

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 November 10, 2016, at 9:00 a.m.
5 Transcript produced by Tiffany Elkington, C.C.R., #930.
6

7 **PRESENT: STEVEN STIENMETZ, COMMISSIONER**
8 **PATSY WAITS, COMMISSIONER**
9 **SEAN BAKKER, COMMISSIONER**
10 **ART CLARK III, COMMISSIONER**
11 **DOUG MILLS, COMMISSIONER**
12 **KEITH WESTENGARD, EXECUTIVE DIRECTOR**
13 **SADIE SULLIVAN, COUNTY CLERK**
14 **THEODORE HERRERA, DISTRICT ATTORNEY**
15 **ELIZABETH DIAS, FISCAL OFFICER**
16 **BECKY JOHNSTON, HUMAN RESOURCES**
17

18 (Let the record reflect the presence of a quorum of five
19 commissioners. Let the record reflect the presence of Austin
20 via teleconference.)
21

22
23 CHAIRMAN BAKKER: I call this meeting to order. Lander
24 County Commission meeting, Town Board of Battle Mountain, and
25 Austin Board of County Highway Commissioners, November 10th,
26 2016.

27 Steve, will you lead us in the pledge.

28 COMMISSIONER STIENMETZ: Sure.
29

30 (Pledge of Allegiance)
31

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

34 (Moment of silence)
35

36 DISTRICT ATTORNEY HERRERA: No, Keith has one.

37 KEITH WESTENGARD: You need another?

38 DISTRICT ATTORNEY HERRERA: No, I've got one.
39

40 (Moment of silence)

1 CHAIRMAN BAKKER: Lander County Commissioners will break
2 for lunch from 12:00 p.m. to 1:15 p.m.
3
4

5 **COMMISSIONER REPORTS**
6

7 CHAIRMAN BAKKER: Commissioner reports on meetings,
8 conferences, and seminars attended.

9 Steve?

10 COMMISSIONER STIENMETZ: I don't have anything.

11 CHAIRMAN BAKKER: Doug?

12 COMMISSIONER MILLS: We had a hospital board meeting,
13 again. We're back to two a month.

14 We had a discussion about Medics Air One. And they are going
15 to station a helicopter at the hospital over here and keep it at
16 the pad. And -- and they're talking about also building a
17 hangar at the airp- -- airp- -- or at the hospital to put the
18 helicopter in. We may need to do maintenance and that kind of
19 thing on it.

20 So they're also going to station a -- a crew for the
21 helicopter here, which will be interesting.

22 Now, this is -- this is one of the services that the county
23 has paid for everybody in the county to be a member of. So that's
24 kind of a -- a neat thing. So now if you need to be helicoptered
25 out from the hospital, you don't have to wait for one to get here.
26 So that's going to be pretty neat.

27 Had a Livestock Event Center meeting. Went out to the arena
28 and -- what do you call it? -- heard a new sound system that
29 they're looking at putting in. And it's pretty impressive. And
30 it wasn't very much money, which was kind of neat. Pretty cheap
31 or -- cheap? -- pretty inexpensive system. And it -- plenty loud
32 to fill that arena with some sound. And it's kind of a neat
33 system.

34 Also at the Livestock Event Center meeting, we talked about
35 a -- trying to get the center -- or the event center to be used
36 more and the county -- or -- the Livestock Center Event Board is
37 planning on putting on a rodeo this year. So it should be pretty
38 good.

39 I also went to a rec center meeting. And we'll be talking
40 about that in our meeting today. So we'll just gloss over that.

1 CHAIRMAN BAKKER: Okay.

2 I went to same meetings with Doug. And it's on the agenda.
3 So Patsy?

4 COMMISSIONER WAITS: Thank you. Just an update on our
5 lawsuit that NACO has against Department of Interior. This is
6 the one regarding, of course, our wild horses and -- and burros
7 that we are considering their mismanagement.

8 On the appeals, our attorney told us that they have been
9 notified that the Ninth Circuit Court of Appeals has invited them
10 to be considered for oral arguments.

11 And our attorney tells us only about 20 percent of the cases
12 actually do oral arguments. That will be held in San Francisco in
13 February. So they're kind of excited about that. And -- and
14 hopefully we'll go through on that part because they're anxious to
15 be there in person.

16 On November 3rd, I did have a Justice and Public Safety
17 Committee. This is our national committee with NACO. And we do a
18 telephone conference.

19 The biggest concern is what's going to happen during the
20 lame-duck session. And there was a lot of discussion on that.

21 When -- when our government passed the resolution to
22 continue funding the federal government, that actually was for
23 11/8, today, through 12/16. And they're -- that's the end of
24 our 114th Congress, actually. And they're expecting that to go
25 on with some type of an omnibus bill. And, of course, on an
26 omnibus bill, they can throw all kinds of things into it. We
27 see this almost every year as it goes on.

28 The Justice Committee does have a couple comprehensive
29 justice and -- and mental health acts that actually -- in fact,
30 one of them had passed the Senate and was waiting in the House
31 and another reauthorization act that helps fund some of the --
32 the mental health and their justice systems and would help the
33 counties.

34 They weren't sure where that was going to go. But, of
35 course, we had the meeting before the election. And they were
36 sure that they would wait until they had a -- a Democrat president
37 to dictate the terms. But since that's reversed a little bit, we
38 really don't know what's going to be happening on the omnibus
39 bill. Anything could be passing on that.

40 The other one is the drone -- there's a federal drone work

1 -- work task force. And they have invited NACO to actually be
2 at -- at the table, which NACO is excited about. They said our
3 drone technology will affect our counties and, of course, our
4 constituents. There's no -- no concern about that. It's just
5 which way it's going to go.

6 We know that the drones are going to be -- it's inevitable
7 that they're going to have increased usage. And they want to kind
8 of get an idea and vision of -- of what's going to be appropriate
9 and inappropriate. And so the task force is going to try and
10 address some of those things with some vision. So NACO will be
11 on -- at least at the table and -- and hopefully with some good
12 feedback for us to see what -- what and how that might be
13 affecting all the counties locally.

14 Thank you.

15 CHAIRMAN BAKKER: Art?

16 COMMISSIONER CLARK: Well, I actually do have some things
17 to discuss from the state lands meeting.

18 The first thing that we talked about was the RS 2477 roads.
19 And I guess the most important part of the discussion for Lander
20 County is that previously we thought that we had to show ten years
21 of use before -- if -- if a road was shut down, if we could show
22 ten years of use we could turn that -- turn that around.

23 Well, we found out that in Nevada, it's five years. So if
24 we have a -- a road that's been in use for five years and -- and
25 we can prove it, then it would be pretty hard to shut down.

26 But the intermittent shutdowns because of critical --
27 critical habitat is -- is still hanging in the air.

28 The next thing we talked about -- it -- Churchill, Nye, and
29 Storey Counties are reviewing their -- their brothel regulations
30 and their codes. And I don't know if you guys got a copy of the
31 Churchill County -- but I have a copy of that, their -- their
32 recommendations.

33 The -- the really inter- -- interesting part of -- of the
34 meeting was the pending military land withdrawals and air space
35 ex- -- expansion. It was really a long presentation, but it was
36 good. And I've asked Keith to get in touch with these folks and
37 come and talk to us. Because it would -- it would appear that
38 this is the perfect opportunity for the federal government to show
39 that they are willing to work on land transfers. If they want to
40 shut down some mining and grazing areas, then they need to open up

1 some other areas for these people that would be impacted. And
2 there's good reason to increase the size of the -- of the land
3 that they need.

4 And when we have the presenters come here, I'll let them
5 explain it all. It was -- it was really quite fascinating.

6 So I would just ask Keith where -- where are we with our
7 roads plan? We need -- can we get an update in December on that?

8 KEITH WESTENGARD: Yes, you will. I've -- I've been in
9 contact with Ken Brown.

10 COMMISSIONER CLARK: Okay.

11 KEITH WESTENGARD: And I've asked him to come. And one of
12 the meetings in December, we'll give a complete update. And as
13 well as the -- the military. I did get your --

14 COMMISSIONER CLARK: Right.

15 KEITH WESTENGARD: -- note.

16 COMMISSIONER CLARK: Okay.

17 KEITH WESTENGARD: And I planned -- I would like to have
18 them, pending when they're available, to come and talk to us in
19 December as well.

20 COMMISSIONER CLARK: Ken Brown is -- is constantly
21 referenced when it comes to these -- these land issues.

22 It's -- he's really a great resource.

23 KEITH WESTENGARD: Yep.

24 COMMISSIONER CLARK: That's all I have.

25
26
27 **STAFF REPORTS**

28
29 CHAIRMAN BAKKER: Staff reports on meetings, conferences,
30 and seminars attended.

31 KEITH WESTENGARD: Okay.

32 Our airports. The Battle Mountain seal project is -- if it's
33 not done, it sh- -- it will done this week. They -- they did have
34 to have to stop for one week. They had to go to another airport
35 that was at a much higher elevation, before the weather got bad.
36 We've been pretty lucky, and we've had some pretty good weather
37 for them to be doing their week.

38 The Austin air fuel project -- or Austin fueling project
39 currently is on hold. We're waiting to get the phase-three
40 power run 600 feet out. I did speak with L.A. Perks yesterday.

1 And the tanks are supposed to be setting in place by this
2 Friday, by tomorrow. So we'll see if that -- if that actually
3 happens.

4 I just want to remind every -- the commissioners that NACO is
5 next week. And I believe -- Miss Allen, are you planning on
6 going?

7 JUDIE ALLEN: I am.

8 KEITH WESTENGARD: Okay. Thank you.

9 I met with the National Weather Service about our StormReady
10 status. We -- everything's been updated. And Lander County
11 continues to be nationally recognized as a StormReady community.

12 I did receive the word, the official word, that Brian's
13 Barbecue at our golf course has shut down. He is -- does not
14 intend to continue on in the future. So I will have an
15 advertisement ready for your approval probably next meeting and be
16 very similar to the last one that we put out for -- for the golf
17 course.

18 Winterization will be complete probably next week. Anna's
19 not here. Oh.

20 Correct?

21 Yes. So winterization will be complete next week at the
22 clubhouse.

23 The planning commission continues to work on our code
24 updates. We're looking at spring before you'll actually see and
25 once it goes through the District Attorney's Office for approval.
26 And that's it.

27 DISTRICT ATTORNEY HERRERA: Mr. Chairman?

28 CHAIRMAN BAKKER: Yep.

29 DISTRICT ATTORNEY HERRERA: If I may?

30 I did have occasion to speak to a representative of the BLM
31 yesterday about the golf course, since you brought up the golf
32 course, and told him the -- the county's interest.

33 No, it's not like I told him for the first time. I told him
34 again about -- this is about the 50th time -- about the county's
35 interest in buying out the golf course from the BLM to get out of
36 under their umbrella.

37 And it was taken in a positive way. And they are going to
38 get back to us -- and he said, soon -- about how we're going to
39 go do -- do about that.

40 And what that would entail is that we would be able to buy

1 it from them at the value -- the appraised value at the time,
2 before we put any of the additions in there.
3 So basically, 40 acres of just -- of -- of desert.
4 That way we wouldn't have to worry. We could do whatever we
5 want with the golf course at that time and wouldn't have to worry
6 about the BLM and following their -- their prescriptions.
7 So that's a positive thing.
8 And I -- I would -- I would have hoped they would have --
9 because I originally talked to them over a year ago about this.
10 And they acted like it was the first time it was ever brought up.
11 And -- but there's nothing we can do about that. I just said,
12 please expedite this so -- because the county likes to -- wants to
13 control their own golf course.
14 COMMISSIONER CLARK: Possible that we could get a land
15 trade?
16 DISTRICT ATTORNEY HERRERA: Well, I -- I don't think it's
17 going to be much for 40 acres of --
18 COMMISSIONER CLARK: Okay.
19 DISTRICT ATTORNEY HERRERA: -- of desert.
20 CHAIRMAN BAKKER: About \$200 an acre.
21 DISTRICT ATTORNEY HERRERA: So...
22 COMMISSIONER CLARK: Yeah, that's -- that would be a good
23 idea.
24 CHAIRMAN BAKKER: Back in 1985, it was probably a hundred
25 dollars an acre.
26 COMMISSIONER CLARK: Yeah.
27 COMMISSIONER MILLS: Does that include the ball fields?
28 DISTRICT ATTORNEY HERRERA: Not quite sure.
29 CHAIRMAN BAKKER: Yeah, it's going to have to.
30 DISTRICT ATTORNEY HERRERA: I think it does. I think it
31 does.
32 COMMISSIONER MILLS: That would be --
33 COMMISSIONER STIENMETZ: Yeah.
34 DISTRICT ATTORNEY HERRERA: Yeah.
35 COMMISSIONER MILLS: -- good.
36 DISTRICT ATTORNEY HERRERA: It's that whole section.
37 COMMISSIONER CLARK: Because we've -- changes have been
38 made that have been outside the parameters of the patent; right?
39 DISTRICT ATTORNEY HERRERA: Right. But we made a lot of
40 changes within the parameter too. So it -- it wouldn't -- it

1 wouldn't matter.

2 But that would -- that would fix up all the problems that
3 we have with our independent contractors.

4 COMMISSIONER CLARK: Right.

5 COMMISSIONER WAITS: Keith, have you heard back from our
6 POOL/PACT attorneys yet?

7 KEITH WESTENGARD: Should we do a -- a litigation? Do you
8 want to just --

9 DISTRICT ATTORNEY HERRERA: On what issue? Ask him what --

10 KEITH WESTENGARD: On -- on --

11 CHAIRMAN BAKKER: Tanks.

12 KEITH WESTENGARD: -- on which -- the tanks?

13 CHAIRMAN BAKKER: Uh-huh.

14 KEITH WESTENGARD: Yeah. Do you want to go --

15 DISTRICT ATTORNEY HERRERA: You can go and ask for it.

16 KEITH WESTENGARD: Sure. Can we do a -- a litigation --

17 CHAIRMAN BAKKER: Okay. Let's take --

18 KEITH WESTENGARD: And I can explain --

19 CHAIRMAN BAKKER: -- a break.

20 KEITH WESTENGARD: -- everything.

21 CHAIRMAN BAKKER: Austin?

22 MITESHELL LANHAM: Yes.

23 CHAIRMAN BAKKER: Okay. Thank you.

24
25 (Break taken between 9:14 a.m. and 9:23 a.m.)
26

27 CHAIRMAN BAKKER: Call this meeting back to order.
28 Keith, you have direction.

29 Any other reports?

30 KEITH WESTENGARD: That's all. Thank you.
31
32

33 **PUBLIC COMMENT**

34
35 CHAIRMAN BAKKER: Okay. Public comment for non-agendized
36 items only.

37 Persons are invited to submit comments in writing and/or
38 attend and make comments on any non-agenda item at the board
39 meeting, if any, and discussion of those comments at the
40 discretion of the board. All public comment may be limited to

1 three minutes per person, again at the discretion of the board.
2 Reasonable restrictions may be placed on public comment based
3 upon time, place, and manner, but public comment based upon
4 viewpoint may not be restricted.

5 Any public comment?

6 COMMISSIONER MILLS: I have a public comment.

7 Since we just went through the election on Tuesday, I just
8 want to congratulate those who have won positions in the county
9 and wish them the best in their positions and congratulate them
10 on their success.

11 CHAIRMAN BAKKER: Thank you.

12
13
14 **CONSENT AGENDA**

15
16 CHAIRMAN BAKKER: Consent agenda.

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

25 One, approval of agenda notice, November 10th, 2016; two,
26 October 13th, 2016, meeting minutes; three, October 27th, 2016,
27 meeting minutes; four, payment of bills; five, payroll change
28 requests.

29 I don't think we have any of those minutes.

30 COMMISSIONER MILLS: I don't --

31 COMMISSIONER STIENMETZ: Uh-uh.

32 COMMISSIONER MILLS: -- see any minutes.

33 CHAIRMAN BAKKER: Okay. Then I need a motion to approve
34 four and five.

35 COMMISSIONER STIENMETZ: One, four, and five.

36 DISTRICT ATTORNEY HERRERA: And one.

37 COMMISSIONER STIENMETZ: I'll make a motion that we approve
38 one, four, and five.

39 CHAIRMAN BAKKER: Oh. One, four, and five. Yeah.

40 COMMISSIONER MILLS: I'll second.

1 CHAIRMAN BAKKER: Steve made a motion. Doug seconded.
2 Any public comment?

3 (No comment.)

4 CHAIRMAN BAKKER: All in favor?

5 COMMISSIONERS BAKKER, MILLS, AND STIENMETZ: Aye.

6 COMMISSIONER WAITS: Aye.

7 COMMISSIONER CLARK: Aye.
8
9

10 **COMMISSIONERS**

- 11
12 1) **Discussion and possible action regarding the resignation of**
13 **the Lander County treasurer and for the Lander County**
14 **Commissioners to give direction to the executive director**
15 **regarding the advertisement for the Lander County treasurer**
16 **position, and all other matters properly related thereto.**
17

18 CHAIRMAN BAKKER: Commissioners. One, discussion and
19 possible action regarding the resignation of the Lander County
20 treasurer for the Lander County Commissioners to give direction
21 to the executive director regarding the advertisement for the
22 Lander County treasurer position, and all other matters properly
23 related thereto.

24 I'm going to open up two too, Grace.
25
26

- 27 2) **Discussion and possible action regarding the qualifications**
28 **and responsibilities of the Lander County treasurer and to**
29 **approve/disapprove the creation of a search committee to**
30 **screen applications and provide recommendations for the new**
31 **treasurer position; Lander County treasurer to be available**
32 **for comments, to answer any questions, and to make**
33 **recommendations; and all other matters properly related**
34 **thereto.**
35

36 CHAIRMAN BAKKER: Two. Discussion and possible action
37 regarding the qualifications, responsibilities of Lander County
38 treasurer and approve/disapprove the creation of a search
39 committee to screen applicants -- applications and provide
40 recommendations for the new treasurer's position; Lander County

1 treasurer will be available for comments, to answer any
2 questions, and to make recommendations; and all other matters
3 properly related thereto.

4 GRACE KEMP: Good morning.

5 Grace Kemp, for the record.

6 COMMISSIONER WAITS: Good morning.

7 CHAIRMAN BAKKER: Good morning.

8 GRACE KEMP: I'm sitting in a high chair. It's really
9 tall. It's great.

10 Anyway, I'm going to let you start the conversation, and I'll
11 just respond. How does that sound?

12 CHAIRMAN BAKKER: Well, I think, first off, Keith, we need
13 to advertise countywide.

14 KEITH WESTENGARD: Okay. Did everyone get a -- the
15 recommendations by Grace? Copy of it?

16 COMMISSIONER CLARK: No, I didn't.

17 GRACE KEMP: Thank you.

18 KEITH WESTENGARD: Did I give you one already?

19 DISTRICT ATTORNEY HERRERA: Huh?

20 KEITH WESTENGARD: Did I give you one already?

21 DISTRICT ATTORNEY HERRERA: I don't know.

22 KEITH WESTENGARD: Oh.

23 COMMISSIONER WAITS: You're passing out recommendations for
24 the search committee to look at?

25 KEITH WESTENGARD: This is what Grace's recommendations
26 were for the position to the -- to the core.

27 DISTRICT ATTORNEY HERRERA: The qualifications, --

28 KEITH WESTENGARD: Qualifications.

29 DISTRICT ATTORNEY HERRERA: -- Commissioner.

30 GRACE KEMP: They're very vague, but important.

31 Not that this would be something that would just be set in
32 stone -- the minimal, you know, high school diploma or equivalent.
33 I mean, that's minimal.

34 So I just threw some thoughts down. My staff and I got
35 together. And we just threw thoughts down, things we did,
36 things that are important to that office.

37 I'm sure there's other things that could be put on there.
38 But at least it's a foundation to start from. Because there's not
39 a job description for the treasurer.

40 It's an elected position. So anybody normally goes out

1 there and runs for office, puts a hundred-dollar bill out there.
2 They've got to be 18 years of age and away you go.
3 So this is just a foundation.
4 Since we are doing an appointment, the district attorney
5 has allowed us to be able to put stipulations for this -- this
6 appointment.
7 So it makes it a little bit better because we can actually
8 curtail our applicants without having just the average person
9 walk in and throw a hundred-dollar bills out there.
10 That's where I was coming from on this.
11 So that's why I want you to ask me questions, because I
12 don't know what the pleasure of the board is on the appointment
13 qualifications.
14 DISTRICT ATTORNEY HERRERA: Can -- can I ask a question?
15 GRACE KEMP: Absolutely.
16 DISTRICT ATTORNEY HERRERA: Why did you put in there must
17 be able to spell the word "forty"?
18 GRACE KEMP: I was wondering if you were really going to
19 read this. It was a -- it was a test.
20 DISTRICT ATTORNEY HERRERA: It was a te- -- okay.
21 GRACE KEMP: It was a test. A lot of people can't spell
22 the word "forty."
23 DISTRICT ATTORNEY HERRERA: Really?
24 GRACE KEMP: Really.
25 COMMISSIONER CLARK: Really.
26 GRACE KEMP: They put a U in there.
27 COMMISSIONER CLARK: Yeah, really.
28 GRACE KEMP: So it was just -- it was just --
29 DISTRICT ATTORNEY HERRERA: Oh.
30 GRACE KEMP: -- cute. I'm so glad you saw that.
31 DISTRICT ATTORNEY HERRERA: Okay.
32 COMMISSIONER CLARK: You made me chuckle at that.
33 DISTRICT ATTORNEY HERRERA: I thought -- it was a pretty
34 easy word. All --
35 COMMISSIONER CLARK: Can -- can they spell fi'ty?
36 GRACE KEMP: I don't know. Fi'ty. You're so cute.
37 CHAIRMAN BAKKER: Okay. Guys? I think we create a search
38 committee and then advertise.
39 Keith, whatever applicants we get in, the search committee
40 can interview and go from there.

1 DISTRICT ATTORNEY HERRERA: Well, the search committee
2 shouldn't interview.
3 KEITH WESTENGARD: We'll make recommendations to you.
4 COMMISSIONER STIENMETZ: They make recommendations.
5 KEITH WESTENGARD: To the commission.
6 DISTRICT ATTORNEY HERRERA: Right. They -- they -- the
7 search committee -- unless you want to empower a search
8 committee that has --
9 CHAIRMAN BAKKER: No.
10 DISTRICT ATTORNEY HERRERA: -- okay -- that has the
11 discretion to eliminate certain applicants, in which case they
12 would have to follow the open meeting laws. And they'd have to
13 be doing a lot of things. So you would be empowering a
14 three-person committee with a lot of power.
15 And I would suggest you --
16 COMMISSIONER WAITS: So we can make recommendations. Like
17 we said, for sure we would like a commissioner to sit on it, so
18 the chair, or the chair can appoint someone, and we would like
19 the executive director, and we would like HR, and we would like
20 Grace and -- for the --
21 DISTRICT ATTORNEY HERRERA: (Indiscernible.)
22 COMMISSIONER WAITS: -- treasurer's office. So that's what
23 you're --
24 DISTRICT ATTORNEY HERRERA: Yeah.
25 COMMISSIONER WAITS: -- saying? Just give your general --
26 DISTRICT ATTORNEY HERRERA: Right.
27 COMMISSIONER WAITS: And then the --
28 DISTRICT ATTORNEY HERRERA: So -- so they can look at all
29 the applications --
30 COMMISSIONER WAITS: Okay.
31 DISTRICT ATTORNEY HERRERA: -- and -- but I -- I'd just as
32 soon they not -- they not interview the applicants because -- or
33 they -- they can. But they -- they can't reject any of them, I
34 guess is what I'm saying. They wouldn't have the authority to
35 do that. Only make --
36 COMMISSIONER WAITS: So let's just say we have ten
37 applicants.
38 DISTRICT ATTORNEY HERRERA: Okay.
39 COMMISSIONER WAITS: Then they could make recommendations
40 of the top three, something like that --

1 DISTRICT ATTORNEY HERRERA: Right.
2 COMMISSIONER WAITS: -- we could --
3 COMMISSIONER STIENMETZ: Right --
4 COMMISSIONER WAITS: -- ask them to do that.
5 DISTRICT ATTORNEY HERRERA: But -- but all ten of them
6 would certainly have the opportunity to come and interview in
7 front of the -- the board.
8 CHAIRMAN BAKKER: Do you really want a commissioner on
9 there, though?
10 COMMISSIONER WAITS: Should have --
11 DISTRICT ATTORNEY HERRERA: It's up to you.
12 COMMISSIONER WAITS: -- should have a commissioner.
13 CHAIRMAN BAKKER: They're going to interview them anyway.
14 COMMISSIONER WAITS: Yeah, but this is all part of -- you
15 do a lot more in a committee than you do here.
16 DISTRICT ATTORNEY HERRERA: This is -- this is an important
17 position to the county. It's not like it's -- it's not like
18 you're replacing a worker or something. This -- this is a very
19 important position. And it should be handled deferentially,
20 with respect -- and -- and respect for the office because it's
21 an important office, as we're all aware. It's a very important
22 office. So I think it should be handled that way.
23 COMMISSIONER WAITS: Well, it's not only critical, but it's
24 also an elected position.
25 DISTRICT ATTORNEY HERRERA: Absolutely.
26 COMMISSIONER WAITS: And -- and we look at it differently.
27 DISTRICT ATTORNEY HERRERA: Yeah.
28 CHAIRMAN BAKKER: Okay.
29 GRACE KEMP: So I --
30 CHAIRMAN BAKKER: Who wants to be on the committee?
31 DISTRICT ATTORNEY HERRERA: Well, you guys have to decide.
32 I mean, Patsy just --
33 COMMISSIONER WAITS: Just gave --
34 COMMISSIONER MILLS: I think Patsy's --
35 COMMISSIONER WAITS: -- recommendations.
36 COMMISSIONER MILLS: Patsy's idea was fine.
37 DISTRICT ATTORNEY HERRERA: Yeah.
38 CHAIRMAN BAKKER: Yep. So make a motion.
39 COMMISSIONER WAITS: But if we make a motion, then does
40 that set the committee? So we don't really want to make a

1 motion; do we?
2 DISTRICT ATTORNEY HERRERA: Well, you -- you can make --
3 CHAIRMAN BAKKER: You have to --
4 DISTRICT ATTORNEY HERRERA: -- a motion --
5 CHAIRMAN BAKKER: -- to create the --
6 DISTRICT ATTORNEY HERRERA: -- to --
7 CHAIRMAN BAKKER: -- committee.
8 DISTRICT ATTORNEY HERRERA: -- to create a committee
9 that -- as long as, in the motion, the committee doesn't have
10 any extra powers, only powers to recommend.
11 And then they don't have to -- then you're not giving them
12 any -- you're not granting --
13 COMMISSIONER WAITS: That's the difference between the open
14 meeting law and not?
15 DISTRICT ATTORNEY HERRERA: Yes. The open meet- -- if --
16 if a committee meets --
17 CHAIRMAN BAKKER: And deliberates.
18 DISTRICT ATTORNEY HERRERA: -- and they debate and
19 deliberate and make a decision, then they have to follow the
20 open meeting laws.
21 But you're -- if you create a committee that -- that --
22 that's just making recommendations --
23 COMMISSIONER WAITS: Reviews.
24 Thank you.
25 So we've never accepted Grace's --
26 DISTRICT ATTORNEY HERRERA: You have to do --
27 COMMISSIONER WAITS: -- resignation.
28 DISTRICT ATTORNEY HERRERA: -- that first.
29 COMMISSIONER WAITS: Right? So I guess the first thing is
30 I'll make a motion --
31 I'm not happy about this motion, but there's nothing I can
32 do. And so I wish Grace the best.
33 I make a motion that we accept her resignation letter for
34 the Lander County treasurer.
35 COMMISSIONER STIENMETZ: I'll second the motion.
36 CHAIRMAN BAKKER: Patsy made a motion. Steve seconded.
37 Any public comment?
38 (No comment.)
39 CHAIRMAN BAKKER: All in favor?
40 COMMISSIONER STIENMETZ: Aye.

1 CHAIRMAN BAKKER: Aye.
2 COMMISSIONER MILLS: Aye.
3 COMMISSIONER STIENMETZ: Best of luck, Grace.
4 COMMISSIONER CLARK: Aye.
5 COMMISSIONER WAITS: Aye.
6 CHAIRMAN BAKKER: Good job, Grace.
7 Sadie, do you have a copy of the letter?8.
8 COUNTY CLERK SULLIVAN: (Indiscernible.)
9 COMMISSIONER STIENMETZ: Yeah. They should. It's in the
10 packet.
11 CHAIRMAN BAKKER: Okay. Just making sure.
12 Okay. With that, the next motion?
13 GRACE KEMP: My question is: When we get ready to
14 advertise this, do I work with Keith in -- in the wording for
15 the ad?
16 Because that's what --
17 COMMISSIONER STIENMETZ: Yeah.
18 GRACE KEMP: -- this was basically --
19 COMMISSIONER STIENMETZ: Right.
20 GRACE KEMP: -- based on is so that we had some foundation
21 to put out to the public in the paper.
22 CHAIRMAN BAKKER: Uh-huh.
23 GRACE KEMP: So is that what you'd like me to do? Is work
24 with the executive director?
25 DISTRICT ATTORNEY HERRERA: Well, the -- the executive
26 director puts out the publication. He -- he can certainly take
27 your --
28 GRACE KEMP: Okay. I just didn't --
29 DISTRICT ATTORNEY HERRERA: -- recommendations.
30 GRACE KEMP: -- know how this -- I just want to offer my
31 help wherever needed --
32 DISTRICT ATTORNEY HERRERA: Right.
33 GRACE KEMP: -- is I guess where I'm at here.
34 CHAIRMAN BAKKER: Okay.
35 GRACE KEMP: Okay.
36 CHAIRMAN BAKKER: Ted, do you want to be on the search
37 committee?
38 DISTRICT ATTORNEY HERRERA: I -- well -- you know -- a
39 search committee is really a misnomer because the committee
40 won't be doing any searching.

1 COMMISSIONER STIENMETZ: They'll just be reviewing.
2 DISTRICT ATTORNEY HERRERA: They'll be reviewing and -- and
3 making recommendations. But -- but if -- if a hundred people
4 apply for this, you have to interview a hundred people.
5 The search committee can't do it for you.
6 CHAIRMAN BAKKER: Right.
7 DISTRICT ATTORNEY HERRERA: But you can certainly have
8 their recommendations about those hundred people, how qualified
9 they are for the job.
10 So it just -- it'll make the interviews go easier. That's --
11 that's the intention of the search committee.
12 You don't have to have one.
13 But -- but I -- I would recommend -- I'd -- I'd be -- I'd be
14 more than willing to be part of it, but I'd recommend that Grace
15 be part of it too.
16 COMMISSIONER STIENMETZ: Uh-huh.
17 CHAIRMAN BAKKER: Okay.
18 DISTRICT ATTORNEY HERRERA: I mean, it's up to you guys.
19 It's up to -- it's totally up to you on this. This is -- this
20 is your call. It's -- it falls squarely in your province by
21 statute.
22 CHAIRMAN BAKKER: What commissioner wants to be on it?
23 COMMISSIONER WAITS: Well, I definitely think we should
24 have the committee. I mean, they will have more time and more
25 in depth to go through.
26 That's the whole point of any committee.
27 DISTRICT ATTORNEY HERRERA: Right.
28 COMMISSIONER WAITS: Whether -- I mean, it's advisory to
29 most of the things that we do. But they do the work that we
30 don't have time to go through.
31 DISTRICT ATTORNEY HERRERA: Right.
32 COMMISSIONER WAITS: Now, assuming we will have these and
33 we will all have time to go through each one -- and this is
34 what's usually done when we have a critical position, is we're
35 all supplied with the information from every applicant. But --
36 and we make notes to go through. But it still isn't the in
37 depth that a committee can do.
38 DISTRICT ATTORNEY HERRERA: Right.
39 COMMISSIONER WAITS: And you're getting a lot of our
40 outside experts' opinions too, which is what we also --

1 DISTRICT ATTORNEY HERRERA: Right.
2 COMMISSIONER WAITS: -- need.
3 DISTRICT ATTORNEY HERRERA: Right.
4 COMMISSIONER WAITS: So I definitely don't -- don't want to
5 bypass that. I think it's important that we do. And I think it
6 should be our department heads that should. And -- and most
7 certainly, as I mentioned before, the ones that I thought should
8 be on. So...
9 DISTRICT ATTORNEY HERRERA: And -- and I would agree with
10 that list. That was a very good list.
11 CHAIRMAN BAKKER: Doug, do you want to be on it?
12 COMMISSIONER MILLS: If you want to make that appointment,
13 I would do it.
14 CHAIRMAN BAKKER: Okay.
15 COMMISSIONER MILLS: I don't necessarily want to volunteer.
16 CHAIRMAN BAKKER: Well, I was looking for a volunteer a
17 minute ago.
18 COMMISSIONER MILLS: Well, yeah, I know, but --
19 CHAIRMAN BAKKER: Okay.
20 I'm just waiting for a motion on -- to make the committee.
21 DISTRICT ATTORNEY HERRERA: Patsy, perhaps you can -- you
22 can relay again your suggestions into a motion. That may work.
23 Because that was a pretty good suggestion.
24 COMMISSIONER WAITS: I make a motion that we create a
25 search committee to screen applications and provide
26 recommendations for the new treasurer's position. That
27 committee would include -- Commissioner Mills? -- to represent
28 our commissioners, our current treasurer, our current district
29 attorney, our current executive director, our current HR.
30 CHAIRMAN BAKKER: That's good.
31 DISTRICT ATTORNEY HERRERA: That's --
32 COMMISSIONER STIENMETZ: That's good.
33 DISTRICT ATTORNEY HERRERA: That's good.
34 CHAIRMAN BAKKER: Patsy made a motion.
35 COMMISSIONER STIENMETZ: I'll second the motion.
36 CHAIRMAN BAKKER: Steve seconded.
37 Any public comment?
38 (No comment.)
39 CHAIRMAN BAKKER: All in favor?
40 COMMISSIONER STIENMETZ: Aye.

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

9 3) Discussion and possible action regarding the remodeling of
10 the old administration building located at 825 North Second
11 Street, Battle Mountain, Nevada, and to modify the building
12 in order for it to become feasible for the Nevada State
13 Health Program to rent the facility, and all other matters
14 properly related thereto.
15

16 CHAIRMAN BAKKER: Agenda Item Number 3. Discussion and
17 possible action regarding the remodeling of the old
18 administration building located at 825 North Second Street,
19 Battle Mountain, Nevada, to -- and to modify the building in
20 order for it to become feasible for the Nevada State Health
21 Program to rent the facility, and all other matters properly
22 related thereto.

23 Abby?

24 KEITH WESTENGARD: Well, we're --

25 CHAIRMAN BAKKER: Anna?

26 KEITH WESTENGARD: -- we're finally at a place.

27 ABBY BURKHART: I walk.

28 KEITH WESTENGARD: -- where they're ready to start the
29 remodel of the building.

30 So you have the state health -- John Kirwan's number there.

31 CHAIRMAN BAKKER: Oh. Yeah. Hold on.

32 KEITH WESTENGARD: They're very interested in seeing what
33 they can do.

34
35 (Trying to contact John Kirwan via telephone.)
36

37 KEITH WESTENGARD: In the past --

38 COMMISSIONER WAITS: Good morning.

39 ANNA PENOLA: Good morning.

40 KEITH WESTENGARD: -- we've talked about the GBC and/or --

1 or I'm sorry -- GBC or the health nurse. So we -- we'd like to
2 figure out what --

3 JOHN KIRWAN: (Via telephone) Rural Clinics, --
4 KEITH WESTENGARD: -- to do.

5 JOHN KIRWAN: -- John speaking. How may I help you?
6 CHAIRMAN BAKKER: John, this is Sean Bakker, Lander County.
7 JOHN KIRWAN: How are you this morning?
8 CHAIRMAN BAKKER: Good. You?
9 JOHN KIRWAN: Great.
10 CHAIRMAN BAKKER: Okay.
11 Sorry. I should've conferenced you in a little sooner. But
12 Keith's already started.

13 So we're on Agenda Item Number 3. Discussion and possible
14 action regarding the remodeling of the old administration
15 building, located at 825 North Second Street, Battle Mountain,
16 Nevada, and to modify the building in order for it to become
17 feasible for the Nevada State Health Program and to rent the
18 facility.

19 JOHN KIRWAN: Okay.
20 CHAIRMAN BAKKER: Go ahead, Keith.
21 KEITH WESTENGARD: So we're at the point now where we -- we
22 need to know which direction the commission wants to go: GBC or
23 the health nurse -- or the health -- health facility.
24 And if -- whichever direction we go, if it's with the health
25 facility, there's going to need to be some modifications.
26 So Anna's got the estimate that is covered 100 percent by the
27 insurance. But anything above and beyond that, the county is
28 responsible for.

29 The health nurse requires two sinks. Abby, I'll let you go
30 from there.

31 ABBY BURKHART: So in --
32 ANNA PENOLA: State your name.
33 ABBY BURKHART: Sorry. Abby Burkhardt, Lander County
34 Community Health.
35 CHAIRMAN BAKKER: Thank you.
36 ABBY BURKHART: In my lab and in my exam room, I require a
37 sink.
38 I -- in that building, there's two bathrooms; is that
39 correct?
40 So one bathroom would be a staff bathroom. One bathroom

1 would be a public bathroom.

2 So the modifications that I would be requiring is in -- I
3 think it was Nan's office, in that corner. If -- just because
4 there's -- there's already plumbing there, it would be best to
5 build a wall around those windows and make that my laboratory
6 because plumbing would be a short stint to get a sink into that
7 room.

8 And then directly across the hall, not the back corner
9 office, but the other one -- whose was that?

10 KEITH WESTENGARD AND ANNA PENOLA: Robin's.

11 ABBY BURKHART: Robin's office would be an exam room
12 because the plumb- -- and this is just from me. So I don't
13 know, maybe not. But the plumbing would go directly across the
14 ceiling into the -- that room to make that my exam room. And
15 that would be --

16 CHAIRMAN BAKKER: My question is: Do you want to move?

17 ABBY BURKHART: Do I want to move?

18 CHAIRMAN BAKKER: Uh-huh.

19 ABBY BURKHART: I -- I'm -- I don't mind either way. But
20 --

21 CHAIRMAN BAKKER: What's your preference?

22 ABBY BURKHART: The -- the goal was always to have mental
23 health and myself co-located. And I don't know if that's
24 changed on the state's side. I -- I didn't think that it had.
25 But it's kind of a good opportunity since the hospital has moved
26 in their employees into the building that I'm currently in.
27 I -- we're not co-located.

28 KEITH WESTENGARD: In my conversations with John -- and
29 John's on the phone -- we spoke last week with -- with him -- I
30 spoke last week with him, his boss, and the -- and the
31 behavioral health person in charge of behavioral health. And
32 their goal is to combine offices. That's -- that's what they
33 want to do is have it all in one office. And I don't think
34 there's room at the current building for them to do that.

35 So when I spoke with John and his -- his folks last week,
36 they're very interested in combin- -- in combining the offices.

37 But they're -- they -- there is some things that go along
38 with it.

39 And we're still looking into the AT&T data lines. They
40 have to have a certain --

1 ABBY BURKHART: Speed.
2 KEITH WESTENGARD: -- speed of data for their
3 telemedicine --
4 ABBY BURKHART: Uh-huh.
5 KEITH WESTENGARD: -- or video medicine. And we are still
6 looking into that.
7 So with that, John, do you have anything to add?
8 JOHN KIRWAN: No. And for the record, this is John Kirwan.
9 I'm with Rural Clinics, a part of the Division of Public and
10 Behavioral Health. And I don't. I was kind of listening in.
11 We would still like to, you know, co-locate our programs.
12 We do have a couple of challenges at -- at our current site.
13 We recently had to sign a statewide contract to upgrade. It was
14 an AT&T contract and it upgraded our connectivity so we could
15 enhance our ability to deliver telehealth services.
16 And one of the things that we would have to look at if we
17 co-locate -- and I'm assuming that that would happen most probably
18 in the next biennium -- is I wouldn't have extra monies to -- to
19 make the move or pay any penalties thereof. So I would have to
20 sort of explore the cost savings within the bien- -- biennium to
21 make the move. Did -- did that make sense?
22 CHAIRMAN BAKKER: Yeah.
23 ABBY BURKHART: Just to add a little bit to that, in that
24 -- in the mental health building, I go over there on Tuesday
25 mornings and -- and I'm -- I'm the psych nurse for med clinic.
26 When I go over there, the current caseworker has to go to my
27 office and use a computer because there's not enough room. Or
28 she sits kind of out in the open in the middle of -- I -- it's
29 hard to explain because it's a house. It's not an office.
30 So she just kind of sits in the office in the -- out in the
31 middle where all of clients -- all the clients are going beyond
32 her and walking past her and things like that. They -- they have
33 really outgrown the building.
34 So where there was a proposal to actually move them in and me
35 split space where I'm at now, that's not -- there's not enough
36 space there either.
37 COMMISSIONER WAITS: It sounds like a privacy violation.
38 ABBY BURKHART: It probably could be.
39 She doesn't see clients out there herself. But she's out
40 there working on her computer, or she's at my office. And she is

1 under the same HIPAA violation -- HIPAA laws and things that we
2 are. So she can't -- you know, she can't share information. But
3 we're just really cramped. And that's not even when all of the
4 staff is there.

5 So...

6 CHAIRMAN BAKKER: Well, I'm good with it.
7 Guys?

8 KEITH WESTENGARD: Okay.

9 COMMISSIONER WAITS: My only concern, then, is what John
10 said. If -- are -- are you thinking that because you've signed
11 the new contract with AT&T that they will not honor you staying
12 with AT&T but moving to a new facility? You think there's going
13 to be a problem with that? Or something that you may not be
14 able to afford?

15 JOHN KIRWAN: I don't know what it will co- -- first off,
16 they would charge us to relocate.

17 And we was to -- the grant -- or excuse me -- the contract, I
18 believe, would still be in place. But there would be a relocation
19 cost. And then we would incur a moving cost. And I also have to,
20 at some point here, have to look at our current lease, take that
21 into consideration for the contract we have with AT&T. Because
22 our current lease expires next summer in July -- or July of 2017.
23 And the contract we have with AT&T went into effect this month.
24 It goes for 48 months.

25 So I'm trying to make everything kind of balance out. And
26 I have to look at all of those -- those aspects.

27 COMMISSIONER WAITS: Well, I can understand that. But I'm
28 going, here -- if we turn around and -- and do this specifically
29 with your requirements and then we find out you're not moving
30 there, I mean, we've -- we've spent money that we didn't need to
31 spend too.

32 COMMISSIONER CLARK: Yeah.

33 JOHN KIRWAN: I understand. And -- and we can -- if -- if
34 we're going to move this forward, I think we can move forward
35 with the lease agreement now, start working on the lease
36 agreement and any tentative improvements on your side and go
37 from there.

38 DISTRICT ATTORNEY HERRERA: It -- it --

39 JOHN KIRWAN: Before you -- you begin that, moving your
40 project forward.

1 DISTRICT ATTORNEY HERRERA: It's my understanding,
2 Commissioners, that -- that most of these improvements will come
3 out of the insurance.

4 KEITH WESTENGARD: Right. What -- what's going to happen
5 with the rebuild is it's going to be rebuilt to its -- its --
6 the way it was in the past.

7 The improvements, the county would have to pay for.

8 But as -- as Abby put out there, it's a couple of sinks, some
9 plumbing, walling off some windows in the finance -- the old
10 finance office. Speaking with -- with Anna, we can't see that
11 being more than about 15- or \$20,000 at the max.

12 So we will have to put some money out countywide. But the
13 rebuild is \$250,000. That's what it's going to cost to put that
14 building back. And that's covered by the insurance, 100
15 percent. So our investment could be 15- or \$20,000.

16 Prior to the construction starting, Anna will do a
17 walk-through and point things out to the -- to the contractors.
18 And they'll give us a cost estimate to add these sinks, drains, --
19

20 (Indiscernible side conversation.)
21

22 KEITH WESTENGARD: -- and (indiscernible) --
23 COMMISSIONER WAITS: While they are doing --
24 KEITH WESTENGARD: Right.
25 COMMISSIONER WAITS: -- the full reconstruction, --
26 ANNA PENOLA: It's better --
27 KEITH WESTENGARD: Yes.
28 ANNA PENOLA: -- to --
29 COMMISSIONER WAITS: -- of course.
30 ANNA PENOLA: -- do it now --
31 COMMISSIONER WAITS: Yeah.
32 ANNA PENOLA: -- than build it like --
33 KEITH WESTENGARD: Correct.
34 COMMISSIONER WAITS: Absolutely.
35 ANNA PENOLA: -- it was before it flooded and then tear
36 walls out and re- -- retrofit. It's e- -- and -- and our
37 insurance is aware of this and has spoken with BELFOR. And
38 that's going to be the walk-through and get everything on paper
39 before anything starts.

40 CHAIRMAN BAKKER: Okay.

1 KEITH WESTENGARD: But the -- there's a two-part question
2 here.
3 The first part is: Does the commission want to go with the
4 state health nurse or GBC? They -- GBC did come and express
5 interest.
6 DISTRICT ATTORNEY HERRERA: We -- we -- that's not
7 agendized.
8 KEITH WESTENGARD: Okay. So I need --
9 CHAIRMAN BAKKER: The state health nurse.
10 COMMISSIONER MILLS: I would --
11 COMMISSIONER WAITS: It is a --
12 COMMISSIONER MILLS: -- where's --
13 COMMISSIONER WAITS: -- concern while it's on our agenda,
14 though.
15 COMMISSIONER MILLS: Where are you located right now?
16 DISTRICT ATTORNEY HERRERA: Yeah.
17 ABBY BURKHART: At the John Peters Health --
18 COMMISSIONER MILLS: You're in the --
19 ABBY BURKHART: -- Services --
20 COMMISSIONER MILLS: John Peters --
21 ABBY BURKHART: -- Building.
22 COMMISSIONER MILLS: -- Building.
23 ABBY BURKHART: Uh-huh.
24 COMMISSIONER MILLS: Okay. And I know that the hospital
25 put some of their staff in some of those rooms because of some
26 issues they were having because that staff was out in some
27 outbuildings out behind the hospital.
28 ABBY BURKHART: Uh-huh.
29 COMMISSIONER MILLS: And they didn't have any amenities.
30 And it was kind of a problem.
31 But one thing to consider is that the hospital's construction
32 is going to be completed soon. And that space may become
33 available again.
34 But I know the hospital board hasn't even addressed this
35 stuff.
36 DISTRICT ATTORNEY HERRERA: But -- but that --
37 COMMISSIONER MILLS: So it's possible for the hospital to
38 provide you room in about six months.
39 DISTRICT ATTORNEY HERRERA: But that -- that doesn't take
40 care of their problem, which is getting the two entities

1 together in one building.
2 COMMISSIONER MILLS: Right.
3 DISTRICT ATTORNEY HERRERA: And that's what they'd like to
4 do. And that's why this is a --
5 COMMISSIONER MILLS: But that space --
6 DISTRICT ATTORNEY HERRERA: -- fortuitous --
7 COMMISSIONER MILLS: -- could become available --
8 DISTRICT ATTORNEY HERRERA: -- opportunity.
9 COMMISSIONER MILLS: -- in the John Peters Building.
10 DISTRICT ATTORNEY HERRERA: Pardon?
11 COMMISSIONER MILLS: That -- that space could become
12 available in the John Peters Building.
13 DISTRICT ATTORNEY HERRERA: For the other peop- -- for the
14 other entity --
15 COMMISSIONER MILLS: Right.
16 DISTRICT ATTORNEY HERRERA: -- too?
17 ABBY BURKHART: Yeah.
18 COMMISSIONER MILLS: So...
19 KEITH WESTENGARD: One of the things that the -- John and
20 his staff brought up last week was possibly also including the
21 DCFS office. So that would be three entities in one building.
22 Correct, John?
23 JOHN KIRWAN: Can you repeat that one more time.
24 CHAIRMAN BAKKER: He's saying that the DCFS office wants to
25 move in there too, --
26 KEITH WESTENGARD: Quite possibly.
27 CHAIRMAN BAKKER: -- possibly.
28 JOHN KIRWAN: Yes. They would like to.
29 KEITH WESTENGARD: So that would give us three entities in
30 one building. It would save the rent at the Peters Building of
31 600 little and change a month, plus the the rental from the
32 state.
33 CHAIRMAN BAKKER: We would save our rent money that we pay.
34 KEITH WESTENGARD: Correct.
35 CHAIRMAN BAKKER: And we'd be collecting rent money.
36 DISTRICT ATTORNEY HERRERA: Yes.
37 CHAIRMAN BAKKER: It's almost -- it's a no-brainer.
38 KEITH WESTENGARD: That's -- that is --
39 COMMISSIONER STIENMETZ: Yeah.
40 KEITH WESTENGARD: -- correct.

1 DISTRICT ATTORNEY HERRERA: (Indiscernible.)
2 KEITH WESTENGARD: And I know when I spoke with them last
3 week, currently the state pays 78 cents a square foot for
4 behavioral health. And you're well aware of what our appraiser
5 came in for our office rent.
6 COMMISSIONER MILLS: Yeah, it's pretty similar, --
7 KEITH WESTENGARD: Yeah. So...
8 COMMISSIONER MILLS: -- I believe, if I remember --
9 CHAIRMAN BAKKER: Uh-huh.
10 COMMISSIONER MILLS: -- right.
11 KEITH WESTENGARD: Right.
12 CHAIRMAN BAKKER: So...
13 COMMISSIONER WAITS: So if we decide to do this, then we're
14 saying, John, you can make some kind of a commitment for a -- a
15 lease in the future? Is -- is that what you're saying?
16 JOHN KIRWAN: Yes. And -- and I have to go back to that I
17 cannot get outside my budget, as -- as I'm sure you're aware, as
18 when we enter the next biennium, I'm only going to have so much
19 money. So I would have to try to find a cost savings to cover
20 the move.
21 But I do believe that there would be a reduced cost when we
22 do move. So I -- I have a feeling for that. But, like I said,
23 we haven't negotiated square foot or cost per square foot yet.
24 But I believe we'll be able to make something work, yes.
25 CHAIRMAN BAKKER: So John and Keith need to enter into
26 negotiations.
27 COMMISSIONER WAITS: And what type of a time frame are we
28 looking at to complete it? Six months?
29 ANNA PENOLA: They haven't even contacted me yet for the
30 walk-through. It -- it should be happening, but it's --
31 DISTRICT ATTORNEY HERRERA: Once it starts, --
32 ANNA PENOLA: Once it --
33 DISTRICT ATTORNEY HERRERA: -- how long would it take to
34 refurbish?
35 ANNA PENOLA: Six, eight months. Nine months.
36 You know how construction is.
37 DISTRICT ATTORNEY HERRERA: Which would be perfect for the
38 state.
39 COMMISSIONER WAITS: Well, I don't see any reason to delay
40 it if the commissioners want to make a decision.

1 I -- I know, you know, part of the things we have to think
2 about is we have looked at other -- other folks that -- that might
3 consider this property.

4 But it does always sound good to save money and then make
5 money too.

6 So kind of difficult to say it's prudent to just overlook
7 that.

8 But I would like to see us make a decision and go on so we
9 can get going with it, because it takes time to do all these
10 things.

11 KEITH WESTENGARD: We're finally at the point to move
12 ahead. It's been almost a year since the building was flooded.
13 So...

14 COMMISSIONER WAITS: It was right after --

15 KEITH WESTENGARD: Ten -- ten --

16 COMMISSIONER WAITS: -- we moved in here --

17 KEITH WESTENGARD: -- months.

18 COMMISSIONER WAITS: -- in December. Right.

19 KEITH WESTENGARD: Yep. Ten months.

20 ABBY BURKHART: Maybe John can provide a timeline of how
21 long it might take to work through leasing also.

22 CHAIRMAN BAKKER: John?

23 JOHN KIRWAN: Could you repeat the question?

24 CHAIRMAN BAKKER: How long is it going to take to go
25 through the leasing process?

26 JOHN KIRWAN: It -- it can take up to six months. A lot of
27 it has to do with the LAN (indiscernible) in this case -- it's
28 the county, how fast we can turn around with a letter of intent.
29 The quicker we can get a letter of intent with sort of those
30 numbers we need, we can move it pretty fast. And then -- and
31 then, of course, you do realize it has to go to the BOE. So we
32 could actually do this about three to four months.

33 CHAIRMAN BAKKER: Okay.

34 COMMISSIONER MILLS: I'm just thinking, I -- I seem to
35 recall somebody talking about -- oh, what word do you use? --
36 internet access and the speed of the internet capabilities on
37 the north side of the railroad tracks and it being a problem.

38 Does anybody else remember something -- anything -- any
39 mention about that?

40 COMMISSIONER CLARK: I think what I remember is, if you

1 have AT&T, you have better landline than what el- -- else is
2 available. But if you switch to something different, you can
3 can't go back to AT&T.
4 CHAIRMAN BAKKER: There's a waiting list.
5 COMMISSIONER CLARK: There's a waiting list?
6 CHAIRMAN BAKKER: Yeah.
7 COMMISSIONER CLARK: I didn't think you could even go back.
8 CHAIRMAN BAKKER: Keith, when you had internet over there,
9 did you have problems?
10 KEITH WESTENGARD: We didn't have problems, but we didn't
11 ha- --
12 COMMISSIONER MILLS: We're talking --
13 ANNA PENOLA: We were on a --
14 COMMISSIONER MILLS: -- about --
15 ANNA PENOLA: -- T-1 line.
16 COMMISSIONER MILLS: We're talking about the high-speed
17 stuff.
18 KEITH WESTENGARD: Right.
19 COMMISSIONER MILLS: It's not just regular.
20 KEITH WESTENGARD: They needed the high speed. And that's
21 -- that's --
22 ABBY BURKHART: Because of --
23 KEITH WESTENGARD: -- something we're --
24 ABBY BURKHART: -- telemedicine.
25 KEITH WESTENGARD: -- trying to get out of AT&T as well is
26 when they do do this upgrade -- or this remodel, they're
27 supposed to put all the data lines and everything back in -- are
28 we able to get that high -- higher speed that's needed.
29 COMMISSIONER MILLS: Right. Is -- is that available on --
30 and I can't remember it was -- it was -- I wish I could remember
31 better. I can't remember if it was only available north of the
32 tracks or it was not available north of the tracks.
33 KEITH WESTENGARD: It's definitely something we can ask of
34 AT&T.
35 CHAIRMAN BAKKER: So let's move forward --
36 COMMISSIONER MILLS: Yeah.
37 CHAIRMAN BAKKER: -- with the intent that we're going to do
38 the remodel. And, Keith, collect all the data we need to make
39 sure everything's going to fit for the health nurse. And then
40 we'll see where it takes us.

1 COMMISSIONER MILLS: Yeah. So -- yeah, this --
2 CHAIRMAN BAKKER: I need a motion, though.
3 COMMISSIONER MILLS: Oh. How -- how do we want to word
4 that motion?
5 CHAIRMAN BAKKER: Get it done.
6 COMMISSIONER MILLS: I make a motion we get 'er done.
7 CHAIRMAN BAKKER: Oh, boy.
8 DISTRICT ATTORNEY HERRERA: I liked it.
9 COMMISSIONER MILLS: Oh.
10 So are we just going to enter into negotiations? Are we
11 fact-finding? What are we --
12 CHAIRMAN BAKKER: Work out the --
13 COMMISSIONER MILLS: -- really doing?
14 CHAIRMAN BAKKER: -- details, Keith?
15 DISTRICT ATTORNEY HERRERA: Yeah, bas- -- basically,
16 Commissioner, the -- the motion has to -- you have to give the
17 go-ahead to proceed with the remodeling of the old
18 administration building so it could be feasible for the Nevada
19 State Health Program to rent the facility.
20 And then -- and then you can give Keith the go-ahead to -- to
21 do all the backup and -- and negotiations that go along with that.
22 COMMISSIONER MILLS: Okay. So I'll try it this way.
23 Make a motion that we proceed with negotiations with the
24 Nevada State Health Program to rent the building on -- at 825
25 North Second Street, to approve the remodel, and -- with
26 improvements, and to find out if we can provide all the things
27 necessary for the Nevada State Health Program for them to use
28 that building.
29 Is that sufficient?
30 DISTRICT ATTORNEY HERRERA: That should do it.
31 CHAIRMAN BAKKER: Doug made a motion.
32 COMMISSIONER STIENMETZ: I'll second the motion.
33 CHAIRMAN BAKKER: Steve seconded.
34 Any public comment?
35 JILL CHAMBLISS: Good morning.
36 I'm Jill Chambliss from Great Basin College.
37 SHANNON BERUMEN: I'm Shannon Berumen from the cooperative
38 extension office.
39 CHAIRMAN BAKKER: Good morning.
40 JILL CHAMBLISS: Just wanted to let you guys know we are

1 still interested.

2 Any modification that would be needed to the building is
3 really minor for us. It basically involves removing a couple
4 walls from just the back side.

5 The college president, last year, when he attended one of the
6 meetings, did state that we do have money to do whatever extra
7 necessary modifications were needed.

8 We have our own computer people. We handle all of that stuff
9 on our own.

10 So it definitely is something that -- that we are still
11 interested in.

12 He's obviously not here to today. I wasn't aware that this
13 was on the agenda today. So otherwise --

14 CHAIRMAN BAKKER: Jill, let's see if they can even use it
15 first, and then we'll revisit it. Is that okay?

16 COMMISSIONER STIENMETZ: Yeah.

17 JILL CHAMBLISS: I guess. I mean, I don't --

18 CHAIRMAN BAKKER: It's a --

19 JILL CHAMBLISS: -- know that we --

20 CHAIRMAN BAKKER: -- cost savings.

21 JILL CHAMBLISS: -- have any other options.

22 CHAIRMAN BAKKER: And we actually collect --

23 JILL CHAMBLISS: Right.

24 CHAIRMAN BAKKER: -- rent with them. With GBC, we don't
25 even get tax base. We don't get anything.

26 JILL CHAMBLISS: And I'm not sure if there's, you know,
27 room for negotiation as far as that goes with, you know, with
28 the college. I don't know what the current lease agreements
29 are. I don't know what they could be, --

30 CHAIRMAN BAKKER: Well, last time --

31 JILL CHAMBLISS: -- moving forward.

32 CHAIRMAN BAKKER: -- when the president was here --

33 JILL CHAMBLISS: But --

34 CHAIRMAN BAKKER: -- he pretty much said --

35 DISTRICT ATTORNEY HERRERA: They wanted --

36 JILL CHAMBLISS: The building that we're in right now is --

37 DISTRICT ATTORNEY HERRERA: They wanted the building for a
38 dollar, is what they wanted.

39 JILL CHAMBLISS: Well, and I know he said he's open to
40 discussion on it so...

1 DISTRICT ATTORNEY HERRERA: Not to us he didn't say that.
2 JILL CHAMBLISS: Well...
3 COMMISSIONER MILLS: I seem to recall he said something
4 about not -- not having any money to do anything.
5 DISTRICT ATTORNEY HERRERA: That's right. He said dollar.
6 Give it to the building for a dollar.
7 JILL CHAMBLISS: I know -- well, that's what our current
8 one is. But I -- I just --
9 CHAIRMAN BAKKER: I know.
10 JILL CHAMBLISS: -- wanted to let you guys know we are
11 still --
12 CHAIRMAN BAKKER: Interested.
13 JILL CHAMBLISS: -- interested. And --
14 COMMISSIONER MILLS: Okay.
15 JILL CHAMBLISS: -- and open to it. So...
16 CHAIRMAN BAKKER: I appreciate it.
17 JILL CHAMBLISS: Yeah.
18 CHAIRMAN BAKKER: So let's see what happens, you know.
19 JILL CHAMBLISS: Yeah. So...
20 CHAIRMAN BAKKER: And then we'll --
21 JILL CHAMBLISS: One other concern that -- well, that
22 Shannon and I both had, just a question is: What will be done
23 about parking down there?
24 Right now we only have eight parking spots and currently two
25 businesses going down there. Is there plans for --
26 CHAIRMAN BAKKER: If we have to, we can open up the back
27 too.
28 JILL CHAMBLISS: Okay.
29 COMMISSIONER CLARK: Isn't there --
30 SHANNON BERUMEN: So then that brings up my -- some of my
31 public comment is the security of the use of --
32 COMMISSIONER WAITS: Your name?
33 SHANNON BERUMEN: I already stated my name.
34 COMMISSIONER WAITS: Oh, I missed it, Shannon. Thank you.
35 SHANNON BERUMEN: The security of having the access to that
36 back so that there is a back door in that building that is
37 accessible out there.
38 Would there be being a fence put up? Due to the concerns
39 of our security, not only with the equipment and things that we
40 have back there, but also we've had parents and other people

1 express concern of having the mental health next door to
2 children, not only high school children going to the GBC, but
3 also the children ages five to seventeen that are coming for 4-H
4 on a regular basis to our office --
5 CHAIRMAN BAKKER: Well, --
6 SHANNON BERUMEN: -- and what --
7 CHAIRMAN BAKKER: -- after --
8 SHANNON BERUMEN: -- the --
9 CHAIRMAN BAKKER: -- we --
10 SHANNON BERUMEN: -- implications of that are.
11 CHAIRMAN BAKKER: -- we see if it's feasible for them to go
12 in there, we'll take a look at everything else.
13 COMMISSIONER STIENMETZ: Yeah.
14 CHAIRMAN BAKKER: Right now we're putting the cart before
15 the horse.
16 So once we even see if that's going to happen, then we'll
17 take a look at everything else.
18 JILL CHAMBLISS: Sounds good.
19 CHAIRMAN BAKKER: Okay. Thank you.
20 SHANNON BERUMEN: Yeah. Thank you.
21 COMMISSIONER WAITS: Thank you.
22 COMMISSIONER CLARK: Keith? There's a --
23 CHAIRMAN BAKKER: Okay.
24 COMMISSIONER CLARK: -- parking lot there.
25 CHAIRMAN BAKKER: Any more public comment?
26 KEITH WESTENGARD: Pardon me?
27 COMMISSIONER CLARK: There's a parking lot across the
28 street.
29 KEITH WESTENGARD: Yes.
30 COMMISSIONER CLARK: Yeah.
31 CHAIRMAN BAKKER: Doug made a motion. Steve seconded.
32 All in favor?
33 COMMISSIONER STIENMETZ: Aye.
34 COMMISSIONER MILLS: Aye.
35 CHAIRMAN BAKKER: Aye.
36 COMMISSIONER WAITS: Aye.
37 COMMISSIONER CLARK: Aye.
38 CHAIRMAN BAKKER: Okay.
39 Thank you.
40

- 1 4) Discussion and possible action regarding Lander County
2 becoming a cooperating agency with the Bureau of Land
3 Management regarding Barrick Cortez, Inc., Deep South
4 Expansion Project, and authorize the chair or co-chair to
5 sign, and all other matters properly related thereto.
6

7 CHAIRMAN BAKKER: Four, discussion and possible action
8 regarding Lander County becoming a cooperati- -- cooperating
9 agency with the Bureau of Land Management regarding Barrick
10 Cortez, Incorporated, Deep South Expansion Project, and
11 authorize the chair or co-chair to sign, and all other matters
12 properly related thereto.

13 KEITH WESTENGARD: I received this last week. And as you
14 can see, there's a copy of the letter from the Bureau of Land
15 Management asking if we would like to be a cooperating agency in
16 the Deep South Expansion Project at the Cortez Mine.

17 CHAIRMAN BAKKER: Oh, Jo- -- hold on. John?

18 KEITH WESTENGARD: He must've hung up.

19 CHAIRMAN BAKKER: I know.

20 COMMISSIONER MILLS: All right.

21 CHAIRMAN BAKKER: Austin?

22 Miteshell?

23 MITESHELL LANHAM: Yes.

24 CHAIRMAN BAKKER: Okay. Just making sure.

25 Okay. Thank you.

26 Okay.

27 KEITH WESTENGARD: So they're -- they're asking if we would
28 like to be a cooperating agency in this -- in the environmental
29 impact study.

30 COMMISSIONER WAITS: I think anytime the BLM asks us to
31 cooperate and something we can work together that always sounds
32 wonderful to us.

33 But I am going to ask our legal counsel: Is there anything
34 you think that we need to be aware of that would be detriment to
35 signing any s- -- such a cooperating agreement?

36 DISTRICT ATTORNEY HERRERA: No. No. It gives us a seat at
37 the table. It gives -- it does not give us any authority.

38 But it certainly gives us a seat at the table. And if we
39 don't do it, we don't -- we don't know what's going on.

40 So at the very least, we'll -- we'll know what's going on.

1 That's how I look at it.
2 COMMISSIONER WAITS: I just wondered, since it's included
3 in the mine, whether there's anything that might fall over with
4 our responsibility a little bit too. That's all.
5 Nope?
6 CHAIRMAN BAKKER: Okay.
7 DISTRICT ATTORNEY HERRERA: No, I don't see any detriment
8 at this time.
9 COMMISSIONER WAITS: Thank you.
10 CHAIRMAN BAKKER: Good deal.
11 COMMISSIONER WAITS: I'll make a motion that Lander County
12 become a cooperating agency with the B- -- Bureau of Land
13 Management regarding Barrick Cortez, Incorporated, Deep South
14 Expansion Project, and authorize the chair to sign.
15 CHAIRMAN BAKKER: Patsy made a motion.
16 COMMISSIONER STIENMETZ: I'll second the motion.
17 CHAIRMAN BAKKER: Steve seconded it.
18 What?
19 COMMISSIONER STIENMETZ: Chair or co-chair.
20 KEITH WESTENGARD: I would like to know who you would like
21 to assign as the county representative.
22 DISTRICT ATTORNEY HERRERA: We already have one.
23 CHAIRMAN BAKKER: Oh, yeah. We have one. Right there.
24 KEITH WESTENGARD: Thanks, Ted.
25 CHAIRMAN BAKKER: I was trying to throw Doug under the bus
26 again.
27 COMMISSIONER MILLS: I saw that.
28 KEITH WESTENGARD: I saw that. I saw that move. And I was
29 going to keep my mouth shut. Okay. I understand.
30 CHAIRMAN BAKKER: In your motion, make the executive
31 director.
32 COMMISSIONER WAITS: I will amend my motion to have the
33 executive director sign that for us.
34 COMMISSIONER MILLS: Be our representative.
35 CHAIRMAN BAKKER: No. Be our --
36 KEITH WESTENGARD: Be our --
37 CHAIRMAN BAKKER: -- representative.
38 KEITH WESTENGARD: -- representative.
39 COMMISSIONER WAITS: The what?
40 CHAIRMAN BAKKER: To be the representative at the table,

1 unless you want to do it, Patsy.

2 COMMISSIONER WAITS: Oh. I didn't even know that was
3 included in the motion.

4 I -- okay. So you -- you want the motion to let the chair to
5 sign, but for the executive director to be our representative at
6 the table.

7 DISTRICT ATTORNEY HERRERA: Well, I don't know if --

8 COMMISSIONER MILLS: Yes.

9 DISTRICT ATTORNEY HERRERA: -- that's necessary. He's
10 already your representative by -- by ordinance.

11 CHAIRMAN BAKKER: Okay. Fine. Yeah. You're good.

12 COMMISSIONER WAITS: Scratch that last amendment.

13 DISTRICT ATTORNEY HERRERA: I mean, it's up to you. I'm
14 just saying, he's -- by ordinance, he's your representative.

15 CHAIRMAN BAKKER: Keith, it's all on you.

16 KEITH WESTENGARD: Okay.

17 CHAIRMAN BAKKER: Okay. So Patsy made a motion. Steve
18 seconded.

19 Any public comment?

20 (No comment.)

21 CHAIRMAN BAKKER: All in favor?

22 COMMISSIONER STIENMETZ: Aye.

23 COMMISSIONER MILLS: Aye.

24 CHAIRMAN BAKKER: Aye.

25 COMMISSIONER WAITS: Aye.

26 COMMISSIONER CLARK: Aye.

27 CHAIRMAN BAKKER: Okay.

28 KEITH WESTENGARD: We have a --

29

30

31 **(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS**
32 **RECESSED.)**

33

34 **(MEETING OF THE LANDER COUNTY LIQUOR BOARD CONVENEED.)**

35

36

37 CHAIRMAN BAKKER: Recess the meeting of the Lander County
38 Board of Commissioners and convene the meeting of the Lander
39 County Liquor Board.

40

1 5) Discussion and possible action to change Bakker's Brew liquor
2 license from an on-sale liquor license to an on- and off-sale
3 liquor license, and all other matters properly related
4 thereto.
5

6 CHAIRMAN BAKKER: Five. Discussion and possible action to
7 change the Bakker's Brew liquor license from an on-sale liquor
8 license to an on- and off-sale liquor license, and all other
9 matters properly related thereto.

10 Obviously, I have to abstain from voting.

11 But with that, I'll let you guys ask questions.

12 Good morning.

13 TONIA BAKKER: Good morning.

14 COMMISSIONER WAITS: Good morning.

15 TONIA BAKKER: Toni Bakker.

16 COMMISSIONER CLARK: What's up, girl?

17 TONIA BAKKER: I currently have had my on-site liquor
18 license for two years. And I'd like to change it to on- and
19 off-site so that I don't have to go get a temporary every time I
20 do stuff in the park or anything like that.

21 COMMISSIONER WAITS: I'll make a motion that we change
22 Bakker's Brew liquor license from on-sale liquor license to on-
23 and off- --

24 COMMISSIONER MILLS: Is that --

25 COMMISSIONER WAITS: -- -sale.

26 COMMISSIONER MILLS: -- on-sale or on-site?

27 COMMISSIONER CLARK: On-site.

28 COMMISSIONER WAITS: On-site and off-site.

29 CHAIRMAN BAKKER: Sale.

30 COMMISSIONER WAITS: It's on- and off-sale liquor license.

31 CHAIRMAN BAKKER: Right.

32 COMMISSIONER MILLS: I just wondered what the correct --

33 DISTRICT ATTORNEY HERRERA: Well, you -- there --

34 COMMISSIONER MILLS: What's the --

35 DISTRICT ATTORNEY HERRERA: -- are --

36 COMMISSIONER MILLS: -- correct word --

37 DISTRICT ATTORNEY HERRERA: -- changes.

38 COMMISSIONER MILLS: -- that we're --

39 DISTRICT ATTORNEY HERRERA: It -- it -- like it says in
40 here, it's on on- and off-sale liquor license. But you --

1 COMMISSIONER MILLS: So sale is the correct word right
2 there?

3 DISTRICT ATTORNEY HERRERA: Or -- or site.

4 COMMISSIONER MILLS: Okay.

5 DISTRICT ATTORNEY HERRERA: Either one. I think they're
6 interchangeable. But -- but it -- it's pretty apparent what --
7 what --

8 COMMISSIONER MILLS: All right.

9 DISTRICT ATTORNEY HERRERA: -- they're asking.

10 COMMISSIONER MILLS: That's --

11 CHAIRMAN BAKKER: Patsy made a --

12 COMMISSIONER MILLS: -- fine.

13 CHAIRMAN BAKKER: -- a motion.

14 COMMISSIONER MILLS: I just want to be clear.

15 COMMISSIONER STIENMETZ: I'll second it.

16 CHAIRMAN BAKKER: Steve seconded it.

17 Any public comment?

18 (No comment.)

19 CHAIRMAN BAKKER: All in favor?

20 COMMISSIONER STIENMETZ: Aye.

21 COMMISSIONER MILLS: Aye.

22 COMMISSIONER WAITS: Aye.

23 COMMISSIONER CLARK: Aye.

24 TONIA BAKKER: Thank you.

25 CHAIRMAN BAKKER: I abstain. Thank you.

26 Have a good day, Hon.

27 Okay.

28

29 **(MEETING OF THE LANDER COUNTY LIQUOR BOARD ADJOURNED.)**

30

31 **(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS**
32 **RECONVENED.)**

33

34 CHAIRMAN BAKKER: Adjourn the meeting of the Lander County
35 Liquor Board and reconvene the meeting of the Lander County
36 Board of Commissioners.

37

38

39

40

1 CLERK

2
3 6) Discussion and possible action regarding the canvass of the
4 votes for the November 8, 2016, general election, and all
5 other matters properly related thereto.
6

7 CHAIRMAN BAKKER: Clerk. Discussion and possible action
8 regarding the canvass of the votes for November 8th, 2016,
9 general election, and all other matters properly related
10 thereto.

11 Sadie.

12 COUNTY CLERK SULLIVAN: Good morning.

13 CHAIRMAN BAKKER: I have a --

14 COUNTY CLERK SULLIVAN: Sadie Sullivan, --

15 CHAIRMAN BAKKER: -- question.

16 COUNTY CLERK SULLIVAN: -- for the.

17 CHAIRMAN BAKKER: Did you have --

18 COUNTY CLERK SULLIVAN: -- record.

19 CHAIRMAN BAKKER: -- any problems with the locks?

20 COUNTY CLERK SULLIVAN: No.

21 CHAIRMAN BAKKER: Okay.

22 COUNTY CLERK SULLIVAN: Basically, after each election, per
23 the statute, we come before you, as a board, to have the canvass
24 and abstract of the vote.

25 And in your packet -- well, not in your packets. But I got
26 them in your box yesterday afternoon and then also email as soon
27 as we got the reports done, for you to review those before coming
28 to this meeting.

29 And it is something that is done by the NRS within six days
30 after the election.

31 So we were able to get on the agenda.

32 We did have 81.16 of a turnout, which is excellent. You're
33 always going to see a higher turnout for a presidential, of
34 course. And our early vote was extremely good -- 1,498 voters had
35 came in. And everything went great.

36 CHAIRMAN BAKKER: Good deal.

37 COMMISSIONER WAITS: Well, job well done, Sadie. Thank
38 you.

39 CHAIRMAN BAKKER: Yeah.

40 COUNTY CLERK SULLIVAN: Thank you.

1 DISTRICT ATTORNEY HERRERA: And -- and I point out Lander
2 County was number one --
3 COUNTY CLERK SULLIVAN: Yes.
4 DISTRICT ATTORNEY HERRERA: -- in the state on getting
5 their --
6 COMMISSIONER STIENMETZ: Stuff in.
7 DISTRICT ATTORNEY HERRERA: -- their stuff in. Number one,
8 so --
9 CHAIRMAN BAKKER: Good job.
10 DISTRICT ATTORNEY HERRERA: -- that's --
11 COMMISSIONER STIENMETZ: Yeah.
12 COUNTY CLERK SULLIVAN: Number one.
13 COMMISSIONER CLARK: Well, we made a big effort on that
14 here in Lander County.
15 DISTRICT ATTORNEY HERRERA: Sadie did a good job.
16 COUNTY CLERK SULLIVAN: And all my staffing.
17 CHAIRMAN BAKKER: Yes.
18 DISTRICT ATTORNEY HERRERA: Yes.
19 CHAIRMAN BAKKER: Good job, ladies.
20 COUNTY CLERK SULLIVAN: Thank you.
21 UNIDENTIFIED PARTICIPANT: Thank you.
22 CHAIRMAN BAKKER: We need a motion. Or we just all --
23 yeah.
24 COUNTY CLERK SULLIVAN: You need a motion and all
25 commissioners sign.
26 CHAIRMAN BAKKER: Okay.
27 COMMISSIONER WAITS: I'll make a motion that the Lander
28 County Board of Commissioners do hereby accept the attached
29 abstract of votes to be a full, true, and correct statement of
30 the votes of Lander County, Nevada, polled at the general
31 election held on Tuesday, November 8th, 2016. And our
32 signatures are included.
33 CHAIRMAN BAKKER: Patsy made a motion.
34 COMMISSIONER MILLS: Second.
35 CHAIRMAN BAKKER: Doug seconded it.
36 Any public comment?
37 (No comment.)
38 CHAIRMAN BAKKER: All in favor?
39 COMMISSIONER STIENMETZ: Aye.
40 COMMISSIONER MILLS: Aye.

1 CHAIRMAN BAKKER: Aye.
2 COMMISSIONER WAITS: Aye.
3 COMMISSIONER CLARK: Aye.
4 COUNTY CLERK SULLIVAN: Thank you.
5 COMMISSIONER MILLS: Do you care if these are signed in
6 blue or black or anything? Will that matter?
7 COUNTY CLERK SULLIVAN: Blue, please.
8 CHAIRMAN BAKKER: Is that blue, Art?
9 Is it, Sadie?
10 COUNTY CLERK SULLIVAN: No.
11 Thank you.
12 CHAIRMAN BAKKER: Okay. Thank you, Sadie.
13 COMMISSIONER STIENMETZ: Thank you, Sadie.
14 COUNTY CLERK SULLIVAN: Thank you much.
15
16

17 **COMMISSIONERS**

- 18
19 7) **Discussion and action regarding the approval of the agreement**
20 **between Lander County and the Operating Engineers Local 3**
21 **from July 1, 2016, through June 30, 2019, and to authorize**
22 **the chair or co-chair to sign, and all other matters properly**
23 **related thereto.**
24

25 CHAIRMAN BAKKER: Seven. Discussion and action regarding
26 the approval of the agreement between Lander County and the
27 Operating Engineers Local 3 from July 1st, 2016, through
28 June 30th, 2019, and to authorize the chair or co- -- co-chair
29 to sign, and all other matters.

30 So this is our union agreement?
31 Keith?

32 KEITH WESTENGARD: Yes, it is. Oh, I thought Becky was in
33 here.

34 Yeah. These are the union agreements that -- that we
35 agreed on in the discussions with the commission.

36 So it's all -- everything that you guys asked for, including
37 the raises and any of the benefits that they did receive.

38 So we just need to finalize it.

39 CHAIRMAN BAKKER: There was one benefit in here I wanted in
40 here that's not in here. Why did it not --

1 KEITH WESTENGARD: I -- I think I know which one you're
2 talking about. But could you refresh my memory on that?
3 CHAIRMAN BAKKER: Where after -- if employees after 15
4 years or 20 years, 25 years, they get a bump in their recurring
5 sick leave and vacation leave.
6 KEITH WESTENGARD: That was discussed. And the previous
7 fis- -- finance director -- fiscal officer informed the group
8 that the county didn't have the money to incorporate that into
9 the agreement.
10 So based --
11 CHAIRMAN BAKKER: But --
12 KEITH WESTENGARD: -- on that, --
13 CHAIRMAN BAKKER: -- in our meeting, I specifically said
14 that had to be in there.
15 KEITH WESTENGARD: I know.
16 CHAIRMAN BAKKER: Okay. Just putting that out there on the
17 record.
18 KEITH WESTENGARD: I -- I -- I understand what you're
19 saying. And when we were informed that the money wasn't there,
20 even our -- our legal coun- -- Mr. Cockerill, not -- not our
21 district attorney, made that clear. Said, well, if the money's
22 not there, then we -- we can't do it.
23 CHAIRMAN BAKKER: Is the money there, though?
24 KEITH WESTENGARD: Absolutely, it's there.
25 DISTRICT ATTORNEY HERRERA: Yes.
26 KEITH WESTENGARD: Yes.
27 DISTRICT ATTORNEY HERRERA: Yes.
28 CHAIRMAN BAKKER: So she just didn't want to put it in
29 there?
30 DISTRICT ATTORNEY HERRERA: Yes.
31 KEITH WESTENGARD: Correct.
32 CHAIRMAN BAKKER: Okay.
33 COMMISSIONER CLARK: Ignored a directive.
34 DISTRICT ATTORNEY HERRERA: Yes.
35 KEITH WESTENGARD: It's not --
36 COMMISSIONER CLARK: It was --
37 KEITH WESTENGARD: -- the first one that's --
38 COMMISSIONER CLARK: That -- that --
39 KEITH WESTENGARD: -- come out.
40 COMMISSIONER CLARK: That was yes?

1 KEITH WESTENGARD: Yes.
2 DISTRICT ATTORNEY HERRERA: Yes. She ignored the
3 directive.
4 CHAIRMAN BAKKER: Okay.
5 COMMISSIONER WAITS: So currently, we have a contract now
6 that does not include the benefits that we asked to have in it.
7 DISTRICT ATTORNEY HERRERA: Yes.
8 KEITH WESTENGARD: That is correct.
9 COMMISSIONER WAITS: So we don't need to approve this.
10 KEITH WESTENGARD: Well, we would have to reopen the
11 negotiations. And I don't think it would be difficult to get
12 that put in there because it is a benefit to the --
13 CHAIRMAN BAKKER: I don't think you'd have to
14 reopen negotiations.
15 COMMISSIONER CLARK: Well, you could get an MOU; --
16 CHAIRMAN BAKKER: You would.
17 COMMISSIONER CLARK: -- wouldn't you?
18 COMMISSIONER STIENMETZ: Yeah.
19 DISTRICT ATTORNEY HERRERA: Yeah, but you can't close the
20 negotiations. You can't sign this if you want to put an MOU in.
21 COMMISSIONER CLARK: Yeah.
22 COMMISSIONER WAITS: Right.
23 COMMISSIONER CLARK: Yeah.
24 DISTRICT ATTORNEY HERRERA: So I -- I -- I would agree with
25 Commissioner Waits.
26 KEITH WESTENGARD: If that's the direction, we'll contact
27 the union and move forward with adding that.
28 COMMISSIONER CLARK: That's the direction I think we --
29 CHAIRMAN BAKKER: What --
30 COMMISSIONER CLARK: -- should go.
31 CHAIRMAN BAKKER: -- what do you guys think?
32 COMMISSIONER CLARK: Yeah. Let's -- let's not cheat our
33 people.
34 COMMISSIONER MILLS: Personally, I just --
35 COMMISSIONER CLARK: Not if we have --
36 COMMISSIONER MILLS: -- as soon --
37 COMMISSIONER CLARK: -- the money.
38 CHAIRMAN BAKKER: Done today?
39 COMMISSIONER MILLS: -- done today. Yeah.
40 CHAIRMAN BAKKER: Well, it's whatever you guys want to do.

1 I just wanted to put it on the record that it wasn't in there --
2 COMMISSIONER MILLS: Because we --
3 CHAIRMAN BAKKER: -- and that I did ask for it.
4 COMMISSIONER MILLS: We've already delayed this a bit.
5 Didn't we have to change some job descriptions in order to get
6 this finalized? And we've already done some other --
7 KEITH WESTENGARD: Well, --
8 COMMISSIONER MILLS: -- things trying to get this --
9 KEITH WESTENGARD: Yeah, we --
10 COMMISSIONER MILLS: -- here.
11 KEITH WESTENGARD: -- have. But it's -- it -- it is a
12 benefit to the employees.
13 COMMISSIONER MILLS: Yeah.
14 KEITH WESTENGARD: It's not really -- we could probably
15 have it done pretty quick, I would think.
16 COMMISSIONER CLARK: Yeah. This is not a big deal. We can
17 do this quickly. I've been through this kind of stuff.
18 I'll make a motion to defer signing the agreement until we
19 get the benefits that were directed by the board put in there.
20 KEITH WESTENGARD: All right.
21 I'll call Mr. --
22 CHAIRMAN BAKKER: Okay.
23 KEITH WESTENGARD: -- Fullerton today.
24 CHAIRMAN BAKKER: Okay. Art made --
25 COMMISSIONER STIENMETZ: I'll --
26 CHAIRMAN BAKKER: -- a motion.
27 COMMISSIONER STIENMETZ: I'll second the motion.
28 CHAIRMAN BAKKER: Steve seconded.
29 All in favor?
30 COMMISSIONER STIENMETZ: Aye.
31 CHAIRMAN BAKKER: Oh. Public comment? Sorry.
32 (No comment.)
33 CHAIRMAN BAKKER: All in favor?
34 COMMISSIONER STIENMETZ: Aye.
35 COMMISSIONER MILLS: Aye.
36 CHAIRMAN BAKKER: Aye.
37 COMMISSIONER WAITS: Aye.
38 COMMISSIONER CLARK: Aye.
39 CHAIRMAN BAKKER: Okay.
40 Thank you, guys.

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COMMISSIONER CLARK: ASAP.

KEITH WESTENGARD: I'll call him today.

8) Discussion and possible action regarding the land transfer from Pershing County and to authorize the chair or co-chair to sign, and all other matters properly related thereto.

CHAIRMAN BAKKER: Okay. Eight. Discussion and possible regarding the land transfer from Pershing County and to authorize the chair or co-chair to sign, and all other matters properly related thereto.

COMMISSIONER CLARK: This is the North Second Street?

KEITH WESTENGARD: Yeah. I'm sorry. That's correct.

CHAIRMAN BAKKER: The rodeo grounds. Everything.

KEITH WESTENGARD: Yeah. And this is everything we spoke of when Mr. Dimick -- Frank Dimick came to -- to address the commission. That's all been incorporated.

And it's the final paperwork for signature and --

COMMISSIONER CLARK: Do we get the green building now?

KEITH WESTENGARD: Yes. That's included in it.

COMMISSIONER CLARK: That's -- that's good.

KEITH WESTENGARD: Yes.

COMMISSIONER CLARK: That's a good building.

KEITH WESTENGARD: Yes.

DISTRICT ATTORNEY HERRERA: Would -- would --

CHAIRMAN BAKKER: The county yard over there and everything.

KEITH WESTENGARD: Yep.

COMMISSIONER CLARK: Okay.

KEITH WESTENGARD: (Indiscernible.)

DISTRICT ATTORNEY HERRERA: We're also under certain --

KEITH WESTENGARD: Restrictions.

DISTRICT ATTORNEY HERRERA: -- resp- -- responsibilities to -- to build certain things, like -- like on the river, we have to -- we have to build a path that you can only walk on certain times of the day.

I'm just pointing these out. There -- there are certain things that go along with this land transfer.

CHAIRMAN BAKKER: We can't strick those stipulations out of there?

1 DISTRICT ATTORNEY HERRERA: No. We can't change -- we
2 can't change this agreement that was made -- what? -- 50 years
3 ago at all.

4 COMMISSIONER CLARK: Right.

5 CHAIRMAN BAKKER: Okay.

6 DISTRICT ATTORNEY HERRERA: But I'm just pointing out that
7 there are certain things, once signing this document -- if we --
8 which we have to do, by the way.

9 KEITH WESTENGARD: We have -- we have to identify part of
10 the California Trail.

11 DISTRICT ATTORNEY HERRERA: Yeah.

12 KEITH WESTENGARD: And Mr. Dimick has offered to come and
13 assist in that.

14 And so -- and work with the California Trail Historic
15 Association. And so there -- there is some things that we do need
16 to do.

17 COMMISSIONER MILLS: Did we have a time frame on meeting
18 those requirements?

19 KEITH WESTENGARD: I don't think so. I -- I don't know for
20 sure. I --

21 DISTRICT ATTORNEY HERRERA: Well, the -- the conditions
22 have to be met before people can walk along the river.

23 CHAIRMAN BAKKER: Okay.

24 DISTRICT ATTORNEY HERRERA: For instance. So...

25 CHAIRMAN BAKKER: Regardless --

26 COMMISSIONER WAITS: I can't imagine a time frame because
27 we've been how many years doing this?

28 CHAIRMAN BAKKER: Right.

29 COMMISSIONER WAITS: And so --

30 CHAIRMAN BAKKER: Right.

31 COMMISSIONER WAITS: -- we would have exceeded it ten years
32 ago.

33 DISTRICT ATTORNEY HERRERA: Right.

34 COMMISSIONER WAITS: You know, so I'm sure --

35 CHAIRMAN BAKKER: Well --

36 COMMISSIONER WAITS: -- it is --

37 CHAIRMAN BAKKER: And it's a good deal.

38 COMMISSIONER WAITS: -- what it is.

39 CHAIRMAN BAKKER: Well, the land's a good deal.

40 COMMISSIONER STIENMETZ: Yeah.

1 DISTRICT ATTORNEY HERRERA: It was a good deal for Lovelock
2 Water District.

3 CHAIRMAN BAKKER: Yeah.

4 KEITH WESTENGARD: There is one or two things to point out.
5 As you -- in the letter that I did receive from Frank Dimick,
6 there was some mistakes on the dates.

7 They -- they mistakenly used the -- the date 2015 instead of
8 2016 on the execution.

9 And in his -- in his letter here, he says to just strike it
10 out at the direction of the Bureau of Reclamation and change that
11 date and initial it.

12 DISTRICT ATTORNEY HERRERA: Initial it.

13 CHAIRMAN BAKKER: Okay.

14 DISTRICT ATTORNEY HERRERA: All right.

15 COMMISSIONER MILLS: I make a motion to approve the land
16 transfer from Pershing County and to authorize the chair to
17 sign.

18 CHAIRMAN BAKKER: Doug made a motion.

19 COMMISSIONER STIENMETZ: I'll second the motion.

20 COMMISSIONER WAITS: Steve seconded it.

21 Any public comment?

22 (No comment.)

23 CHAIRMAN BAKKER: All in favor?

24 COMMISSIONER MILLS: Aye.

25 CHAIRMAN BAKKER: Aye.

26 COMMISSIONER STIENMETZ: Aye.

27 COMMISSIONER WAITS: Aye.

28 COMMISSIONER CLARK: Aye.

29 CHAIRMAN BAKKER: Okay.

30
31 **9) Discussion and possible action regarding the Lander County**
32 **Commissioners attending NDOT Lander County Workshop on**
33 **November 10, 2016, at 1:30 p.m., and all other matters**
34 **properly related thereto.**
35

36 CHAIRMAN BAKKER: Nine. Discussion and possible action
37 regarding the Lander County Commissioners attending NDOT or
38 N-D-O-T Lander County Workshop on November 10th, 2016, at
39 1:30 p.m., and all other matters properly related thereto.

40 KEITH WESTENGARD: So today at 1:30 is our NDOT workshop

1 for the county.
2 And I want to know -- I'd like to know who plan -- who would
3 plan on attending? Are we going to have three or more?
4 DISTRICT ATTORNEY HERRERA: Well, we can -- again, we
5 discussed this before. But -- but in the minutes, Keith and I
6 referred to the minutes, and we couldn't find out where any
7 decision was made.
8 All five of you can attend. You just can't deliberate and --
9 and discuss things. But --
10 COMMISSIONER CLARK: Right.
11 DISTRICT ATTORNEY HERRERA: But as Commissioner Waits
12 pointed out at that time, there's nothing to stop you from
13 attending.
14 So the -- the --
15 COMMISSIONER WAITS: So we don't have to continue this
16 meeting to --
17 DISTRICT ATTORNEY HERRERA: Right.
18 COMMISSIONER WAITS: -- for all of us to be there?
19 DISTRICT ATTORNEY HERRERA: Right. You can --
20 COMMISSIONER WAITS: And that was the concern.
21 DISTRICT ATTORNEY HERRERA: That was the concern.
22 COMMISSIONER WAITS: There -- there is a lot of discussion.
23 But there's no decisions and no del- -- it's all opportunities
24 to give information --
25 DISTRICT ATTORNEY HERRERA: Right.
26 COMMISSIONER WAITS: -- is what it is --
27 DISTRICT ATTORNEY HERRERA: So it's --
28 COMMISSIONER WAITS: -- and to receive --
29 DISTRICT ATTORNEY HERRERA: So you're --
30 COMMISSIONER WAITS: -- information.
31 DISTRICT ATTORNEY HERRERA: -- basically going as private
32 citizens who happen to be a commissioner, not as that -- not as
33 commissioners who happen to be private citizens, if that makes
34 any sense.
35 CHAIRMAN BAKKER: Clear as mud, man.
36 KEITH WESTENGARD: Just don't go and deliberate. Don't --
37 CHAIRMAN BAKKER: Don't make any decisions.
38 COMMISSIONER WAITS: Yeah.
39 Making no d- -- yeah, making no decisions again.
40 No, that's not a problem, because it's just an

1 informational workshop.
2 DISTRICT ATTORNEY HERRERA: That's it.
3 COMMISSIONER WAITS: But it's an opportunity for us to give
4 input --
5 DISTRICT ATTORNEY HERRERA: Yes.
6 KEITH WESTENGARD: Right.
7 COMMISSIONER WAITS: -- to them. That's what they want.
8 KEITH WESTENGARD: And then they'll come with a --
9 COMMISSIONER WAITS: But most --
10 KEITH WESTENGARD: -- plan (indiscernible).
11 COMMISSIONER WAITS: -- of us are there as -- as a
12 commissioners and as other department heads that --
13 DISTRICT ATTORNEY HERRERA: Yes.
14 COMMISSIONER WAITS: -- were invited. So it is our
15 position. It's not that I'm going as, you know, Jane Doe.
16 DISTRICT ATTORNEY HERRERA: No, you're -- you're going as a
17 commissioner. But you're be- -- you are going -- you are acting
18 as a private citizen --
19 COMMISSIONER WAITS: Okay.
20 DISTRICT ATTORNEY HERRERA: -- even though you're
21 commissioned. You're not going there as a commissioner to --
22 CHAIRMAN BAKKER: On behalf of Lander --
23 DISTRICT ATTORNEY HERRERA: -- to deliberate --
24 COMMISSIONER WAITS: Not --
25 CHAIRMAN BAKKER: -- County.
26 COMMISSIONER WAITS: -- with that authority.
27 DISTRICT ATTORNEY HERRERA: Right.
28 CHAIRMAN BAKKER: Right.
29 COMMISSIONER WAITS: Thank you.
30 KEITH WESTENGARD: And then DOT will come as they did
31 several months back. They'll present you with their annual
32 operating plan for Lander County. And that's when you would
33 decide yes or no on those things.
34 COMMISSIONER WAITS: Okay.
35 CHAIRMAN BAKKER: Okay.
36 COMMISSIONER WAITS: The workshop is at the civic center?
37 KEITH WESTENGARD: At 1:30 today. Yes.
38 CHAIRMAN BAKKER: Okay.
39 COMMISSIONER WAITS: Thank you.
40 COMMISSIONER CLARK: Sean. Let's take a --

1 CHAIRMAN BAKKER: Oh.
2 COMMISSIONER CLARK: -- break.
3 CHAIRMAN BAKKER: We don't need a motion on this, then?
4 COMMISSIONER WAITS: No.
5 KEITH WESTENGARD: This is --
6 CHAIRMAN BAKKER: Okay.
7 KEITH WESTENGARD: -- the motion.
8 DISTRICT ATTORNEY HERRERA: No.
9 CHAIRMAN BAKKER: Hey, Austin, let's take a five-minute
10 break, please.
11 MITESHELL LANHAM: Thank you.
12 CHAIRMAN BAKKER: Thank you.
13

14 (Break taken between 10:17 a.m. and 10:30 a.m.)
15

16 CHAIRMAN BAKKER: Call this meeting back to order.
17

18 (Side conversations in chambers.)
19
20

21 **HUMAN RESOURCES**
22

23 10) **Update from the human resources director and all other**
24 **matters properly related thereto.**
25

26 CHAIRMAN BAKKER: Human resources. Update from the --
27

28 (Side conversations in chambers.)
29

30 CHAIRMAN BAKKER: -- human resources director and all other
31 matters properly related thereto.

32 BECKY JOHNSON: Good morning.

33 CHAIRMAN BAKKER: Good morning.

34 COMMISSIONER STIENMETZ: Good morning.

35 COMMISSIONER WAITS: Good morning, Becky.

36 BECKY JOHNSON: Becky Johnson, for the record.
37

38 (Side conversations in chambers.)
39

40 BECKY JOHNSON: I really don't have any updates as far as I

1 go. I was just here last week.
2 So if you don't mind, we can go to --
3 CHAIRMAN BAKKER: I'm going to open both of those up.
4 BECKY JOHNSON: -- Number 11.
5 CHAIRMAN BAKKER: Or --
6 BECKY JOHNSON: Do you want to do 11 and 12 at the same
7 time?
8 CHAIRMAN BAKKER: No, let's just do -- we'll do them one at
9 a time.
10 BECKY JOHNSON: Okay.
11
12 **11) Discussion and possible action regarding TALX (Equifax)**
13 **pertaining to Lander County's unemployment cost management**
14 **services, and all other matters properly related thereto.**
15
16 CHAIRMAN BAKKER: Eleven. Discussion and possible action
17 regarding TALX (Equifax) pertaining to Lander County's
18 unemployment cost management services, and all other matters
19 properly related thereto.
20 BECKY JOHNSON: So the reason this is on there is --
21
22 (Side conversations in chambers.)
23
24 CHAIRMAN BAKKER: Hold on, Becky.
25
26 (Side conversations in chambers.)
27
28 BECKY JOHNSON: Part of it I take blame for because I
29 assumed when the letter was sent to TALX, that would
30 automatically terminate any unemployment claims going to them.
31 I was wrong in assuming that because you also have to cancel
32 through the state.
33 TALX did not do that. And I did not have the authority to go
34 through the state and do that. The prior finance director did.
35 We are currently changing that with the state so that
36 there's more than person that's going to be able to go on there
37 and -- and make changes to our account with the unemployment
38 office.
39 CHAIRMAN BAKKER: Who was the person that was allowed to
40 make the changes?

1 BECKY JOHNSON: That would be the prior finance director.
2 She was the only one on the account.
3 So our physical [verbatim] officer at this time is going
4 through the motion of setting up her profile and making sure that
5 the unemployment claims come to me. And then both her and the
6 executive director are on the unemployment accounts so that we
7 don't run into this again.
8 COMMISSIONER CLARK: Didn't --
9 BECKY JOHNSON: So that's why it's on here.
10 COMMISSIONER CLARK: Didn't we direct the finance or -- or
11 direct whomever to get out of the Equifax?
12 BECKY JOHNSON: There was a letter that was sent. The
13 first one I sent was actually from me. And I was told I didn't
14 have the authority to do that by TALX.
15 COMMISSIONER CLARK: When -- how long ago?
16 BECKY JOHNSON: The first letter was sent in November of
17 last year.
18 Then, unfortunately, the holidays hit, other things hit,
19 and I was unable to get back with the executive director until
20 January.
21 As soon as he found out that there needed to be another
22 letter, he wrote it. I not only emailed it, but I sent it
23 certified. At that point, I thought we were done with TALX.
24 That was my fault assuming we were done. I did not realize
25 that there was a second step. And that was that we had to
26 notify the state that we were no longer using a third party. So
27 that's being rectified.
28 COMMISSIONER CLARK: Did -- did we have any unemployment
29 issues? People not --
30 BECKY JOHNSON: We did.
31 COMMISSIONER CLARK: -- being paid?
32 BECKY JOHNSON: We did. They were being paid. But what
33 happened was, again, out of sight, out of mind, we didn't have
34 anybody on unemployment at the time this --
35 COMMISSIONER CLARK: Right.
36 BECKY JOHNSON: -- happened.
37 COMMISSIONER CLARK: Okay.
38 BECKY JOHNSON: So when the first unemployment claim came
39 in, it came from Equifax.
40 Me, again, assuming that it was coming from the state. It,

1 however, was not. It was coming from TALX.

2 And so that actually retriggered them dealing with our
3 unemployment.

4 When I found that out, I did go directly to the executive
5 director and advised him.

6 CHAIRMAN BAKKER: So are -- we're canceled now, though;
7 right?

8 BECKY JOHNSON: Yes, Karen at the state has put a flag on
9 there. So any unemployment claims that come through will now
10 come to me.

11 Once our physical officer has got her profile set up, she
12 will go in and take the prior finance director off, add her and
13 the executive director. And then they -- she will add me for
14 the unemployment claims to come directly to me. So they'll be
15 mailed in.

16 COMMISSIONER CLARK: So we're on the path.

17 BECKY JOHNSON: We are on the path. And I apologize that
18 it took us this long to get there.

19 CHAIRMAN BAKKER: Okay.

20 COMMISSIONER CLARK: Well, as long as people were getting
21 their benefits, that's --

22 BECKY JOHNSON: Absolutely correct.

23 COMMISSIONER CLARK: -- that's the main thing. And we're
24 getting it straightened out now.

25 BECKY JOHNSON: Yes.

26 CHAIRMAN BAKKER: Any questions?

27 COMMISSIONER WAITS: I do have. This is always a difficult
28 part because we -- we have a turnover and you don't have this
29 kind of training to know what's next.

30 So have you documented this enough so if you were not here
31 tomorrow and we had somebody else come in that they would know
32 exactly --

33 BECKY JOHNSON: Absolutely.

34 COMMISSIONER WAITS: -- what line --

35 BECKY JOHNSON: I have a journal in my office that I keep
36 notes as to how to do things.

37 So if I should leave and someone should come in, it is
38 basically a job outline, step by step.

39 But I'm hoping this is not going to happen again, because
40 we're not just going to have one person controlling something.

1 There's always going to be a second person on the account.
2 CHAIRMAN BAKKER: Well, and the county's -- sorry, Patsy,
3 go ahead.
4 COMMISSIONER WAITS: No, I was going to say, that's
5 absolutely true. And that's always good moves.
6 But the -- the point is, if it was somebody else and they
7 put it in not knowing. I mean, we've had even our finance
8 director, you know, thinking she was okay on one part and yet
9 things were not through with the signatures that needed to be
10 done.
11 So I'm saying anything you can do to outline it, to -- not
12 necessarily just a journal -- but just whatever it is, so someone
13 else --
14 BECKY JOHNSON: I most --
15 COMMISSIONER WAITS: -- could come in --
16 BECKY JOHNSON: -- certainly can -- can --
17 COMMISSIONER WAITS: Yeah.
18 BECKY JOHNSON: -- write everything down and make sure the
19 finance --
20 COMMISSIONER WAITS: It's so --
21 BECKY JOHNSON: -- department --
22 COMMISSIONER WAITS: -- difficult.
23 BECKY JOHNSON: -- has it.
24 COMMISSIONER WAITS: And I know we need to have more backup
25 with what people are doing in every office. So anything --
26 BECKY JOHNSON: Yes.
27 COMMISSIONER WAITS: -- you can add to that. Thank you.
28 BECKY JOHNSON: Absolutely. And, again, I do apologize
29 that it took us this long to get --
30 COMMISSIONER WAITS: Learning curve.
31 BECKY JOHNSON: -- to plan that.
32 CHAIRMAN BAKKER: The county's handling its all -- its
33 unemployment currently now?
34 BECKY JOHNSON: Yes.
35 CHAIRMAN BAKKER: We're not using outside --
36 BECKY JOHNSON: We are no longer --
37 CHAIRMAN BAKKER: -- company or anything?
38 BECKY JOHNSON: -- using TALX.
39 CHAIRMAN BAKKER: Right.
40 COMMISSIONER CLARK: Okay.

1 CHAIRMAN BAKKER: And we won't.
2 BECKY JOHNSON: We will not.
3 CHAIRMAN BAKKER: Okay.
4 BECKY JOHNSON: Everything from now on --
5 CHAIRMAN BAKKER: So I don't perceive that problem
6 happening ever again. Just because --
7 BECKY JOHNSON: Absolutely not.
8 CHAIRMAN BAKKER: -- the county's doing it direct.
9 COMMISSIONER CLARK: Do we have anybody on unemployment
10 now?
11 BECKY JOHNSON: We do.
12 COMMISSIONER CLARK: Okay.
13 BECKY JOHNSON: We do. We currently, I believe, have
14 three. Two or three.
15 COMMISSIONER WAITS: We do have a lot of other contractors,
16 though, that handle things like our COBRA and such.
17 CHAIRMAN BAKKER: Right.
18 COMMISSIONER WAITS: So that's what I'm saying. When we're
19 outlining, we need to --
20 BECKY JOHNSON: So --
21 CHAIRMAN BAKKER: Right.
22 BECKY JOHNSON: -- you bringing up COBRA --
23 COMMISSIONER WAITS: But that's not on the agenda. So it's
24 okay.
25 BECKY JOHNSON: Oh, so I can't discuss it? Okay. Because
26 I was --
27 COMMISSIONER WAITS: You want to go --
28 BECKY JOHNSON: -- a positive side --
29 COMMISSIONER WAITS: You want to --
30 BECKY JOHNSON: -- to it.
31 COMMISSIONER WAITS: You want to go back to your --
32 CHAIRMAN BAKKER: Update?
33 BECKY JOHNSON: To our -- could I do --
34 COMMISSIONER WAITS: The --
35 BECKY JOHNSON: -- that?
36 COMMISSIONER WAITS: -- update?
37 CHAIRMAN BAKKER: Yeah. They're both open.
38 BECKY JOHNSON: Okay.
39 So I spoke with Summer Pratt at LP. She's wonderful, a
40 wealth of knowledge.

1 Prominence actually handles COBRA, and it doesn't cost us
2 anything.

3 So I wanted to get the information and bring it before you
4 guys. And maybe we could switch currently who we're going
5 through, which is Infinisource, over to Prominence. Because right
6 now they take \$10. And they keep \$10 of the money that comes to
7 us.

8 So...

9 CHAIRMAN BAKKER: Like \$10 a person or --

10 BECKY JOHNSON: Uh-huh.

11 COMMISSIONER WAITS: And that's monthly.

12 BECKY JOHNSON: Yes.

13 And right now we -- we only have two people on --

14 COMMISSIONER WAITS: Right.

15 BECKY JOHNSON: -- on COBRA.

16 COMMISSIONER WAITS: But it's something I thought we should
17 be able to handle ourselves.

18 BECKY JOHNSON: Absolutely.

19 COMMISSIONER WAITS: So I'm --

20 CHAIRMAN BAKKER: Okay.

21 Perfect.

22 BECKY JOHNSON: Yeah. So that's -- I'm just going to stay
23 up here because the next one --

24 CHAIRMAN BAKKER: Okay.

25
26 **12) Discussion and possible action regarding any lapse in**
27 **coverage during the last six months of the Best Life Dental**
28 **Insurance for county employees, and all other matters**
29 **properly related thereto.**
30

31 CHAIRMAN BAKKER: Twelve. Discussion and possible action
32 regarding any lapse in coverage during the last six months of
33 the Best Life Dental Insurance for county employees, and all
34 other matters properly related thereto.

35 TIM HOLLAND: (Indiscernible.)

36 My name is Tim Holland with LP Insurance Services.

37 And I was asked to come before to explain kind of what's
38 happening with some of the letters that the employees are
39 getting.

40 The -- you can see with this payment history, very conf- --

1 confusing to a character, pretty much from the -- the time, the
2 inception of the policy with Best.

3 For them to rec- -- the payments are automated. And
4 claims -- and the system is pretty much an automation until we
5 trigger a reason to become unautomated, maybe we get a con- -- we
6 talk -- contact a customer service rep, ask questions. Kind of
7 just flows.

8 And you can see that a lot of them are receiving three and
9 four checks per month, which means somebody could literally go
10 in on a -- on the 14th and get a claim completely serviced and
11 then go in on the 15th and get a denial, just because the way
12 the payments are being received.

13 And Becky has done -- this is the equivalent of herding
14 cats right here in the industry of mine. Because it is very
15 difficult to -- to process these things.

16 So she's done an amazing job as far as keeping it afloat
17 and working with the carrier, but it's been in arrears. So it's
18 caused -- it's triggered. It's never been canceled. At no
19 point has it ever been canceled. But due to the payment method,
20 it has triggered a pending of a claim. And then they would
21 receive the next check and that -- then they would immediately
22 adjud- -- adjudicate that claim and it would move forward.

23 So I think with some of the steps that are being made,
24 that's going to completely eliminate all of this.

25 CHAIRMAN BAKKER: So what steps are being made?

26 BECKY JOHNSON: We have made a -- an advance payment, which
27 should've been done in July. But I was made to believe that we
28 didn't have the money to do that. So I was trying to keep it up
29 month to month. And you just can't.

30 CHAIRMAN BAKKER: Who made you believe we didn't have the
31 money to keep these up?

32 BECKY JOHNSON: A prior -- prior finance director.

33 TIM HOLLAND: So she -- like I said, she's done an amazing
34 job of just catching up. I mean, for a 7/1 effective date, we
35 should have a check to them before the inception of the policy.
36 We should have it bound. And so...

37 CHAIRMAN BAKKER: So now we're a month ahead. And we're
38 going to stay a month ahead.

39 BECKY JOHNSON: Tim is actually taking the checks with him
40 today.

1 COMMISSIONER WAITS: For...
2 BECKY JOHNSON: For Prominence, Best Life.
3 COMMISSIONER WAITS: For December?
4 BECKY JOHNSON: Yes.
5 CHAIRMAN BAKKER: Then when we're paying for December,
6 it'll be for January --
7 BECKY JOHNSON: Yes.
8 CHAIRMAN BAKKER: -- and so on and so forth. Yes. Okay.
9 COMMISSIONER CLARK: So what's going to happen to the
10 claims that were made --
11 CHAIRMAN BAKKER: They got denied. Did they all go
12 through?
13 TIM HOLLAND: Yes. And we're -- we're checking on every
14 single one of them. And they're all going back through. Yes.
15 BECKY JOHNSON: I've only had two people come to me that
16 said they had any issues.
17 The first one has already been taken care of. Best Life
18 said, Oh, the check's already been sent out to the dental -- to
19 the dentist office.
20 And then we currently have one in the process.
21 Tim and I called while we were in my office. He -- the
22 gentleman had stepped out of his office. So we are actually going
23 to be taking care of that as soon as we're done here.
24 COMMISSIONER MILLS: So on these -- on these denials, the
25 provider or the patient don't have to rebill. The insurance
26 company's --
27 BECKY JOHNSON: Correct.
28 COMMISSIONER MILLS: -- just taking care of them. Okay.
29 That helps.
30 COMMISSIONER WAITS: Okay. So as a clarification, then,
31 when we were paying the other company, we actually were paying
32 them at the end of the month? Is that what we're saying? The
33 end of June?
34 BECKY JOHNSON: Are you talking about Guardian?
35 COMMISSIONER WAITS: Yeah, the one before --
36 BECKY JOHNSON: When I came --
37 COMMISSIONER WAITS: -- this so this one --
38 BECKY JOHNSON: -- in, --
39 COMMISSIONER WAITS: -- was --
40 BECKY JOHNSON: -- Guardian was already in place. So I'm

1 not sure when they switched over how they did that.
2 COMMISSIONER WAITS: Okay. But -- but your comment was, we
3 could not make the July payment in ti- -- in advance?
4 BECKY JOHNSON: No, we paid July. July 4th, I believe.
5 July 8th is when the first payment went. Because the first
6 payment came out of the paychecks.
7 So I've been paying July in July, August in August, September
8 in September, October --
9 COMMISSIONER WAITS: But that's --
10 BECKY JOHNSON: -- in October.
11 COMMISSIONER WAITS: -- not good enough. It needs to come
12 in before the 1st of --
13 BECKY JOHNSON: Correct.
14 COMMISSIONER WAITS: -- July.
15 BECKY JOHNSON: Correct.
16 TIM HOLLAND: Yeah, with the -- with the -- they're
17 receiving four checks through -- through the month. And
18 sometimes it's not till, you know, the 20th of the month.
19 And so, yes, it's --
20 BECKY JOHNSON: Because of how the payrolls --
21 TIM HOLLAND: It triggered --
22 BECKY JOHNSON: -- hit.
23 TIM HOLLAND: -- pending.
24 BECKY JOHNSON: The elected officials fall on a -- a
25 different week from the regular employees.
26 CHAIRMAN BAKKER: So before -- why haven't -- why was --
27 why was there never this problem before?
28 BECKY JOHNSON: I can't -- I wasn't here. I don't know.
29 When it -- they switched over from whatever we had before to
30 Anthem, --
31 CHAIRMAN BAKKER: Were --
32 BECKY JOHNSON: -- I don't --
33 CHAIRMAN BAKKER: -- they --
34 BECKY JOHNSON: -- know --
35 CHAIRMAN BAKKER: -- paying a month in advance, though, in
36 the past?
37 BECKY JOHNSON: I'm assuming they did so that they didn't
38 have this issue.
39 But I -- I --
40 CHAIRMAN BAKKER: And then the previous --

1 BECKY JOHNSON: I'm just not sure.
2 CHAIRMAN BAKKER: -- fiscal officer told you that --
3 BECKY JOHNSON: I was --
4 CHAIRMAN BAKKER: -- we were out of money, to stop --
5 BECKY JOHNSON: -- made to believe that we -- at this -- at
6 that point did not have the money to pay the extra.
7 COMMISSIONER WAITS: I guess the only thing that -- that
8 really upsets me -- and I understand things get off and all the
9 new -- but I can't imagine an insurance company that has a whole
10 county, that's saying, we're going to start denying claims and
11 doesn't call an agent and say, you want to check on this?
12 BECKY JOHNSON: And Tim and I have --
13 COMMISSIONER WAITS: What kind of a relationship do you
14 have with this company?
15 TIM HOLLAND: I have a very, very good relationship with
16 them, but --
17 COMMISSIONER WAITS: Okay. Please make sure that something
18 like that is you are --
19 TIM HOLLAND: Yes.
20 COMMISSIONER WAITS: -- notified immediately. This should
21 never, ever happen, not -- not with -- not with a county that
22 pays their bills timely like we do.
23 BECKY JOHNSON: And they do have their notes where I have
24 called them. Tim has called them. Summer has called them.
25 I -- I will be honest with you, I am not crazy about Best
26 Life. I -- I'm not. Guardian worked well with us. And I've made
27 my displeasure known to Tim.
28 COMMISSIONER WAITS: I do believe it was a little bit
29 better benefits and a lower price. And sometimes that dictates.
30 BECKY JOHNSON: Right.
31 COMMISSIONER WAITS: Sometimes you pay for it.
32 But I look to our agent to stay on top of that. So --
33 TIM HOLLAND: Yes.
34 COMMISSIONER WAITS: -- that's --
35 BECKY JOHNSON: And he -- he --
36 COMMISSIONER WAITS: -- what we --
37 BECKY JOHNSON: -- is.
38 COMMISSIONER WAITS: -- expect. Thank --
39 BECKY JOHNSON: I mean, --
40 COMMISSIONER WAITS: -- you.

1 BECKY JOHNSON: -- I can say they call me daily.
2 COMMISSIONER WAITS: But they are not calling him.
3 They're --
4 COMMISSIONER STIENMETZ: Right.
5 COMMISSIONER WAITS: -- denying claims. And --
6 TIM HOLLAND: Yes.
7 COMMISSIONER WAITS: -- I'm saying --
8 BECKY JOHNSON: I -- I understand --
9 COMMISSIONER WAITS: -- I don't want --
10 BECKY JOHNSON: -- that.
11 COMMISSIONER WAITS: -- to see this. This is not going to
12 happen.
13 BECKY JOHNSON: I understand.
14 COMMISSIONER WAITS: So would you stay on top of that for
15 us, please?
16 TIM HOLLAND: Yes.
17 COMMISSIONER WAITS: Thank you.
18 COMMISSIONER CLARK: And so --
19 CHAIRMAN BAKKER: Okay.
20 COMMISSIONER CLARK: So the problem happened because the
21 county didn't pay the insurance company.
22 BECKY JOHNSON: The month in advance.
23 COMMISSIONER CLARK: So the insurance company should've
24 called us and said, hey, you know, where the heck's your
25 payment?
26 I -- I -- I can understand that there's going to be some time
27 lapse, but we have a contract. So if the payment wasn't received,
28 you know, within 48 hours, I would think that the insurance
29 company would say, Hey, what happened?
30 CHAIRMAN BAKKER: Well, as long as you guys got it taken
31 care of.
32 COMMISSIONER STIENMETZ: Yep.
33 BECKY JOHNSON: Okay.
34 COMMISSIONER WAITS: Everything else all okay?
35 TIM HOLLAND: Actually, that is -- I was going to drag to
36 the next page, please.
37 I wanted to kind of give you an update of where we are with
38 Prominence.
39 And I would like to come before you probably every quarter
40 and let you know exactly where you are.

1 Transparency is very, very important with myself and LP.
2 And I really like the county to know exactly where they are
3 throughout the year.

4 So you can see that -- that -- I'm looking at the one that
5 says combined medical and RX loss ratio.

6 For the month of July, you see it has 111 policy holders.
7 Total members means po- -- policy holders plus their dependents --
8 paid \$84,690 in premium. Claims were \$119,246.

9 You have a premium tax. That's what goes to the ACA.
10 Obviously, we -- I factored it in elsewhere.

11 But that -- that box that has the \$119,246, you see
12 incurred claims with IBNR. What IBNR means, it's incurred, but
13 not yet reported -- incurred but not reported.

14 So you have something that happens in Jul- -- in, say,
15 August, it's really not going to be taken care of fully until
16 about three months later, because there was a 60 to 90 lag
17 time -- day lag in cost. So you can see in August, we caught up
18 much better: 111 policy holders, 167 total members, 84,690 in
19 premium, only 48,629 in claims. So much better month. Your
20 insurance is working.

21 You're paying premiums, and your insurance is working. Had a
22 little bobble there, and I apologize. I am going to get
23 everything -- all of that's completed and fixed.

24 But your employees are using their insurance. And it is
25 working for them.

26 And I will let you know throughout the year if you are
27 running at 100 percent loss ratio, if you're running at 80 percent
28 loss ratio, if you're running at 150 percent loss ratio. You'll
29 know exactly what to expect.

30 CHAIRMAN BAKKER: Okay.

31 TIM HOLLAND: But right now, we're at the point where I can
32 actually start reporting to you where it is because we've had
33 enough payment. We've had enough lag. We've had claims paid.
34 And we'll have this for you however often.

35 We -- I'll be able to -- Prominence is getting their act
36 together a little bit better with their reporting capabilities.
37 And now I can almost do every dollar spent. But I'll have
38 something like this to you monthly, quarterly, however often you'd
39 like it.

40 CHAIRMAN BAKKER: Okay. Perfect, --

1 COMMISSIONER CLARK: Tim --
2 CHAIRMAN BAKKER: -- Tim.
3 TIM HOLLAND: Yeah.
4 COMMISSIONER CLARK: Is the insurance world future better
5 now that we have a Republican president?
6 TIM HOLLAND: Good question. May I touch on this one --
7 one more time?
8 CHAIRMAN BAKKER: We still have a --
9 TIM HOLLAND: Looking at the facts --
10 CHAIRMAN BAKKER: -- Democratic president --
11 TIM HOLLAND: -- that I apologize --
12 CHAIRMAN BAKKER: -- for another month.
13 COMMISSIONER WAITS: Not on the agenda. You're way off the
14 agenda.
15 TIM HOLLAND: If you go down the back side of this form,
16 you'll see that there are no large claims. And this is
17 something that triggers -- 119,000 of utilization with no large
18 claims over \$50,000 is fairly rare.
19 But that means not one person really triggered that. A lot
20 of your employees use the medicine, so I apologize.
21 Good question.
22 COMMISSIONER CLARK: I'll just -- let me -- I -- you
23 brought up another question in --
24 TIM HOLLAND: Okay.
25 COMMISSIONER CLARK: -- my mind before. Where -- where do
26 -- where does stop-loss kick in? 50,000?
27 TIM HOLLAND: No, 50,000 is where we start tracking claims.
28 So a company can put what's called a laser on it. So they can
29 really dig into that claim, assign caseworkers, make sure that
30 both the insurance company knows what's going on and the
31 employee is very well taken care of.
32 COMMISSIONER CLARK: Where -- where does reinsu- --
33 TIM HOLLAND: 75,000 --
34 COMMISSIONER CLARK: Where does reinsurance kick in?
35 TIM HOLLAND: 75,000 is the stop-loss.
36 COMMISSIONER CLARK: Seventy-five? Okay.
37 TIM HOLLAND: And then different reinsurance levels above
38 that.
39 CHAIRMAN BAKKER: Okay. Perfect.
40 TIM HOLLAND: So the election? Is that what we want to --

1 CHAIRMAN BAKKER: Nah. We're good.
2 COMMISSIONER WAITS: Yeah.
3 Definitely for discussion in -- in depth as it comes up.
4 I just have one -- one quick concern. And that's that I did
5 hear that -- I don't know whether you were unavailable. For some
6 reason you were not returning phone calls regarding one -- one of
7 these last denial of claims.
8 TIM HOLLAND: I initiated the phone call on that. So I
9 called that employee on Monday. And that employee called me
10 back on Monday. And it is my fault that I have not reached back
11 out to her. But I knew I was planning on seeing that person
12 yesterday or today.
13 CHAIRMAN BAKKER: Okay.
14 TIM HOLLAND: So...
15 COMMISSIONER WAITS: Because I know you're -- you're
16 working with Becky on that. That's the way it should be. But I
17 also know when -- when we have, you know, a department head that
18 has called you, especially an elected official, you need to stay
19 on top of that.
20 DISTRICT ATTORNEY HERRERA: You --
21 COMMISSIONER WAITS: Thank you.
22 DISTRICT ATTORNEY HERRERA: Tim, in -- in other words, the
23 employee that called you called you on -- on my behalf --
24 TIM HOLLAND: Okay.
25 DISTRICT ATTORNEY HERRERA: -- because she works for me.
26 TIM HOLLAND: Understand.
27 CHAIRMAN BAKKER: Okay.
28 Get with that employee.
29 BECKY JOHNSON: I -- I believe he already has.
30 CHAIRMAN BAKKER: Okay. All right.
31 Any other questions?
32 COMMISSIONER MILLS: Just I feel for you. I've been in
33 your position before. So --
34 CHAIRMAN BAKKER: Okay.
35 COMMISSIONER MILLS: I -- I understand where you're --
36 COMMISSIONER WAITS: Thank you.
37 COMMISSIONER MILLS: -- at.
38 CHAIRMAN BAKKER: Thank you, guys.
39 COMMISSIONER STIENMETZ: Thank you.
40 CHAIRMAN BAKKER: Any public comment?

1 Nope.

2 KEITH WESTENGARD: Can we go back to Item 11 just for one
3 minute.

4

5 **11) Discussion and possible action regarding TALX (Equifax)**
6 **pertaining to Lander County's unemployment cost management**
7 **services, and all other matters properly related thereto.**

8

9 CHAIRMAN BAKKER: Discussion and possible action regarding
10 Equifax pertaining to Lander County's unemployment cost
11 management services, and all other matters properly related
12 thereto.

13 KEITH WESTENGARD: I just want to make the commission aware
14 that we did receive one bill from TALX. That -- and you'll
15 probably see that in -- in your payment of the bills. So we do
16 have one bill coming forward. And it's due to the fact that
17 the cou- -- how it was canceled.

18 CHAIRMAN BAKKER: And it'll be the last bill?

19 KEITH WESTENGARD: And that is the last bill. So I -- I
20 want you to be aware that it is coming. And so you'll see it,
21 --

22 DISTRICT ATTORNEY HERRERA: How much?

23 KEITH WESTENGARD: -- but it's done.

24 Becky, how much was the last bill from TALX?

25 Becky?

26 BECKY JOHNSON: What?

27 KEITH WESTENGARD: What was that last bill from TALX? I
28 don't remember.

29 BECKY JOHNSON: It was 583. And it's --

30 KEITH WESTENGARD: Five --

31 BECKY JOHNSON: -- in your bundle.

32 KEITH WESTENGARD: Okay. So it's \$583. But that is the
33 last one.

34 CHAIRMAN BAKKER: Okay.

35 KEITH WESTENGARD: Okay?

36 CHAIRMAN BAKKER: Thank you.

37 KEITH WESTENGARD: Thank you.

38

39

40

1 COMMISSIONERS

- 2
- 3 13) Discussion and possible action regarding approval/disapproval
4 of a letter to the Department of Taxation requesting an
5 extension of time to file FY '15/'16 audit, and all other
6 matters properly related thereto.
7

8 CHAIRMAN BAKKER: Commissioners. Thirteen. Discussion and
9 possible action regarding approval/disapproval of a letter to
10 the Department of Taxation requesting an extension of time to
11 file fiscal year '15/'16 audit, and all other matters properly
12 related thereto.

13 Keith, what the hell?

14 No, just playing.

15 KEITH WESTENGARD: So with the -- Gene?

16 CHAIRMAN BAKKER: Gene?

17 KEITH WESTENGARD: With the -- with the new auditors that
18 are in place, there was some areas that we needed to have
19 further discussion on. We've got it taken care of now.

20 But the other contributing factor is, with one leaving this
21 month, the auditors couldn't come before the end of the month.
22 And we have to have it to the Department of Taxation by the end of
23 the month.

24 So they will be here December 8th to present the m- -- the
25 audit findings. As soon as we're done with that, it'll be
26 submitted to the Department of Taxation.

27 So this is just to cover our -- our -- cover ourselves with
28 Taxation.

29 CHAIRMAN BAKKER: Because we only have one meeting this
30 month.

31 KEITH WESTENGARD: Well, that's not --

32 DISTRICT ATTORNEY HERRERA: No.

33 KEITH WESTENGARD: -- the only reason, though.

34 DISTRICT ATTORNEY HERRERA: The auditors believed that --
35 that they had a lot longer than they actually have to finish
36 their audit.

37 That's the bottom -- would you say that's the bottom line,
38 Keith?

39 KEITH WESTENGARD: Yeah, that's the bottom line.

40 DISTRICT ATTORNEY HERRERA: And it's a disagreement that

1 hopefully Keith has -- is put to rest because the statute --
2 KEITH WESTENGARD: Is very clear.
3 DISTRICT ATTORNEY HERRERA: -- is clear. And the auditors
4 were reluctant to accept that date.
5 So it's an area of contention. Hopefully Keith can put that
6 to bed.
7 KEITH WESTENGARD: It -- it's -- it's taken care of. They
8 understand.
9 CHAIRMAN BAKKER: Sincing we've only done this for three
10 years in a row, it's all right.
11 KEITH WESTENGARD: HintonBurdick will be here December 8th
12 to give you an update. On December 8th at 1:00 o'clock, it will
13 be on its way to Taxation.
14 CHAIRMAN BAKKER: Okay. Perfect.
15 COMMISSIONER MILLS: Do you have any idea how the state
16 views it when we submit three of these extensions in a row?
17 KEITH WESTENGARD: It's my understanding -- and maybe Gene
18 can shed some light there since he used to work for Taxation.
19 But I understand it's -- it's not a -- a -- it's not a big
20 concern of theirs. It happens pretty regularly in st- -- in
21 county government.
22 COMMISSIONER MILLS: Okay.
23 KEITH WESTENGARD: So it's not like we're going to get a
24 red flag or a fine or -- or a black mark.
25 CHAIRMAN BAKKER: You're -- so you're saying it's not like
26 a life-and-death situation the previous fiscal officer made us
27 believe?
28 KEITH WESTENGARD: No.
29 CHAIRMAN BAKKER: Okay.
30 KEITH WESTENGARD: Would you agree with that, Gene?
31 Thank you. Been waiting for you to come up.
32 COMMISSIONER WAITS: I'll make a motion that we approve the
33 letter to the Department of Taxation requesting an extension of
34 time to file the fiscal year '15/'16 audit that was signed by
35 our executive director.
36 COMMISSIONER STIENMETZ: I'll second the motion.
37 CHAIRMAN BAKKER: Patsy made a motion. Steve seconded.
38 Any public comment?
39 GENE ETCHEVERRY: Lady and gentlemen, Gene Etcheverry.
40 Yes. In -- in a prior life or -- or earlier in my career,

1 I was the person that supervised the unit that oversees the
2 submission of audits, et cetera.

3 The problem isn't asking even repetiti- -- repetitively.
4 Some counties it's a course a ma- -- you know, it's a course of
5 action every year.

6 The problem becomes is if you don't submit.

7 In our case, if we were to not submit and they really
8 looked at what was presented to the board in a -- a timely
9 manner versus the audit not being, right there would raise the
10 questions.

11 So no. We -- we wouldn't have any issue with submitting even
12 if we did it three, four, five years in a row.

13 CHAIRMAN BAKKER: Right. Okay.

14 GENE ETCHEVERRY: Okay.

15 CHAIRMAN BAKKER: Perfect. Thank you, Gene.

16 COMMISSIONER WAITS: Thank you.

17 COMMISSIONER STIENMETZ: Thank you.

18 COMMISSIONER MILLS: Thank you.

19 CHAIRMAN BAKKER: Any other public comment?

20 (No comment.)

21 CHAIRMAN BAKKER: All in favor?

22 COMMISSIONER STIENMETZ: Aye.

23 COMMISSIONER MILLS: Aye.

24 CHAIRMAN BAKKER: Aye.

25 COMMISSIONER WAITS: Aye.

26 COMMISSIONER CLARK: Aye.

27 CHAIRMAN BAKKER: Okay.

28 Thank you.

29

30 **14) Update from CORE regarding the status of the Battle Mountain**
31 **Recreation Center and all other matters properly related**
32 **thereto.**
33

34 CHAIRMAN BAKKER: Okay. Update from CORE regarding the
35 status of the Battle Mountain Recreation Center and all other
36 matters properly related thereto.

37 I'm going to open up the next one.
38
39
40

- 1 15) Discussion and possible action to approve/disapprove Change
2 Order #3 from CORE in an amount not to exceed \$98,850 for
3 conformed drawing additional cost, remaining half of building
4 increase cost, and per ASI #4 added accent painting in the
5 gymnasium, and all other matters properly related thereto.
6

7 CHAIRMAN BAKKER: Fifteen. Discussion and possible action
8 to approve/disapprove Change Order #3 from CORE in an amount not
9 to exceed \$98,850 for conformed drawing additional cost,
10 remaining half of building increase cost, per ASI #4 added
11 accent painting in the gymnasium, and all other matters properly
12 related thereto.

13 Okay.

14 COMMISSIONER CLARK: What's the water temperature?

15 CASEY GUNTHER: Pretty chilly right now.

16 COMMISSIONER CLARK: You don't have the pool filled yet?

17 COMMISSIONER MILLS: Only about six inches.

18 CASEY GUNTHER: All right.

19 CHAIRMAN BAKKER: I know you're --

20 CASEY GUNTHER: Casey Gunther, for the record, with CORE.
21 I have with me my assistant project manager, Jordan Kousky
22 [Koucky].

23 So update-wise, roof panels are flying. We have discussed
24 at length with Gene S Construction. The roof panels should be
25 completed by Tuesday. They started laying out, getting wall
26 panels ready to go, the gymnasium side or the north side of the
27 gymnasium.

28 The framers are trying to stay far enough ahead of them to
29 where Gene S can fall behind, continue with wall panels, as well
30 as we had glaziers coming out next week to set -- or to take
31 field dimensions for all of the window openings. Kind of a --
32 you have to have the frames in the openings so he can put his
33 panels in. And then his trim piece goes into that frame. It's
34 just a little bit of stuff that has to take place for it all
35 to -- to fall into place.

36 Other than that, everything's going well.

37 The pool guy's going to be back to set the coping Monday
38 after Thanksgiving.

39 Two weeks after that, the pool deck will be poured.

40 We should have that thing enclosed, temporary heat going in

1 both buildings.
2 And we should be able to keep going. Actually look like an
3 enclosed structure before the end of year.
4 So...
5 COMMISSIONER WAITS: Would you explain to me, Casey, the --
6 the additional costs on the conformed set of drawings. These
7 are --
8 CASEY GUNTHER: Sure.
9 COMMISSIONER WAITS: -- drawings -- new drawings from our
10 architect?
11 CASEY GUNTHER: They changed after the bid, after we went
12 to GMP. And all the changes were -- were done based on some of
13 the changes that were made with regard to mechanical openings,
14 mechanical units, some of the architectural stuff.
15 There were some changes that added up for two, three, four
16 subs.
17 So before, when we bid the project, there weren't openings in
18 the roof structure in the pool. Now there is. That adds more
19 steel. That adds trim pieces, corner pieces, more labor to put
20 that work into place.
21 On the mechanical mezzanine, you had changes in equipment,
22 which increased the structural load. So you had more structural
23 members and wood that had to be changed in those mezzanine
24 areas.
25 COMMISSIONER WAITS: Now aren't these things architects
26 know ahead of time? Isn't that the whole point? I'm confused
27 here. I mean, I feel like I'm dealing with --
28 CASEY GUNTHER: To go --
29 COMMISSIONER WAITS: -- UNLV engineers that are coming out
30 to help us or something and we're learning.
31 DISTRICT ATTORNEY HERRERA: We've had --
32 CASEY GUNTHER: But --
33 DISTRICT ATTORNEY HERRERA: -- the same problem in -- in
34 the construction of -- of this building with the same architect.
35 CHAIRMAN BAKKER: Except the --
36 CASEY GUNTHER: We have all --
37 CHAIRMAN BAKKER: -- difference here is we still have the
38 money.
39 DISTRICT ATTORNEY HERRERA: Yes.
40 CHAIRMAN BAKKER: So we don't have to send --

1 CASEY GUNTHER: Can I --
2 CHAIRMAN BAKKER: -- the payments.
3 CASEY GUNTHER: The difference is, and the reason that came
4 out, was during the VE process to get it in -- into budget -- it
5 kind of seems like an oxymoron. I know that -- but to get it
6 within budget from what was originally spec'd out, the VE
7 process took place where we had everything broken out. Certain
8 things were accepted. Certain things were not.
9 So they went through, had to change that.
10 CHAIRMAN BAKKER: Casey, you're keeping track of all the
11 change orders from the architects?
12 CASEY GUNTHER: Absolutely.
13 CHAIRMAN BAKKER: Okay.
14 CASEY GUNTHER: Every piece of information that we get from
15 them we have a log on.
16 So...
17 CHAIRMAN BAKKER: Eventually, you're going to have to give
18 it to Ted --
19 CASEY GUNTHER: Okay.
20 CHAIRMAN BAKKER: -- so he can take legal action.
21 CASEY GUNTHER: Very well.
22 CHAIRMAN BAKKER: But anyway.
23 Any other questions?
24 COMMISSIONER WAITS: The accent painting that we're
25 saying --
26 CASEY GUNTHER: Uh-huh.
27 COMMISSIONER WAITS: They -- that's something that they
28 knew about ahead of time.
29 CASEY GUNTHER: No, ma'am. What happened --
30 COMMISSIONER WAITS: They just decided to add the accent?
31 I thought that was the choice that they brought to us.
32 DISTRICT ATTORNEY HERRERA: It was.
33 CASEY GUNTHER: It was a choice. Originally --
34 COMMISSIONER WAITS: Saying, this is going to be a lot
35 extra if you guys decide -- I -- I mean, I guess I'm confused
36 over the way it comes. When -- here's your picture. You want
37 this, this, or this? And we didn't say, well, what is it -- we
38 did say what does it cost? We thought it was included. Now
39 it's not included?
40 CHAIRMAN BAKKER: No.

1 CASEY GUNTHER: What happened w- -- originally, when we bid
2 the project, you had roof panels. And then there was a
3 super-saver system, which was a insulation with plastic on it
4 that would go up there on those roof panels. None of it was
5 painted.

6 And then the VE process went through. Openings, it would
7 have cost more money. So we switched to a fully insulated
8 panel, which those panels come prefinished. The inside of those
9 panels are the white, come that way from the manufacturer.

10 After this was brought up, now we're painting areas that
11 were not supposed to be painted before. And because of the
12 amount of it and where it's at, the -- the labor time to go up
13 there, mask, the amount of paint to go in there and cover it.
14 Like they're -- it's five coats of paint and a coat of primer, a
15 special primer to be able to adhere, basically, to that type of
16 material. That's how that's coming out.

17 COMMISSIONER WAITS: So our committee knows all this while
18 they're meeting and -- and doing this; right?

19 CASEY GUNTHER: Yes, ma'am.

20 CHAIRMAN BAKKER: Well, we approved all this in our last --
21 in the commission meeting. The committee's not -- there is no
22 committee. But we're not approving -- everything comes back
23 before us five up here.

24 COMMISSIONER WAITS: No, I understand that.

25 CHAIRMAN BAKKER: Oh, okay.

26 COMMISSIONER WAITS: But I'm saying, you're -- you're in
27 tune with what's happening and --

28 CHAIRMAN BAKKER: Oh, yeah.

29 COMMISSIONER WAITS: -- what's going on?

30 CHAIRMAN BAKKER: Yes.

31 COMMISSIONER WAITS: That's what I meant.

32 CHAIRMAN BAKKER: Yes.

33 CASEY GUNTHER: Yes.

34 COMMISSIONER WAITS: Yeah, okay.

35 CASEY GUNTHER: Absolutely.

36 CHAIRMAN BAKKER: So does Doug.

37 COMMISSIONER WAITS: Because I understand the logo. And I
38 know that was extra. But all this other stuff is like --

39 CHAIRMAN BAKKER: We already approved all this other stuff
40 and now we've just got to approve the change order. And I said

1 that clearly -- when they were here, I said, you guys do realize
2 they're going to come back and it's going to be a additional
3 cost.

4 COMMISSIONER WAITS: Yep.

5 CHAIRMAN BAKKER: And you all -- we all approved it.

6 COMMISSIONER WAITS: Yeah.

7 COMMISSIONER STIENMETZ: Right.

8 CHAIRMAN BAKKER: So now he's just back with the final
9 number that we already approved.

10 COMMISSIONER WAITS: No, I understand all that. I'm just
11 confused over where it comes from because of our architects. I
12 just --

13 CHAIRMAN BAKKER: Well, that's just frustrating in itself.

14 COMMISSIONER WAITS: Yeah.

15 DISTRICT ATTORNEY HERRERA: Yes.

16 COMMISSIONER WAITS: That's all. I -- I understand this
17 part.

18 CASEY GUNTHER: It's frustrating on my end --

19 COMMISSIONER WAITS: Okay.

20 CASEY GUNTHER: -- as well.

21 COMMISSIONER WAITS: Thank you.

22 CASEY GUNTHER: Right.

23 CHAIRMAN BAKKER: The color's the only thing that we
24 actually a- -- approved. The rest is from the architects.

25 CASEY GUNTHER: Correct.

26 CHAIRMAN BAKKER: But, like I said, we still have our final
27 payments that we are holding. So it'll be a little smoother
28 process than the courthouse.

29 CASEY GUNTHER: So based on however we go, if it does get
30 voted to be approved, I'm going to need one signed copy. And
31 that's only the front page of the copy that comes back. So...

32 CHAIRMAN BAKKER: Does the --

33 CASEY GUNTHER: I'll have to grab -- I -- I had seven
34 printed out. But only six -- I only brought six for some
35 reason.

36 CHAIRMAN BAKKER: So does it matter which one gets signed?

37 CASEY GUNTHER: It does not matter which one.

38 CHAIRMAN BAKKER: So they don't have one. The Clerk's
39 Office --

40 CASEY GUNTHER: They do not have one yet.

1 CHAIRMAN BAKKER: Okay. Is there an original?
2 DISTRICT ATTORNEY HERRERA: They're all original.
3 CHAIRMAN BAKKER: They're all original?
4 CASEY GUNTHER: They're all original.
5 CHAIRMAN BAKKER: Okay.
6 COMMISSIONER STIENMETZ: Well, I'll make a motion to
7 approve the Change Order #3 for CORE in an amount not to exceed
8 \$98,850 for a conformed drawing additional cost, remaining half
9 of the building increased cost, and per ASI #4 added accent
10 painting in the gymnasium.
11 CHAIRMAN BAKKER: And authorize the chair.
12 COMMISSIONER STIENMETZ: And authorize the chair to sign.
13 COMMISSIONER MILLS: I'll second.
14 CHAIRMAN BAKKER: Steve made a motion. Doug seconded.
15 Any public comment?
16 (No comment.)
17 CHAIRMAN BAKKER: All in favor?
18 COMMISSIONER STIENMETZ: Aye.
19 COMMISSIONER MILLS: Aye.
20 CHAIRMAN BAKKER: Aye.
21 COMMISSIONER WAITS: Aye.
22 COMMISSIONER CLARK: Aye.
23 CHAIRMAN BAKKER: Okay.
24 COMMISSIONER WAITS: Are you going to be here afterwards?
25 CASEY GUNTHER: I can be.
26 COMMISSIONER WAITS: Would you be, please?
27 CASEY GUNTHER: Sure.
28 COMMISSIONER WAITS: Thank you.
29
30

31 **CORRESPONDENCE**

32
33 **16) Correspondence, reports, upcoming agenda items.**

34
35 CHAIRMAN BAKKER: Correspondence, reports, upcoming agenda
36 items.

37
38 (The following correspondence was received:
39 1. Monthly reports to the Lander County Commissioners.
40 September 2016.

1 2. United States Department of the Interior, Bureau of
2 Land Management, Mount Lewis Field Office to Interested Parties,
3 letter received October 17, 2016, notice of availability for the
4 Final Environmental Impact Statement for the 3 Bars Ecosystem
5 and Landscape Restoration Project located in Eureka County.

6 3. United States Department of the Interior, Bureau of
7 Land Management, Battle Mountain District Office to Interested
8 Parties, received October 20, 2016, seeking public comment for
9 the proposed action for district-wide programming to improve
10 sagebrush ecosystem health and reduction of wildfire
11 susceptibility through mechanical and herbicide treatments and
12 preparation of an Environmental Assessment to analyze
13 environmental effects.

14 4. United States Department of the Interior, Bureau of
15 Land Management, Tonopah Field Office to Interested Parties,
16 received October 20, 2016, regarding Final Decision authorizing
17 eleven temporary water haul locations on the Stone Cabin
18 allotment.

19 5. State of Nevada, Department of Conservation and
20 Natural Resources, Division of Environmental Protection, Bureau
21 of Mining Regulation and Reclamation. Water Pollution Control
22 Permit for Newmont USA Limited in relation to the Trenton Canyon
23 Project, Permit Number NEV0095112.

24 6. State of Nevada, Department of Conservation and
25 Natural Resources, Division of Environmental Protection, Bureau
26 of Mining Regulation and Reclamation. Water Pollution Control
27 Permit for Au-Reka Gold Corporation in relation to the Cove
28 Helen Rapid Infiltration Basins, Permit Number NEV2010107.

29 7. State of Nevada, Department of Conservation and
30 Natural Resources, Division of Environmental Protection, Bureau
31 of Mining Regulation and Reclamation. Water Pollution Control
32 Permit for Baker Hughes Oilfield Operations, Inc., in relation
33 to Argenta Mine and Mill Project, Permit Number NEV0091045.)
34

35 COMMISSIONER CLARK: Forensic physical audit.

36 You know, and the more I think about that, I don't know how
37 you would do it, but I'm sure there are people that know how to.

38 CHAIRMAN BAKKER: They need that.

39 COMMISSIONER CLARK: We just need to hire them.

40 DISTRICT ATTORNEY HERRERA: You -- you mean for county

1 property?

2 COMMISSIONER CLARK: County property. All county property
3 so that we have an inventory list.

4 DISTRICT ATTORNEY HERRERA: So sheriff's office? The --
5 COMMISSIONER CLARK: Everything. The whole county.
6 DISTRICT ATTORNEY HERRERA: -- fire department?
7 Everything?

8 COMMISSIONER CLARK: May as well get an inventory list so
9 we know what we have so that if something's missing --

10 CHAIRMAN BAKKER: Can we get --

11 COMMISSIONER CLARK: -- we can make --

12 CHAIRMAN BAKKER: -- a cost of what that would cost first?

13 COMMISSIONER CLARK: Yeah.

14 COMMISSIONER MILLS: Yeah. Let's find out what --

15 COMMISSIONER CLARK: Yeah.

16 COMMISSIONER MILLS: -- that's going to cost.

17 CHAIRMAN BAKKER: Before we jump off that --

18 COMMISSIONER CLARK: Yeah.

19 CHAIRMAN BAKKER: -- cliff.

20 DISTRICT ATTORNEY HERRERA: Yeah.

21 COMMISSIONER MILLS: Yeah.

22 COMMISSIONER WAITS: You know, your offices do an inventory
23 every single year.

24 DISTRICT ATTORNEY HERRERA: Yeah. Your -- your office
25 does, but --

26 CHAIRMAN BAKKER: You want an independent --

27 DISTRICT ATTORNEY HERRERA: We -- we don't believe any --
28 the -- I think what -- what Commissioner Clark is saying that --
29 that the sheriff's department that inv- -- their inventory is
30 really owned by the county. The volunteer fire department, the
31 ambulances. There's a lot of inventory that belongs to the
32 county that's not on the county inventory list.

33 CHAIRMAN BAKKER: That volunteers are -- yeah.

34 DISTRICT ATTORNEY HERRERA: That -- that's what I believe
35 he's saying. Am -- am I wrong? Is -- is that what you --

36 COMMISSIONER CLARK: Yeah, you know, we -- we had a vehicle
37 that was confiscated because the driver was arrested. And there
38 were some generators in the back of the car that had Lan- --
39 property of Lander County stickers on them. And because we
40 couldn't identify that we owned them, they left with the guy

1 when he got out of jail, in his car.
2 That's disturbing to me.
3 DISTRICT ATTORNEY HERRERA: Because they weren't on
4 countywide inventory.
5 COMMISSIONER CLARK: Yeah.
6 COMMISSIONER WAITS: Well, if we put a sticker, doesn't
7 that have to coordinate with something --
8 DISTRICT ATTORNEY HERRERA: Not at this --
9 COMMISSIONER WAITS: -- somewhere?
10 COMMISSIONER CLARK: You --
11 DISTRICT ATTORNEY HERRERA: Yes.
12 COMMISSIONER CLARK: -- you would think so.
13 DISTRICT ATTORNEY HERRERA: You'd think.
14 COMMISSIONER WAITS: Okay.
15 KEITH WESTENGARD: That's what -- I -- I -- I didn't
16 realize that it didn't coincide with anything when we had
17 discussed this.
18 But that -- the number on that sticker is supposed to
19 coincide with an inventory from Road and Bridge, Water/Sewer,
20 whatever. So...
21 COMMISSIONER CLARK: Exactly.
22 CHAIRMAN BAKKER: Was this an ex-employee of the county or
23 an employee of the county?
24 KEITH WESTENGARD: Ex.
25 COMMISSIONER CLARK: It -- the car was associated to an
26 ex-employee --
27 KEITH WESTENGARD: Right.
28 COMMISSIONER CLARK: -- that moved out of state.
29 DISTRICT ATTORNEY HERRERA: And there was a search warrant
30 done on -- on his house. And there are some allegations and --
31 CHAIRMAN BAKKER: Okay.
32 DISTRICT ATTORNEY HERRERA: And -- and the -- the -- the
33 generators with -- with Lander County sticker on them did not
34 correspond to any inventory list.
35 So the inventory list needs to be updated.
36 CHAIRMAN BAKKER: Did he have friends in high places?
37 DISTRICT ATTORNEY HERRERA: Not anymore.
38 CHAIRMAN BAKKER: Okay.
39 Keith, I want a tour of the rec center for the
40 commissioners. I don't know if we have to agendize that or not,

1 but whatever we have to do.
2 KEITH WESTENGARD: When would you like that?
3 CHAIRMAN BAKKER: After the next meeting.
4 KEITH WESTENGARD: So do you have a date in mind? Or just
5 discuss a date.
6 CHAIRMAN BAKKER: No, no, no. After our next commission
7 meeting.
8 KEITH WESTENGARD: Oh, okay.
9 CHAIRMAN BAKKER: In December.
10 COMMISSIONER WAITS: Once again, if we don't deliberate, if
11 we just look --
12 CHAIRMAN BAKKER: Right. I --
13 COMMISSIONER WAITS: -- and --
14 CHAIRMAN BAKKER: -- don't think we have to --
15 COMMISSIONER WAITS: -- ooh and ah --
16 CHAIRMAN BAKKER: -- agendize it.
17 COMMISSIONER WAITS: -- and comment.
18 CHAIRMAN BAKKER: So then, Commissioners, just write that
19 down. Next commission meeting, afterwards we'll -- Casey will
20 be glad to give us a tour.
21 CASEY GUNTHER: Absolutely.
22 COMMISSIONER CLARK: And, Keith, I think it's already on
23 your board, but the update on the old courthouse.
24 KEITH WESTENGARD: They're supposed --
25 COMMISSIONER CLARK: Oh, yeah.
26 KEITH WESTENGARD: -- to come back in December, yes.
27 COMMISSIONER MILLS: Okay.
28 CHAIRMAN BAKKER: Are they doing work over there?
29 KEITH WESTENGARD: I don't think so.
30 COMMISSIONER CLARK: They're almost done -- they're almost
31 done with the xeriscape.
32 KEITH WESTENGARD: Uh-huh.
33 COMMISSIONER CLARK: They need another load over there.
34 And then it just needs to be raked out. And that's -- that's
35 looking good.
36 KEITH WESTENGARD: Right. And they're -- and they're fi-
37 -- I think they're just finishing up or have finished with their
38 historical -- historical society person that's doing -- doing
39 his --
40 CHAIRMAN BAKKER: So because --

1 KEITH WESTENGARD: -- work.
2 CHAIRMAN BAKKER: -- when I went over there -- we went over
3 there for the grand opening of the Kids Club, the back door was
4 unlocked and the lights were on inside.
5 So maybe get with Anna.
6 KEITH WESTENGARD: All right.
7 CHAIRMAN BAKKER: That's why I was wondering.
8 COMMISSIONER WAITS: How about the rental with Mr. Bullock?
9 Is that ready to come back to us?
10 DISTRICT ATTORNEY HERRERA: There --
11 KEITH WESTENGARD: Not quite yet.
12 DISTRICT ATTORNEY HERRERA: There are other issues with
13 that, Commissioner. It was pointed out by the prospective
14 renter that -- that a large part of that building is
15 uninhabitable. And if he takes the lease on one part, the
16 county would be -- not allowed to -- to lease these other parts
17 or even enter into them to fix them up.
18 So Keith is -- is researching whether or not we should fix it
19 up before we start leasing out pieces of it.
20 COMMISSIONER CLARK: Yeah. I think that's a good idea.
21 And I -- I forgot to mention that I got this correspondence
22 from Rural Nevada Domestic Wells Cooperative, Inc. If there's
23 anybody that wants to read this newsletter, I'll leave it.
24 CHAIRMAN BAKKER: Okay. Guys?
25 I think we're good.
26 Any public comment?
27 KEITH WESTENGARD: I did forget one thing on my update.
28 CHAIRMAN BAKKER: Oh.
29 KEITH WESTENGARD: I did forget one thing on my update. I
30 did receive a letter from the attorney general, Adam Laxlot.
31 CHAIRMAN BAKKER: Laxalt.
32 DISTRICT ATTORNEY HERRERA: Laxalt.
33 KEITH WESTENGARD: Laxalt. Sorry.
34 He just wanted to convey his appreciation for the day he was
35 here -- for the -- the tour -- to the commissioners and the county
36 for the hospitality.
37 CHAIRMAN BAKKER: Cool.
38 KEITH WESTENGARD: Thank you.
39
40

1 **PUBLIC COMMENT**

2
3 CHAIRMAN BAKKER: Public comment. Public comment for
4 non-agendized items only.

5 Persons are invited to submit comments in writing and/or
6 attend and make comments on any non-agenda item at the board
7 meeting, if any, and discussion of those comments at the
8 discretion of the board. All public comment may be limited to
9 three minutes per person, again at the discretion of the board.
10 Reasonable restrictions may be placed on public comment based
11 upon time, place, and manner, but public comment based upon
12 viewpoint may not be restricted.

13 Any public comment?

14 (No comment.)

15 CHAIRMAN BAKKER: Okay. With that...

16
17
18 **ADJOURNMENT**

19
20 COMMISSIONER MILLS: Motion to adjourn.

21 COMMISSIONER STIENMETZ: I'll second.

22 CHAIRMAN BAKKER: Doug made a motion. Steve seconded.
23 All in favor?

24 Aye.

25 COMMISSIONER STIENMETZ: Aye.

26 COMMISSIONER CLARK: Aye.

27 COMMISSIONER WAITS: Aye.

28 CHAIRMAN BAKKER: Thank you.
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**CHAIRMAN OR VICE CHAIRMAN OF THE
BOARD OF LANDER COUNTY
COMMISSIONERS AND THE LANDER
COUNTY LIQUOR BOARD**

ATTEST: 

LANDER COUNTY CLERK

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