 CRAIG TIPPENS: Okay.

19 DISTRICT ATTORNEY HERRERA: -- when it started. And we  
20 just got Pershing County to sign. Even though they were the  
21 first county to approve it, --

22 CRAIG TIPPENS: Right.

23 DISTRICT ATTORNEY HERRERA: -- they were the last county to  
24 sign it.

25 CRAIG TIPPENS: Okay. But they were okay to bill Lander  
26 County for the month of September?

27 DISTRICT ATTORNEY HERRERA: Right, because --

28 CRAIG TIPPENS: Leighton Hall.

29 Okay.

30 DISTRICT ATTORNEY HERRERA: Right.

31 CRAIG TIPPENS: Okay. So that contract expired. We had  
32 one youth remaining in -- in Leighton Hall. So we approached  
33 Elko's juvenile hall about detaining Lander County kids.

34 Pershing and Mineral will go to Teurman Hall in -- in  
35 Churchill County.

36 And the chief probation officer in Elko was -- was really  
37 great to work with. He said, if you have a kid in need now,  
38 we'll work with you until the contract is signed. They're going  
39 to charge \$300 per night. We're currently -- well, we were  
40 paying \$350 a night in -- out of Winnemucca.

1           And I think with the cooperation of the weather, it'll  
2 be -- it'll be a good deal to get them to Elko and back. It'll  
3 certainly be, probably, easier for us --  
4           DISTRICT ATTORNEY HERRERA: And it's a one-year --  
5           CRAIG TIPPENS: -- distance-wise.  
6           DISTRICT ATTORNEY HERRERA: -- one-year contract.  
7           CRAIG TIPPENS: Yeah, it's a one-year. We wanted to do a  
8 one-year and then see how -- see how it goes after that.  
9           He didn't really have any questions or concerns about it.  
10 His district attorney did not have any questions or concerns. I  
11 think it was a pretty standard, basic contract.  
12           CHAIRMAN BAKKER: So what happens if it is snowing outside?  
13 Where's the kid going to go?  
14           CRAIG TIPPENS: Say it again?  
15           CHAIRMAN BAKKER: If it is snowing outside, where's the kid  
16 going to go? Baldini's house?  
17           CRAIG TIPPENS: No. Maybe -- maybe home on an ankle  
18 bracelet.  
19           DAN BALDINI: You know, one -- one of the things that --  
20           CHAIRMAN BAKKER: Okay.  
21           DAN BALDINI: -- what we're -- what is -- what we're really  
22 working on is implementing house arrest, terms of house arrest,  
23 and then electronic monitoring in lieu of taking a kid to  
24 detention, which has been working pretty well in Lander  
25 County --  
26           CRAIG TIPPENS: Yes.  
27           DAN BALDINI: -- since all this contract stuff and all the  
28 problems been going on. And it's pretty effective tool.  
29           DISTRICT ATTORNEY HERRERA: And that's -- that's -- the  
30 whole United States is moving in that direction.  
31           CRAIG TIPPENS: Yes.  
32           DISTRICT ATTORNEY HERRERA: It's not just Lander County or  
33 the State of Nevada.  
34           CRAIG TIPPENS: Yes. There's empty facilities all over --  
35           DISTRICT ATTORNEY HERRERA: Yes.  
36           CRAIG TIPPENS: -- all over the place.  
37           DAN BALDINI: It's going to take a really significant  
38 delinquent act for -- for me to really consider taking a kid  
39 with other alternatives in front of me.  
40           CRAIG TIPPENS: Yes. Now, you just need to be aware, you

1 may end up with a youth detained awaiting placement that may be  
2 there for a significant amount of time.

3 DAN BALDINI: Yes.

4 CHAIRMAN BAKKER: Okay.

5 CRAIG TIPPENS: Okay? Yeah. That can certainly happen.

6 DISTRICT ATTORNEY HERRERA: A month, month and a half --

7 CRAIG TIPPENS: Yeah.

8 DISTRICT ATTORNEY HERRERA: -- sometimes.

9 COMMISSIONER WAITS: Or the half-day rate if it's a very  
10 short amount of time.

11 CRAIG TIPPENS: Yeah.

12 COMMISSIONER WAITS: That was good too.

13 CRAIG TIPPENS: Right.

14 DAN BALDINI: You know, and -- and I agree. Sometimes when  
15 it's snowing or the weather's really bad, we make that decision.  
16 I'm not coming to get that kid.

17 CRAIG TIPPENS: Yeah, we're not risk --

18 DAN BALDINI: I'm not going to -- because when I'm on call,  
19 I cover Pershing County. So that would require me to drive from  
20 here to Lovelock, pick the youth up, take them to Fallon, and  
21 then come home, and vice versa for the officers in Lovelock to  
22 come here, take them to Elko, and then go back to Lovelock.

23 CHAIRMAN BAKKER: Right.

24 DAN BALDINI: And weather is a real big factor in that --  
25 in my decision as a probation officer.

26 COMMISSIONER CLARK: Who takes care of Mineral?

27 CRAIG TIPPENS: There's two officers in Mineral that do.

28 COMMISSIONER CLARK: Oh, okay. So they can carpool or  
29 bring --

30 CRAIG TIPPENS: They --

31 COMMISSIONER CLARK: -- the person (indiscernible)?

32 CRAIG TIPPENS: Mineral County has transport officers.

33 COMMISSIONER CLARK: Oh, okay.

34 CRAIG TIPPENS: Yeah. So the offic- -- the probation  
35 officer makes the decision of whether or not the kid's going to  
36 be detained. And then the transport officer that are Mineral  
37 County employees -- they're not Eleventh Judicial employees --

38 DISTRICT ATTORNEY HERRERA: Right.

39 CRAIG TIPPENS: -- transports.

40 COMMISSIONER WAITS: I'll make a motion that we approve the

1 contract to detain Lander County youth in Northeastern Nevada  
2 Juvenile Detention Center in Elko County. Let's see. Authorize  
3 the signatures. I know, Craig, you have to sign.  
4 CRAIG TIPPENS: Yes.  
5 COMMISSIONER WAITS: We have to sign --  
6 CRAIG TIPPENS: And --  
7 COMMISSIONER WAITS: -- too?  
8 CRAIG TIPPENS: -- the chair.  
9 The chair and Sadie.  
10 COMMISSIONER WAITS: The chair? Okay.  
11 CRAIG TIPPENS: And Sadie.  
12 COMMISSIONER WAITS: And Craig. The appropriate signature  
13 is our chair and -- and Craig Tippens.  
14 CHAIRMAN BAKKER: Okay. Patsy made a motion.  
15 COMMISSIONER MILLS: I'll second.  
16 CHAIRMAN BAKKER: Doug seconded.  
17 Any public comment?  
18 (No comment.)  
19 CHAIRMAN BAKKER: All in favor?  
20 COMMISSIONER MILLS: Aye.  
21 CHAIRMAN BAKKER: Aye.  
22 COMMISSIONER WAITS: Aye.  
23 COMMISSIONER CLARK: Aye.  
24 CHAIRMAN BAKKER: Okay. Thank you, guys.  
25 CRAIG TIPPENS: Thank you. And who do I get a copy to when  
26 it's -- when it's signed?  
27 CHAIRMAN BAKKER: Sadie.  
28 CRAIG TIPPENS: When it's signed by Elko? Okay.  
29 CHAIRMAN BAKKER: Right? Yeah. Thanks, Craig.  
30 COMMISSIONER WAITS: Are you going to --  
31 COMMISSIONER CLARK: Let's take a --  
32 COMMISSIONER WAITS: -- take a break?  
33 COMMISSIONER CLARK: -- break.  
34 CHAIRMAN BAKKER: Yep. Austin? Five-minute break.  
35 MITESHELL LANHAM: Okay.  
36 CHAIRMAN BAKKER: Thank you.  
37 DAN BALDINI: Thank you, sirs.  
38 CHAIRMAN BAKKER: Thanks, Baldini.  
39 DAN BALDINI: Uh-huh.  
40

1 (Break taken between 10:25 a.m. and 10:38 a.m.)

2  
3 CHAIRMAN BAKKER: Okay. Call this meeting back to order.

4  
5  
6 **AIRPORT**

7  
8 6) **Discussion and presentation by Steve Marshall of J-U-B**  
9 **Engineering regarding Austin Airport Master Plan**  
10 **Introduction, and all other matters properly related thereto.**  
11

12 CHAIRMAN BAKKER: Item Number 6. Airport. Discussion and  
13 presentation by Steve Marshall of J-U-B Engineering regarding  
14 Austin Airport Master Plan Introduction, and all other matters  
15 properly related thereto.

16 STEVE MARSHALL: Good morning, everybody.

17 CHAIRMAN BAKKER: Good morning.

18 COMMISSIONER MILLS: Good morning.

19 COMMISSIONER WAITS: Good morning.

20 Is that the same one we have?

21 KEITH WESTENGARD: I've got one.

22 COMMISSIONER CLARK: Thank you.

23 STEVE MARSHALL: We're doing it the old-fashioned way.

24 CHAIRMAN BAKKER: Okay.

25 STEVE MARSHALL: Technology and me sometimes don't get  
26 along so much.

27 Okay. Good morning.

28 Steve Marshall, J-U-B --

29 CHAIRMAN BAKKER: Good morning.

30 STEVE MARSHALL: -- Engineer.

31 Address, 287- -- I have three different offices I work out  
32 of. So I'll give you the Salt Lake address. 2875 Decker Lake  
33 Drive, #575, Salt Lake City, Utah 84119.

34 So thank you for receiving me, Commissioners, Mr. Executive  
35 Director.

36 We are starting a -- a -- fantastic new process that FAA  
37 recommends that the airport in Austin and -- and Battle  
38 Mountain, for that matter, do about every 10 years or so.

39 This stack that you have in front of you would be sort of  
40 our first step in that process. This project is being funded

1 primarily with FAA dollars, Federal Aviation Administration  
2 dollars, to the tune of about 90 percent.

3 They view this process as primarily a -- a regulatory  
4 design standards confirmation sort of a process, as opposed to a  
5 market business development or market-making sort of process.

6 They would like to see that you, as a recipient of grant  
7 funds over the years, are maintaining their standards for the  
8 airport in Austin.

9 These standards are also -- these also apply to every other  
10 airport that is an obligated airport or part of the national  
11 plan of integrated airport systems. That's the -- the list of  
12 airports across the country that are important to the national  
13 airspace system. And, of course, Austin is one of those.

14 So let's get right into it.

15 Page number two. Why do airport planning and airport  
16 master plan like this one?

17 Identifies future opportunities and challenges. It's the  
18 key to the door for FAA and NDOT funding and support. FAA and  
19 NDOT are woven through this process and will be consulted at  
20 important parts through the process and then also participate in  
21 the final say of -- of the job when it comes through, for -- all  
22 for the purposes of making sure that their needs are met and  
23 that, if there are grant funds out there, that they can raise  
24 the skids for -- for that.

25 Function as -- functions as a phased 5-, 10-, 20-year  
26 narrated plan with visuals to accommodate anticipated growth as  
27 the county and the airport board see fit.

28 Of course, the airport board is identified by this body as  
29 an advisory board. We work through them primarily with  
30 technical issues. And they will work through me to make  
31 recommendations to you, and you will have a vote for final say  
32 at the end, as we work through the process.

33 Of course, you'll be advised at every step. Every time I  
34 visit your community, I'll come before you to tell you what's  
35 going on and brief you.

36 Tells your story the way you want it told. Assists the FAA  
37 and NDOT with their national and state planning. They do  
38 similar efforts to this for airports in the state and the  
39 nation. And we supplement that work.

40 Ensures FAA design standards compliance. That's what I was

1 referring to just a minute ago, minimizing county liability.  
2 Page three. Who does what? Of course, you get the final  
3 say. The airport board is the technical adviser committee.  
4 That's our -- our name for their function. They work through me  
5 in the process and lots of other folks that are stakeholders  
6 to -- to make sense of everything and -- and bring it to a  
7 conclusion.

8 We help guide the process. We make drawings, exhibits,  
9 presentations, recommendations to the Technical Advisory  
10 Committee, the TAC.

11 FAA approves the master plan forecast. I'll talk a little  
12 bit about forecasts in just a little bit. That's an important  
13 step in our process.

14 Comments at important times during the planning process.  
15 And we'll review the draft plan when we come to that in probably  
16 about a year, maybe.

17 There's a schedule coming up in the -- in upcoming pages  
18 that I would characterize as aggressive. However, our contract  
19 and our scope say about a year and a half. So there's nothing  
20 fast about this process. It is slow on purpose to make sure  
21 that we cross t's, dot i's and get everybody involved in the  
22 process all along. So, of course, NDOT will comment at  
23 important times during the planning process and review the plan.

24 About J-U-B. We're on page four. Three hundred people in  
25 15 different offices. I am the man that does this sort of work.  
26 I'm a -- kind of a mix between an engineer, a city planner, and  
27 a pilot.

28 So I can tell lots of different stories from different  
29 angles. And I think that's valuable for our business and be --  
30 sort of more -- making a more full, comprehensive consulting  
31 for -- for --

32 CHAIRMAN BAKKER: Did you --

33 STEVE MARSHALL: -- you --

34 CHAIRMAN BAKKER: -- fly here --

35 STEVE MARSHALL: -- possible.

36 CHAIRMAN BAKKER: -- today?

37 STEVE MARSHALL: No.

38 CHAIRMAN BAKKER: Okay.

39 STEVE MARSHALL: Yesterday I come in. But I -- I fly  
40 commercially, generally.

1 CHAIRMAN BAKKER: Okay.  
2 STEVE MARSHALL: Yeah. Yeah.  
3 CHAIRMAN BAKKER: Good deal.  
4 STEVE MARSHALL: Chuck Larson is my boss. He is the  
5 chairman of the entire company and also the practice leader.  
6 He's been doing it for 25 -- 28 years now, I believe.  
7 That's me, aviation planning project manager. And then my  
8 compatriot in arms is Tom Lemenager. He's been doing this for a  
9 long time. He was at one time the state engineer for the State  
10 of Wyoming. So he's -- he knows where all those skeletons are  
11 in lots of different closets.  
12 He'll be working with me on engineering cost estimates and  
13 some of the more detailed sort of work. I tend to use crayons  
14 when I do this sort of things. And he tends to use calculators.  
15 So between the two of us, we make it happen.  
16 Page five is our initial thoughts about the airport. It's  
17 easy to see why the airport's valuable, not only to you, to your  
18 board, but also to your state system of airports. Obviously  
19 somewhat geographically isolated.  
20 There is lots of activity these days with putting out fires  
21 on mountains. And I think that Austin will be part of that,  
22 likely, in the future. And also in getting folks that are in  
23 accidents or hurt on the road, getting those folks to hospitals.  
24 The airport can participate in those sort of medevac activities  
25 in the future, perhaps more robustly.  
26 We should consider a -- a straight-in instrument approach  
27 procedure. That's a -- a fancy way to say getting from up there  
28 down to here in some bad weather. That would be a topic we're  
29 going to cover thoroughly through the plan in the context of  
30 alternatives and to see what can be done about that.  
31 Create a comprehensive pavements maintenance plan to ensure  
32 pavement's life is extended to the maximum extent practicable.  
33 This is a very important issue and getting to be much, much more  
34 important to FAA these days. Money is shrinking and their scope  
35 of what they give grants to is increasing, so they would like to  
36 not have to reconstruct this much but just put this much down  
37 over the next 20 years or so for various pavements at the  
38 airport.  
39 COMMISSIONER WAITS: So you think we might have a chance  
40 for that extra runway?

1 STEVE MARSHALL: You never know. We're going to tackle  
2 that issue in about --  
3 COMMISSIONER WAITS: We're just going to ask --  
4 STEVE MARSHALL: -- eight --  
5 COMMISSIONER WAITS: -- for it?  
6 STEVE MARSHALL: -- months. Yes. We're going to -- we're  
7 going to look at that. We're going to talk about with FAA in  
8 the room or on the phone or however that works best and see what  
9 can be up --  
10 COMMISSIONER WAITS: Do it now while the money isn't  
11 shrinking quite as much as it will be?  
12 STEVE MARSHALL: Yes, I like how --  
13 COMMISSIONER WAITS: Okay.  
14 STEVE MARSHALL: -- you think. I like that.  
15 COMMISSIONER WAITS: All right.  
16 STEVE MARSHALL: Final items as we understand now, that  
17 closed crosswind runway that you were just talking about.  
18 What's it going to take to bring it back to life?  
19 It's not quite so easy as I would like it to be.  
20 CHAIRMAN BAKKER: Is there a crosswind runway in Austin  
21 that's closed?  
22 STEVE MARSHALL: Yes.  
23 COMMISSIONER MILLS: Uh-huh.  
24 STEVE MARSHALL: Yes, sir. It's dirt, primarily.  
25 COMMISSIONER MILLS: There's -- there's the remnants of the  
26 runway are still there. It's just dirt.  
27 CHAIRMAN BAKKER: And it used to be pavement, though?  
28 COMMISSIONER MILLS: Yeah.  
29 STEVE MARSHALL: I think probably many, many years ago.  
30 It's substantially deteriorated, particularly on one side -- or  
31 one side of midfield, I guess. So...  
32 CHAIRMAN BAKKER: Okay.  
33 STEVE MARSHALL: So what do we, meaning you as a board, get  
34 from this? We get a full report, a series of drawings the size  
35 of this table, about ten of them that show different things:  
36 airspace, property, airport layout plan, where buildings are  
37 going to go, all those sorts of things, an airspace and a ground  
38 survey. This is a relatively new component to doing this type  
39 work, is to go out there and gather data that constitutes the  
40 world for Austin. And we're going to take all that, including

1 imagery, aerial imagery and shoot it up into FAA's cloud, as we  
2 call it. And they keep it. And anybody that has the right  
3 password can get to it. Anybody that FAA wants to have the  
4 password can get to it. So that would be us, you, your staff,  
5 state staff, other consultants that might be involved in the  
6 airport or not in the airport. It's a very valuable thing. And  
7 we're going to make that as part of this -- this project.

8 Finally, as a process, a series of meetings and  
9 conversations and lots of phone calls with your board down there  
10 to see what can be done about needs now and what might be  
11 anticipated when we do the forecast.

12 So the forecast, our number three on the next page, page  
13 seven, introductory. These are the chapters that sort of follow  
14 the -- the flow and the process of the plan. These are the --  
15 the framework the FAA has established for us to follow in their  
16 guidance. One, two, three, four, five, six, seven. An  
17 introduction, an inventory of what's there now, species,  
18 airspace, all that -- all those sorts of things.

19 Forecast. What's going to happen in five, ten, twenty  
20 years. That's a -- a much more robust effort these days.

21 Facility requirements. What's needed as a consequence of  
22 the airplanes that are expected to arrive in the next five, ten,  
23 twenty years.

24 And then the alternatives is where to put it. There might  
25 be a good spot or maybe two that could be. If we go down, for  
26 example, we might need some more pavement to park airplanes and  
27 where is the best spot to put that at the airport.

28 Number 6 is when that's all decided by your technical  
29 advisory group and you and me and FAA and the state, everybody's  
30 that involved in that process.

31 Then we go to phase development. When are we going to  
32 build those improvements? And how much is it going to cost?  
33 And what is the match going to be at that time?

34 And the final chapter is the airport layout plan, the  
35 drawings that show all that.

36 Page eight. Master plan drawings. These are the drawings  
37 that are in the set. I'm not going to go through each of those.  
38 They show what we'll put together.

39 Still following the a, b, c, d number from a few pages ago,  
40 page nine. This is the process for the ground survey and the

1 aerial imagery acquisition that is part of the project that  
2 we're going to do.

3 Page ten, public process. This is the steps that -- some  
4 of the items that we do as part of the -- it's a typical process  
5 that we -- when consultants come in to do this or other work,  
6 it's important to involve -- as I've said in the past five, ten  
7 minutes -- to involve those that have a -- a stake in the  
8 process. That necessarily, of course, our friends with the  
9 Navy. Have had some -- some conversations just recently with --  
10 with those folks at Fallon up there and they -- the nature of  
11 the airspace around the airport is somewhat constrained. And it  
12 might -- it might take some handholding and some coordination  
13 with the U.S. military to make sure that we're perhaps  
14 accommodating the needs of your pilots in Austin. Anticipate  
15 that to be a multi-month process, open houses, perhaps,  
16 follow-up meetings, presentations just like this one, working  
17 papers, draft, and, of course, final documents.

18 Page 11 is what I characterize as an aggressive schedule.  
19 And I would -- just a -- perhaps just a little bit of caution.  
20 Sometimes when we do this process these days, we stumble out of  
21 the gate a little bit because FAA likes to cross t's and dot i's  
22 for this process of forecast. And I want to tell you just a  
23 little bit about what that means.

24 Consultants like me, 20 years ago, used to go, Oh, we'll  
25 show you the moon. We're going to give you 30 airplanes in two  
26 years and then go from there. Things are going to be great.

27 That's created unrealistic expectations. That data set has  
28 now expanded to be unreasonable. And FAA is really cracking  
29 down, as it were, on sort of unrealistic forecasts. So as -- as  
30 a process that we go through we need to be responsive to the  
31 FAA. This is really one of two things that they must approve  
32 and will not let any work go on prior to that. So it might be  
33 three months before I see you again. It might be six months.  
34 Don't know. We're going to work with the FAA. Those folks are  
35 in Phoenix to help us work through this plan.

36 There's a series of tasks that coordinate with the  
37 schedule.

38 So next steps, page 12. These are the things I'm going to  
39 be doing with all the folks that are involved with this effort.  
40 There are surveyors, engineers, all those sorts of things.

1           The flight has actually been made to acquire the aerial  
2 imagery.

3           And then there's another -- some other folks we're working  
4 with that will help us with forecast. There's an -- there's an  
5 environmental look-see, a cultural look-see at the airport to  
6 inventory those sorts of things. These are all pursuant to  
7 FAA's guidance to -- to making one of these plans meaningful.

8           So Number 7. This -- this step is FAA-approved working  
9 paper. At that point, I will be before you again with what we  
10 think is going to happen at the airport over the next few years.

11           So that's the short and dirty version of where we're going,  
12 I believe. And then love to hear any thoughts or comments or  
13 questions from the group.

14           COMMISSIONER WAITS: Not a question, Steve, just a concern  
15 and that's the fact that we've been working with J-U-B for some  
16 time with the Austin Airport and trying to get our GPS. And we  
17 thought that that was already online in our discussions. And we  
18 find out it has not been. So that's extremely important.

19           STEVE MARSHALL: Okay.

20           COMMISSIONER WAITS: So -- and with our conversation  
21 yesterday, I'm sure you picked that up --

22           STEVE MARSHALL: Yes.

23           COMMISSIONER WAITS: -- that we've got to stay online with  
24 that because we're going to have some opposition from the Navy,  
25 we know. But as far as our future, as far as, you know, all of  
26 our care flights and, you know, not just the helicopter, but the  
27 fixed wings that come in and such, we've just got to continue to  
28 do that. It's so important.

29           STEVE MARSHALL: Yes.

30           COMMISSIONER WAITS: So please don't forget that. And we  
31 don't want to be forgotten again.

32           STEVE MARSHALL: You bet. So --

33           COMMISSIONER WAITS: Thank you.

34           STEVE MARSHALL: -- what I would -- the follow-up  
35 conversation from yesterday was that Mr. Rob advised that they  
36 are in the process of an environmental assessment, I believe, is  
37 what he said. Perhaps an environmental impact study. And that  
38 is a fantastic time, really the only meaningful time for anybody  
39 in this room to comment on the importance of that sort of thing.

40           COMMISSIONER WAITS: And we have. But the thing is, is

1 that's going to take up to four years by the time they --  
2 STEVE MARSHALL: Yes.  
3 COMMISSIONER WAITS: -- complete that. So this is online  
4 now. And -- and we --  
5 STEVE MARSHALL: Yeah.  
6 COMMISSIONER WAITS: -- want it on there. So...  
7 STEVE MARSHALL: Yeah. Loud and clear.  
8 What I would say is let's talk about timelines. This is a  
9 relatively -- I hope you don't mind taking just a little bit of  
10 time to get -- this is a relatively important issue and I  
11 understand it has been for a very long time.  
12 So FAA can reserve airspace for this procedure for 18  
13 months. And it takes about 18 months to get through the process  
14 of making the chart and establishing everything. FAA does all  
15 this work. This is only FAA that makes these  
16 instrument-approved procedures.  
17 And then we're going to get through this master plan  
18 process in about a year or a year and a half. So we're about,  
19 right now, if everything -- all the ducks fell into a row, it  
20 would probably be about three years before we actually had a  
21 piece of paper that says these are -- this is the minimums and  
22 this is the path that pilots follow for -- for this procedure.  
23 Just for preview of coming attractions purposes.  
24 CHAIRMAN BAKKER: Okay.  
25 COMMISSIONER WAITS: Thank you.  
26 CHAIRMAN BAKKER: Thank you.  
27 STEVE MARSHALL: Thanks. Extra copies here for anybody  
28 that wants --  
29 CHAIRMAN BAKKER: You have questions?  
30 KEITH WESTENGARD: Steve mentioned Rob a little bit ago.  
31 Rob is from Fallon Naval Air Station. And we -- we spoke with  
32 him. He was on our conference call yesterday, just as a point  
33 of information.  
34 UNIDENTIFIED PARTICIPANT: At this point, it's questions.  
35 COMMISSIONER MILLS: Okay.  
36 KEITH WESTENGARD: Steve, could you --  
37 CHAIRMAN BAKKER: Thank you.  
38 STEVE MARSHALL: Commissioners.  
39 KEITH WESTENGARD: Steve, could you give one of those to  
40 Sadie, just for the record. Thank you.

1 CHAIRMAN BAKKER: Seven. Discussion and possible action  
2 regarding Resolution 2016-12 directing the county assessor to  
3 prepare and publish the 2017-18 secured tax roll, and all other  
4 matters properly related thereto.

5 FRANK WHITMAN: Austin here. Sorry to interrupt, Sean.

6 CHAIRMAN BAKKER: Oh. Did I --

7 FRANK WHITMAN: Frank Whitman, for the record.

8 I didn't hear public comment on Number 6.

9 CHAIRMAN BAKKER: That's because I didn't do that.

10 Public comment. Sorry, Frank.

11 FRANK WHITMAN: Yeah. Okay.

12 I just wanted to convey to the -- the commissioners the  
13 importance of moving on this GPS at this time. The Navy has a  
14 four-year timeline. And who knows what that means?

15 We've had verbals from the Navy, "It's coming. We're  
16 working on it. We're going to have families move out there for  
17 Vigus Butte -- Butte -- when they put the Vigus Butte electronic  
18 warfare station out there."

19 Another time, they were -- it was no problem without  
20 getting a, quote, instrument landing in at our -- at the Austin  
21 Airport.

22 We -- I -- I personally feel -- and I think it's a board  
23 consensus -- that the Navy will just push it off, kick the can  
24 down the road, until it becomes an issue that -- that -- that  
25 they're just not going to deal with.

26 And that's just my public comment. Thank you very much.  
27 I'm sorry to interrupt.

28 CHAIRMAN BAKKER: No, you're good. Thank you, Frank.

29 COMMISSIONER CLARK: Thanks, Frank.

30 FRANK WHITMAN: Okay. Any other public comment?

31 (No comment.)

32 CHAIRMAN BAKKER: Okay. Have a good day.

33 COMMISSIONER CLARK: Thank you.  
34  
35  
36  
37  
38  
39  
40

1 ASSESSOR

2  
3 7) Discussion and possible action regarding Resolution 2016-12  
4 directing the county assessor to prepare and publish the  
5 2017-18 secured tax roll, and all other matters properly  
6 related thereto.  
7

8 CHAIRMAN BAKKER: Okay. Seven. It's something we do every  
9 year.

10 Is Lura here, Keith?

11 KEITH WESTENGARD: I don't see her. I was looking for  
12 her. Let me go see if she's here.

13 DISTRICT ATTORNEY HERRERA: There's a copy of the  
14 resolution.

15 CHAIRMAN BAKKER: Okay.

16 KEITH WESTENGARD: Do you want her?

17 CHAIRMAN BAKKER: No.

18 DISTRICT ATTORNEY HERRERA: I don't think it's necessary.

19 CHAIRMAN BAKKER: I don't --

20 DISTRICT ATTORNEY HERRERA: It's just --

21 CHAIRMAN BAKKER: Unless you guys have any other questions.

22 KEITH WESTENGARD: Pretty --

23 COMMISSIONER MILLS: No.

24 KEITH WESTENGARD: -- standard. She does it every --

25 COMMISSIONER MILLS: Not really.

26 COMMISSIONER WAITS: No.

27 KEITH WESTENGARD: -- year.

28 COMMISSIONER MILLS: It's pretty standard.

29 CHAIRMAN BAKKER: Okay. Then with that...

30 COMMISSIONER MILLS: I'll make a make a motion to approve  
31 the Resolution 2016-12, directing the county assessor to prepare  
32 and publish the 2017-18 secure tax roll and authorize the chair  
33 to sign.

34 COMMISSIONER WAITS: She asked for the option --

35 COMMISSIONER MILLS: Option?

36 COMMISSIONER WAITS: -- in there. Uh-huh.

37 To include the option of mailing or publishing the tax  
38 roll.

39 COMMISSIONER MILLS: Oh, okay. We'd like also for the  
40 assessor to have the option to either mail or --

1 COMMISSIONER WAITS: Publish.  
2 COMMISSIONER MILLS: -- publish the results.  
3 CHAIRMAN BAKKER: Doug made a motion.  
4 COMMISSIONER WAITS: I'll second that motion.  
5 CHAIRMAN BAKKER: Patsy seconded.  
6 Any public comment?  
7 (No comment.)  
8 COMMISSIONER MILLS: All in favor?  
9 COMMISSIONER WAITS: Did you say signature to sign?  
10 COMMISSIONER MILLS: Yes.  
11 COMMISSIONER WAITS: Okay. Thank you.  
12 CHAIRMAN BAKKER: Aye.  
13 COMMISSIONER MILLS: Aye.  
14 COMMISSIONER WAITS: Aye.  
15 COMMISSIONER CLARK: Aye.  
16 CHAIRMAN BAKKER: Okay.

17  
18 **PLANNING**

19  
20 8) **Discussion and possible action regarding approval of a parcel**  
21 **map from Nancee and Larry Stallard, located at 155 Mulligan**  
22 **Way, Battle Mountain, Lander County Assessor Parcel Number**  
23 **011-110-12, splitting one (1) 75.93-acre parcel into three**  
24 **(3) one-acre parcels and leaving one (1) parcel at 72.93**  
25 **acres, and all other matters properly related thereto.**  
26

27 CHAIRMAN BAKKER: Eight. Discussion and possible action  
28 regarding approval of a parcel map for Nancee and Larry  
29 Stallard, located at 155 Mulligan Way, Battle Mountain, Lander  
30 County Assessor Parcel Number 011-110-12, splitting one  
31 75.93-acre parcel into three one-acre parcels and leaving one  
32 parcel at 72.93 acres, and all other matters properly related  
33 thereto.

34 Good morning.

35 COMMISSIONER WAITS: Good morning.

36 JAN MORRISON: Jan Morrison, community services officer,  
37 representing the planning commission.

38 And Mr. Stallard is here. This is his map. It's pretty  
39 standard. We have all the signatures. It's been approved by a  
40 county surveyor and the planning commission. So it just awaits

1 your -- any questions that you may have and then signature by  
2 the chair.

3 CHAIRMAN BAKKER: Okay.

4 COMMISSIONER MILLS: Just one question. Is this going to  
5 one-acre parcels? Is that -- one acre is pretty small. Is that  
6 within the master plan? And --

7 JAN MORRISON: Yeah, the master --

8 COMMISSIONER MILLS: -- that's all --

9 JAN MORRISON: -- plan --

10 COMMISSIONER MILLS: -- okay --

11 JAN MORRISON: -- goes down to --

12 COMMISSIONER MILLS: -- to go that small?

13 JAN MORRISON: Yeah. Actually, R-1. So a lot less. So  
14 this exceeds it. So it's in great shape.

15 COMMISSIONER MILLS: Okay.

16 COMMISSIONER CLARK: So --

17 CHAIRMAN BAKKER: It's R-1 zoning?

18 JAN MORRISON: It's R-1. It's R-1 master plan. So you can  
19 go down to R-1. But this is R-3, which is half-acre, but  
20 they're doing acres.

21 CHAIRMAN BAKKER: Okay. Residential?

22 LARRY STALLARD: Yes.

23 CHAIRMAN BAKKER: Yeah.

24 Okay.

25 COMMISSIONER MILLS: I'll make a motion to approve the  
26 parcel map for Nancee and Larry Stallard to split one 75.93-acre  
27 parcel into three one-acre parcels and leaving one parcel at  
28 72.93 acres.

29 CHAIRMAN BAKKER: You want to read the parcel number in?

30 COMMISSIONER WAITS: Yeah. You want the parcel number on  
31 there?

32 COMMISSIONER MILLS: Oh, that'd be parcel number  
33 011-110-12.

34 JAN MORRISON: Just wait (indiscernible).

35 COMMISSIONER WAITS: I'll second the motion.

36 CHAIRMAN BAKKER: Doug made a motion. Patsy seconded. All  
37 --

38 Any public comment?

39 (No comment.)

40 CHAIRMAN BAKKER: All in favor?

1 COMMISSIONER MILLS: Aye.  
2 CHAIRMAN BAKKER: Aye.  
3 COMMISSIONER WAITS: Aye.  
4 COMMISSIONER CLARK: No. Nay.  
5 CHAIRMAN BAKKER: Opposed?  
6 Where at?  
7 JAN MORRISON: Right there.  
8 Thank you very much.  
9 CHAIRMAN BAKKER: Thank you.  
10 LARRY STALLARD: All right. Thanks.  
11 CHAIRMAN BAKKER: Larry, thank you.  
12  
13

14 **UPDATES**

15  
16 9) **Update from the building official and all other matters**  
17 **properly related thereto.**  
18

19 CHAIRMAN BAKKER: Okay. Nine. Update from the building  
20 official and all other matters properly related thereto.

21 ANNA PENOLA: Good morning.

22 COMMISSIONER MILLS: Morning.

23 COMMISSIONER WAITS: Morning, Anna.

24 ANNA PENOLA: Anna Penola with the Building Department.

25 Little bit of stats from September 16<sup>th</sup>. We had 23  
26 permits. Three of those were for new homes, mobile homes.  
27 Three non-permitted inspections.

28 Some ongoing projects are the same old, same old.

29 AT&T. T-Mobile upgrades. And it just take- -- they start  
30 out like gangbusters. And it takes forever to get going. And  
31 there's problems. But, anyways, they're still on the books and  
32 they're still doing their deal.

33 In the south, we've got a mobile home going in in Reese  
34 River Valley for Billy Gandolfo.

35 Still working on blinds for the lower courthouse for this  
36 winter.

37 Austin Airport fuel project has started.

38 Summit Engineering will assess the roof at the youth  
39 center, I believe, next week. Tom gave me a call on -- he'll  
40 let me know when he will be there.

1           So Ormat's adding a new office building. The plans are out  
2 for review. And when they come back, they'll get permitted and  
3 get started.

4           I have stuff going on around here. The rec center is  
5 working on the prefab metal buildings. They're up and going.

6           The preschool is complete. It passed the fire marshal and  
7 state inspections. Some of the holdup wasn't the county end.  
8 It was their licensing and things like that. But they're up and  
9 going and can open anytime they want.

10          CHAIRMAN BAKKER: Well, and they got approved -- their  
11 licensing got approved yesterday.

12          ANNA PENOLA: Yeah. I believe so.

13          CHAIRMAN BAKKER: From my understanding. Yeah.

14          ANNA PENOLA: Yeah.

15          CHAIRMAN BAKKER: So they're --

16          ANNA PENOLA: So they're good to go.

17          CHAIRMAN BAKKER: Yep.

18          ANNA PENOLA: And they've done a really nice job in there.  
19 You can't even tell it's the old DMV building. It's really  
20 nice. It'll be a good facility for them.

21          Battle Mountain Hospital phase two. Everything's enclosed.  
22 And they're working on the interior rooms right now: drywall  
23 and framing.

24          Thompson Dental is taking their second half and turning it  
25 into two office buildings. So that's started.

26          The old admin building. I've heard from the insurance.  
27 And they're going to start construction soon. And it was  
28 awarded to BELFOR.

29          The greenhouse at the high school is up and working on  
30 electrical and getting the fans and that. But it's getting  
31 there.

32          The wind turbines are down and out of our hair in Austin  
33 and in Battle Mountain.

34          CHAIRMAN BAKKER: Where'd they go?

35          ANNA PENOLA: Guest Electric dismantled them. And I don't  
36 know if Toshiba's taking them or not. But they finally came  
37 through with their word that they'd dismantle them and get them  
38 out of our hair.

39          CHAIRMAN BAKKER: Did they pay for them or anything?

40          ANNA PENOLA: How do you mean?

1 CHAIRMAN BAKKER: Did they give you any money back?  
2 ANNA PENOLA: No. But we didn't put any money in.  
3 CHAIRMAN BAKKER: Right. It was government grants.  
4 ANNA PENOLA: Yeah.  
5 CHAIRMAN BAKKER: Yeah.  
6 ANNA PENOLA: Yeah.  
7 New maintenance shop at Fire Creek Mine. And the plans  
8 were out for review.  
9 Drill Tech out at Cortez put in a new maintenance shop.  
10 And that's complete.  
11 There is tree trimming started in September on Front  
12 Street. He's coming back, he said, within a week or two to do a  
13 little bit more. I don't know how much more he'll get done with  
14 the weather changing and leaves falling, but --  
15 Cottonwood Counseling got some attention that it dearly  
16 needed. I didn't know. Tina called and said she needed some  
17 lighting. And so we actually gave her new lighting, fixed some  
18 lighting in the bathroom, put her HVAC on a schedule, and new  
19 windows.  
20 CHAIRMAN BAKKER: Oh, cool.  
21 ANNA PENOLA: So it's coming along.  
22 Civic center has been painted. I don't know if you guys  
23 have noticed, but it looks really sharp.  
24 Did the sealing of the brick and should last a long time.  
25 The golf course last day was yesterday. Did a walk-through  
26 on some inventory. They have until this weekend to get  
27 everything. And then we're doing a final walk-through on Monday  
28 to verify inventory and things like that.  
29 CHAIRMAN BAKKER: And winterize.  
30 ANNA PENOLA: Winterize it too.  
31 CHAIRMAN BAKKER: Okay.  
32 ANNA PENOLA: And AED machines are in and installed. And  
33 training will come in January for all employees.  
34 CHAIRMAN BAKKER: Good deal.  
35 ANNA PENOLA: That's about it.  
36 COMMISSIONER CLARK: I've got -- I've got a question.  
37 ANNA PENOLA: Sure.  
38 COMMISSIONER CLARK: The other day I got a flu shot. And I  
39 was asked if the public health nurse was moving over to North  
40 Second Street. I never --

1 CHAIRMAN BAKKER: That --  
2 COMMISSIONER CLARK: -- heard anything about that.  
3 KEITH WESTENGARD: They -- they've express- -- expressed  
4 interest -- the state has expressed interest in moving there --  
5 COMMISSIONER CLARK: Oh.  
6 KEITH WESTENGARD: -- to cohabitate with ment- -- mental  
7 health, I think, is what --  
8 COMMISSIONER CLARK: Oh. Okay.  
9 CHAIRMAN BAKKER: Yeah, but we'll have to do an agenda item  
10 and --  
11 KEITH WESTENGARD: Yeah, but they have --  
12 CHAIRMAN BAKKER: -- and go that --  
13 KEITH WESTENGARD: -- expressed an interest in it. It just  
14 hasn't been brought forth.  
15 COMMISSIONER CLARK: Okay.  
16 ANNA PENOLA: And also -- I just forgot -- two contractors  
17 are going to look at the building out at the airport --  
18 COMMISSIONER CLARK: Hm.  
19 ANNA PENOLA: -- for the archery club. So it's still a  
20 work in progress.  
21 COMMISSIONER CLARK: Yeah. That's good.  
22 ANNA PENOLA: And that's all I have for you.  
23 CHAIRMAN BAKKER: Thanks, Anna.  
24 ANNA PENOLA: All right. Thank you.  
25 COMMISSIONER WAITS: Thank you.  
26 COMMISSIONER MILLS: Thank you.  
27 CHAIRMAN BAKKER: Any public comment?  
28 TINA MARIE BISIAUX: Yes. Tina Marie Bisiaux.  
29 ANNA PENOLA: You scared me.  
30 TINA MARIE BISIAUX: Sorry. You knew I was here. I -- I  
31 would just really like to express my appreciation to Anna for  
32 all the work that went on in the building.  
33 I have been located in that building for about 10 years.  
34 And this is the first time anyone has ever come over to look at  
35 anything.  
36 I have made numerous requests in the past that were either  
37 ignored or I was told that it wasn't the county responsibility  
38 to the point that I was doing the weeding in the front yard and  
39 ever -- in the front of the building and everything.  
40 And Anna came over. And I think within 48 hours, the weeds

1 were taken care of, the front was cleaned up, and the lights  
2 were fixed and everything. She was Johnny-on-the-spot. She  
3 kept an eye on everything. She came by and checked to make sure  
4 the workmen had been there on time, that they were scheduling  
5 around my clients. I'm just really impressed. I was really  
6 grateful. Thank you.

7 CHAIRMAN BAKKER: Thank you, Tina.

8 ANNA PENOLA: Thank you, Tina.

9 CHAIRMAN BAKKER: Any other public comment?

10 (No comment.)

11

12 **10) Update from the human resources director and all other**  
13 **matters properly related thereto.**

14

15 CHAIRMAN BAKKER: Okay. Update from the human resource  
16 director and all other matters properly related thereto.

17 BECKY JOHNSON: Good morning. Becky Johnson, for the  
18 record.

19 CHAIRMAN BAKKER: Good morning, Becky.

20 COMMISSIONER WAITS: Morning.

21 BECKY JOHNSON: So the first thing I want to bring you up  
22 to date on is the FSLA has put down a new exempt/non-exempt law.  
23 So I've been going through and doing an audit on our salaried,  
24 exempt people to see who actually falls within those guidelines  
25 and who doesn't.

26 At this time, I've only found one that we actually, come  
27 December 1st, need to roll over to a non-exempt employee. So  
28 I've been working on that.

29 I got word on Monday that the union contracts are back,  
30 finally. So they will be on November 10<sup>th</sup> for you guys to sign.

31 And then I've just been going to class. Liz and I have.  
32 And it's getting harder and harder. There's a lot I didn't  
33 know. My eyes are way open. So...

34 CHAIRMAN BAKKER: Good deal.

35 BECKY JOHNSON: Yeah. That's --

36 COMMISSIONER MILLS: Good.

37 BECKY JOHNSON: -- about it.

38 CHAIRMAN BAKKER: Any other questions? Anything?

39 Okay. Thank you, Becky.

40 Any public comment?

1 COMMISSIONER WAITS: Thank you.  
2 CHAIRMAN BAKKER: Thank you, Becky.  
3 COMMISSIONER MILLS: Thank you.  
4

5 **11) Update from Lander County EMS and all other matters properly**  
6 **related thereto.**  
7

8 CHAIRMAN BAKKER: Update from Lander County EMS and all  
9 other matters properly related thereto.

10 RICHARD BELL: Good morning, Commissioners. For the  
11 record, --

12 COMMISSIONER CLARK: Morning, --

13 RICHARD BELL: -- my name's --

14 COMMISSIONER CLARK: -- Rick.

15 RICHARD BELL: -- Rick --

16 COMMISSIONER WAITS: Good morning, --

17 RICHARD BELL: -- Bell.

18 COMMISSIONER WAITS: -- Rick.

19 CHAIRMAN BAKKER: Good morning, Rick.

20 RICHARD BELL: I haven't been here for a few months. So  
21 I'll give you an update, if you'd like it, on the last three  
22 months, I think it is.

23 There it is. June. It says rundown on June was: 64 runs  
24 billed out, \$58,307; collected, 38,249. And cost is 59,548 to  
25 run that month.

26 July had 80 runs. Billed out 52,152. Collected 40,870.  
27 And it cost us 59,915 to run for that month.

28 And last was -- last one on paper was August, 85 runs,  
29 billed out \$60,644, received \$26,247. And the cost is 63,242 to  
30 run.

31 And Commissioner Waits has asked for kind of a breakdown on  
32 runs for Austin. So for June, they had three runs. July,  
33 Austin had eight runs. And August, they had six runs.

34 COMMISSIONER WAITS: Thank you.

35 RICHARD BELL: Flu POD was -- I think -- was pretty  
36 successful. EMS and the hospital and other entities were pretty  
37 proactive in that. Got a lot of help. I think they did over  
38 950 inoculations, which did my heart good because we beat  
39 Winnemucca again.

40 Did two flu PODs yesterday: one in Kingston, one in

1 Austin. And collectively, I think we gave 60 inoculations down  
2 there. So that's it in a nutshell, unless you had anything  
3 else.

4 CHAIRMAN BAKKER: What --  
5 COMMISSIONER MILLS: Just --  
6 CHAIRMAN BAKKER: Go ahead.  
7 COMMISSIONER MILLS: Go ahead. Oh.  
8 The -- yeah -- June, July, and August we had an increase in  
9 numbers on ambulance runs. Is that -- can you identify if  
10 that's a -- is that a summer thing, touristy movement thing? Or  
11 is that --

12 RICHARD BELL: You're absolutely right. Typically, summers  
13 up through September is --  
14 COMMISSIONER MILLS: Right.  
15 RICHARD BELL: -- increased, just because there's more  
16 outdoor activity.  
17 COMMISSIONER MILLS: Activities. Okay.  
18 Actually, I don't -- couldn't get it into your packets.  
19 But September was a record month for us. We did 99 runs.  
20 COMMISSIONER MILLS: Okay.  
21 RICHARD BELL: So that's huge for us.  
22 CHAIRMAN BAKKER: On the ambulance rotation, what two are  
23 in Austin right now?  
24 RICHARD BELL: What two are in Austin?  
25 CHAIRMAN BAKKER: Uh-huh.  
26 RICHARD BELL: We had Res- -- they had the new ambulance  
27 and Rescue 1.  
28 We had an ambulance go down here. Keith had us move four  
29 down here. I'm just now putting it in service. It should be  
30 within an hour or two.  
31 Rescue 3, we authorized it to go to Dakota Diesel to get  
32 evaluated. They came up with an estimate. We chatted about it  
33 earlier.  
34 CHAIRMAN BAKKER: Yeah.  
35 RICHARD BELL: We're going to get it in and get it  
36 repaired.  
37 CHAIRMAN BAKKER: So is there a two-wheel drive or  
38 four-wheel drive in Austin?  
39 RICHARD BELL: Four-wheel drive.  
40 CHAIRMAN BAKKER: Okay.

1 RICHARD BELL: They'll always have a four-wheel drive.  
2 CHAIRMAN BAKKER: That's what I was going --  
3 RICHARD BELL: Just because it's --  
4 CHAIRMAN BAKKER: -- to suggest. Yeah.  
5 RICHARD BELL: Kim was in the process of taking four out of  
6 service and putting four-wheel drive in. She's afraid the  
7 snow's going to fly soon anyway. And I think she's right.  
8 CHAIRMAN BAKKER: Okay.  
9 RICHARD BELL: All right. Thank you, gentlemen.  
10 CHAIRMAN BAKKER: Sounds good. Thanks, Rick.  
11 COMMISSIONER MILLS: Thank you.  
12 COMMISSIONER CLARK: Keith, when do they get their new --  
13 their new four-wheel OHV?  
14 KEITH WESTENGARD: I'm still waiting on some parts for it,  
15 --  
16 COMMISSIONER CLARK: Okay.  
17 KEITH WESTENGARD: -- the back -- the rear bed for  
18 transport.  
19 COMMISSIONER CLARK: Okay.  
20 KEITH WESTENGARD: I'm guessing -- I'm hoping within about  
21 six weeks.  
22  
23  
24

25 **PUBLIC WORKS**

27 **12) Update from the public works director regarding status of**  
28 **projects and all other matters properly related thereto.**

30 CHAIRMAN BAKKER: Okay. Twelve, update from the public  
31 works director regarding status of projects and all other  
32 matters properly related thereto.  
33 BERT RAMOS: How's everybody been?  
34 CHAIRMAN BAKKER: Good. You?  
35 BERT RAMOS: Good. Good.  
36 Well, I had a whole bunch of stuff I was going to update on  
37 today, but I'm a little low on energy. I haven't been feeling  
38 good the last few days. So...  
39 CHAIRMAN BAKKER: Bert, you got to state your name, bud.  
40 BERT RAMOS: Bert Ramos, for the record.

1 CHAIRMAN BAKKER: Okay.  
2 BERT RAMOS: Sorry.  
3 But our Third -- our Second Street water main is in.  
4 We took our Bac-T samples, one set over the day before  
5 yesterday and one yesterday. They should come back. The first  
6 one passed. So I don't see any reason why the second one  
7 wouldn't. And then that water line is ready to be put online,  
8 and then we'll be starting on the stand tank for filling up  
9 water trucks off of the well out of the county yard over here.  
10 And then we're going to be starting on our lift stations.  
11 The golf course, we have a meeting coming up, a final  
12 walk-through on it. And we'll probably have to raise some  
13 sprinklers and lower some sprinklers, kind of as needed. It was  
14 an agreement that we'd made with Hunewill when they finished up  
15 so they wouldn't be out there during the golf season.  
16 We've pretty much winterized everything around minus the  
17 golf course. And I'm hoping to have Hunewill out there and get  
18 them sprinklers raised and lowered before we winterize that just  
19 to make sure we don't have any pipes broke in the process.  
20 COMMISSIONER MILLS: How's the -- how's grass out there  
21 looking?  
22 BERT RAMOS: Hey, it's better than it's ever been.  
23 COMMISSIONER MILLS: Okay.  
24 BERT RAMOS: Yeah.  
25 COMMISSIONER MILLS: I know we had new tee boxes, giving  
26 them time to grow in, and --  
27 BERT RAMOS: Yes.  
28 COMMISSIONER MILLS: -- a bunch of -- a whole bunch of  
29 issues going on with the lawn out there. So I'm just wondering  
30 how it held up over the summer and how it's looking.  
31 BERT RAMOS: Yeah. It's really outstanding. And then the  
32 only complaint that I've really heard that we're going to  
33 address this winter as well, and that was the plan, is the cart  
34 paths. You know, at the end of the cart paths where the  
35 pavement quits and it goes into the -- it -- it's pretty rough  
36 and beat up. So --  
37 COMMISSIONER MILLS: Okay.  
38 BERT RAMOS: -- this winter, we're going to chert them  
39 and -- and make some nice paths for them. So...  
40 COMMISSIONER MILLS: Awesome.

1 BERT RAMOS: And then on my -- part of my update, I wanted  
2 to -- I was -- I had left the meeting because I thought it was  
3 over last meeting. And Ms. O'Kane stood up and read a letter  
4 and -- and took credit for a letter that had been sent into the  
5 county.

6 And there's some things in here that may not say my name,  
7 but it's exactly to the Public Works. It's my projects, my --  
8 my deal.

9 So I want to address them and make sure that the public is  
10 clear on the facts of this letter and the non-facts. And if you  
11 have questions, you can ask.

12 Okay. So the first one was the quest- -- or her first  
13 statement in this letter that had something to do with me is:

14 "In the meeting, the board authorized an \$800,000 change  
15 order to a contractor to apply sealant to recently paved roads  
16 in the county, a very good idea, but shouldn't this have been  
17 part of the original bid or gone through the budget process?"

18 (As read.)

19 And then it shows a, b, and c here, which is:

20 "Experience tells me that change orders rarely cost less  
21 than pre-negotiated contracts." (As read.)

22 So, first of all, it was part of the budget process because  
23 it was within the budget, the \$800,000. And change orders  
24 aren't always an additional cost.

25 For example, we just had a change order with the lift  
26 station over -- or with the -- one of our lift stations taking  
27 that building away that's -- that's going to be over \$100,000.  
28 I can't give exact numbers, but between a hundred and \$200,000  
29 cost savings change order.

30 So not -- not everything is always change order --

31 CHAIRMAN BAKKER: An --

32 BERT RAMOS: -- goes up.

33 CHAIRMAN BAKKER: -- additional cost.

34 BERT RAMOS: Exactly.

35 CHAIRMAN BAKKER: Right.

36 BERT RAMOS: Second:

37 "For the district two, another meeting, members of the  
38 Hilltop area have been waiting years for their roads to be  
39 paved." (As read.)

40 And I agree. There's tons of roads in this county that can

1 -- could be paved. That's part of a budget process. And -- and  
2 we're taking these one bite at a time. I figure that  
3 maintenance and taking care of the roads we currently have first  
4 are more important than paving roads that -- when we haven't  
5 maintained the ones are -- we currently have. So that could be  
6 looked at.

7 "At the meeting in Austin, several people brought up  
8 concerns about road repairs that have been waiting for years to  
9 be completed." (As read.)

10 The roads in Austin have never been as good as they are  
11 currently. And we went and repaved almost every road in that  
12 community at one point in time within the last five years.

13 There's four -- four roads that I can think of off the top  
14 of my head that haven't been paved there. And as soon as Summit  
15 Engineering is done with the mapping and the property lines, I  
16 have no problem coming to you guys in a budget process and  
17 asking for the money to pave the roads. But we can't pave on  
18 private property when we know good and well that that is not our  
19 property.

20 The next thing is, one of them roads may not even get paved  
21 at that point, because the sewer line needs to be lowered. I  
22 have no control over the sewer lines up there or the water  
23 lines. That's the whole separate district.

24 So until they lower their sewer lines, that road will stay  
25 exactly how it is because we aren't going to get our equipment  
26 on there and crush it. That's just --

27 CHAIRMAN BAKKER: Fair enough.

28 BERT RAMOS: -- it's just what it is.

29 CHAIRMAN BAKKER: Right.

30 BERT RAMOS: I mean, I can't -- it's not anything personal.  
31 It's just -- because, trust me, the happier I can keep the  
32 public, the happier I am. The less complaints that come to you  
33 guys, the better I look. It just -- it just works out better  
34 for me. There is no reason why I wouldn't.

35 And then the -- the last thing is that -- that this -- you  
36 know, she --

37 "Shouldn't have these funds been used to complete other  
38 work authorized to be moved to next year's budget rather than  
39 giving to a contractor at a high-profit-margin change order?"  
40 (As read.)

1           As explained in that meeting when we came before you with  
2 the change order is there was no change in profit. This had  
3 already -- this project had been put to bid. We had the lowest  
4 number that we could possibly get per square foot. That square  
5 foot unit price was extended.

6           So, for example, if you go in the store and you buy two  
7 cokes at a dollar apiece, if you go back and buy a third one,  
8 they don't charge you \$1.50. It's still a buck. That's exactly  
9 what took place here is it was just an extension of the unit  
10 price for more roads to be sealed. So that's another --

11          CHAIRMAN BAKKER: Just added square feet.

12          BERT RAMOS: Just added square footage. The -- the unit --

13          CHAIRMAN BAKKER: Uh-huh.

14          BERT RAMOS: -- price was the unit price, which was bid and  
15 was the best price bid at the time by a significant amount.

16          COMMISSIONER CLARK: And so the unit price was less so you  
17 could do more?

18          BERT RAMOS: More. Considerably more.

19          COMMISSIONER CLARK: Yeah.

20          BERT RAMOS: Yes.

21          Trust me, none of us expected to come in that far under  
22 budget. It doesn't look good on the engineer's half. It  
23 doesn't look good on me. It doesn't look that good on anybody  
24 when we come that far in under -- under budget.

25          It's -- it's a wonderful thing because it gives us more  
26 room to operate, but when everybody looks at us and they go,  
27 well, you guys were doing this intentionally knowing that you  
28 guys were going to have extra money to spend, when that's not  
29 the intention.

30          COMMISSIONER CLARK: Wasn't that explained in a meeting?  
31 Because of the price of oil, materials was -- were -- are much  
32 lower?

33          BERT RAMOS: Well, that and then the com- -- it was just a  
34 much more competitive bid. I just -- even now, I -- it's --  
35 it's pretty impressive bidding. I'm happy with it. So...

36          Okay. Let me look here.

37          I took some general notes here so...

38          I'm going to skip over question number three here. I'll  
39 come back to it.

40          "At the meeting in Austin..." (As read.)

1           Okay.  Somebody got --

2           So anyways, where I'm going with this whole deal is these  
3 letters are great.  And -- and I wish Jennifer was here, she was  
4 sitting back there recording it because I could thank her for  
5 recording it.  I think the community and the public needs to be  
6 informed.  The more informed they are, the better.

7           And everybody around here keeps saying, you know, that we  
8 need to be transparent and, you know, honest and, you know, out  
9 front and as we can be in these meetings, and I think that that  
10 is right.  But when you give them the out-front straight, then  
11 they take it and they run -- run with it and -- and make  
12 half-truths out of it.

13          So -- and a lot of this honesty creates big, big issues  
14 because not everybody wants to see it.

15          With that said, I'm going to touch on the next one, which  
16 is going to create a bit of disturbance in the water.

17          "At one meeting, a resident asked about verifi- --  
18 verifiable use of county equipment on private contract for a job  
19 at a local business, an asphalt roller in Battle Mountain.  An  
20 unelected county employee" -- which would be me -- " stated that  
21 the contractor's equipment had broke down and that he is  
22 authorized to loan the equipment.  The commissioners did not ask  
23 questions.  But as a taxpaying member of Lander County, I have  
24 some questions." (As read.)

25          So her questions are:

26          "A, if an inquiry -- if an injury or accident had occurred,  
27 could the county have been exposed to a lawsuit?  B, if the  
28 equipment had been damaged, who would have been responsible for  
29 the cost of the repair?  And C, what criterias does an  
30 individual have to meet in order to borrow Lander County  
31 equipment?  One, be personal friend with the right county  
32 employee?  Two, be a county employee?  Three, give the right  
33 county employee gifts, discount, or election support?  Four,  
34 have secured high-dollar contracts with the county?  I'm certain  
35 a lot of county residents would appreciate access to  
36 county-owned and -maintained equipment to do private contract  
37 work." (As read.)

38          So I'll start with four.  I would love to do private stuff  
39 for myself, but it's not how it works.  We don't just take  
40 county equipment and use it as we please.

1 "Giving the right county employee gifts, discounts, or  
2 election support." (As read.)

3 That's -- that's a little bit outlandish and ridiculous.

4 "Be a county employee" doesn't qualify you.

5 "Be personal friends with the right county employee." (As  
6 read.)

7 This has nothing to do with friendship. And I think, as  
8 discussed in that meeting, these -- this was a contractor with a  
9 Lander County contract doing work for Lander County. So I don't  
10 know how much clearer that can get. This is a Lander County  
11 project. This is not a -- a private drive. This is not  
12 anything private. This is for the citizens of Lander County.  
13 And it has the same effect if the work isn't getting done, then  
14 we're dragging on, creating more havoc for the county.

15 And then with that, the individual who brought this forward  
16 was Ms. Judie Allen.

17 When I was asked, you know, why I have the authority to --  
18 to do this. And the reason I say -- the reason this bothers me  
19 at this point, you can't -- the pot can't call the kettle black,  
20 not when it's supposed to be in all fairness.

21 And I'll read exactly a response or -- as per the words  
22 from our attorney -- and I'm not saying Mr. Herrera. I'm saying  
23 our POOL/PACT attorney -- that was just sent out.

24 "This letter is in response to your October 6<sup>th</sup>, 2016,  
25 letter regarding the retrieval of the Lander County fuel tank  
26 located on Mr. Negro's property. Mr. Negro moved the storage  
27 tank to his property on his own violation and without the  
28 knowledge of anyone from Lander County. The county has several  
29 areas for adequate storage, loading, unloading, and  
30 transportation of this type of property. It should not have  
31 been placed on his property without permission. And that  
32 permission could have only come from the county commissioners.  
33 Notifying the sheriff is not adequate." (As read.)

34 So this is Lander County property that is being stored at  
35 the residence of an individual who I openly, forthcoming brought  
36 the information to you guys that we were using -- that I had  
37 gave permission for a Lander County piece of equipment to be  
38 used on a Lander County job. I forth -- I brought that  
39 forthcoming to you guys without an issue.

40 COMMISSIONER CLARK: Hold on a second, Bert. Read that

1 again about a storage tank? What storage tank?  
2 BERT RAMOS: This is a fuel tank that was brought down from  
3 Austin by me. I brought the tank from Austin to Battle  
4 Mountain. It was supposed to go to the Battle Mountain Landfill  
5 for a waste oil tank.  
6 COMMISSIONER CLARK: How long ago?  
7 BERT RAMOS: This has been a few years ago.  
8 COMMISSIONER CLARK: And it's where?  
9 BERT RAMOS: It is being stored at Mr. Negro's property,  
10 which would be the same residence --  
11 COMMISSIONER CLARK: The same --  
12 BERT RAMOS: -- that --  
13 COMMISSIONER CLARK: -- place --  
14 BERT RAMOS: -- Ms. Allen --  
15 COMMISSIONER CLARK: -- Judie Allen lives?  
16 BERT RAMOS: The same place that Ms. Allen lives, which  
17 brings forward the fact that I'm misusing county equipment after  
18 I had brought it to your guys' attention that I've openly,  
19 Here's -- here's our -- here's our equipment. I'm letting a  
20 contractor use it.  
21 COMMISSIONER CLARK: Keith, in our exit letters, do we have  
22 anything in there about returning all county property and keys  
23 and so on?  
24 KEITH WESTENGARD: Yes, it's -- it's -- it is pretty clear  
25 in there that all equipment is to be returned. And I do -- a  
26 copy of that is in HR's folder.  
27 COMMISSIONER CLARK: What's the value of this tank?  
28 BERT RAMOS: I don't know off the top of my head.  
29 COMMISSIONER CLARK: Five hundred dollars?  
30 BERT RAMOS: Oh, no, it's considerably more than that. I'd  
31 say a few thousand dollars, you know.  
32 COMMISSIONER WAITS: Excuse me. You brought it up here to  
33 do what with it?  
34 BERT RAMOS: To be used at the Battle Mountain landfill for  
35 a waste oil storage tank.  
36 COMMISSIONER WAITS: Okay.  
37 BERT RAMOS: Because I use -- I have one in Austin; and I  
38 have one in Kingston as well that are for waste oil storage --  
39 COMMISSIONER WAITS: Right.  
40 BERT RAMOS: -- tanks.

1 COMMISSIONER CLARK: Then why --  
2 COMMISSIONER WAITS: So do we have one in Battle Mountain?  
3 BERT RAMOS: There -- there is a waste oil storage tank,  
4 not -- not one of the size that -- that we have --  
5 COMMISSIONER WAITS: Okay.  
6 BERT RAMOS: And it was supposed to be additional too.  
7 CHAIRMAN BAKKER: If I remember right, our very first  
8 budget hearing, --  
9 COMMISSIONER CLARK: Budget hearing. Yeah.  
10 CHAIRMAN BAKKER: -- didn't they ask for an extra tank for  
11 the landfill? So if they were storing one on their property,  
12 why would they be asking for one for the landfill?  
13 COMMISSIONER CLARK: Do we need a litigation meeting on  
14 this, Mr. Herrera? Do we need a litigation meeting?  
15 DISTRICT ATTORNEY HERRERA: Well, it's up to you.  
16 I don't know if we need one or not. I -- Bert has -- has  
17 all the paperwork. I -- as he pointed out, POOL/PACT's  
18 attorney -- POOL/PACT attorney is doing that part of the case  
19 for Lander County and -- about the storage tank. What -- so I'm  
20 really not involved in that with the county.  
21 But I do know that -- that a few years ago, Bert -- Bert  
22 had brought -- brought it from Austin.  
23 And if -- if we -- if we recess for a litigation hearing,  
24 then -- then the executive director can fill you in on this.  
25 COMMISSIONER CLARK: You know, I'm going to ask for a break  
26 here, Sean. We need to talk about --  
27 CHAIRMAN BAKKER: Okay.  
28 COMMISSIONER CLARK: -- this.  
29 CHAIRMAN BAKKER: Let's take a litigation meeting --  
30 three-minute litigation meeting.  
31 Austin?  
32 MITESHELL LANHAM: Yes.  
33 CHAIRMAN BAKKER: Thank you.  
34 MITESHELL LANHAM: Okay.  
35  
36 (Break taken between 11:27 a.m. and 11:35 a.m.)  
37  
38 CHAIRMAN BAKKER: Call this meeting back to order.  
39 COMMISSIONER CLARK: Bert? When Donny exited the county,  
40 did he turn in his county keys, his cell phone, his county

1 credit cards and passwords to computers and phones to the public  
2 works director? You?  
3 BERT RAMOS: To you.  
4 KEITH WESTENGARD: Yes. He turned in --  
5 BERT RAMOS: Not me.  
6 KEITH WESTENGARD: -- those items.  
7 BERT RAMOS: At that time, I was not the public works  
8 director. It was --  
9 COMMISSIONER CLARK: Okay.  
10 BERT RAMOS: -- Keith that --  
11 CHAIRMAN BAKKER: So Keith, you're still working with  
12 POOL/PACT's attorney?  
13 KEITH WESTENGARD: Yes.  
14 CHAIRMAN BAKKER: Talk to them about civil charges,  
15 criminal charges, and see what they come up with in getting our  
16 property back, all of it.  
17 COMMISSIONER CLARK: Yeah, is there --  
18 KEITH WESTENGARD: Currently, we are waiting for a response  
19 from Ken McKenna, Mr. Negro's attorney, on a letter that was  
20 sent out two weeks ago tomorrow.  
21 CHAIRMAN BAKKER: Okay.  
22 KEITH WESTENGARD: So we're waiting for the response back.  
23 And I haven't received anything as of today.  
24 COMMISSIONER CLARK: Unbelievable.  
25 COMMISSIONER WAITS: Bert, I didn't notice when you came in  
26 today. Were you here when we gave our reports?  
27 BERT RAMOS: Yeah, I was here.  
28 COMMISSIONER WAITS: Okay, you -- did you --  
29 BERT RAMOS: Did I miss --  
30 COMMISSIONER WAITS: -- hear my -- you heard my concern  
31 about the right-of-way on 376 in Kingston?  
32 BERT RAMOS: Yes. And to my knowledge, when -- the last  
33 time I'd spoken -- no, that's out of the Austin's -- that's --  
34 that's Round Mountain's NDOT. That's there -- it's -- it's a  
35 different -- there's three different --  
36 COMMISSIONER WAITS: Okay. My question is --  
37 BERT RAMOS: -- District 1, 2, and 3.  
38 COMMISSIONER WAITS: Okay.  
39 BERT RAMOS: I guess. There's three different districts  
40 for NDOT. And -- and so that's District 1. And to my

1 knowledge, that is still their right-of-way. As far as I knew,  
2 the whole time that I was down there, that was -- and Round  
3 Mountain would come down and patch that.

4 COMMISSIONER WAITS: Okay, but you -- you heard my  
5 comments?

6 BERT RAMOS: Yes, that there's some --

7 COMMISSIONER WAITS: Okay.

8 BERT RAMOS: -- confusion on that.

9 COMMISSIONER WAITS: That they are not fixing it because  
10 they claim the right-of-way was given to Kingston.

11 BERT RAMOS: Okay.

12 COMMISSIONER WAITS: So my question to you is, then: Are  
13 you on top of that so we can do something about it or fill in  
14 the potholes while they think it's ours or -- or whatever, --

15 BERT RAMOS: Yeah, and that's --

16 COMMISSIONER WAITS: -- just so --

17 BERT RAMOS: -- that's what we did --

18 COMMISSIONER WAITS: -- you're on top --

19 BERT RAMOS: -- with --

20 COMMISSIONER WAITS: -- of it.

21 BERT RAMOS: You know, in the past, that's what we've done  
22 at the Gilman Springs --

23 COMMISSIONER WAITS: Okay.

24 BERT RAMOS: -- on-ramp is we --

25 COMMISSIONER WAITS: Because --

26 BERT RAMOS: -- or driveways. We go patch it; they don't  
27 mind. Anybody doesn't mind if you make it better. They only  
28 mind when you start making it worse.

29 CHAIRMAN BAKKER: Keith, --

30 COMMISSIONER WAITS: I'm sure not.

31 CHAIRMAN BAKKER: -- Bert, did you guys --

32 BERT RAMOS: I only -- only touch --

33 CHAIRMAN BAKKER: -- ever --

34 BERT RAMOS: -- bases.

35 CHAIRMAN BAKKER: Did you guys ever contact the Sheriff's  
36 Department on this?

37 BERT RAMOS: Did I?

38 CHAIRMAN BAKKER: Uh-huh. Keith?

39 KEITH WESTENGARD: On -- are we talking --

40 CHAIRMAN BAKKER: On the tanks.

1 KEITH WESTENGARD: -- roads?  
2 CHAIRMAN BAKKER: No.  
3 KEITH WESTENGARD: No.  
4 COMMISSIONER WAITS: We're back on yours?  
5 CHAIRMAN BAKKER: Yeah, because you --  
6 COMMISSIONER WAITS: Oh, I'm sorry.  
7 CHAIRMAN BAKKER: -- were trying to get off it, and I  
8 wasn't done.  
9 COMMISSIONER WAITS: Oh, I apologize.  
10 CHAIRMAN BAKKER: So...  
11 BERT RAMOS: Here's the thing. This community's small  
12 enough. It doesn't need any more nonsense than we already have.  
13 And I don't mean to be adding to it. But at the same time, when  
14 you've got these people that are claiming that they want to  
15 see...  
16 CHAIRMAN BAKKER: They're so righteous and everything.  
17 BERT RAMOS: Yes.  
18 CHAIRMAN BAKKER: And they're stealing --  
19 BERT RAMOS: And you want --  
20 CHAIRMAN BAKKER: -- the property.  
21 BERT RAMOS: -- to see all this stuff. I understand. I  
22 want to see it too. And I'm not saying that I'm -- that I'm  
23 above everything, because nobody's above everything. And you're  
24 only a fool if you tell yourself that.  
25 But the --  
26 You know what? You -- you can't -- in a community this  
27 small, you can't run around doing these kinds of things and  
28 expect -- you can only paint somebody in a corner. And any  
29 animal or any person, you put them in a corner long enough and  
30 apply enough pressure, they're going to come out of that corner.  
31 And I feel like I've been put in a corner long enough and  
32 pushed hard enough that -- you know what? -- I'm ready to come  
33 out of this corner. And right, wrong, or indifferent, it may  
34 not be -- legals wouldn't advise me to probably sit up here and  
35 say the things that I just said, but it is what it is. And I  
36 don't have nothing to hide from them.  
37 COMMISSIONER CLARK: Bert, you're a public employee, not a  
38 public punching bag.  
39 CHAIRMAN BAKKER: You're doing --  
40 BERT RAMOS: Well --

1 CHAIRMAN BAKKER: -- a good job. Keep it up.  
2 COMMISSIONER CLARK: You are doing a good job.  
3 CHAIRMAN BAKKER: Any questions?  
4 BERT RAMOS: Thank you.  
5 COMMISSIONER CLARK: Do you suspect that any other things  
6 are missing from the county?  
7 BERT RAMOS: No, and I -- and that's just -- that just  
8 opens up a whole bag of --  
9 I don't have the energy. I'm sick.  
10 CHAIRMAN BAKKER: Any public comment?  
11 COMMISSIONER MILLS: I have -- I have one.  
12 This is unrelated to anything we've talked about so far,  
13 but we were talking about the repairs over at the counseling  
14 center. And if I recall, there's a drop box for water/sewer  
15 over there?  
16 BERT RAMOS: Yeah, it's still sitting in front.  
17 COMMISSIONER MILLS: Is that -- is that still in use?  
18 UNIDENTIFIED PARTICIPANT: Yes.  
19 BERT RAMOS: I don't know.  
20 COMMISSIONER MILLS: People are still dropping off their  
21 payments there?  
22 UNIDENTIFIED PARTICIPANT: Yes.  
23 COMMISSIONER MILLS: Okay. I was thinking if it's not in  
24 use, maybe we need to pull --  
25 CHAIRMAN BAKKER: Move it.  
26 COMMISSIONER MILLS: -- that thing out. But if -- I guess  
27 if it's still being used, we don't need to worry about that.  
28 All right. That's all I have.  
29 CHAIRMAN BAKKER: Thank you. Anyone else?  
30 (No comment.)  
31 CHAIRMAN BAKKER: Okay, Bert.  
32 BERT RAMOS: I'm up on the next one.  
33 Oh, okay.  
34  
35 13) Discussion and possible action to approve/disapprove the  
36 public works director to advertise for bid for a metal shop  
37 for the Lander County Landfill in an amount not to exceed  
38 \$120,000, and all other matters properly related thereto.  
39  
40 CHAIRMAN BAKKER: Thirteen then. Discussion and possible

1 action to approve/disapprove the public works director to  
2 advertise for bid for metal shop for the Lander County Landfill  
3 in an amount not to exceed 120,000, and all other matters  
4 properly related thereto.

5 BERT RAMOS: So is what we're trying to do is at the  
6 landfill we have a lot of big equipment that we can't fit in our  
7 Road and Bridge shop here.

8 And it's steel tracks and sheep's foot so you can't walk  
9 them on concrete.

10 Is what I'm going to try to do is -- is go out to bid for a  
11 pre-engineered building so we don't have to have -- we don't  
12 have to pay for the engineering fees. And I'm going to see --  
13 if -- if we can afford it, we're going to try and put some metal  
14 runners, like railroad track, in the cement so we can walk the  
15 equipment into it. Or we're just going to leave the floor a  
16 dirt floor so we can at least, you know, in the winter,  
17 especially when you're walking that trash in, you get a lot of  
18 wire and stuff stuck up underneath that equipment. It would be  
19 nice to have somewhere that we can walk it in, get underneath of  
20 it where it's dry, and cut stuff free.

21 COMMISSIONER CLARK: You're going to put what -- excuse  
22 me -- what in the concrete?

23 BERT RAMOS: Like railroad track metal? They call them  
24 metal runners, --

25 COMMISSIONER CLARK: Uh-huh.

26 BERT RAMOS: -- but it's pretty much just railroad track.  
27 And -- and then it gives a spot for your equipment to walk  
28 across the --

29 COMMISSIONER CLARK: Yeah, Ron did that in his -- in his  
30 barn, --

31 BERT RAMOS: Oh.

32 COMMISSIONER CLARK: -- put railroad tracks in.

33 BERT RAMOS: Worked pretty slick?

34 COMMISSIONER CLARK: Yeah. Not only that, you can weld  
35 stuff -- you can weld to it and twist and turn whatever you need  
36 to do. That's a good idea.

37 How big for 120,000?

38 BERT RAMOS: Well, I'm hoping we can get ourselves a 40 by  
39 60.

40 COMMISSIONER CLARK: Forty by sixty?

1 DISTRICT ATTORNEY HERRERA: It's already been budgeted.

2 COMMISSIONER WAITS: The budget amount was 120-; was it  
3 not?

4 BERT RAMOS: The budgeted amount was 120,000, yes. And I  
5 have to do some more research on what these pre-engineered  
6 buildings go for. I wanted to get you guys' approval before I  
7 went and spent a lot of energy on -- on that.

8 CHAIRMAN BAKKER: Okay. With that?

9 COMMISSIONER MILLS: I'll make a motion to approve the  
10 public works director to advertise for bid for a metal shop for  
11 Lander County Landfill, in an amount not to exceed \$120,000.

12 COMMISSIONER CLARK: I'll second that.

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

15 (No comment.)

16 CHAIRMAN BAKKER: All in favor?

17 COMMISSIONER MILLS: Aye.

18 CHAIRMAN BAKKER: Aye.

19 COMMISSIONER WAITS: Aye.

20 COMMISSIONER CLARK: Aye.

21 CHAIRMAN BAKKER: Okay. Bert, go home.

22 BERT RAMOS: Is there anything else you guys need me for?  
23 Because if not, I'm out of here.

24 CHAIRMAN BAKKER: Go home. Get better. I would say --

25 COMMISSIONER CLARK: Get some --

26 CHAIRMAN BAKKER: -- go home and see a doctor.

27 COMMISSIONER MILLS: Thanks, Bert.

28 CHAIRMAN BAKKER: Or go see a doctor.

29 COMMISSIONER CLARK: Get some Airborne, buddy.

30 BERT RAMOS: Go see (indiscernible).

31 CHAIRMAN BAKKER: Yeah.

32

33

34 **COMMISSIONERS**

35

36 14) **Discussion and possible action to approve/disapprove the job**  
37 **description for the executive assistant to the executive**  
38 **director, and all other matters properly related thereto.**  
39

40

CHAIRMAN BAKKER: Fourteen. Discussion and possible action

1 to approve/disprove the job description for the executive  
2 assistant to the executive director, and all other matters  
3 properly related thereto.

4 KEITH WESTENGARD: Currently, the administrative assistant,  
5 which is Nilla's position, is a union position. And there is a  
6 conflict due to the fact that I sit on the negotiating team.

7 So in order to resolve the conflict, we have rewritten her  
8 job description and made it a position that is not covered under  
9 the bargaining unit and, in fact, took some of her union-related  
10 posit- -- duties out of that job description and put it into the  
11 following one.

12 DISTRICT ATTORNEY HERRERA: And -- and Mr. Chairman, if you  
13 would open up --

14 CHAIRMAN BAKKER: Okay.

15 DISTRICT ATTORNEY HERRERA: -- Number --

16 CHAIRMAN BAKKER: Fifteen?

17 DISTRICT ATTORNEY HERRERA: -- 15 too. It would be kind of  
18 tough --

19 CHAIRMAN BAKKER: I got you.

20 DISTRICT ATTORNEY HERRERA: -- to explain it --

21

22 15) Discussion and possible action to approve/disapprove the job  
23 description for the public works administrative assistant,  
24 and all other matters properly related thereto.  
25

26

27 CHAIRMAN BAKKER: Discussion and possible action to  
28 approve/disprove the job description for the public works  
29 administrative assistant, and all other matters properly related  
30 thereto.

31

32 KEITH WESTENGARD: So with that being said, we have --  
33 we've taken the union-related position out of the administrative  
34 assistant position and put it into another position, which is in  
35 the Road and Bridge Department, where it originally was.

36

37 So making the new executive assistant position non-union;  
38 therefore, we get rid of the -- of the conflict with the union  
39 of her being -- that being a union position.

40

COMMISSIONER WAITS: And what do we have to do for the  
union to approve that?

41

DISTRICT ATTORNEY HERRERA: The --

42

KEITH WESTENGARD: Nothing. Oh, --

1 DISTRICT ATTORNEY HERRERA: If it --  
2 KEITH WESTENGARD: Go ahead.  
3 DISTRICT ATTORNEY HERRERA: Commissioner Waits, we tried to  
4 cooperate with the union to see if we could just move the  
5 present position out of the union. And they did not want to  
6 lose that position.  
7 COMMISSIONER WAITS: I'm sure not.  
8 DISTRICT ATTORNEY HERRERA: And we said, that's fine. So  
9 we didn't want to fight with them. We wanted our contract  
10 signed. And this would have just put off the contract.  
11 So the HR and Keith and myself got together and came up  
12 with an idea. HR came up with an idea. Well, we don't have to  
13 even go down that road. We can go up -- down this other road.  
14 And we can approve the job description for the executive  
15 assistant to the executive director, which is a non-union  
16 position.  
17 So the work -- the union work that she does in that  
18 position would be moved to Number 15, which is a union position.  
19 So basically what we have, Number 14 is a non-union  
20 position. And Number 15 we have a union position.  
21 COMMISSIONER WAITS: But we ch- -- we need to change the  
22 names a little bit --  
23 DISTRICT ATTORNEY HERRERA: Yes.  
24 COMMISSIONER WAITS: -- around to comply?  
25 DISTRICT ATTORNEY HERRERA: Yes.  
26 COMMISSIONER WAITS: I see. Okay. I understand.  
27 CHAIRMAN BAKKER: Okay.  
28 COMMISSIONER MILLS: I'll make a motion to approve the job  
29 description for the executive assistant to the executive  
30 director and also the job description for the public works  
31 administrative assistant.  
32 CHAIRMAN BAKKER: Doug made a motion. I'll second it. Any  
33 public comment?  
34 (No comment.)  
35 CHAIRMAN BAKKER: All in favor?  
36 COMMISSIONER MILLS: Aye.  
37 CHAIRMAN BAKKER: Aye.  
38 COMMISSIONER WAITS: Aye.  
39 COMMISSIONER CLARK: Aye.  
40

1 16) Discussion and possible action to approve/disapprove the  
2 travel expenses of the District 4 Lander County commissioner  
3 to be elected November 8, 2016, to the annual NACO conference  
4 in Pahrump, Nevada, held November 14 through November 17,  
5 2016, and all other matters properly related thereto.  
6

7 CHAIRMAN BAKKER: Okay. Sixteen. Discussion and possible  
8 action to approve/disapprove the travel expenses of the District  
9 4 Lander County commissioner to be elected November 8<sup>th</sup>, 2016,  
10 to the annual NACO conference in Pahrump, Nevada, held November  
11 14<sup>th</sup> through November 17<sup>th</sup>, 2016, and all other matters properly  
12 related thereto.

13 KEITH WESTENGARD: I am seeking your approval to pay out of  
14 county funds for the -- the next commissioner to attend this  
15 conference. It's prior to when they take office. So they're  
16 not necessarily a county employee, but they will be sworn in in  
17 January --

18 COMMISSIONER CLARK: Yeah.

19 KEITH WESTENGARD: -- early January. So I just wanted to  
20 make sure it's okay to expend county funds on whoever it may be.

21 CHAIRMAN BAKKER: A soon-to-be county employee.

22 KEITH WESTENGARD: A soon-to-be county employee or elected  
23 official.

24 COMMISSIONER CLARK: This is where you get your open  
25 meeting training and your ethics training.

26 KEITH WESTENGARD: Correct. Last time, when you guys went,  
27 it was --

28 COMMISSIONER CLARK: It was --

29 KEITH WESTENGARD: -- in Ely.

30 COMMISSIONER CLARK: -- in Ely.

31 KEITH WESTENGARD: And this time it will be in Pahrump.

32 COMMISSIONER MILLS: Yeah. The previous commission was  
33 kind enough to do that for us. And it was very beneficial.

34 COMMISSIONER CLARK: Absolutely.

35 COMMISSIONER MILLS: So...

36 COMMISSIONER WAITS: We have done it for years. It's --  
37 yeah -- it should be a requirement, actually. It's too bad we  
38 can't do that.

39 I'll make a motion we approve the travel expenses of the  
40 District 4 Lander County commissioner, that will be elected on

1 November 8<sup>th</sup>, to the annual NACO conference in Pahrump.  
2 COMMISSIONER MILLS: Second.  
3 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded it.  
4 Any public comment?  
5 (No comment.)  
6 CHAIRMAN BAKKER: All in favor?  
7 COMMISSIONER MILLS: Aye.  
8 CHAIRMAN BAKKER: Aye.  
9 COMMISSIONER WAITS AND COMMISSIONER CLARK: Aye.  
10 COMMISSIONER CLARK: Aye.  
11

12 17) Discussion and possible action regarding the  
13 approval/disapproval of lease renewal between Bullock  
14 Mechanical and Lander County in the amount of \$336 for the  
15 1,120-square-foot building located at 142 West Third Street,  
16 Battle Mountain, Nevada 89820, and all other matters properly  
17 related thereto.  
18

19 CHAIRMAN BAKKER: Okay. Seventeen. Discussion and  
20 possible action regarding the approval/disapproval of lease  
21 renewal between Bullock Mechanical, Lander County in the amount  
22 of \$336 for the 1,120-square-foot building located at 142 West  
23 Third Street, Battle Mountain, Nevada 89820, and all other  
24 matters properly related thereto.

25 KEITH WESTENGARD: Commissioner Bakker, I -- I need to ask  
26 if we can table this. I -- I have some things going on with the  
27 assessor -- or not the county assessor, the -- the appraiser --  
28 I'm sorry -- to verify a few things. So if you're okay with  
29 that I'd like to --

30 CHAIRMAN BAKKER: Okay.

31 KEITH WESTENGARD: We have some issues with square footage,  
32 Scott. That's what it comes down to.

33 So I need to make sure we're right. We measured it one  
34 day, Bert and I. And his is a couple of hundred feet  
35 difference. So I need to make sure we're on the same page.

36 SCOTT BULLOCK: Well, the math's pretty simple.

37 KEITH WESTENGARD: Well, I'm not -- I'm not the appraiser.  
38 His -- his -- and I showed it to you there. We -- we had a  
39 difference in square footage. So I need to --

40 CHAIRMAN BAKKER: Okay.

1 KEITH WESTENGARD: -- make sure we're on the same page.  
2 CHAIRMAN BAKKER: Just keep paying --  
3 COMMISSIONER CLARK: When --  
4 CHAIRMAN BAKKER: -- what you're paying.  
5 COMMISSIONER CLARK: When is Scott's lease up?  
6 SCOTT BULLOCK: Okay.  
7 DISTRICT ATTORNEY HERRERA: It's up.  
8 KEITH WESTENGARD: He's up. But at the last meeting, we --  
9 or -- you said to go ahead and continue as is, --  
10 COMMISSIONER CLARK: Okay.  
11 DISTRICT ATTORNEY HERRERA: Month to month.  
12 KEITH WESTENGARD: -- month --  
13 CHAIRMAN BAKKER: Yeah.  
14 KEITH WESTENGARD: -- to month.  
15 CHAIRMAN BAKKER: Just --  
16 KEITH WESTENGARD: So...  
17 CHAIRMAN BAKKER: Okay. So moving on...  
18 COMMISSIONER MILLS: All right.  
19 SCOTT BULLOCK: So I'll be back again in two weeks?  
20 KEITH WESTENGARD: I --  
21 SCOTT BULLOCK: Or...  
22 KEITH WESTENGARD: I -- as soon as I hear from the  
23 appraiser that -- because our -- like I said, our numbers are a  
24 couple hundred square -- a couple hundred square feet off.  
25 COMMISSIONER WAITS: Ooh.  
26 CHAIRMAN BAKKER: Okay.  
27 COMMISSIONER WAITS: S- --  
28 CHAIRMAN BAKKER: When -- whenever you figure that out,  
29 call Scott.  
30 KEITH WESTENGARD: And hopefully I'll hear -- well, I don't  
31 know if I'll hear this week, but maybe by next week.  
32 CHAIRMAN BAKKER: Okay.  
33 SCOTT BULLOCK: Okay.  
34 KEITH WESTENGARD: So as is for now, okay?  
35 SCOTT BULLOCK: Yep.  
36 CHAIRMAN BAKKER: Eighteen. Discussion, possible action to  
37 approve/disapprove Res-  
38 COMMISSIONER WAITS: We did that.  
39 COMMISSIONER MILLS: We did that one.  
40 CHAIRMAN BAKKER: Oh. Did we?

1 COMMISSIONER MILLS: Yeah.  
2 COMMISSIONER CLARK: Yeah.  
3 CHAIRMAN BAKKER: Yeah, we did.  
4 COMMISSIONER CLARK: We moved that.  
5 CHAIRMAN BAKKER: Hell -- heck. We're almost done.  
6

7 19) Discussion and possible action to approve/disapprove  
8 Resolution 2016-13 that would appoint two individuals on the  
9 Lander County Convention and Tourism Authority to serve a  
10 one-time, three-year term, then revert to a two-year term,  
11 and all other matters properly related thereto.  
12

13 CHAIRMAN BAKKER: Nineteen, discussion and possible action  
14 regarding request to have the district attorney declare a  
15 critical labor shortage, pursuant to NRS 286.523, for the  
16 position of chief deputy district attorney, and all other  
17 matters properly related thereto.

18 There he is. Mr. Forgeron, you're up. Or Ted's up.

19 DISTRICT ATTORNEY HERRERA: Oh, that's right.

20 Commissioners, not quite two years ago, I came in front of  
21 you and asked you for a critical labor shortage to hire my chief  
22 deputy district attorney. You did give me permission.

23 And under the statute, it's two years. Two years expires  
24 in January.

25 So in the last two years -- because Commissioner Waits  
26 brought up that I may be advertising for just a limited number  
27 of people with -- with Mr. Forgeron's qualifications.

28 So what I did instead, I advertised for a deputy district  
29 attorney.

30 And you'll see in the packet where I made my  
31 advertisements. I've complied with NRS.

32 And in all my advertisements, I received one -- one person.  
33 And she came in. And I did an interview. And she wanted to  
34 work from Reno. And she did not want to work in Battle  
35 Mountain.

36 And we couldn't do that. So I couldn't hire her.

37 She subsequently got a job in Storey County. And they're  
38 allowing her to work from Reno.

39 So even though I lowered the qualifications, we haven't got  
40 -- gotten any bites.

1           So I can't do this job by myself. Matter of fact, this is  
2 a three-attorney job. And we've been doing it with two  
3 attorneys. And I'd like to continue that.

4           So I please ask you to -- to say that there's a critical  
5 labor shortage.

6           I've complied with the laws. Everything's here. And I'll  
7 submit it based on that.

8           COMMISSIONER CLARK: Well, we have a chance to hire the  
9 best possible attorney for this position. And I don't think we  
10 should waste any more time.

11          So I'll make a motion to hire district attorney -- Chief  
12 Deputy District Attorney Hy Forgeron --

13          DISTRICT ATTORNEY HERRERA: You'd have to declare -- excuse  
14 me -- if you would, your motion would have to declare a critical  
15 labor shortage.

16          COMMISSIONER CLARK: Right. Okay.

17          Then I'll make my motion to declare a critical labor  
18 shortage pursuant to NRS 286.523 and hire Mr. Hy Forgeron for  
19 our chief deputy DA.

20          COMMISSIONER MILLS: Second.

21          COMMISSIONER WAITS: Counselor, I -- I have a problem with  
22 that, --

23          CHAIRMAN BAKKER: Art --

24          COMMISSIONER WAITS: -- because, when we declare a  
25 critical -- a critical position like this, don't we have to go  
26 back out and --

27          We're saying we know it's a critical position. I know the  
28 problem you had last time. But don't we have to do that again  
29 so -- I mean, we're the ones declaring it, and we don't know.

30          DISTRICT ATTORNEY HERRERA: I -- I -- I --

31          COMMISSIONER WAITS: Things may have changed. It's been a  
32 year.

33          DISTRICT ATTORNEY HERRERA: I've -- I've satisfied --  
34 satisfied the statute by showing you what I've done in the last  
35 year and a half in my advertising.

36          Right. I see that. But it's been way -- it's been a year  
37 and a half. So how do we know that somebody else might not  
38 apply now?

39          CHAIRMAN BAKKER: Don't you have to advertise again?

40          COMMISSIONER WAITS: Yeah, I --

1 DISTRICT ATTORNEY HERRERA: I've advertised since I was  
2 given --  
3 CHAIRMAN BAKKER: Right.  
4 COMMISSIONER CLARK: Yeah.  
5 DISTRICT ATTORNEY HERRERA: Yeah.  
6 CHAIRMAN BAKKER: I mean, the next two years you're also  
7 going to advertise too.  
8 DISTRICT ATTORNEY HERRERA: Right.  
9 CHAIRMAN BAKKER: Right.  
10 DISTRICT ATTORNEY HERRERA: Yes.  
11 CHAIRMAN BAKKER: Per NRS.  
12 DISTRICT ATTORNEY HERRERA: Right. So I have advertised  
13 after I was given the position.  
14 COMMISSIONER WAITS: No, I -- I understand the time frame.  
15 I'm just concerned, legally, if we're declaring it, we -- it  
16 could have changed in the last year.  
17 DISTRICT ATTORNEY HERRERA: It could have changed in the  
18 last week.  
19 COMMISSIONER WAITS: Well that's true. But you have to  
20 give them some kind of -- of common- --  
21 DISTRICT ATTORNEY HERRERA: I --  
22 COMMISSIONER WAITS: -- -sense --  
23 DISTRICT ATTORNEY HERRERA: -- have --  
24 COMMISSIONER WAITS: -- approach.  
25 DISTRICT ATTORNEY HERRERA: -- advertised in the last year  
26 and a half and have gotten no bites.  
27 COMMISSIONER WAITS: Okay. So is the -- is -- is PERS  
28 pretty clear on that, then?  
29 DISTRICT ATTORNEY HERRERA: It's real clear on it.  
30 COMMISSIONER WAITS: If that we've done something in a year  
31 and a half -- that's all I'm trying to do is make sure the  
32 commissioners are complying.  
33 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: Maybe I could  
34 fill that in a little bit?  
35 COMMISSIONER CLARK: Please do, --  
36 COMMISSIONER WAITS: Please.  
37 COMMISSIONER CLARK: -- Mr. Forgeron.  
38 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: Obviously, it is  
39 a matter of self-interest to me. However, I believe that the  
40 information that -- that I have, based on my review of the

1 statutes, is correct.

2 The way the critical labor shortage works is that the  
3 board, in this case this board, makes a determination that there  
4 is a critical labor shortage. And I'll get to how you do that  
5 in just a second.

6 Once that determination is made, then you forward that to  
7 PERS. PERS makes a record of that and forwards that to the  
8 legislative council so that they can include it within their  
9 various reports and statistics.

10 That's all ministerial actions by PERS and by the  
11 legislature. PER- -- neither PERS nor the legislature has the  
12 authority to come back to the board and say, you didn't do it  
13 right or you didn't take enough into consideration or you should  
14 have advertised last month instead of six months ago. It's a  
15 determination made solely by the board.

16 There's nothing wrong with asking the question: Did we do  
17 enough in the interim to come to the conclusion that there is a  
18 critical -- critical labor shortage?

19 But there is nothing in the statutes that says you have to  
20 do this within a particular period.

21 COMMISSIONER WAITS: Okay.

22 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: It's only done  
23 for a two-year period so it is self-limiting. And if we were  
24 back here in two years, if Mr. Herrera were still the district  
25 attorney or whoever it might be and they still wanted to hire me  
26 or someone else, they would have to do it again.

27 It does have to be done every two years, but there's no  
28 formula or timetable set forth in the statute or any applicable  
29 regulations that say -- actually that say this is what you have  
30 to do. It doesn't even say you have to advertise.

31 The information that you send to PERS is supposed to  
32 include what was done in order to get to this step.

33 So if you advertise, then you include that in the  
34 information that's sent. But there's no statute or -- or  
35 regulation, for example, that says you even have to advertise.

36 Obviously, something should be done in order to justify the  
37 conclusion that there is a critical labor shortage. But there's  
38 no direction here or --

39 CHAIRMAN BAKKER: Right.

40 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: -- timetable here

1 to do that.

2 CHAIRMAN BAKKER: So we're in compliance with the NRS?

3 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: Yes.

4 DISTRICT ATTORNEY HERRERA: And I have advertised because I

5 had two positions: --

6 COMMISSIONER CLARK: Yeah.

7 DISTRICT ATTORNEY HERRERA: Mr. Forgeron's position and

8 another position open. And I've --

9 COMMISSIONER WAITS: The civil?

10 DISTRICT ATTORNEY HERRERA: -- tried -- yeah. And I've

11 tried to fill them.

12 COMMISSIONER WAITS: That absolutely answers my question on

13 the time frame because that was my big concern. And -- and I

14 saw in the backup that you had been doing that, --

15 DISTRICT ATTORNEY HERRERA: Yes.

16 COMMISSIONER WAITS: -- which we give to them. So the next

17 line is: We declare the critical shortage. And if they're

18 unhappy about it, they come back to us.

19 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: No, they can't.

20 DISTRICT ATTORNEY HERRERA: They can't.

21 COMMISSIONER WAITS: They can't?

22 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: No.

23 DISTRICT ATTORNEY HERRERA: You are the last --

24 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: There -- there's

25 no appeal.

26 DISTRICT ATTORNEY HERRERA: There's no appeal.

27 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: All PERS does is

28 take the information that we send in, give it to the

29 legislature, and they include it in the statistics and reports

30 that they get.

31 But neither PERS nor the legislature has the authority to

32 come back and say you did it wrong. You -- you could

33 theoretically -- Mr. Herrera, for example, could theoretically

34 just come in and say, you know, I want to hire Hy. And I'm not

35 doing a darn thing to let anybody else know that there's an

36 opening.

37 COMMISSIONER WAITS: And I don't think he'd have that

38 approval.

39 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: Well, I --

40 COMMISSIONER WAITS: But thank you.

1 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: -- I understand  
2 that. But theoretically he could do that. You guys could say  
3 "Ah. We love Hy. So we're going to give him authority to do  
4 that."  
5 Obviously, that's not what's happening. But if that  
6 happened, you could theoretically send that to PERS. And they'd  
7 send it to the legislature. And they couldn't do anything about  
8 it.  
9 CHAIRMAN BAKKER: You'd have the same --  
10 DISTRICT ATTORNEY HERRERA: The Clark --  
11 CHAIRMAN BAKKER: -- result.  
12 COMMISSIONER WAITS: Thank you.  
13 DISTRICT ATTORNEY HERRERA: The Clark County School  
14 District does that. It's the only way they get special ed  
15 teachers. And -- and a lot of counties do that. They do this  
16 -- Elko County does it for deputy --  
17 COMMISSIONER WAITS: We have --  
18 DISTRICT ATTORNEY HERRERA: -- DA.  
19 COMMISSIONER WAITS: -- one for Austin.  
20 DISTRICT ATTORNEY HERRERA: Oh, we have one for Austin?  
21 So...  
22 CHAIRMAN BAKKER: Okay.  
23 COMMISSIONER WAITS: Thank you.  
24 CHAIRMAN BAKKER: Art made a motion. Doug seconded it.  
25 Any public comment?  
26 (No comment.)  
27 CHAIRMAN BAKKER: All in favor?  
28 COMMISSIONER MILLS: Aye.  
29 CHAIRMAN BAKKER: Aye.  
30 COMMISSIONER WAITS: Aye.  
31 COMMISSIONER CLARK: Aye.  
32 CHAIRMAN BAKKER: Well Hy, you're with us for two more  
33 years.  
34 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: Well, thank you.  
35 I appreciate that. I hope that you justify your confidence in  
36 both Mr. Herrera and myself. And you're always all welcome in  
37 my office, not more than two at a time. Hopefully not more than  
38 one at a time, but if you have any questions and you want a  
39 different answer than his --  
40 COMMISSIONER CLARK: Well how are we going to keep Ted in

1 line if you're not in the office?  
2 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: I suppose that's  
3 --  
4 CHAIRMAN BAKKER: All right.  
5 COMMISSIONER WAITS: Thank you.  
6 CHAIRMAN BAKKER: Thank you, gentlemen.  
7 CHIEF DEPUTY DISTRICT ATTORNEY FORGERON: Thank you, again.  
8 DISTRICT ATTORNEY HERRERA: Thank you.  
9 COMMISSIONER MILLS: Thank you.

10  
11  
12 **FINANCE**

13  
14 20) **Update on budget review, contracts, financial update, and all**  
15 **other matters properly related thereto.**  
16

17 CHAIRMAN BAKKER: Finance. Update on budget reviews,  
18 contracts, and financial update, and all other matters properly  
19 related thereto.

20 COMMISSIONER CLARK: Morning, Liz.

21 LIZ DIAS: Good morning. I think it's still morning, soon  
22 to be afternoon.

23  
24 (Side conversation in chambers.)  
25

26 LIZ DIAS: Liz Dias, for the record, fiscal officer.

27 CHAIRMAN BAKKER: You've got three minutes, Liz.

28 LIZ DIAS: Good morning.

29 CHAIRMAN BAKKER: Okay.

30 LIZ DIAS: I have three minutes. Perfect.

31 I was hoping to get Gene up here. And he didn't come up.  
32 So I'm excited that he's over here with me.

33 So update. Gene and I continue to work together. We are  
34 currently preparing the MD&A -- the Management's Discussion and  
35 Analysis. That is a report for you, as a commission and the  
36 citizens, to better understand our audit report.

37 A few reports that were due prior to November 14<sup>th</sup>. One is  
38 the quarterly economic survey that gets submitted to the state.  
39 That was submitted earlier -- earlier this week.

40 And also the quarterly disburs- -- disbursement report was

1 uploaded to our county website yesterday. Those were in your  
2 boxes this morning. So if you came across two reports, I went  
3 ahead and provided you with those.

4 And then I have the amount billed and amount received for  
5 water, sewer and landfill for the month of September.

6 So total billed for Water was \$112,824.73. We've received  
7 107,729 with 96 cents. For Sewer, we billed out \$62,073.96.  
8 We've received \$58,291.80. For Landfill, we billed \$6,271.06.  
9 We've received \$16,561.40.

10 CHAIRMAN BAKKER: Good deal.

11 LIZ DIAS: So that is my report unless Gene would like to  
12 add anything else.

13 CHAIRMAN BAKKER: How are you liking the job?

14 LIZ DIAS: Oh, how am I liking the job?

15 CHAIRMAN BAKKER: Yeah.

16 LIZ DIAS: It is great. I'm learning. And I'll continue  
17 to learn, from my understanding, for the next couple of years  
18 because everything's a process. So once we go through budgets,  
19 once we go through all the other things, I'll become more  
20 familiar. So everything up until now, so far so good.

21 COMMISSIONER WAITS: Do we have any reports due that we  
22 need to approve or anything that are -- that are coming up in  
23 the next couple months?

24 LIZ DIAS: Reports that you need to approve? I don't  
25 believe so. The reports that were due in the next couple months  
26 were the ones that I just mentioned.

27 COMMISSIONER WAITS: Just the --

28 LIZ DIAS: Other than that, I think we're good.

29 COMMISSIONER WAITS: Okay. Because we're only meeting once  
30 next month. And that's why I was just wondering where we were  
31 on the time frame.

32 CHAIRMAN BAKKER: We've got to approve the audit; right?  
33 When do we do that?

34 LIZ DIAS: It is prior to the end of November.

35 CHAIRMAN BAKKER: Okay.

36 LIZ DIAS: So I will get with Chad and our commission  
37 meeting is November 10; is that right?

38 CHAIRMAN BAKKER: Mm-hm.

39 LIZ DIAS: Okay. I'll let him know, and we'll go from  
40 there.

1 CHAIRMAN BAKKER: Awesome.

2 GENE ETCHEVERRY: Chairman Bakker, Gene Etcheverry, for the  
3 record.

4 Now, I think I got myself back up on NRS after being away  
5 from the finance statute, which is NRS 354, local financial  
6 administration.

7 For counties, your audit is due to be presented to the  
8 board five months after the conclusion of the fiscal year. So  
9 we concluded the fiscal year June 30. So you're right.  
10 November 30 is when it's due to be submitted.

11 CHAIRMAN BAKKER: Okay.

12 GENE ETCHEVERRY: This audit team this year -- and I've  
13 worked with a lot of audit teams through the years -- did  
14 excellent work in a short period of time. And I feel they went  
15 more in depth -- of course, they would, first year anyway --  
16 more in depth than I have seen this county's audit since at  
17 least the 2006 fis- -- fiscal year.

18 CHAIRMAN BAKKER: Good deal.

19 COMMISSIONER CLARK: Wow.

20 CHAIRMAN BAKKER: Awesome. Thank you, Gene.

21 COMMISSIONER CLARK: Good.

22 GENE ETCHEVERRY: Thank you.

23 CHAIRMAN BAKKER: Thank you, Liz.

24 COMMISSIONER WAITS: Thank you.

25 LIZ DIAS: Thank you.

26 CHAIRMAN BAKKER: Keep up the good work.

27 LIZ DIAS: Thank you.

28

29 **21) Correspondence, reports, upcoming agenda items.**

30

31 CHAIRMAN BAKKER: Okay. Twenty-one. Correspondence,  
32 reports, upcoming agenda items.

33

34 (The following correspondence was received:

- 35 1. State of Nevada, Department of Conservation and  
36 Natural Resources, Division of Environmental Protection, Bureau  
37 of Mining Regulation and Reclamation. Regarding Barrick Cortez  
38 Inc., pipeline infiltration project, Permit Number NEV0095111.  
39 2. United States Department of the Interior, Bureau of  
40 Land Management, Mount Lewis Field Office to Interested Public

1 regarding final decision on the Argenta Settlement Agreement  
2 Range Improvement, Environmental Assessment.)  
3

4 COMMISSIONER CLARK: Keith, I'd like you to look into what  
5 it would cost for a -- a forensic audit on physical property in  
6 the county and have that ready the first meeting in December.

7 KEITH WESTENGARD: Okay.

8 COMMISSIONER WAITS: We do have the NDOT meeting coming up  
9 on the 10<sup>th</sup>. So I asked what you wanted to do. Legally,  
10 Counselor, do you want us to agendize that for NDOT after this  
11 meeting so we can all attend? Or are we okay if we don't --

12 DISTRICT ATTORNEY HERRERA: For -- for what meeting are you  
13 talking? I'm sorry.

14 COMMISSIONER WAITS: NDOT.

15 CHAIRMAN BAKKER: Where's it at, Patsy?

16 KEITH WESTENGARD: The civic center, I believe.

17 COMMISSIONER WAITS: Yeah, civic center.

18 DISTRICT ATTORNEY HERRERA: Yeah, we'll have to agendize  
19 that to --

20 KEITH WESTENGARD: Would you guys -- do you guys all want  
21 to go?

22 DISTRICT ATTORNEY HERRERA: Yeah.

23 KEITH WESTENGARD: Who all wants to go to the DOT meeting?

24 CHAIRMAN BAKKER: What are they presenting?

25 KEITH WESTENGARD: They're going to talk about DOT projects  
26 within the --

27 COMMISSIONER WAITS: The --

28 KEITH WESTENGARD: -- county.

29 COMMISSIONER WAITS: -- workshop?

30 CHAIRMAN BAKKER: The --

31 KEITH WESTENGARD: It's a --

32 CHAIRMAN BAKKER: -- workshop.

33 KEITH WESTENGARD: -- workshop.

34 What we -- what we are looking for, things like that.

35 DISTRICT ATTORNEY HERRERA: If only two go, we --

36 COMMISSIONER WAITS: I thought I had --

37 DISTRICT ATTORNEY HERRERA: -- don't have to agendize.

38 COMMISSIONER WAITS: -- it with me.

39 CHAIRMAN BAKKER: And it's on the 10th?

40 KEITH WESTENGARD: Yeah, it's after the meeting.

1 CHAIRMAN BAKKER: Well, what two want to go?  
2 COMMISSIONER MILLS: I went to that last time. It was  
3 actually pretty good.  
4 CHAIRMAN BAKKER: Okay, Patsy and Doug.  
5 COMMISSIONER WAITS: Yeah, I guess I don't have it.  
6 CHAIRMAN BAKKER: And then they can -- you guys can just do  
7 an update at the next --  
8 DISTRICT ATTORNEY HERRERA: Now --  
9 CHAIRMAN BAKKER: -- meeting.  
10 COMMISSIONER WAITS: Yes, I do.  
11 DISTRICT ATTORNEY HERRERA: If you guys are going to do a  
12 walk-through on the rec center, --  
13 CHAIRMAN BAKKER: No, we're -- we're -- we're going to --  
14 COMMISSIONER MILLS: We can do that in December.  
15 COMMISSIONER WAITS: We can --  
16 CHAIRMAN BAKKER: Yeah, we'll do that --  
17 COMMISSIONER WAITS: We can wait --  
18 CHAIRMAN BAKKER: -- in December.  
19 COMMISSIONER WAITS: -- on that.  
20 DISTRICT ATTORNEY HERRERA: Yeah, but we would agendize  
21 that too as part of the --  
22 CHAIRMAN BAKKER: Oh, right. Okay. No, we'll just --  
23 DISTRICT ATTORNEY HERRERA: So in -- in light of Ca- -- of  
24 -- of Patsy's question, I'm saying, yes. If more than two go,  
25 those are things that need to be agendized. I agree with her.  
26 COMMISSIONER WAITS: Okay.  
27 CHAIRMAN BAKKER: Art, do you want to go to that meeting?  
28 Okay. We'll just --  
29 COMMISSIONER CLARK: No, I -- I have some family stuff --  
30 CHAIRMAN BAKKER: I do, --  
31 COMMISSIONER CLARK: -- coming up.  
32 CHAIRMAN BAKKER: -- but if we agendize it, then we've got  
33 to record it and everything else. So it'll just be simpler --  
34 COMMISSIONER WAITS: Not necessarily.  
35 DISTRICT ATTORNEY HERRERA: No.  
36 CHAIRMAN BAKKER: You --  
37 COMMISSIONER WAITS: No.  
38 DISTRICT ATTORNEY HERRERA: No, no, no.  
39 CHAIRMAN BAKKER: Yeah.  
40 DISTRICT ATTORNEY HERRERA: No, not unless you deliberate.

1 You're not going to be deliberating, I would hope.  
2 CHAIRMAN BAKKER: With the workshop, though. We're going  
3 to be --  
4 COMMISSIONER MILLS: Yeah. I don't think we did --  
5 COMMISSIONER WAITS: No, it's an NDOT --  
6 COMMISSIONER MILLS: -- that last time.  
7 COMMISSIONER WAITS: -- workshop. No.  
8 CHAIRMAN BAKKER: Okay.  
9 DISTRICT ATTORNEY HERRERA: It's NDOT --  
10 COMMISSIONER WAITS: We just verify --  
11 DISTRICT ATTORNEY HERRERA: -- workshop.  
12 COMMISSIONER WAITS: -- whether we've been there and --  
13 COMMISSIONER CLARK: It's just --  
14 COMMISSIONER WAITS: -- open and close.  
15 COMMISSIONER CLARK: -- like the --  
16 COMMISSIONER WAITS: That's all.  
17 COMMISSIONER CLARK: -- AG came here.  
18 CHAIRMAN BAKKER: Oh. Then, yeah. Go ahead. Agendize it.  
19 Keith.  
20 KEITH WESTENGARD: Agendize it?  
21 CHAIRMAN BAKKER: Uh-huh.  
22 KEITH WESTENGARD: Is it --  
23 COMMISSIONER MILLS: Want to go?  
24 DISTRICT ATTORNEY HERRERA: It's right after the --  
25 CHAIRMAN BAKKER: Okay.  
26 DISTRICT ATTORNEY HERRERA: -- the meeting; right?  
27 CHAIRMAN BAKKER: I didn't want to --  
28 KEITH WESTENGARD: Only two are going.  
29 CHAIRMAN BAKKER: -- put the clerk's office out, though,  
30 and --  
31 DISTRICT ATTORNEY HERRERA: Well, they may be more than two  
32 now.  
33 CHAIRMAN BAKKER: -- have them --  
34 DISTRICT ATTORNEY HERRERA: So we'll --  
35 CHAIRMAN BAKKER: -- have to be there --  
36 DISTRICT ATTORNEY HERRERA: -- just add it.  
37 CHAIRMAN BAKKER: -- with their employee recording --  
38 COMMISSIONER MILLS: Yeah.  
39 CHAIRMAN BAKKER: I -- okay.  
40 COMMISSIONER WAITS: It's like when we --

1 DISTRICT ATTORNEY HERRERA: Yes.  
2 COMMISSIONER WAITS: -- went on the field trip.  
3 CHAIRMAN BAKKER: Right. Okay.  
4

5 (Side conversation in room.)  
6

7 COMMISSIONER WAITS: You also said that Jake Tippens was  
8 coming on the next one; right?

9 KEITH WESTENGARD: He said he was going to try. Yes.

10 COMMISSIONER WAITS: Okay. Because I -- I thought it was  
11 this one. So we're putting it forward.

12 KEITH WESTENGARD: Well, he had some things come up --

13 COMMISSIONER WAITS: Okay.

14 KEITH WESTENGARD: -- and had to cancel.

15 COMMISSIONER WAITS: Okay. And probably evaluations?

16 KEITH WESTENGARD: I got that on the board. Yes.

17 COMMISSIONER WAITS: Okay. Thank you.

18 CHAIRMAN BAKKER: Stay in touch with POOL/PACT and see what  
19 they say?

20 Anything else?  
21  
22

23 **PUBLIC COMMENT**  
24

25 CHAIRMAN BAKKER: Okay. With that, public comment.

26 Public comment for non-agendized items only.

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

35 Any public comment?

36 (No comment.)

37 CHAIRMAN BAKKER: Okay. Then with that...  
38  
39  
40

1 **ADJOURNMENT**

2  
3 COMMISSIONER CLARK: I make a motion to adjourn.

4 CHAIRMAN BAKKER: Art --

5 COMMISSIONER MILLS: Second.

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

8 (No comment.)

9 CHAIRMAN BAKKER: All in favor?

10 COMMISSIONER MILLS: Aye.

11 CHAIRMAN BAKKER: Aye.

12 COMMISSIONER WAITS: Aye.

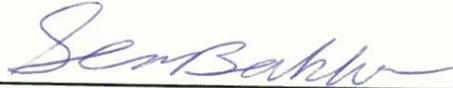
13 CHAIRMAN BAKKER: Austin? Miteshell?

14 MITESHELL LANHAM: You guys have a good day.

15 CHAIRMAN BAKKER: Thank you. You too.

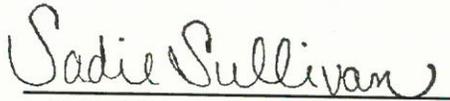
16 MITESHELL LANHAM: Thanks. Bye.

17 CHAIRMAN BAKKER: Bye.  
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26  
27 **CHAIRMAN OR VICE CHAIRMAN OF THE**  
28 **BOARD OF LANDER COUNTY**  
29 **COMMISSIONERS AND THE LANDER**  
30 **COUNTY LIQUOR BOARD**

31  
32  
33 **ATTEST:**

  
34 **LANDER COUNTY CLERK**

35  
36  
37  
38  
39 *Note: The Board of Lander County Commissioners serves as the Town Board for the unincorporated towns of*  
40 *Battle Mountain and Austin, Nevada.*