

The Honorable Board of Lander County Commissioners met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada on February 28, 2013 at 9:00 a.m.

PRESENT: **DEAN BULLOCK, COMMISSIONER**
 STEVEN STIENMETZ, COMMISSIONER
 BRIAN GARNER, COMMISSIONER
 DAVID MASON, COMMISSIONER
 PATSY WAITS, COMMISSIONER
 SADIE SULLIVAN, CLERK
 NICOLE TING, DEPUTY DISTRICT ATTORNEY
 ROGENE HILL, FINANCE DIRECTOR
 SOVEIDA ROBINSON, HUMAN RESOURCES
 CATHY MYERS, DEPUTY CLERK

9:00 A.M.

Commissioner Bullock called the meeting to order.

Let the record reflect a quorum of five Commissioners.

Commissioner Stienmetz led the Pledge of Allegiance.

Let the record reflect the presence of Austin via telephone conference.

APPROVAL OF AGENDA NOTICE

The Notice of Posting was reviewed and found to be in order. Commissioner Stienmetz moved to approve the Notice of Posting as corrected.

Gina Little, Community Development Officer, stated she had been notified there is a typo on the APN on item #7.

Commissioner Bullock explained the number should be 011-060-01 instead of 011-060-011.

Commissioner Stienmetz amended his motion to include this correction. Seconded by Commissioner Waits.

Commissioner Waits stated she feels the Austin Courthouse needs to be put on the agenda as a place of posting.

The motion was voted and carried unanimously. **APPROVED**

APPROVAL & ACCEPTANCE OF MINUTES

FEBRUARY 14, 2013 – REGULAR SESSION

Commissioner Waits did have one correction and one addition on page 21 line #13. She thought it should state it was for the Division on Aging and she replaced Joni Eastley which is a Nye County Commissioner.

Commissioner Waits moved to approve the minutes of February 14, 2013 as corrected. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously.

APPROVED

COMMISSIONER REPORTS

Commissioner Mason reported on a meeting he arranged with Stewart Title Company and Summit Engineering, on February 14, 2013, regarding the lot line adjustments in Austin. This will be coming before the Board in the March 14th meeting. He also reported on his attendance of the Wild Fire meeting on February 19th, the Planning Commission meeting on February 13th, the Board of Equalization meeting on February 20th.

Commissioner Waits reported on her attendance of the Connect Nevada Meeting. They had two meetings, one in Battle Mountain on February 26th and one in Austin on February 27th. Austin has completed their portion of the assessment and Battle Mountain is in the process of their assessment. There will be some training classes available for people. If they did take the training class they could get a computer at a reduced rate. This would be for Senior Center, Libraries, and various associations.

Commissioner Mason also reported on the Newmont Breakfast on February 19th.

Commissioner Garner reported all is well with Convention and Tourism

Commissioner Stienmetz reported on his attendance of the Hospital Board meeting on February 14th.

PAYMENT OF THE BILLS

Jane Bianchi presented the Board with bills to be ratified.

WELLS FARGO REMITTANCE

Commissioner Garner moved to ratify check number 43513 in the amount of \$2,913.50 to Wells Fargo Remittance. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

FIRE EXTINGUISHER SERVICES

Commissioner Garner moved to ratify check number 43494 in the amount of \$165.00 to Fire Extinguisher Services. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

CHASE CARD SERVICES

Commissioner Garner moved to ratify check number 43655 in the amount of \$81.24 to Chase Card Services. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

CHEVRON & TEXACO UNIVERS.

Commissioner Garner moved to ratify check number 43490 in the amount of \$65.11 to Chevron and Texaco. Seconded by Commissioner Stienmetz the motion was voted and carried unanimously. **APPROVED**

BANK CARD SERVICES

Commissioner Garner moved to ratify check number 43488 in the amount of \$2,972.94 to Bank Card Services. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

Commissioner Garner moved to approve the submitted expenditures in the amount of \$282,171.75 from check #43541 thru check #43648. Seconded by Commissioner Stienmetz, the motion was voted and carried with Commissioner Waits abstaining from the vote on check #43645. **APPROVED**

PAYROLL CHANGE REQUEST

- 1) Employee Change Request for employee #1252, Transfer, Administrative Assistant, \$15.35 per hour, effective March 4, 2013

Commissioner Stienmetz moved to approve employee change request for employee #1252. Seconded by Commissioner Waits, the motion was voted and carried unanimously. **APPROVED**

PUBLIC COMMENT

No public comment.

FINANCE

- 1) **Discussion For Possible Action Regarding Budget Review, Contracts, Financial Update & Other Matters Properly Related Thereto:** Rogene Hill, Finance Director, updated the Board that all budget have been received and they did budget review. They also held their budget meeting with the departments last week and everything went well. The Budget Workshop will be March 13th at 8:00 a.m. **UPDATE**

ROAD & BRIDGE SOUTH

- 2) **Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge South Department & Other Matters Properly Related Thereto:** Burt Ramos, Road and Bridge South, reported they have been plowing a lot of snow. They got 31 inches in 24 hours. Other than that it is business as usual. **UPDATE**
- 3) **Discussion For Possible Action Regarding Renewal & Completion Of The Bureau Of Land Management (BLM) Right-Of-Way Grant/Temporary Use Permit N-091148 For Access Road Located At T21N, R43E, Section 5, Known As The Silver Creek Cut-Off & Other Matters Properly Related Thereto:** Burt Ramos, Road and Bridge South, explained the right-of-way way was filled out November 28, 1978. Anything before 1973 or 1974 was grandfathered in. Anything after that you have to get permits for. This is just a standard permit and will be for 30 years.

Ray Williams, via teleconference, explained these were roads that were built after 1976 and were permitted with the BLM. They were built by the property owners and/or accepted by the County and maintained by the County.

There was discussion about the serial numbers being replaced with other numbers on the permits.

Commissioner Mason moved to approve the renewal and completion of the Bureau of Land Management (BLM) Right-of-Way Grant/Temporary Use Permit N-091148 for the access road located at T21N, R43E, Section 5, known as the Silver Creek Cut-off.

Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

- 4) **Discussion For Possible Action Regarding Renewal & Completion Of The Bureau Of Land Management (BLM) Right-Of-Way Grant/Temporary Use Permit N-091060 For The Access Road Located At T18N, R40E, Section 16, In Smith Creek Valley & Other Matters Properly Related Thereto:** Burt Ramos, Road and Bridge South, stated this is the same situation as the previous item. This one was signed in 1985.

Commissioner Stienmetz moved to approve renewal and completion of the Bureau of Land Management (BLM) Right-of-Way Grant/Temporary Use Permit N-091060 for the access road located at T18N, R40E, Section 16, in Smith Creek Valley. Seconded by Commissioner Mason, the motion was voted and carried unanimously. **APPROVED**

ROAD & BRIDGE NORTH

- 5) **Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge North Department & Other Matters Properly Related Thereto:** Donnie Negro, Road and Bridge North, reported that business is as usual and they have been sweeping the roads. The Willow Creek project, which we are partnered up with Newmont, is coming along. They are screening material and Newmont has moved one of their big dozers in and started the work. It is not on schedule because of the snow. They have started patch work on the roads and weed spraying will start in the next week or so.

Commissioner Mason asked Mr. Negro to check on the road behind Etcheverry's. He said it is really bad. **UPDATE**

PUBLIC WORKS

- 6) **Discussion For Possible Action Regarding Operations & Projects For The Public Works Department & Other Matters Properly Related Thereto:** Jake Edgar, Public Works Foreman, reported they have drilled their first pilot hole for well #9 by the other wells and it didn't look so great. They have been tearing apart starters at the sewer plant. New starters have been ordered and are being rewired into the sewer boxes. There are a lot of water leaks because of old boxes and the bad winter. They have the big water leak on Fifth Street fixed. The Golf Course will be opening up March 1st and they will be trying to keep the carts off in the morning until the frost lifts. They will be holding off on the greens until they can get them brushed off and put water on them. They do have bathroom to fix and they have until June to finish the Alley Way Project. **UPDATE**

PLANNING COMMISSION

- 7) Discussion For Possible Action Regarding Approval/Disapproval Of A Zone Change Request By Jay Wintle, SE4 Of Section 24, T32N, R44E, Battle Mountain, APN 011-060-01, To Change 4.8 Acres To Commercial District (C-1) Zoning; 9.63 Acres To General Commercial District (C-2) Zoning; & 32.69 Acres To Remain As Singles Family Residential District (R-1) Manufactured Housing Overlay (M-O) Zoning & Other Matters Properly Related Thereto: Commissioner Mason said he attended the Planning Commission meeting where this was approved and met all the requirements.

Mr. Jay Wintle stated the property lies at the end of Chukkar Lane on one corner and on the north west corner is Kayci. He is asking for the zone change on the south east corner.

There was discussion on the streets that access these 47 acres.

Commissioner Waits moved for the Commission to uphold the recommendation of the Lander County Planning Commission and approve the zone change for Mr. Jay Wintle, SE4, Section 24, T32N, R44E, Battle Mountain, APN 011-060—01, to change 4.8 acres to Commercial District (C-1) zoning; 9.63 acres to General Commercial District (C-2) zoning; and 32.69 acres to remain as single family residential district. Seconded by Commissioner Mason.

Nolena Costellanos asked if the access roads will continue to be blocked off. Mr. Wintle answered by saying until it is developed they will remain blocked off.

The motion was voted and carried. **APPROVED**

COMMISSIONERS

- 8) Discussion For Possible Action Regarding Update By Shar Peterson Of Newmont Mining Corporation On the Status Of The Buffalo Valley Project Environmental Impact Statement (EIS) Scoping Period & Other Matters Properly Related Thereto: Shar Peterson along with Ron Clark, Newmont Mining Corporation, updated the Board on the Buffalo Valley Project. Ms. Peterson stated it is in the scoping phase of the NEPA process.

Ron Clark provided a brief overview. This is a Legacy site that was mined in the late '80s by Horizon Gold. There has been a fair bit of exploration conducted over the last couple of decades. There is enough resource to go back and reopen the mine. They would take the existing pit and make it larger. They will be heap leaching and there is a potential for

a higher grade component that would be transported to another Newmont Facility for milling. They would also do off sight gold recovery from carbon. There is an expected 9 year mine life. The project will be located within Lander and Humboldt County.

There was discussion on the condition of the road into this mine and it was stated that Newmont would maintain that road. There is a good lake projected at the end of the mine life. The ground water has been studied and tests as good quality water.

Ms. Peterson said there is still some time in the scoping period; she believes it is March 30th, to make a comment. It will then come back and go into the public scoping period next year. **UPDATE**

- 9) **Discussion For Possible Action Regarding The Benefits Broker Services Contract & The Possibility Of Allowing L/P Insurance Services The Opportunity To Participate & Submit Their Proposal For Insurance Brokerage & Consulting Services For Management Of The Lander County Employee Benefit Plans & Other Matters Properly Related Thereto:** Kevin Monahan and Tim Holland, of L/P Insurance Services, addressed the Board to request the opportunity to participate and submit their proposal for Insurance Brokerage and Consulting Service.

Mr. Monahan explained, when they were here last year, they were granted authorization to offer a competitive proposal. At their proposal they were informed of a contract that was in place between Lander County and the current representative. This prohibited the County from considering alternative services. It was their understanding the agreement did not allow for cancellation outside of 90 days prior to renewal.

Commissioner Waits asked what their standing is with their Company. Mr. Monahan explained they are employees of L/P Insurance based in Reno and they are Brokers. He said he would expect five to seven companies to release proposals.

Mr. Holland explained the main thing they need to discuss is the contract that is set to automatically renew. He explained this means that Broker would have access to everything and only that Broker. They are asking to open it up to competitive bids. Mr. Holland also explained last year they went out to market and received very positive results from other carriers. They were unable to go through with their presentation due to the contract.

Commissioner Waits asked how long the County has been with the current Broker. Soveida Robinson, Human Resources, answered by saying three years. The contract was first signed June 24, 2009 and expired June 30, 2012 with an automatic renewal of three

more years. Ms. Robinson said there was no disagreement between the two parties on this agreement.

It was stated by the Board and reflected in the minutes from the May 7, 2012 Commission meeting the contract was to only be approved for one more year. Commissioner Bullock stated if there was any other document signed the Board did not sign it.

Mr. Monahan and Mr. Holland provided a list of employers they represent in Nevada. He stated they do not see a necessity for a contract.

Commissioner Garner moved for the Commission to direct staff to write a letter cancelling the agreement between Lander County and the current Insurance Broker.

Angie Elquist, District Attorney, explained this could potentially have some legal ramifications. She would like to review this before they make any motions and the Board can defer this.

Commissioner Stienmetz asked if they could give L/P Insurance to provide quotes.

Mr. Holland explained they got a letter last year to provide quotes, but it didn't do them any good because of the automatic renewal of the contract. What they are asking for is a, respectfully, non-renewal of this contract and opening up to Broker Services. In addition to the contract they were not able to negotiate any numbers on the behalf of the County.

The Commission went in to closed session with Legal Counsel

John Carlson, Benefit Intelligence, stated an authorization was issued last year, and L/P Insurance was allowed to go out a solicit bids from all the competitors like he did. Both were allowed to present. Mr. Carlson said the reason the Commission selected Benefit Intelligence was because they had a lower rate. Benefit Intelligence has been working with the County on its insurance plan for the past three years. Mr. Carlson also stated Benefit Intelligence came in at 3% under current with Anthem while L/P Insurance came in at 7% above current last year. He did state, however, Etna came in better than Anthem, but the Commissioners elected to not change insurance carriers. Mr. Carlson explained the reason for the contract is to provide protection to the County and to avoid coming before the Board every year to allow Brokers to compete.

Kevin Monahan, responded to Mr. Carlson's remarks and stated the agreement between Lander County and Mr. Carlson locked L/P Insurance out of consideration as

the broker and for any further negotiation on behalf of the County. Mr. Monahan explained, even though they were allowed to present their proposal, they were told the County was not able to consider any alternatives in Brokers. This was due to the agreement between Lander County and Benefit Intelligence.

Sadie Sullivan, Clerk, felt it was good to have the Brokers compete because Benefit Intelligence had to negotiate for better rates for County employees. She felt the County would still be paying the same as the previous year had this not occurred.

Commissioner Garner stated, for the benefit of Commissioner Waits, there was one company that was \$170,000.00 less.

Commissioner Mason explained the Board needs a few weeks for legal to review contracts or non-contracts existing at this time. Then come back before the Board to explain what the County's position is.

Commissioner Mason moved to defer. Seconded by Commissioner Garner.

John Carlson, Benefit Intelligence, said even if there wasn't a contract their rates were still better. He feels they have done a good job, and they market every year.

Kevin Monahan thanked the Board for listening to them. He had a copy of the agreement between Lander County and Benefit Intelligence and said it states that 90 day prior notice needs to be given by Lander County if they wish to exit the contract. He encouraged having this addressed by the next Commission meeting, otherwise the exiting of the contract could be effectively blocked by the language.

The motion was voted and carried. **DEFERRED**

- 10) Discussion For Possible Action Regarding Approval/Disapproval Of The Standard Agreement For Consulting Services Between Lander County & Summit Engineering Corporation, In An Amount Not To Exceed \$49,000.00, For The Lander County Minor Road Mapping Project & Production Of The Official County Road Map Per The Proposal Approved By The Board Of Lander County Commissioners At Their Regular Meeting Of February 14, 2013, & Other Matters Properly Related Thereto: Jim McGuire, Summit Engineering, addressed the Board.

Commissioner Bullock asked Angie Elquist, District Attorney, if legal had reviewed this contract and if everything was ok with it.

Angie Elquist, District Attorney, replied they had looked at it and it is good and they are on board.

This contract is for south of Highway 50.

Commissioner Garner moved for the Board to approve the Standard Agreement for Consulting Services between Lander County and Summit Engineering Corp. in an amount not to exceed \$49,000.00, for the Lander County Road Mapping Project and the production of the official County Road Map per the proposal approved by the Board of Lander County Commissioners at their regular meeting last February 14, 2013. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously.

APPROVED

11) Discussion For Possible Action Regarding Approval/Disapproval Of Proposal From Summit Engineering For The Lander County Minor Road Mapping Project – Task 2, In An Amount Not To Exceed \$275,000.00, & Other matters Properly Related Thereto:

Jim McGuire, Summit Engineering, explained this proposal covers the rest of the County.

Commissioner Bullock stated his issue with this proposal was in the previous meeting of February 14, 2013, Summit said they needed to do the south portion of the mapping to have an idea on the cost of the north portion. Commissioner Bullock asked how they could come up with a cost from the end of the last meeting to four hours later.

Mr. McGuire explained that was their initial approach. It was his understanding, in order to keep the project going, money needed to be allocated for the next fiscal year.

Commissioner Bullock explained money can be set aside for this in the budget, but he doesn't feel it is necessary to go into an agreement on figures they don't know to be accurate.

Mr. McGuire explained this was a just a proposal to allocate funds and not a contract.

Tom Gallagher, Summit Engineering, said they are not asking to be in an agreement. They were asked to come up with their best guess on a budget number that would need to be allocated.

Commissioner Bullock said this needs to be discussed in the Budget Workshop, on March 13, 2013, not in this meeting.

There was discussion on the cost being \$150 per mile for mapping and the completion of the map. The mapping will be done by GPS.

Commissioner Garner moved to defer. He would like to see what they are getting.

Mr. Gallagher and Mr. McGuire explained this proposal would not have, originally, come before the Board for a couple of months. They were requested to come up with some budgetary numbers.

Angie Elquist, District Attorney, asked for clarification that the \$49,000.00 contract was just to get started and Summit is doing just a County road map that has nothing to do with the RS2477 roads. Mr. Gallagher and Mr. McGuire stated she was correct.

Commissioner Garner restated his motion to defer. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **DEFERRED**

- 12) Discussion For Possible Action Regarding Approval Of A Location For Memorial Bench At Elquist Park To Honor Victims Of Domestic Violence & Other Matters Properly Related Thereto:** Angie Gonzalez, Vice-President of Domestic Violence, asked the Board if they could put a bench in at Elquist Park. They will cover everything, but they need to know where they could put it if the Board approved the request. Ms. Gonzalez explained this bench would be in memory of victims of domestic violence.

Commissioner Garner moved for the Commission to approve the placement of a Memorial Bench at Elquist Park to honor victims of domestic violence and direct the Domestic Violence Vice President, Angie Gonzalez, to Jake Edgar, Parks Department to select a location. Seconded by Commissioner Waits, the motion was voted and carried unanimously. **APPROVED**

- 13) Discussion For Possible Action Regarding Selection Of A Committee To Evaluate & Select Interviewees For The Lander County Engineer Position & Other Matters Properly Related Thereto:** Commissioner Stienmetz said he would like to be on the Committee. It was suggested the Committee also include Donnie Negro, Burt Ramos, Jake Edgar, and Commissioner Garner.

Commissioner Garner also suggested asking some of our local Contractors to participate on the Committee.

Commissioner Garner moved for Steve Stienmetz Chair the Committee on the selection of the County Engineer position; to include himself (Commissioner Garner), Jake Edgar, Donnie Negro, a possible contractor, and Burt Ramos north. Seconded by Commissioner Waits, the motion was voted and carried unanimously. **APPROVED**

14) Discussion For Possible Action Regarding Status Of & Action Items To Be Considered For The Austin Loneliest Highway Visitors Center Project & Other Matters Properly Related Thereto: Angie Elquist, District Attorney, stated there was nothing to report at this time.

Commissioner Garner moved to defer item #14 on the Austin Loneliest Highway Visitor's Center Project. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **DEFERRED**

COURTHOUSE/ADMINISTRATION BUILDING PROJECT

15) Discussion For Possible Action Regarding Possible Re-Award Of Architectural/Engineering Services For The Lander County Courthouse/Administration Building Project; Authorization For The Chairman Or Vice-Chairman To Sign A Letter Of Intent; & Other Matters Properly Related Thereto: Max Bunch, on behalf of the Building Committee, explained the Building Committee had discussed the negotiations with Collaborative Design. It is the recommendation of the Committee to choose a different architect firm. Mr. Bunch notified the current Architect, Collaborative Design, about the decision. Collaborative Design sent a new proposal, and after discussing the new proposal with the Building Committee it was still decided to go with a different Architect Company. Mr. Bunch then notified Collaborative Design to stop all work. In the opinion of the Building Committee, they could not come to an agreement in negotiations.

Mr. Bunch also explained the County does not have a contract with Collaborative Design, only a letter of intent. The letter was signed by the Vice Chairman on January 24, 2012 notifying them they were the firm selected and they would attempt to get into negotiations. Mr. Bunch explained Collaborative Design has done some space planning and they had negotiations in February. He also explained the Building Committee was only going to do a percentage or a certain dollar amount on a \$17.5 million construction budget.

Todd Lankenau, Collaborative Design Studio, along Peter Grove addressed the Board. Mr. Lankenau stated he wanted to clarify a statement made in an email he sent to Mr. Bunch stating the completion date would be July 2014. This was the original date in the RFQ. In conversations it was stated the completion date could be pushed back to December of 2014. Collaborative Design has been putting together, what they call, a Project Program. This defines every person in our facility, about the offices, and the space.

Mr. Lankenu informed the Board he had come down on his fee to the maximum; he eliminated the conditions Mr. Bunch had concerns about, and he altered the proposal to reflect travel time, copies, or other reimbursable expenses are included. His hope is the Board does not forth with the recommendation of the Building Committee and/or to allow him and Mr. Bunch another week or two to finalize any differences.

Peter Grove, equal partner of Todd Lankenu in Collaborative Design Studio, stated this is a first for them to not be able to come to an agreement on a fee. He feels the potential of losing this contract is based on a minor misunderstanding regarding the last fee that was presented to the Building Department. He believes it is due to the fee schedule if additional services where needed. Mr. Grove also requested the Board defer action and give them the opportunity to try to clear any misunderstandings.

Todd Lankenau asked the Committee, at one point, to consider compensation for the preparation of the programing document. This is normally provided by the owner to the Architect as the criteria by which they should follow. The compensation for this document was in the amount of \$40,000.00. The Committee felt this was not something Collaborative Design needed to be paid for. The original proposed fee was \$1,850,000.00. Mr. Bunch had explained to Mr. Lankenau the maximum amount they were willing to pay was \$1.4 million.

There was discussion on how the percentage of the architectural fee is calculated and why this project was bid at 11%.

Max Bunch clarified, for the record, the error in Mr. Lankenau's email and what he verbalized was the completion date being pushed to December 2014 and this is not correct. The date talked about was the end of October first part of November 2014. The date the first proposal was received by Mr. Bunch from Collaborative Design on February 6, 2013. He reviewed this proposal with the Board and the additional costs that would be involved. Mr. Bunch also explained he was approached by Sadie Sullivan, Ander County Clerk, regarding space planning provided by Jim and Todd from Collaborative Design. Ms. Sullivan had expressed to Mr. Bunch there were some bad figures in this document. The discrepancies where pointed out to Todd and Jim that said the Treasurer's Office currently has nine employees and would go to eleven in the future. The Justice Court was said to have eight employees and in the future would go to ten. Mr. Bunch was told it was a working draft, but in their Leave Behind, after their presentation, they were closer with those figures then they were after talking to Elected Officials and Department Heads. Mr. Bunch stated, during negotiations, Mr. Lankenau stated that we a remote.

Max Bunch explained and reviewed the negotiations between him and Mr. Lankenau. He called an emergency meeting with Building Committee and upon explaining the situation of the negotiations the Committee felt the County would be paying an extra \$42,600.00. The Building Committee decided they did not want to exceed the total budget of 8%. Mr. Lankenau was notified, that day, of the Building Committee's decision to make a recommendation to the Commissioners to go with the next Architectural Firm in line from the bid. Mr. Bunch also feels Collaborative Design has not listened to what has been requested for the new Courthouse/administration Building.

Commissioner Mason stated the Building Committee is the key to the success of this building. He explained we have a floor plan, and although it is not the official floor plan it is a starting point which represents all department heads.

Commissioner Garner moved for the re-award of Architectural Engineering Services for the Courthouse/Administration building to VanWoertBigotti from current Collaborative Design Studio and authorizes the Chairman or Vice-Chairman to sign. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

16) Discussion For Possible Action Regarding Status Of The Lander County Courthouse/Administration Building Project & Other Matters Properly Related Thereto:

Max Bunch provided an update to the Board on the survey and geotechnical information. Lumos Engineering indicated to Mr. Bunch that on February 21, 2013 the site had been flown and the ground work was done on February 25th and 26th. A mapping should be back early the following week and all the information should be combined into a base map with a final and deliverable by the end of the following week.

Pezonella informed Mr. Bunch, as of February 26, 2013, they have completed the subsurface exploration. This includes 15 tests boring and one seismic study. The samples have been returned to Pezonella and have been reviewed by their staff engineer. Laboratory testing of selected samples are underway and should be completed in two weeks.

Mr. Bunch informed both companies they are to hold off on releasing any of the information until they hear back from him. He explained to them there were some issues and Lander County is paying for these tests so the information is Lander County's information.

Mr. Bunch explained they need to get access to the previous executive Director's laptop. Mr. Bunch has been in contact with him and was informed the Architectural Contract is on that computer.

Soveida Robinson, Human Resources, said the laptop is in her office.

Commissioner Garner asked Ms. Robinson to get the laptop back to Lura Duvall, Assessor, so the information Mr. Bunch needs can be obtained. **UPDATE & DISCUSSION ONLY**

COMMISSIONERS

- 17) Discussion For Possible Action Regarding Information To Be Provided By The Battle Mountain Fire Department On The Wild Land Fire Cost Sharing With The Bureau Of Land Management (BLM) & The Nevada Division Of Forestry (NDF) & Other Matters Properly Related Thereto: Michael Klug, Northern Region Forester for Nevada Division of Forestry introduced other representatives of the Nevada Division of Forestry. They meet with Commissioner Bullock, Commissioner Mason, and some of the members of the Volunteer Fire Department. They outlined a Wild Land Participatory Program they have been developing.

Rich Harvey, Deputy State Forester for the Nevada Division Forestry and developer of this program, addressed the Board to inform them on their Wild Land Fire Protection Program. This is a new program and is going through the Legislation. He explained this is a participatory program. There is some value to this program when you look at wild land fire in Nevada. It is a wide scale problem and it is very costly. This program looks at preventing fires, doing fuels treatment, suppressing fires more aggressively and with better results and the restoration aspects after a fire. They felt the first element of participation is the cost issue. The State of Nevada will pick up the wildlife suppression costs for participating Counties to jurisdictions. All the normal day to day expenses would be covered under this Participatory Agreement. Deciding on the cost to participate was based on various risks. They are trying to get all 17 Counties to participate in this program to create a large insurance pool. They would also include the need of assistance that would threaten life or property. One of things they will do with the money that comes in for those who want to participate is to hire staff within the Division of Forestry that will be available to work this multi-faceted Wild Land Program year round.

Commissioner Mason explained the fire Chief had received a bill of a fire cost attached to it that no one was aware of. For this reason Commissioner Mason and Commissioner Bullock attended the meeting with the Nevada Division of Forestry on February 19, 2013.

Commissioner Waits asked if there would be any other cost once the premium is paid and if they are self-insured or if they are buying an actual policy with a catastrophic clause from a company.

Mr. Harvey explained there is no deductible and they are not buying a policy. He also explained they are sharing a risk so they are not really self-insured either. The Nevada Division of Forestry has access to, through the Nevada Legislature, what is called the Emergency Response Account. Through this agreement they are allowing participating jurisdictions to have access to the Emergency Response Account. There will not be an additional charge beyond the participatory fee.

Commissioner Garner asked if there is a big fire year and they are in Elko County need Lander County needs assistance, if it is on a first come first serve basis.

Mr. Harvey explained they will order the closes forces first and any other resources needed to fight any fire. No County had a higher priority the any other. The annual premium for Lander County would be \$150,000.00 and is based on the fire history in Lander County. They will meet with all the participating Counties every year to evaluate how the program is working. Mr. Harvey also stated, on the operational standpoint, nothing will change. When the bill comes in the National Fire District will take care of it. With some of the money that comes in from the participating Counties, they would like to hire more firefighters and another pilot for their helicopters.

Bart Negro explained that BLM is going to start making Lander County pay for their cost share. He also stated that one air drop from a heavy air tanker is \$100,000.00. With two of them on a big fire it has paid for your premium.

This program wouldn't be in effect until July 1, 2013. It is also in the recommended budget of the Governor.

The Division of Forestry is looking for the intention of the Board to enter into an Interlocal Agreement with a scope of work when it has been approved by the Legislature. Humboldt County well be participating in this program. A copy of the draft agreement was provided to the District Attorney to review. The agreement can be signed before July 1, 2013 it just won't be in effect until then.

Commissioner Bullock asked the BLM if their agreement was ready. It was stated the agreement had been given to Bart Negro.

Bart Negro explained they will be having a meeting the following week to go over the agreement and see if there needs to be any corrections or changes. **DISCUSSION ONLY**

18) Correspondence/Reports/Potential Upcoming Agenda Items:

1. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE, to Lander County Commissioners, e-mail announcing that the Senate Western Caucus breakfast meeting will not be held this year.
2. DAVID OVERCAST, BUREAU OF LAND MANAGEMENT, to Permittees/Interested parties, letter regarding management and Mitigation for Drought Impacted Rangeland Environmental Assessment (EA)
3. W. TODD SUESSMITH, JR., NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, to Eric Daniels, Newmont Mining Corporation, letter regarding Bond Determination – McCoy/Cove Mine Reclamation Cost Update dated January 7, 2013 (BMRR Reclamation Permit #0147, BLM Case No. N-067086).
4. SYDNIE E. PLATT – SCHLACHTA, NEVADA DEPARTMENT OF TRANSPORTATION, to Lander County Commissioners, e-mail regarding amended language for Assembly Bill 18.
5. CHRISTINE SMITH, EUREKA, NEVADA, to Lander County Board of Commissioners, letter regarding sale of type 6 wildland fire engine.
6. CHRISTOPHER J. COOK, BUREAU OF LAND MANAGEMENT, to Interested Parties, letter regarding effort by the Bureau of Land management to reduce hazardous fuel loadings and create a defensible buffer from catastrophic wildfire in and around Battle Mountain, Nevada.
7. SYDNIE E. PLATT – SCHLACHTA, NEVADA DEPARTMENT OF TRANSPORTATION, to Lander County Commissioners, e-mail regarding legislative hearing for Assembly Bill 18.
8. TIMOTHY J. COWARD, BUREAU OF LAND MANAGEMENT, to Interested Public, letter regarding Environmental Assessment (EA) for the Cove-Helen Underground Mine Project.
9. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE, to Lander County Commissioners, e-mail regarding the Bureau of Land Management's National Wild Horse and Burro Advisory Board public meeting schedules March 4 & 5, 2013 in Oklahoma City, Oklahoma.

Lander County Board of Commissioners

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10. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE, to Lander County Commissioners, e-mail summarizing Western Counties Alliance 2012 activities and accomplishments.
11. GENE SEIDLITZ, BUREAU OF LAND MANAGEMENT, to Interested Party, Letter regarding Winnemucca District Drought Response Plan and Preliminary Environmental assessment (EA).
12. JEFF FONTAINE, NEVADA ASSOCIATION OF COUNTIES (NACO), to Lander County Commissioners, e-mail regarding proposed organizational structure for Cooperative Extension and the University of Reno (UNR) College of Agriculture, Biotechnology and Natural Resources.
13. STEVE BRADHURST, CENTRAL NEVADA REGIONAL WATER AUTHORITY (CNRWA), to Lander County Commissioners, e-mail regarding CNRWA meeting scheduled for March 15, 2013 in Carson City and list of CNRWA's Board of Directors.
14. CHERIE JAMASON, FOOD BANK OF NORTHERN NEVADA, to Commissioner Dean Bullock, letter regarding Annual Stewardship report summarizing the Food Bank of Northern Nevada's activities and progress for 2012.

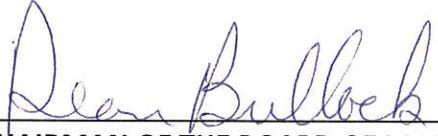
Commissioner Waits commented on correspondence #5 regarding a wildland fire engine for sale. She asked if this was something that should be passed on to the fire departments of Austin and Kingston for consideration.

PUBLIC COMMENT

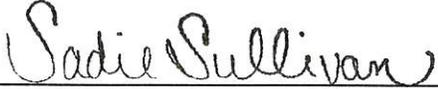
No Public Comment.

ADJOURNMENT

There being no further business before the Board at this time, Commissioner Garner moved to adjourn the meeting of February 28, 2013. Seconded by Commissioner Stienmetz the motion was voted and carried unanimously. **ADJOURNED**



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.

Lander County Board of Commissioners

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