

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 February 11, 2016, at 8:59 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 **NAN ANCHO, FINANCE DIRECTOR**
16 **BECKY JOHNSON, HUMAN RESOURCES DIRECTOR**
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 CHAIRMAN BAKKER: -- Lander County commissioner meeting to
23 order, Town Board of Battle Mountain, and Austin Board of County
24 Highway Commissioners, February 11th, 2016.

25 Let the record reflect Austin is on the phone.

26 Patsy, will you lead us in the pledge.

27 COMMISSIONER WAITS: Thank you.
28

29 (Pledge of Allegiance)
30

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

33 (Moment of silence)
34

35 CHAIRMAN BAKKER: Okay. Lander County commissioners will
36 break for lunch from 12:00 p.m. to 1:00 p.m.
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1 **COMMISSIONER REPORTS**

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3 CHAIRMAN BAKKER: Commissioner reports on meetings,
4 conferences, and seminars attended.

5 Steve?

6 COMMISSIONER STIENMETZ: I had LEPC on the 9th. And we
7 discussed -- or we approved adding the necessary changes to our
8 emergency response plan and submitting it.

9 We ordered the material that -- for all the trailers so
10 that we had them all exactly the same and locks so that they
11 were combination lock so that everybody would know how to get
12 into each trailer without having to hunt down a key if we had to
13 take them out.

14 CHAIRMAN BAKKER: Cool.

15 COMMISSIONER STIENMETZ: And that's all I've got.

16 CHAIRMAN BAKKER: Good deal. Patsy.

17 COMMISSIONER WAITS: Thank you. On February 3rd, I did
18 attend the LEDA meeting. It was a UNR seminar of the branding
19 survey of Austin and Kingston.

20 And on February 8th, we had the Austin Airport Advisory
21 Board. And our meeting on that was -- was at the airport.
22 Everything's all in order at the airport. We have new brakes
23 and everything's looking good.

24 We were excited about finally going out to bid for our av
25 fuel. And J-U-B Engineers tells us that that will be yet this
26 month that we will be advertising. So we're looking forward
27 that.

28 And also the conference that's coming up in Boulder City
29 that's put on by the Nevada Airport Association. And that's on
30 the agenda for changing our -- our meeting date, of course, so
31 that some of us can attend.

32 And on the NACO information, I wanted you all to know, just a
33 reminder, that they are still doing the different workshops for
34 education for us.

35 And the next workshop will be on March 9th in Carson City
36 at 10:00 o'clock. And that one is on understanding county
37 finances. And they will be covering the restrictions and the
38 requirements of -- of our county responsibilities. So if
39 there's any staff members or any of our commissioners that would
40 like to attend, it will be an excellent one. They always are.

1 Thank you.

2 DISTRICT ATTORNEY HERRERA: Patsy, --

3 COMMISSIONER WAITS: Yeah.

4 DISTRICT ATTORNEY HERRERA: -- on that, I was talking on
5 that with Sean that perhaps we can set up a teleconference here
6 for people that don't want to drive all the way to Carson City.

7 I think it would be a great -- a great seminar for county
8 commissioners.

9 COMMISSIONER WAITS: They will be able to do that too.
10 Yes.

11 DISTRICT ATTORNEY HERRERA: Yes. All we have to do is
12 notify and they can set that up.

13 COMMISSIONER WAITS: Yes. Thank you.

14 CHAIRMAN BAKKER: Perfect.

15 Doug?

16 COMMISSIONER MILLS: Okay. We've had a couple of hospital
17 board meetings. Probably first thing and most important is on
18 our CEO. We -- a gentleman we were trying to get to be our CEO
19 made a counteroffer to our offer that was pretty spendy. So
20 that -- that negotiation broke down. And we're not going to be
21 getting him.

22 So we're going to make an offer to Peggy Lindsey who was
23 our second choice for CEO. So we should be hearing from that --
24 about that pretty soon, whether or not she accepts that
25 position.

26 We did have, at our last meeting, we had some discussions
27 about a couple of board members made a proposal to not finish
28 building the clinic, phase two of our construction project. So
29 we had some discussion about that. And -- and finally came to
30 the conclusion that we would continue to build the clinic and
31 follow through with that project and finish that up.

32 And then, on the hospital side of -- of the facility there,
33 our Medicare/Medicaid billing is done through an outside company
34 called Resolution. And we decided to end that contract with them
35 and bring that billing in-house so that we can -- Resolution was
36 charging us 10 percent of the -- of the bill for their fee. And
37 we decided that we could retain that for ourselves. And it
38 actually works out to where we're going to be making more money by
39 billing it ourselves than having an outside company do that for
40 us.

1 Another thing, when Keith and I had a conference call with
2 Chelsea from the Corps of Engineers about the levee, they've got
3 some more studies they need to do. Some of the results of those
4 won't be done until the end of the year. And at -- I asked them
5 if we'd be able to build the levee in 2017. And they said, no, it
6 wouldn't be until 2018. So that is what it is, I guess.

7 And that's all I've got.

8 CHAIRMAN BAKKER: Thanks, Doug. Art?

9 COMMISSIONER CLARK: Since the last time we met, I went to
10 a SULAC meeting. That's the state use land advisory council. A
11 summary on -- on water and the discussions that we had about
12 water would be -- be cautious with your development. That's
13 what's coming out of this -- this committee. I'm headed down to
14 Pahrump next week to go to a Nye County commissioners' meeting
15 because the people in Pahrump are concerned that they're running
16 out of water because of unrestricted development. So I'll have
17 more to report on that.

18 The drought forum recommendations came forward during this
19 meeting. And basically what the recommendations would do is
20 give the state water engineer unlimited powers, especially if
21 the state engineer decided that there was a water emergency
22 somewhere. And the fear is that the state engineer would okay
23 water basin transfers, which we all know would take water from
24 one basin to another or rights from one basin to another for
25 development.

26 Okay, also, during the SULAC meeting, we talked about
27 American Land Councils and Nevada Land Councils. The Nevada
28 Land is a new organization similar to the American Lands but the
29 Nevada is specifically targeting education to make sportsmen
30 aware of what the restrictions will do if they're put in full
31 force and effect to your access on federal lands.

32 Another thing that came up during the land council, was the
33 Bloomberg initiative that will be on the ballot. And we all
34 know Bloomberg is infamous for his antigun agenda. The
35 Bloomberg people couldn't get it through the state legislature
36 to get a ballot initiative. So what they did is they took
37 clipboards around -- and this is what was reported, that one
38 clipboard was for recreational marijuana, the other clipboard
39 was for medical marijuana, is what the Bloomberg people were
40 telling those that signed when all -- all the time it was

1 intended to get the background checks issue on the ballot. Now
2 the background checks sounds good, but we have backgrounds
3 checks now.

4 What this new law would do would make it illegal for you to
5 hand your gun to a friend at the range so that they could shoot
6 it. If you're out hunting and your friend fell and you wanted
7 to let them use your rifle because your rifle's messed up, first
8 time it's a misdemeanor; second time it's a federal felony. So
9 in this legislation are hidden rules, but of course, we would
10 never enforce those. Why have them? was the cry.

11 Had planning commission meeting last night. And there was a
12 lot of discussion about septic and how this whole septic issue is
13 addressed. I think we'll get some more information today and be
14 better informed on that issue.

15 That's what I have.

16 Oh, if anybody wants a -- I also have a bill sponsored by
17 Mark Amodei. And it's a land transfer bill, if anybody down there
18 would like a copy of it; I have that. I handed it out to the
19 commissioners.

20 CHAIRMAN BAKKER: Okay. Thanks, Art.

21 We had a bid opening on the rec center. CORE's actually in
22 Reno right now going through everything and seeing -- pretty much
23 putting together their team of subcontractors that will work on
24 it.

25 Attended the hospital board meeting for a bit.

26 We had a district court meeting with the other two
27 counties. Ted was there. Nan. It was very interesting.
28 Not -- I don't think we really hashed out anything. But we'll
29 work through it through budget.

30 We had a golf club meeting to show them the plans we were
31 doing out at the golf course, which turned out all right.

32 Went to Austin for a chamber board meeting. It was very
33 insightful. And I think at least once a year all the
34 commissioners should attend eventually. But there was some -- a
35 handful of things that need -- we need to work on. And Keith's
36 working on them now, property lines and everything else. So go
37 from there.

38 That's all I have.

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1 **STAFF REPORTS**
2

3 CHAIRMAN BAKKER: Staff reports on meetings, conferences,
4 and seminars attended.

5 KEITH WESTENGARD: Morning.

6 We had a -- Nan and I had a meeting with the State regarding
7 our community health nurse contract. They -- they presented us
8 with a draft contract that the DA has, has been looking -- he will
9 look over. They would like to have a more open relationship with
10 the county, which we thought was a good thing. So there'll be
11 more on that in the future.

12 Commissioner Mills already covered the levee. It's pretty
13 disappointing where the levee's going and how long it keeps being
14 drug out. But we do continue to work to try to get that done. I
15 had a follow-up call with Jeff Eisenberg after our conference
16 call. And we're going have another one with him next week to
17 discuss the railroad and some of his -- some of the issues he's
18 running into. So I'll let you know a little bit more on that as
19 well.

20 I received an e-mail from Martin Paris. He's no longer
21 with Synergy. He's now in Congressman Amodei's office. So he
22 wanted to thank us for -- for allowing him to be part of the --
23 the county. And he hopes to continue to work with us in the
24 future.

25 Continue to work with Rex on FEMA grants. We're focusing in
26 on -- other than the levee, we're looking at some areas in the
27 southern part of the county in Kingston and Austin.

28 Commissioner Stienmetz covered the trailers -- the LEPC
29 trailers. We did have them all marked. They're all marked now.
30 And they are up to the ANSI standards, the highway standards. So
31 we're good there.

32 I did attend the hospital board meeting to advise the
33 hospital board of the EMS contract. And they'll be approaching
34 the commission with some thought.

35 The fuel system at the airport's coming close to
36 completion. We've run into some issues with the contaminate or
37 the fuel, if it's currently in the system. We actually have a
38 meeting with -- with them out at the airport today over that,
39 trying to get that straightened out. But it is close.

40 We're running into some issues with the FBO. The

1 advertisement of the FBO, we've had several interested parties,
2 and they've all fallen through. The current FBO's extension
3 is -- is up next month. We're -- we're going to run into some
4 problems. And if we can't get anybody, it's -- we're going to
5 have to discuss or you're going to have to discuss what we want
6 to do and the direction to go with the FBO at the Battle
7 Mountain Airport.

8 We did receive golf course proposals. It was out for
9 proposal to either run the clubhouse or the golf course or make
10 it all inclusive. We have those. They're being reviewed. And
11 we'll have additional information on those as well.

12 I also attended the planning meeting last night. That was
13 a good discussion about the septic tanks. Like Commissioner
14 Clark said, we'll get into that a little more.

15 And I continue to meet with the DA on a regular basis to
16 talk about contracts and so forth. Appreciate that.

17 Thank you.

18 CHAIRMAN BAKKER: Thanks, Keith.

19 Ted? Got anything?

20 DISTRICT ATTORNEY HERRERA: Well, on the 19th, I'm meeting
21 with an attorney in -- in Reno along with the Pershing County
22 district attorney in reference to the 1995 contract we had with
23 the Sixth Judicial District Court and see if we can get any of
24 our equitable interest back from Leighton Hall where we've --
25 we've -- over the last 25 years, we've sunk \$200,000 a year and
26 haven't really received any -- any benefit for it. So -- so
27 I'll get back to the commission as soon as I have that meeting
28 and see where we can go from there.

29 CHAIRMAN BAKKER: Perfect. Thank you.

30 Okay.

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33 **PUBLIC COMMENT**

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35 CHAIRMAN BAKKER: Public comment for non-agendized items
36 only. Persons are invited to submit comments in writing and/or
37 attend and make comments on any non-agenda item at the board
38 meeting, if any. And discussion of those comments at the
39 discretion of the board. All public comment may be limited to
40 three minutes per person, again, at the discretion of the board.

1 Reasonable restrictions may be placed on public comment based
2 upon time, place, and manner. But public comment based upon
3 viewpoint may not be restricted.

4 Any public comment?

5 (No comment.)
6
7

8 CONSENT AGENDA

9

10 CHAIRMAN BAKKER: Okay. Consent agenda.

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

19 Anybody want anything pulled?

20 COMMISSIONER WAITS: Yes. I would like to pull out the
21 January 14th minutes and the January 28th minutes.

22 CHAIRMAN BAKKER: Okay.

23 COMMISSIONER WAITS: The January 28th, we haven't been able
24 to -- to look at yet. And the January 14th, I have a
25 correction or amendment.

26 CHAIRMAN BAKKER: Okay.

27 Can I get a motion?

28 COMMISSIONER WAITS: I'll make a motion that we approve the
29 consent agenda, including the approval of agenda notice,
30 February 11, 2016; the payment of bills, and payroll change
31 request.

32 COMMISSIONER STIENMETZ: I will second the motion.

33 CHAIRMAN BAKKER: Motion's made and seconded.

34 Any public comment?

35 (No comment.)

36 CHAIRMAN BAKKER: All in favor?

37 COMMISSIONER MILLS: Aye.

38 COMMISSIONER STIENMETZ: Aye.

39 COMMISSIONER WAITS: Aye.

40 COMMISSIONER CLARK: Aye.

1 CHAIRMAN BAKKER: Okay.
2 I have everyone said aye or --
3 Okay. Approval of January 14th, 2016, minutes.
4 COMMISSIONER WAITS: Yes. The one -- it's not really a
5 correction. It's just an addition. But on page 108, when we
6 came back from lunch, apparently we were online with Austin, but
7 we weren't being recorded.
8 So therefore, it's -- it's absent in the records. And that
9 needs to be added. So usually what the reporter can do is say,
10 let the records reflect the presence of Austin via telephone
11 conference because there's nothing on the recording for her to
12 actually put in there. So I would like that addition put in after
13 we came back from lunch. Because Austin was online all afternoon.
14 CHAIRMAN BAKKER: Okay. Do we need a motion?
15 COMMISSIONER WAITS: If there's no other corrections, I
16 make a motion that we approve the amended minutes for
17 January 14, 2016.
18 COMMISSIONER STIENMETZ: I'll the second the motion.
19 CHAIRMAN BAKKER: Okay. Motion's made, seconded. Any
20 public comment?
21 (No comment.)
22 CHAIRMAN BAKKER: All those in favor?
23 COMMISSIONER STIENMETZ: Aye.
24 COMMISSIONER MILLS: Aye.
25 COMMISSIONER WAITS: Aye.
26 COMMISSIONER CLARK: Aye.
27 CHAIRMAN BAKKER: Okay.
28 Approval of the January 28th, 2016, minutes.
29 COMMISSIONER MILLS: We don't have those.
30 CHAIRMAN BAKKER: We don't have them so...
31 COMMISSIONER STIENMETZ: We don't have them.

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34 **COMMISSIONERS**

- 35
36 1) **Presentation to the Board of Commissioners for the auditing**
37 **and consulting services provided by CPA firms HintonBurdick**
38 **and Drake Rose & Associates, and all other matters properly**
39 **related thereto.**
40

1 CHAIRMAN BAKKER: Moving on. Agenda Item Number 1.
2 Presentation to the Board of Commissioners for the auditing and
3 consulting services provided by CPA firms BintonBurdick and
4 Drake Rose & Associates, and all other matters properly related
5 thereto.

6 NAN ANCHO: Okay. So this is Nan from Finance. I'd like
7 to clarify that's HintonBurdick, not BintonBurdick.

8 CHAIRMAN BAKKER: Sorry.

9 NAN ANCHO: So it's a typo so --

10 CHAIRMAN BAKKER: Okay.

11 NAN ANCHO: This agenda is just for discussion only. We're
12 coming up on the time of year for the Board of Commissioners to
13 designate an auditor for our '15/'16 fiscal year.

14 Currently we do have an agreement with Drake Rose &
15 Associates, but we also have another firm, HintonBurdick, who
16 would also like the opportunity to be our designated auditors as
17 well.

18 So I've asked both the firms to come in and give a
19 presentation on behalf of their companies. And you can ask any
20 questions, have any concerns. This would be the time you would
21 discuss that with them. And then later on it will come up,
22 probably next commission meeting, when you'll designate.

23 So with that being said, I'd like to give the floor to Chad
24 Atkinson of HintonBurdick. And after he gives his presentation,
25 we have Shelly Drake, Andre Rose, and Kim Plummer to give a
26 presentation for Drake Rose & Associates.

27 CHAIRMAN BAKKER: Okay. Thank you, Nan.

28 CHAD ATKINSON: Members of the commission, it's nice to be
29 with you this morning. (Indiscernible) sit over here?

30 CHAIRMAN BAKKER: Yeah. State your name too.

31 CHAD ATKINSON: Okay. Are you going to run my PowerPoint
32 for me or --

33 COUNTY CLERK SULLIVAN: Actually, why don't you come back
34 over. You'll be fine.

35 CHAD ATKINSON: I'll be over here?

36 COUNTY CLERK SULLIVAN: Yeah. I think it will pick him up
37 fine.

38 CHAIRMAN BAKKER: Okay.

39 CHAD ATKINSON: I'll stand right here and talk loud. Is
40 that all right?

1 CHAIRMAN BAKKER: Sounds good.

2 CHAD ATKINSON: It's nice to be with you this morning. As
3 Nan mentioned, we've --

4 CHAIRMAN BAKKER: What's your name?

5 CHAD ATKINSON: Yes?

6 CHAIRMAN BAKKER: State your name.

7 CHAD ATKINSON: Oh. Chad Atkinson from HintonBurdick.

8 CHAIRMAN BAKKER: Okay. Thank you.

9 CHAD ATKINSON: We've just recently finished our first
10 audit with Lander County School District. And at the conclusion
11 of that audit, we -- we felt like we should reach out to other
12 organizations in the community that we could possibly provide
13 audit services to. And so we made contact with the county and
14 have provided a proposal to the county and hope that you'll
15 consider that.

16 I'm -- I'm an audit partner with HintonBurdick. I've been
17 with the firm for 15 years. From the inception of my career,
18 I've been doing governmental audits. That's been my focus.

19 One thing that's unique about our firm is we have a firm
20 that has specialties incorporated into our firm. We have a tax
21 department. We have an audit department. So I'm one of the
22 audit partners in the audit department. That's what we do all
23 year round.

24 So I'm here to introduce our firm. And we are a regional
25 service provider. We have seven offices. I put four offices
26 here on the -- on the slide.

27 Our main -- our St. George office is our main office. And we
28 have offices in Mesquite, Flagstaff, and Cedar City, and an office
29 down in Phoenix area, and a couple of other smaller offices in
30 Utah.

31 So we, with our services, we cover a few different states,
32 which provides us, actually, with a unique perspective on
33 governmental auditing. We -- we focus on Utah, Arizona, and
34 Nevada and do a little bit of auditing in Colorado as well. So
35 with the opportunity to see different organizations, it gives us
36 insight into how we can better help our clients.

37 These are our firm highlights. And I'll just cover these
38 really quickly. As I mentioned, we're -- we're experts in
39 governmental accounting and auditing.

40 My senior partner, who's been with the firm for more than

1 25 years, began his career in governmental auditing. And I've
2 learned a lot from him. And he's been a wonderful partner to
3 me. He's a GFOA reviewer. GFOA is -- is what's called the
4 Government Finances Officers Association. And they have a -- a
5 certificate program for excellence in financial reporting. And
6 he participates as a reviewer in that program. So he does --
7 he's -- he's very specialized and knows his stuff.

8 We're experts in federal single audits. And also, I've taken
9 a look at -- at your schedule of federal awards that you have for
10 the county. We've performed audit work on many of the grants that
11 you have going on in the county. So we feel comfortable in
12 addressing those needs should we be selected as your auditor.

13 Also our slide mentions that we do more than 65
14 governmental audits per year and that provides us with expertise
15 and -- and unique perspectives that provide excellent service.

16 I don't know if you've heard of the Government Audit Quality
17 Center. There's an organization called the AICPA that oversees
18 all the CPAs in the United States. And they have what's called
19 the Government Audit Quality Center. And we're members of that --
20 that center. And that provides us with in-depth training that we
21 receive continually from the center. And also that training is
22 also provided to our clients. And we have lots of specialized
23 resources that we can access through that -- that membership.

24 One thing that our clients love lately is we have, basically,
25 a -- a superior information exchange system. We -- we're able to
26 put our requests for -- that we give to our audit clients -- we're
27 able to put it into a shared Internet exchange system, where we
28 can put the list out there of the things that we need from our
29 clients. They can see what's out there that they need to provide
30 and then they're able to put their documents out on the Inter- --
31 on this Internet exchange. And it allows for better communication
32 and kind of a centralized place where we can keep all those
33 documents so there's not a lot of communication disruption that
34 can happen as you exchange information back and forth. And so our
35 clients have loved that, even more than our auditing services. I
36 should say that. They -- we implemented it this last year.
37 They -- they said that's a wonderful thing that's helped to cut
38 down on multiple requests that sometimes happen in an audit and to
39 make things more efficient.

40 A couple of other things, we provide training seminars for --

1 for county personnel. We have a local government seminar that we
2 do each year with our clients and potential clients. They come
3 down to our office in St. George. And we spend a day with them
4 going over updates to accounting standards that have come out and
5 how those standards will impact their organization. It also gives
6 a great chance for our clients to interact with one another and to
7 find out best practices and to improve the things that they're
8 doing in their organization.

9 I should mention we've -- we've performed significant audit
10 work in Nevada. We have multiple clients across the state. And
11 we've been doing work in Nevada for over 20 years with various
12 organizations. And I've provided references to Nan in our
13 proposal for who those clients are. If you have any questions
14 on that, we can discuss that.

15 And then the thing that sets us apart as a firm is our
16 unmatched client service. The reason for our growth and our
17 prosperity in our firm has been our referrals from our clients.
18 Our clients love to work with us. They're -- we're easy to work
19 with. We make the audit process as painless as possible.
20 Although it's a necessary evil that we have to do, we try to
21 make it as easy to work with -- we try to be as easy to work
22 with as possible and get through the audit process as
23 efficiently as we can and as thoroughly as we can.

24 Okay. So as I mentioned, one of the things that our clients
25 love about us, they can trust in us, is that we're going to
26 provide the highest level of client service possible. And that's,
27 like I mentioned, the reason for our -- our growth.

28 We've been growing even through the recession with our
29 client -- with our audit practice. We -- back in -- five years
30 ago, we set a goal to grow in our department even though it was in
31 the middle of the recession and we've done that successfully and
32 that's mostly because of client referrals.

33 Okay. I think these slides are going to load up.

34 These are some comments just from some folks down the road
35 in White Pine County that we've been doing audit work for a
36 while, working with them for a while.

37 Elizabeth Francis of White Pine County from Finance and then
38 Paul Johnson at the school district. I'd encourage you also to
39 talk to Velma Gamble or to Jim Squibb about their experience with
40 us this last year. We provided services for the school district.

1 So what county expertise do we have? We have over 20 years
2 of experience with county audits. One unique thing that we do, we
3 have a county consultation listed up here. We actually work with
4 some counties where we assist them more -- on a more intimate
5 level where we work through year-end transactions with them and go
6 through a process of preparing them for an audit that they're
7 going to have by a different auditor. So it's more of a hands-on
8 approach and more of an in-depth working relationship with those
9 counties that provides us with a unique perspective to be able to
10 do audits for counties. So I thought I'd just mention that.

11 A couple of other services that we provide within our firm.
12 We have internal control consultation that we provide where
13 we're contracted by some of our clients to come in and review
14 their internal control processes and provide recommendations.

15 We also have a certified information technology
16 professional within our firm. So it -- it provides us with the
17 opportunity to do information systems consultations. And that
18 can be important with an organization like this where you --
19 where you've got a lot of IT systems. And we're able to come in
20 and make recommendations for improvement.

21 Something specific to your county is we have experience with
22 ADS software. We've been working with White Pine County for over
23 ten -- ten years now. And so they also work on ADS. And we're --
24 we're very familiar with that software.

25 And the last couple of things here. White Pine County was in
26 severe financial emergency about ten years ago. And we were the
27 firm that was hired by the Department of Taxation to come in and
28 assist them through that process, basically work as the auditing
29 firm. And so we were able to successfully work with them to get
30 out of severe financial emergency and get their -- their financial
31 feet back on the ground.

32 Last thing, we do provide utility rate studies within our
33 firm, just wrapping one up for another county in Arizona right
34 now. And that's -- that's been a service that our clients have
35 requested as well.

36 Okay. So we have a team that we will bring in. One thing
37 that's unique about our firm is that we have about 20
38 professionals dedicated to just doing auditing all year round.
39 And so these individuals are CPAs that specialize in this -- this
40 area and this industry.

1 Nan asked me to talk to you a little bit about our audit
2 approach. I would say our audit approach is pretty standard for
3 other firms that you will see, with the exception that we will --
4 during our fieldwork, we're going to come in and try to do our
5 fieldwork as efficiently as we can and thoroughly as we can.
6 We're going to do that in about a five-day period with multiple
7 people involved, a larger -- a larger staff or a larger team, I
8 should say, so that we can come in and minimize the disruption to
9 the county and complete our audit work as quickly as possible.

10 So that's been well received by our clients. It allows us
11 to get in and get the project done and to move into the wrap-up
12 stage quicker.

13 One thing that we have within our firm that's -- that's
14 important is we try to finish our engagements about 60 days after
15 we start the fieldwork. So that's our internal goal is to --
16 is -- is 30 days. But we try to be wrapped up and completely done
17 in 60 days. So that -- that can be of benefit to -- to the county
18 as well.

19 I think Nan has already done this, but we encourage you to
20 call our references. I think that they will attest to our quality
21 service and -- and -- and also answer any other questions that you
22 may have about our firm. They speak highly of us. So --

23 Last slide here, just we encourage you to put us to the
24 test and let us exceed your expectations.

25 So do you have any questions that I can answer for you about
26 our firm?

27 COMMISSIONER MILLS: I'm -- I'm going to have a couple.

28 CHAD ATKINSON: Okay.

29 COMMISSIONER MILLS: This is kind of a broad question.

30 CHAD ATKINSON: Okay.

31 COMMISSIONER MILLS: I think that's kind of on purpose.
32 But we all like when everything goes well. Can you -- can you
33 address how you handle things when they don't go -- when you
34 find a problem or there's issues, how -- tell us a little bit
35 about how you handle those kinds of things.

36 CHAD ATKINSON: I think it's very important, as I
37 mentioned, that we're in a more of a partnership situation as an
38 auditing firm with our clients than maybe other firms are.

39 We come -- if we encounter an issue or a problem, we're going
40 to first sit down with management and go over that in private and

1 discuss it to see what the ramifications of that are and to try to
2 work through the issues in a -- in a private setting. It's not
3 our intention to air dirty laundry in public meetings and to do
4 those kind of things. But we're going to handle -- handle it in a
5 professional way. We're going to have dialogue with -- with -- on
6 the issues and try to resolve them in an efficient way and help
7 you to stay in compliance with the NRS for whatever issue we may
8 be addressing.

9 COMMISSIONER MILLS: And then another one is -- I believe
10 you said you had 20 auditors that do audits through the year.
11 Do we have someone assigned to us or does it rotate through the
12 auditors? How does that work?

13 CHAD ATKINSON: Yeah, you'll have a team assigned to you.
14 And those -- those teams stay consistent from year to year. We
15 haven't had a lot of turnover at our firm. And so with this
16 engagement, I will be as- -- the lead partner on this
17 engagement. And I will have a team of about four or five others
18 that will be assigned to the project. And you'll expect to see
19 them each year coming back and assisting with the audit. So
20 there won't be any turnover. (Indiscernible.)

21 COMMISSIONER MILLS: And then just -- just one more and
22 that's on the timeliness. How often do you have to do
23 extensions or those kinds of things?

24 CHAD ATKINSON: We've had a great track record these last
25 few years with our Nevada clients. Trying to think of the last
26 extension we've had to request.

27 I think when we first started with White Pine County, of
28 course, they were in severe financial emergency. And I think in
29 the beginning years we had some extensions. But I think it was
30 because we got the audit started late in the process after being
31 hired. But since then we've had on-time deliveries for, you know,
32 ten years. And same thing with the school districts and the other
33 organizations that we work with in the state of Nevada. We
34 delivered those on time. So we don't normally go for an
35 extension.

36 COMMISSIONER MILLS: Okay.

37 CHAIRMAN BAKKER: What's the other places in Nevada
38 that your -- your firm works?

39 CHAD ATKINSON: I mentioned White Pine County,
40 (indiscernible) school district. One of our newer clients is

1 the City of Fernley. We did the City of West Wendover, City of
2 Mesquite. We do a library district down in Henderson --
3 Henderson, Nevada, and a couple of other water and sewer
4 districts within the state.

5 And trying to think if I've left anybody out that's
6 important. I think that's -- those are the main -- main bigger
7 clients.

8 CHAIRMAN BAKKER: So an organization kind of like Lander
9 County, what would the rough cost be to the county?

10 CHAD ATKINSON: The cost for the -- in our --

11 CHAIRMAN BAKKER: Services.

12 CHAD ATKINSON: -- in our services?

13 CHAIRMAN BAKKER: Yeah.

14 CHAD ATKINSON: I believe we proposed 67,000 for our audit
15 services for fiscal year '16.

16 CHAIRMAN BAKKER: Now do you see that going up any other --
17 next year or year after or anything like that?

18 CHAD ATKINSON: You know it has -- we usually build in a
19 cost of living increase, about 3 percent per year, that it would
20 go up. I think we did that in the proposal as well.

21 The nice thing about our firm is I'm willing to work with you
22 on the -- on the cost. If we can get things working in an
23 efficient way, then I'm willing to negotiate on fees and -- as
24 long as it makes sense for our firm and for the county, we can --
25 we can talk about that.

26 CHAIRMAN BAKKER: Thank you.

27 COMMISSIONER WAITS: Thank you, Mr. Atkinson. We -- we
28 appreciate your presentation. Just a quick clarification,
29 though. You just mentioned White Pine. So you don't do any
30 other counties in the state of Nevada?

31 CHAD ATKINSON: White Pine is only one we do in Nevada. We
32 do two in Utah as well, which have similar issues so...

33 COMMISSIONER WAITS: Okay. Thank you.

34 CHAIRMAN BAKKER: Anyone?

35 UNIDENTIFIED PARTICIPANT: Nope.

36 CHAIRMAN BAKKER: Okay. Thank you.

37 COMMISSIONER MILLS: Thank you.

38 CHAD ATKINSON: Thank you.

39 CHAIRMAN BAKKER: Drake & -- Ross? -- Rose.

40 SHELLY DRAKE: Good morning.

1 COMMISSIONER STIENMETZ: Good morning.

2 COMMISSIONER WAITS: Good morning.

3 CHAIRMAN BAKKER: Good morning.

4 SHELLY DRAKE: Before we get started, Shelly Drake from
5 Drake Rose & Associates. And I'd like to introduce today with
6 me is Kim Plummer and my partner Andre Rose.

7 We thank you for the invitation to come and discuss with you,
8 this morning, your audit arrangement with us that you have.

9 In 2013, Lander County came to Drake Rose and requested us
10 to put together, through conversation with county personnel, a
11 five-year audit arrangement. A lot of times our entities will
12 do this. We've done it in the past with Lander County. It
13 offers an opportunity for continuity, a relationship that we see
14 is more than just coming in and just doing an audit.

15 So through the course of conversation with county personnel,
16 we reviewed what the needs were at that time, what they thought
17 the level of service was that they needed at that time. And we
18 came in front of the commissioners and they approved a five-year
19 audit arrangement with us. It started in the audit year ending
20 June 30th, 2013, and there are still two years remaining on that
21 arrangement that you have with us.

22 So at the time, you know, the scope of what we proposed is
23 based on the conversations we had with personnel at the time in
24 looking at what the service needs were of Lander County, always
25 looking for two-way conversation through a process of an audit.
26 And if those needs have changed, definitely looking at the
27 opportunity to sit down with Lander County and see what the scope
28 of services are that they're looking at going forward.

29 So obviously, willing to work with the county. We've been
30 here a number of years. We've seen great successes with Lander
31 County. There's been implementation of, you know,
32 recommendations. Some have come from findings in your audit.
33 Some have come from just recommendations we've made that we've
34 observed to enhance your control systems, enhance some of your
35 processes, working directly with members of various departments.
36 And having that relationship with the county that we view as more
37 than just coming in and doing your audit.

38 We approach all our rural clients that way because we find
39 out that the education and training when staff turnover occurs
40 is helping those people understand the concept of what they may

1 be required to do.

2 We continually work throughout the year. It's not just
3 coming in in a short window period of time. We'll get phone
4 calls during the year. We've offered training in our office.
5 We've brought people in to implement some of the new standards,
6 which are getting more and more complex.

7 So that's the background of, you know, how we've arrived in
8 Lander County, what we have done. Again, we've seen Lander
9 County grow in a lot of areas. We've seen systems be put in
10 place that we think help safeguard your assets, your financial
11 reporting. We've seen the communication amongst departments and
12 cost reports and budgeting and things getting out to the
13 departments so it's more meaningful as far as them being an
14 integral part of Lander County's finances.

15 So wanted to make the commissioners aware of the
16 arrangement that they currently have with us and also make sure
17 you know that we're willing to sit down and have discussions.

18 We were not aware of a proposal process. We were not
19 contacted with regard to any of that. And so wanted to be here
20 today to let you know that and let you know what the arrangement
21 currently is.

22 CHAIRMAN BAKKER: Questions?

23 COMMISSIONER MILLS: If I can remember them, I'll just ask
24 you the same ones.

25 So there's the broad question of how do you handle -- you
26 know, we like when things go smoothly, but if there is a problem
27 how do we -- how do you handle problems?

28 SHELLY DRAKE: I think as we discussed -- and not all the
29 commissioners were at the -- what we term an exit conference.
30 You know, sometimes when there's weaknesses or findings or
31 problems that go on, our first recourse of action is to get a
32 good understanding of what's going on and then work with the
33 county to look for solutions and improvements.

34 You know, I -- I focus on the fact that at times errors can
35 happen. And they can be significant errors. And it's not so much
36 sometimes the fact the error occurred, but looking for a system or
37 a control that can help prevent that error or detect it when it
38 occurs is real important.

39 So yes, things happen. Yes, we work directly with the
40 county to help find systems to improve that and make

1 recommendations and then follow through. A lot of times it's
2 one on one with whomever -- whichever department that occurred
3 in, and trying to listen to them, what they think will work
4 effectively in their department, and then working with them to
5 find that solution.

6 COMMISSIONER MILLS: Okay. And then the other one was
7 the -- the design of your office and how you work with us.

8 Do you have somebody that's assigned to us that stays with
9 us all time that we're familiar with?

10 SHELLY DRAKE: Yes. The in-charge on this particular
11 project is Kim Plummer. She's been here for -- since inception.
12 Myself included. I've been with Lander County since 1998. I'm
13 a working, hands-on partner so I'm available as well as my
14 staff. You have the -- I can't say you have exactly the same
15 team. We do have turnover in public accounting. I would like
16 to say that all of our staff jumps on board and never leaves us.
17 It's a fact of life, I think, when people get their CPA they
18 become marketable and they do look for other things to do. So
19 sometimes we do have staff that, you know, will rotate through
20 the job. But you'll have the partner and the in-charge will
21 stay consistent.

22 ANDRE ROSE: And the other side to that, when we do have
23 new staff that does come on board and they are part of it, they
24 do create a new perspective, which we think is really important
25 to have a new set of eyes in looking at it.

26 And that's also as -- in regards to myself, I am not
27 involved directly with Lander County, but I'm there to assist
28 and to present new, fresh ideas. So there's a collaborative,
29 you know, effect that occurs.

30 COMMISSIONER MILLS: Okay.

31 COMMISSIONER WAITS: Would you be kind enough to put your
32 name on the recorder for your comments?

33 ANDRE ROSE: Sure. My name's Andre Rose.

34 COMMISSIONER WAITS: Thank you.

35 COMMISSIONER MILLS: And then the last one is -- I think it
36 was -- extensions on audits and how often that occurs.

37 SHELLY DRAKE: Right. Extensions on audits, in my entire
38 30-year career, the first one was a year ago. Never have had
39 one. We don't look towards extensions. Our goal is to get in
40 and get the work done and out. I mean, we have other things

1 that we need to move on to as well. We do want to approach the
2 audit in the most efficient way possible.

3 Having said that, if there are things that are out of our
4 control that, you know, we absolutely can't get it done, then
5 it's the entity that needs to request the extension. We don't
6 drive the extension.

7 This last year, we came in and discussed an extension. And
8 the premise of that was not necessarily the audit wasn't going to
9 get done on time. We were still waiting for information to
10 substantiate the evidence we needed. And to protect the county
11 and posture them in the best position they could be in if it
12 didn't arrive. I mean, our ultimate goal was to get everything
13 done, which did occur.

14 So, again, how often do they occur? They've occurred once
15 in my career. For one entity, I should say.

16 COMMISSIONER MILLS: Okay.

17 COMMISSIONER STIENMETZ: Do you have any other counties
18 that you do or --

19 SHELLY DRAKE: Yes. We do Humboldt County.

20 ANDRE ROSE: Presently.

21 SHELLY DRAKE: And presently we do -- prior to our
22 branching off and forming our own firm three years ago, we were
23 part of a very large -- the state -- the largest state-wide
24 audit firm in the state of Nevada. So that expertise of being
25 part of their quality control.

26 We're also members of the government audit quality control
27 center with the AICPA. You know, we've had exposures to a
28 multitude of counties throughout my career.

29 COMMISSIONER STIENMETZ: Thank you.

30 CHAIRMAN BAKKER: The last two years that we've done an
31 audit, it's been a little bumpy. What was the problem two years
32 ago? Refresh my memory.

33 SHELLY DRAKE: Two years ago for the extension? I'd have
34 to go back and look specifically. I believe it was getting the
35 audit information in a timely fashion to be able to complete it.

36 We also had an issue related to the cash reconciliation
37 that we discovered that we needed to, again, work through and
38 get adequate evidence.

39 CHAIRMAN BAKKER: And then on our contract, what is our --
40 the cost to the county per year?

1 SHELLY DRAKE: In the audit fee arrangement that we have on
2 the relationship, it is -- and again, this is based on the scope
3 of services discussed at us when we put this together in March
4 of 2013. We just ended the audit relationship at 101,700.

5 If the scope of what is needed by the county has changed --
6 because when we come into our experience with our rural entities,
7 when we come in to do the audit, we find that they're requesting a
8 lot more than just audit services. And we think that's a real
9 positive thing with the relationship. Having said that, if that
10 level of service isn't required, we're happy to come back and
11 revisit with the county what you actually are looking for.

12 CHAIRMAN BAKKER: And -- well, it's kind of billed like
13 Lura's, for every call and everything. So would that be able to
14 be negotiated at one flat sum instead of charging for every
15 phone call or --

16 SHELLY DRAKE: We can definitely hone in to the scope of
17 what you're looking for and-- and price that accordingly.

18 But, again, when we sat down and what the county was
19 experiencing at the time and what they were looking for and for
20 us coming in and, I guess, helping with the education and the
21 training and helping people work through getting the records
22 ready for the audit, there was more involved than just coming in
23 and, you know, spending a short amount of time and coming in and
24 audit and that's our only focus. But, yes, we could sit down
25 and do that.

26 CHAIRMAN BAKKER: Okay. Thank you.

27 COMMISSIONER CLARK: I have a question.

28 SHELLY DRAKE: Uh-huh.

29 COMMISSIONER CLARK: On the issue of not getting
30 information that you needed in a timely fashion, did you
31 initiate a corrective action plan?

32 SHELLY DRAKE: Did we? Yes. We worked directly --
33 that's --

34 COMMISSIONER CLARK: Okay.

35 SHELLY DRAKE: One of the corrective action plans that we
36 recommended at the county here was to put together the audit
37 committee.

38 COMMISSIONER CLARK: Okay.

39 SHELLY DRAKE: And that was recommended two years ago to
40 help kind of facilitate any of these financial issues that come

1 up.

2 COMMISSIONER CLARK: Okay. Did it eliminate the problem?

3 SHELLY DRAKE: Not entirely.

4 COMMISSIONER CLARK: Okay.

5 SHELLY DRAKE: I think that, you know, it probably helped.

6 Nan was our primary contact as a committee member. I don't know

7 how frequently the committee met to see how the progress of the

8 audit was going and maybe look for solutions.

9 You know, eventually we do get the information. I -- we

10 understand too that, you know, working with all the different

11 departments, they have other responsibilities just besides, you

12 know, Drake Rose coming in and wanting their information. So we

13 try to be somewhat forgiving in that environment, but we also have

14 to keep pushing forward.

15 COMMISSIONER CLARK: Is it common? Is it common in -- in

16 the practice of auditing to be in situations where you don't get

17 the information that you need in a timely fashion?

18 SHELLY DRAKE: I think it's -- just depends on the client

19 that you're --

20 COMMISSIONER CLARK: Oh. Okay.

21 SHELLY DRAKE: -- working with.

22 COMMISSIONER CLARK: Okay.

23 SHELLY DRAKE: It's not just a broad, you know, spectrum

24 that, you know, we always encoura- -- or encounter problems like

25 that or we don't.

26 COMMISSIONER CLARK: Okie doke.

27 CHAIRMAN BAKKER: Okay. Any more questions, guys?

28 Okay. Thank you.

29 COMMISSIONER STIENMETZ: Thank you.

30 COMMISSIONER WAITS: Thank you.

31 COMMISSIONER MILLS: Thank you.

32 KIM PLUMMER: Thank you.

33 COMMISSIONER CLARK: So from here we go to the audit

34 committee and they make the recommendation?

35 CHAIRMAN BAKKER: Hey, Patsy. I don't think Austin's -- is

36 Austin on the phone?

37 COMMISSIONER WAITS: Austin?

38 COMMISSIONER CLARK: Uh-oh.

39 CHAIRMAN BAKKER: Oh.

40 COMMISSIONER WAITS: Austin, are you still on the phone?

1 COUNTY CLERK SULLIVAN: We need to redial them.
2 CHAIRMAN BAKKER: Okay. Redial them.
3 COUNTY CLERK SULLIVAN: Please.
4 COMMISSIONER CLARK: Let's take a break.
5 COMMISSIONER WAITS: How'd we lose them?
6 CHAIRMAN BAKKER: Okay. Let's take a five-minute break.
7

8 (Break taken from 9:49 a.m. to 10:00 a.m.)
9

10 CHAIRMAN BAKKER: Okay. Call this meeting back to order.
11 Going on to Agenda Item Number 2.
12

13 2) Discussion and possible action to approve funding and
14 purchase of one (1) new Caterpillar 140M3 motor grader 2015
15 model, and all other matters properly related thereto.
16

17 CHAIRMAN BAKKER: Discussion and possible action to approve
18 funding and purchase of one new Caterpillar 140M3 motor grader
19 2015 model and other matters properly related thereto.
20

21 BERT RAMOS: Good morning.

22 CHAIRMAN BAKKER: Good morning, Bert.

23 COMMISSIONER WAITS: Good morning, Bert.

24 BERT RAMOS: Okay. So last year, as you guys know, with
25 the budget process, we had some -- some mixups and
26 misunderstandings. And that's why these next two items are on
27 here.

28 CHAIRMAN BAKKER: I thought everything went smoothly.

29 BERT RAMOS: Well, hopefully --

30 CHAIRMAN BAKKER: Just playing.

31 BERT RAMOS: -- this year.

32 CHAIRMAN BAKKER: Go, Bert.

33 BERT RAMOS: Yeah. Hopefully this year. So is what I'm
34 asking for is it -- it was -- the money is there, pending your
35 approval, to move forward with it.

36 CHAIRMAN BAKKER: And are you going through state
37 purchasing?

38 BERT RAMOS: Yes.

39 CHAIRMAN BAKKER: Okay.

40 COMMISSIONER WAITS: So this is something you are going to
do this month; right?

1 BERT RAMOS: Yes. Hopefully, with your --
2 COMMISSIONER WAITS: Because I --
3 BERT RAMOS: -- approval.
4 COMMISSIONER WAITS: -- see the quote was 30 days.
5 BERT RAMOS: Yeah. Well, and -- and it's a -- it's a state
6 purchasing deal. So we can -- we can re-up that if -- if need
7 be, but hopefully we don't have to.
8 COMMISSIONER WAITS: I don't know if the other
9 commissioners can explain this to me because I -- you don't have
10 the whole books we do. But there's also an invoice right ahead
11 of your information that's for 157,056. Is that something that
12 goes with yours? No?
13 UNIDENTIFIED PARTICIPANT: I copied everything that was
14 given to me so I don't know.
15 COMMISSIONER WAITS: It's from Cashman. And I just
16 wondered whether it was part of the bid and I should be
17 including it somewhere.
18 UNIDENTIFIED PARTICIPANT: I think it just got tied in with
19 their --
20 COMMISSIONER WAITS: Okay. Okay.
21 CHAIRMAN BAKKER: I think it's just for parts.
22 COMMISSIONER WAITS: Just want- -- wanted to clarify it.
23 Okay.
24 CHAIRMAN BAKKER: You want this, Bert?
25 BERT RAMOS: (Indiscernible.)
26 CHAIRMAN BAKKER: Now that it's ripped in half.
27 BERT RAMOS: That's all right.
28 Oh, yeah. That's just for parts. That should have been --
29 COMMISSIONER WAITS: Okay.
30 BERT RAMOS: -- part of our bill packet.
31 COMMISSIONER WAITS: Just -- okay. So is this replacing
32 any equipment at all?
33 BERT RAMOS: Well, it -- it is in a way. We -- last year a
34 couple blades were surplus. And so this will -- this one
35 will be replacing two that were surplus.
36 COMMISSIONER WAITS: So we actually don't have anything
37 like this at all? You surplus the other ones already?
38 BERT RAMOS: They were surplus prior to me being here,
39 but, yeah, there were two blades that were surplus. And we
40 needed to re- -- replace them.

1 COMMISSIONER WAITS: Okay. Do you have any others that
2 will be surplussed soon?
3 BERT RAMOS: No.
4 COMMISSIONER WAITS: Okay.
5 CHAIRMAN BAKKER: Need a motion?
6 COMMISSIONER STIENMETZ: I'll make --
7 COMMISSIONER CLARK: I have --
8 COMMISSIONER STIENMETZ: -- a motion --
9 COMMISSIONER CLARK: -- I have a question.
10 CHAIRMAN BAKKER: Hold on. Go ahead, Art.
11 COMMISSIONER CLARK: So if -- when you read through the --
12 the warranty and then the Cashman equipment offer, would it be
13 better for us to just sell this back in three years and get a
14 new one?
15 Because it breaks down to about \$37,300 a year just to use
16 this piece of equipment and payments. But you can get a brand new
17 one in three years for \$112,000.
18 So if you break that down, it's 37,3- -- for three years
19 for a brand new piece of equipment. So would you sell it back
20 in three years or would you just keep it?
21 BERT RAMOS: Well, that's the -- that's the buyback program
22 that Cashman offers.
23 COMMISSIONER CLARK: Right.
24 BERT RAMOS: And it -- I think that it can be a really good
25 idea if the county stays -- if the county stays in money. If
26 the county runs out of money, then it becomes an issue because
27 you have to buy a piece of equipment at the end of that three
28 years --
29 COMMISSIONER CLARK: Yeah, but it's --
30 BERT RAMOS: -- to replace the one that you have.
31 COMMISSIONER CLARK: It's a third the cost of a new one and
32 -- okay, we'll cross that bridge. But that's excellent.
33 CHAIRMAN BAKKER: Any more questions?
34 Okay. Can I get a motion?
35 COMMISSIONER STIENMETZ: Make a motion to -- to approve the
36 funding and purchase of a new -- one new Caterpillar 140M3 motor
37 grader 2015 model.
38 COMMISSIONER CLARK: Second.
39 CHAIRMAN BAKKER: Got a motion. Art seconded it.
40 Public comment?

1 JUDIE ALLEN: Hi.
2 UNIDENTIFIED TELEPHONIC PARTICIPANT: That's why they're
3 not --
4 JUDIE ALLEN: Judie Allen. I've got a question for Bert.
5 Is this state purchasing or is this the NJPA?
6 BERT RAMOS: No, this is state purchasing.
7 JUDIE ALLEN: Have you looked into NJPA?
8 BERT RAMOS: We have. And there's -- if -- if you go
9 through the state purchasing there's already -- other counties
10 have already put everything out to bid and --
11 JUDIE ALLEN: So it's the same thing? Okay. The buyback
12 program, what's the price of this?
13 BERT RAMOS: The --
14 JUDIE ALLEN: The blade.
15 BERT RAMOS: -- blade? 320-.
16 COMMISSIONER CLARK: 320-.
17 JUDIE ALLEN: 320-. Have you checked into what the
18 comparables were for the past blades?
19 BERT RAMOS: They -- they actually spent 320- on one last
20 year.
21 JUDIE ALLEN: Okay. And the buyback programs have -- has
22 that changed? Because it was previously about \$40,000 on a
23 buyback.
24 BERT RAMOS: I don't --
25 JUDIE ALLEN: That was a four- or five-year buyback at
26 around \$40,000, I believe.
27 COMMISSIONER CLARK: It is a three-year buyback for
28 \$208,000.
29 JUDIE ALLEN: Okay. The prior ones that were purchased I
30 believe was -- and this might require some research -- but the
31 prior, I think, two blades purchased were at either a four- or
32 five-year buyback for about 40 grand.
33 COMMISSIONER CLARK: Oh. These are -- this is a good deal,
34 this --
35 CHAIRMAN BAKKER: Yeah, it's --
36 COMMISSIONER CLARK: -- buyback --
37 CHAIRMAN BAKKER: -- three years --
38 COMMISSIONER CLARK: -- we have.
39 CHAIRMAN BAKKER: -- at 208,000.
40 COMMISSIONER CLARK: Yeah.

1 JUDIE ALLEN: Well, --

2 COMMISSIONER CLARK: Well, if you're going to pay 320- for
3 something and in three years you can sell it back for 208- --

4 JUDIE ALLEN: But what I'm saying is, if I'm correct, that
5 you -- you pay 300,000 for something and in four or five years,
6 basically, you go spend 40,000 and get a new one at, you know,
7 basically, instead of spending a hundred and some thousand,
8 you're spending 40,000 for a new one. And that's kind of my
9 question to maybe research to see if that is correct or if they
10 have changed their buyback program.

11 Because I believe the ones they have now, those were put on
12 the buyback. And like I'm saying, is they said, like, \$40,000
13 buyback after four or five years versus --

14 COMMISSIONER CLARK: You're saying that Cashman would buy
15 it back for \$40,000 after five years?

16 JUDIE ALLEN: No. They would -- it would cost the county
17 40,000 to the buy a new one after four or five years. They
18 would take the old blade and for 40,000, the county would get a
19 new one.

20 BERT RAMOS: The only buyback program that Cashman offered
21 to me when I was speaking to them was a three-year.

22 JUDIE ALLEN: Okay.

23 BERT RAMOS: But I'll ask them about a four- and five-year.
24 But they -- that was never brought up in anything.

25 JUDIE ALLEN: Well, and if you can go back and check maybe
26 the past --

27 BERT RAMOS: I will.

28 JUDIE ALLEN: -- purchases to see. And they may have
29 revised their programs. But I know before -- maybe they just
30 thought that was too sweet a deal for the county.

31 CHAIRMAN BAKKER: You're getting a \$300,000 machine for 40
32 grand; they're going backwards.

33 JUDIE ALLEN: That's kind of all I had on -- on that was,
34 like I said, I didn't know if Bert had -- if the state
35 purchasing versus the NJPA, which sounds like it's about the
36 same.

37 I don't know if you can save any money on checking into the
38 other one or not.

39 CHAIRMAN BAKKER: Okay.

40 JUDIE ALLEN: Thank you.

1 CHAIRMAN BAKKER: Thanks, Judie. Okay. Got a motion. Got
2 a second. Steve motioned; Art seconded it. Any more public
3 comment?

4 (No comment.)

5 CHAIRMAN BAKKER: All those in favor?

6 COMMISSIONER STIENMETZ: Aye.

7 COMMISSIONER MILLS: Aye.

8 COMMISSIONER WAITS: Aye.

9 COMMISSIONER CLARK: Aye.

10 CHAIRMAN BAKKER: Okay.

11 All in favor.

12
13 **3) Discussion and possible action regarding the amount of**
14 **\$100,000 budgeted for FY '15/'16 for the purchase of two (2)**
15 **Ford four-wheel drive pickups to be rolled over to FY**
16 **'16/'17, and all other matters properly related thereto.**
17

18 CHAIRMAN BAKKER: Agenda Item Number 3, discussion for
19 possible action regarding the amount of \$100,000 budgeted for FY
20 '15/'16 for the purchase of two Ford four-wheel drive pickups to
21 be rolled over to FY '16/'17, and all other matters properly
22 related thereto.

23 BERT RAMOS: Okay. Now this, we aren't actually going out
24 to buy the pickups. This is part of getting it for proper -- so
25 we can set it up for this coming budget.

26 COMMISSIONER WAITS: So haven't you reduced the personnel?
27 Do we need two trucks coming up?

28 BERT RAMOS: Well, no. And it's not saying that we're
29 going to go buy the -- buy the trucks. But this is -- since it
30 was pending, the money is there. And since it was pending and
31 never --

32 COMMISSIONER WAITS: You want us to roll over the money?

33 BERT RAMOS: Yes.

34 COMMISSIONER STIENMETZ: Yeah.

35 BERT RAMOS: Is what I'm asking for is to put it there so
36 we can roll it over in the budget year as opposed to rebudget
37 for it all together.

38 COMMISSIONER WAITS: Well, since we're trying to cut budget
39 and everything this year, I'm wondering -- this originally was
40 for 2015 vehicles and so if you do buy them and you decide to

1 buy them this fall, you can buy brand new 2015s so you wouldn't
2 need that much money; right?
3 BERT RAMOS: Potentially.
4 COMMISSIONER WAITS: Potentially?
5 COMMISSIONER CLARK: Whatever money's --
6 COMMISSIONER WAITS: So then we could cut a little bit of
7 what we roll over was my question.
8 COMMISSIONER STIENMETZ: Well, just --
9 CHAIRMAN BAKKER: Leave --
10 BERT RAMOS: Yeah, or the --
11 CHAIRMAN BAKKER: -- it by him --
12 BERT RAMOS: -- savings --
13 CHAIRMAN BAKKER: -- and kick it --
14 BERT RAMOS: -- or you --
15 CHAIRMAN BAKKER: -- back to the General Fund.
16 BERT RAMOS: -- you still get the savings back either way.
17 CHAIRMAN BAKKER: Yeah. If you roll it over and he buys it
18 for less, you don't spend the money.
19 BERT RAMOS: Yeah, if --
20 CHAIRMAN BAKKER: Yeah.
21 BERT RAMOS: -- if we even buy the pickups. Like I say,
22 this isn't -- there are quite a few things that will come up in
23 budget when we -- when we get there that we'll offset some of
24 this.
25 CHAIRMAN BAKKER: Okay.
26 COMMISSIONER CLARK: Diesels?
27 BERT RAMOS: No, gas. These are just for people to run
28 back and forth.
29 CHAIRMAN BAKKER: Okay.
30 Can I get a motion?
31 COMMISSIONER STIENMETZ: I'll make a motion that the amount
32 of a hundred thousand dollars budgeted for the 2015/2016 for the
33 purchase of two Ford four-wheel drive pickups to be rolled over
34 to 2016/2017.
35 COMMISSIONER CLARK: Second.
36 CHAIRMAN BAKKER: Okay. Steve made the motion; Art
37 seconded it.
38 Any public comment?
39 (No comment.)
40 CHAIRMAN BAKKER: All those in favor?

1 COMMISSIONER STIENMETZ: Aye.
2 COMMISSIONER MILLS: Aye.
3 COMMISSIONER WAITS: Aye.
4 COMMISSIONER CLARK: Aye.
5 CHAIRMAN BAKKER: All in favor. Okay.
6 COMMISSIONER STIENMETZ: Thanks, Bert.
7 BERT RAMOS: Thank you.
8 CHAIRMAN BAKKER: Thanks, Bert.
9 COMMISSIONER CLARK: Thanks, Bert.
10 CHAIRMAN BAKKER: I got a question. Laken, did they pick
11 up Art's second?
12 COUNTY CLERK SULLIVAN: We couldn't hear it, but I mean
13 you --
14 LAKEN MARINE: You stated it on the record.
15 COUNTY CLERK SULLIVAN: You --
16 CHAIRMAN BAKKER: Okay.
17 COUNTY CLERK SULLIVAN: -- stated it.
18 LAKEN MARINE: That's good.
19 CHAIRMAN BAKKER: You're a little quiet, Art. You got to
20 speak a little louder.
21 COMMISSIONER CLARK: Can you hear me now?
22
23 4) Discussion and possible action regarding the proposed Mount
24 Lewis lease agreement between Barrick Goldstrike Mines, Inc.,
25 and Lander County including the funding of a replacement
26 radio tower not to exceed \$250,000, a one-time consideration
27 grant to the Sheriff's Office of \$55,000 for moving tower
28 equipment, and all other matters properly related thereto.
29
30 CHAIRMAN BAKKER: Agenda Item Number 4. Discussion and
31 possible action regarding the proposed Mount Lewis lease
32 agreement between Barrick Goldstrike Mines, Incorporated, and
33 Lander County including the funding of a replacement radio tower
34 not to exceed 250,000, a one-time consideration grant to the
35 Sheriff's Office of \$55,000 for moving tower equipment, and all
36 other matters properly related thereto.
37 COMMISSIONER WAITS: Good morning.
38 UNDERSHERIFF ROBERT QUICK: Good morning.
39 ETHAN HOLT: Good morning.
40 UNDERSHERIFF ROBERT QUICK: Robert Quick from the sheriff's

1 office.

2 ETHAN HOLT: Ethan Holt, Barrick IT.

3 UNDERSHERIFF ROBERT QUICK: So let me give you a little
4 history of this because this is kind of a long project we've
5 been working on.

6 So probably about 18 months ago, I was asked to take
7 Barrick Cortez up to the -- the Mount Lewis site so they could
8 see the possibility of either them putting other equipment up
9 there or adding some equipment to the Mount Lewis site.

10 And looking at the -- the equipment that's up there and the
11 antenna structure that's up there, it would not hold what they
12 needed to do.

13 So they explored different options and then came back. And
14 we had discussions about potentially replacing the existing radio
15 antenna tower that's up there, which is just a single
16 guide-wire-type tower. So through the discussions, they have come
17 up with a proposal to actually replace and fund the replacement of
18 that tower for Lander County.

19 So this contract, for all intents and purposes, will replace
20 the existing tower up there with a much larger tower that will
21 hold more equipment.

22 We've already had conversations and contact with the BLM.
23 And the permit's not an issue for the BLM. And the FAA has
24 approved already.

25 Ethan is here to answer any other technical questions or
26 questions relating to the contract based on Barrick for the
27 county.

28 COMMISSIONER WAITS: Tell me about our current one. Our
29 current one is perfectly fine. If Barrick wasn't requesting
30 this, we're fine. We have lots of spaces. How many tenants?

31 UNDERSHERIFF ROBERT QUICK: I couldn't tell you how many
32 tenants you have because the county controls the building.

33 COMMISSIONER WAITS: Three or four, I think, but --

34 UNDERSHERIFF ROBERT QUICK: I think there are a few tenants
35 in there. But there -- there's equipment and antennas and so
36 forth placed all over the building as well because the -- the
37 antenna its -- its structure itself can't hold that much weight.
38 And that's a horrendous environment up there in the winter, if
39 any of you have been up there.

40 ETHAN HOLT: You currently have about -- it's called a

1 triple A tower. It's 18 inches square. So it's very small.
2 And it's guide with wires. And so it -- it can hold limited
3 amount of weight. And so your potential for future tenants --

4 COMMISSIONER WAITS: Future tenants? Our current one would
5 hold what? Twenty -- twenty more people or fifteen more?

6 ETHAN HOLT: I would say you're maxed currently on your
7 antenna now. That's why you're going off the building. Right
8 now you have several pieces of just pipe sticking in the air off
9 the building itself, not -- not the actual structure itself.
10 The structure itself also the foundation is cracking, weakening
11 and everything else. So it's --

12 COMMISSIONER WAITS: So there is a concern with the current
13 tower? Is --

14 ETHAN HOLT: I would --

15 COMMISSIONER WAITS: Is where this is coming from. Well, I
16 mean, Barrick, of course.

17 Okay. I -- I have a couple of concerns with the way that
18 it's written. And our agenda is a little bit misleading. In
19 going through the information, I think, it looks like Barrick
20 will pay up to a quarter of a million dollars to build this for
21 us --

22 ETHAN HOLT: Correct.

23 COMMISSIONER WAITS: -- to start with, not counting the 55-
24 to move. Okay. Anything over a quarter of a million, we're
25 supposed to pay for, the county's going to pick up?

26 ETHAN HOLT: That's the way it's written in the contract.

27 COMMISSIONER WAITS: Right.

28 ETHAN HOLT: And our current bid is approximately 75,000
29 under the 250-.

30 That's what we currently have our contractor contracted at.
31 I don't anticipate that that would go over.

32 Again, it's -- it's something that hasn't happened in the
33 past. With this contractor, we have several towers --

34 COMMISSIONER WAITS: Okay, if they're --

35 ETHAN HOLT: -- built with them.

36 COMMISSIONER WAITS: Since you already have that agreement
37 and it looks like it would be under, how would Barrick feel
38 about taking that out that we don't pay anything over 250,000?

39 ETHAN HOLT: I don't think that that would be an issue.

40 COMMISSIONER WAITS: Okay. And I see the 55,000 that

1 they're giving back to us to move, does that include moving our
2 tenants?

3 ETHAN HOLT: Correct.

4 That's everything that is currently in the air on the site to
5 the new tower.

6 COMMISSIONER WAITS: Have our tenants been notified that
7 this is a possibility or anything? Or we have any input from
8 them at all? No?

9 UNDERSHERIFF ROBERT QUICK: Not to my knowledge.

10 DISTRICT ATTORNEY HERRERA: Well, --

11 COMMISSIONER WAITS: No?

12 DISTRICT ATTORNEY HERRERA: Commissioner, they wouldn't be
13 notified --

14 COMMISSIONER WAITS: Okay.

15 DISTRICT ATTORNEY HERRERA: -- until you made a decision.

16 COMMISSIONER WAITS: Well, I mean like that it was an
17 agenda item or something like that. I'm just wondering if
18 they're in the loop at all.

19 DISTRICT ATTORNEY HERRERA: No, they're -- they --

20 COMMISSIONER WAITS: Okay. Okay. That's fine. Okay.

21 UNDERSHERIFF ROBERT QUICK: Just to clarify, Commissioner,
22 at this point, that 55,000 was for Lander County's equipment to
23 be moved, not the tenants.

24 COMMISSIONER WAITS: Not the tenants?

25 UNDERSHERIFF ROBERT QUICK: Correct.

26 COMMISSIONER WAITS: Okay.

27 ETHAN HOLT: There is space --

28 COMMISSIONER WAITS: Because we're getting --

29 ETHAN HOLT: -- for the tenants.

30 COMMISSIONER WAITS: -- rent. Okay. That's -- that's what
31 I wondered. Okay.

32 ETHAN HOLT: There is a space for the tenants if it's --

33 COMMISSIONER WAITS: Okay.

34 ETHAN HOLT: -- required.

35 COMMISSIONER WAITS: Okay. The other concern, then, I have
36 is your annual payment. And let's see, it's three terms of ten
37 years, 30 years, -- okay -- \$4,000 a year with a \$500 bonus
38 after the first ten years. And if I use the rate of inflation
39 of 2 percent is what I used. That's current. So you start
40 subtracting -- are you with me?

1 ETHAN HOLT: Uh-huh.

2 COMMISSIONER WAITS: You start subtracting. By the time we
3 get to the ten years, your \$500 doesn't even bring us up to
4 \$4,000 again. We've already -- we're in hole. So we're in the
5 hole every ten years thereafter.

6 I guess what I'm saying is I'm not real happy with what
7 we're doing on this. And I'm wondering if maybe we could do
8 just a little bit more research, maybe defer it and have us look
9 at finance and get a better picture of what other people are
10 paying out there. I just think this isn't a real good deal for
11 the county.

12 ETHAN HOLT: I can tell you it's four times as good as we
13 pay anybody else at this time.

14 COMMISSIONER WAITS: Well, maybe you. But that --

15 ETHAN HOLT: We pay the current --

16 COMMISSIONER WAITS: -- doesn't mean --

17 ETHAN HOLT: -- currently, --

18 COMMISSIONER WAITS: -- it's market --

19 ETHAN HOLT: -- we pay the TV district --

20 COMMISSIONER WAITS: -- value out there.

21 ETHAN HOLT: -- \$1200 --

22 COMMISSIONER WAITS: And I would like to see --

23 ETHAN HOLT: -- a year --

24 COMMISSIONER WAITS: -- us --

25 ETHAN HOLT: -- with no bonus.

26 COMMISSIONER WAITS: I'd like to see us do some more
27 research --

28 ETHAN HOLT: Okay.

29 COMMISSIONER WAITS: -- before we jump into that.

30 UNDERSHERIFF ROBERT QUICK: Commissioner, I'd just like to
31 remind you they're funding a quarter of a million dollars to
32 replace the tower that we may have to replace in the near
33 future.

34 COMMISSIONER CLARK: Yeah.

35 COMMISSIONER WAITS: When do you think we might have to
36 replace that?

37 UNDERSHERIFF ROBERT QUICK: That would be for an engineer
38 to say. I can tell you that we hang the public safety equipment
39 off the building because we can't put it on the tower.

40 SHERIFF RON UNGER: I'm going to add to that. Prior to --

1 COMMISSIONER CLARK: Who are you?
2 SHERIFF RON UNGER: -- prior to Barrick approaching --
3 CHAIRMAN BAKKER: State your name.
4 SHERIFF RON UNGER: -- us, -- and I'm Ron Unger -- we were
5 looking at having to replace the tower ourself. And it would
6 have been done this year or possibly last year because it's a
7 small tower. It's like hanging a pencil out there and hanging
8 all this stuff off of it.
9 And when Barrick approached us, that's when we started a
10 negotiation on this.
11 So keep this mind, they're flipping the bill for over a
12 quarter of a million dollars to put up a tower for us and deed
13 it back to us.
14 That's a quarter of a million we don't have to pay.
15 COMMISSIONER WAITS: If -- if we're in that kind of a
16 situation. That's what I was asking, what --
17 SHERIFF RON UNGER: Yes.
18 COMMISSIONER WAITS: -- what the tower was currently and
19 what we had.
20 SHERIFF RON UNGER: Yeah, that tower you've got up there's
21 about 18 inches square at the bottom, maybe a little more, and
22 40 feet high, I believe.
23 COMMISSIONER WAITS: Okay.
24 SHERIFF RON UNGER: And they're talking about putting one
25 up there that's going to be a lot larger, a lot higher, which is
26 going to give us more equipment to hang on that and higher up,
27 where we're going to be able to hit areas that we can't hit now.
28 COMMISSIONER WAITS: Okay.
29 SHERIFF RON UNGER: So if they didn't jump in -- into the
30 picture here and help us and come on board as a partner, we
31 would be flipping that bill.
32 COMMISSIONER WAITS: Okay. But the other thing is, I mean,
33 there's reason why Barrick wants to do this too, and it's
34 because we have the BLM lease. Let's face it.
35 So where hopefully it's going to be a win-win for both of
36 us.
37 SHERIFF RON UNGER: The leases and all --
38 COMMISSIONER WAITS: You know.
39 SHERIFF RON UNGER: -- that's been taken --
40 COMMISSIONER WAITS: And -- and --

1 SHERIFF RON UNGER: -- care of.
2 COMMISSIONER WAITS: And that's -- that's what we're
3 looking at. And I understand that.
4 But I just think of jumping in without knowing exactly what
5 the market value is on everything and without our tenants, we
6 get, you know, rent from our tenants too, not being aware, and
7 what it would cost for them to move over and such. I just think
8 --
9 SHERIFF RON UNGER: The tenants would be because we're up
10 on Mount Lewis. They're going to stay there. That's a --
11 that's a prime hilltop or fine area. And I'm not sure how many
12 tenants we got. And we can't even tell you if --
13 COMMISSIONER WAITS: I think we --
14 SHERIFF RON UNGER: -- they are paying --
15 COMMISSIONER WAITS: -- have three --
16 SHERIFF RON UNGER: -- or not.
17 COMMISSIONER WAITS: -- or four at least. I just felt if
18 we could move that over to the next, you know, not indefinitely,
19 just for the next meeting while we do a little research on it
20 and get our people informed, it might be kind of a good idea. I
21 don't like the idea of losing the \$4,000 with three terms --
22 SHERIFF RON UNGER: Keep in --
23 COMMISSIONER WAITS: -- of ten years.
24 SHERIFF RON UNGER: -- mind, you're gaining 250,000.
25 COMMISSIONER WAITS: I am.
26 SHERIFF RON UNGER: They're paying for that.
27 COMMISSIONER WAITS: I am.
28 SHERIFF RON UNGER: And they're going to eat it.
29 CHAIRMAN BAKKER: Hey, can't the tenants just stay on the
30 tower they're on for now if they don't want to move over?
31 UNDERSHERIFF ROBERT QUICK: Part of the contract is the
32 reclamation of the current tower. BLM requires.
33 CHAIRMAN BAKKER: So there's --
34 UNDERSHERIFF ROBERT QUICK: So if we're going to --
35 CHAIRMAN BAKKER: -- four tenants?
36 UNDERSHERIFF ROBERT QUICK: -- put up a new tower, the BLM
37 wants us to reclaim the land.
38 CHAIRMAN BAKKER: So what would -- what's the cost to move
39 those four tenants?
40 UNDERSHERIFF ROBERT QUICK: It's going to depend on their

1 equipment and if they're just going to shut their system down,
2 move the antennas, and put them up.

3 The -- the conversations we've had with Barrick so that the
4 public safety is not affected, we would actually have to put up
5 new antennas, run new cabling, swap them, and then take ours
6 down. That's why ours is a higher cost. And the tenants have
7 their own radio techs, then it would be just that, you know,
8 potentially labor costs to do that.

9 CHAIRMAN BAKKER: And if it fell down tomorrow and we had
10 to build one, they'd have to pay to move the equipment anyway?

11 UNDERSHERIFF ROBERT QUICK: That is correct.

12 COMMISSIONER STIENMETZ: Right.

13 COMMISSIONER CLARK: You classify this as -- as under
14 safety?

15 SHERIFF RON UNGER: It's public safety, absolutely.

16 COMMISSIONER CLARK: Public safety.

17 UNDERSHERIFF ROBERT QUICK: Absolutely.

18 SHERIFF RON UNGER: Thank you.

19 CHAIRMAN BAKKER: Now, would -- and so say at the end of
20 ten years -- not renegotiate, but take -- if there is an issue
21 with money, take a look at the contract at the end of -- in ten
22 years?

23 ETHAN HOLT: Sure.

24 COMMISSIONER WAITS: It just automatically renews is the
25 way it's written in here unless --

26 CHAIRMAN BAKKER: Right, you can --

27 COMMISSIONER WAITS: -- we do something. Yeah. Every ten
28 years. Yeah.

29 But we can't go back in and change the amount. And the
30 amount is 4,000 every year with a \$500 increase one time every
31 ten years.

32 And that's what I'm saying. The inflation is really down
33 from that and everything's going up. So I just felt we should
34 look at it to take a look at that part of it.

35 SHERIFF RON UNGER: I don't think the payment's an issue,
36 myself.

37 CHAIRMAN BAKKER: I don't really either.

38 SHERIFF RON UNGER: I really don't because --

39 CHAIRMAN BAKKER: I'm just saying if they wanted to --

40 SHERIFF RON UNGER: I don't care. How many years would --

1 CHAIRMAN BAKKER: -- take these --
2 SHERIFF RON UNGER: -- it take you to recover that 250- --
3 COMMISSIONER CLARK: Yeah, you're --
4 SHERIFF RON UNGER: -- that you haven't put out?
5 COMMISSIONER CLARK: -- going to get 250- and you're
6 worried about 4- in the future.
7 SHERIFF RON UNGER: Yeah.
8 COMMISSIONER CLARK: I'll make a motion --
9 COMMISSIONER MILLS: So -- well, -- I've got a question.
10 CHAIRMAN BAKKER: Hold on. Let -- let --
11 COMMISSIONER CLARK: Okay.
12 CHAIRMAN BAKKER: -- Doug talk.
13 COMMISSIONER MILLS: In here, it talks about Lander agrees
14 to reserve 30 percent of the remaining space on the new tower
15 for Barrick. Can you address that a little bit and explain kind
16 of what that means?
17 ETHAN HOLT: Just as Sheriff Unger mentioned, it is a prime
18 location.
19 COMMISSIONER MILLS: Right.
20 ETHAN HOLT: We have another mine, Cortez. This -- this
21 leg is going to be coming from Grindstone, which is next to
22 Carlin. It's a mountaintop there. And we have private network
23 that we'd be shooting from Grindstone to Mount Lewis and then
24 shooting out to Turquoise Ridge. That's the main backbone
25 because Humboldt County telephone is terrible.
26 And we have a coffee straw of a data stream out that way
27 currently with no, you know, availability for overhead.
28 And this site also has the ability to shoot back to Cortez
29 as well for us.
30 And so that 30 percent represents a certain amount of
31 vertical square feet.
32 COMMISSIONER MILLS: Right.
33 ETHAN HOLT: And that is --
34 COMMISSIONER MILLS: See, and that's --
35 ETHAN HOLT: -- negotiable --
36 COMMISSIONER MILLS: -- the part -- that's the part I'm
37 curious about --
38 ETHAN HOLT: Right.
39 COMMISSIONER MILLS: -- is --
40 ETHAN HOLT: So we have a 60-foot tower with four legs.

1 And we're basically talking about one leg --
2 COMMISSIONER MILLS: Okay.
3 ETHAN HOLT: -- is what we're looking at there.
4 COMMISSIONER WAITS: I --
5 COMMISSIONER MILLS: So I'm --
6 ETHAN HOLT: For future expansion to --
7 COMMISSIONER MILLS: -- curious --
8 ETHAN HOLT: -- Cortez.
9 COMMISSIONER MILLS: -- about when we put our tenants on
10 the tower and you guys get your stuff on the tower, how much
11 space does that take? And that -- and that you --
12 ETHAN HOLT: What --
13 COMMISSIONER MILLS: -- you want us to reserve.
14 ETHAN HOLT: Right.
15 COMMISSIONER MILLS: Af- -- after everything's put on
16 there, you want 30 percent of the remainder saved for you --
17 ETHAN HOLT: Correct, that's the --
18 COMMISSIONER MILLS: -- specifically.
19 ETHAN HOLT: -- way the contr- --
20 COMMISSIONER MILLS: Is that what you're saying?
21 ETHAN HOLT: That's -- that's the way the contract is
22 written.
23 When we build a tower, we structurally have engineered that
24 to have a 50 percent overhead automatically with everything
25 that's on that site right now.
26 COMMISSIONER MILLS: Okay.
27 ETHAN HOLT: So we've taken into account the space that's
28 required for everything there --
29 COMMISSIONER MILLS: Uh-huh.
30 ETHAN HOLT: -- and engineered that tower so that there is
31 50 percent left over to expand.
32 COMMISSIONER MILLS: So that leaves us --
33 ETHAN HOLT: Thirty percent --
34 COMMISSIONER MILLS: If -- if -- if there's another tenant
35 that wants to come along and use a piece of that tower that
36 leaves 20 percent of that tower that we can lease out to
37 somebody else?
38 ETHAN HOLT: Correct.
39 COMMISSIONER MILLS: Okay. That's the part I'm -- I'm
40 trying to -- just trying the picture in my head how much is --

1 ETHAN HOLT: Right.

2 COMMISSIONER MILLS: -- available for if somebody else
3 wants to come and put something on that tower. Okay.Can -- can
4 you speak --

5 COMMISSIONER WAITS: Please don't misunderstand. I'm not
6 saying that I don't think that the deal is good to start with.

7 ETHAN HOLT: Uh-huh.

8 COMMISSIONER WAITS: There's few things I would like to see
9 tweaked up a little bit here. But just taking into
10 consideration the land that we have and the best place for this
11 tower is going to go, if we didn't do this. If we said, no,
12 we're fine, and we don't want to do this at all, and you folks
13 had to look for another space, what kind of time frame are you
14 looking at for -- to obtain another space from BLM?

15 ETHAN HOLT: We currently have a -- a second option in
16 place with Newmont to go to a Valmy location off of an AT&T pop,
17 it's called. So it's basically a central office for AT&T where
18 their fiber pops out the ground, if --

19 COMMISSIONER WAITS: Uh-huh.

20 ETHAN HOLT: -- you will. And that's right by the Valmy
21 gas station, I believe, right next to the power plant. So we
22 would be giving the tower to Newmont, basically, and jumping on
23 their fiber and -- and shooting from there in the same time
24 frame by --

25 COMMISSIONER WAITS: Same time frame?

26 CHAIRMAN BAKKER: Um.

27 COMMISSIONER WAITS: So --

28 CHAIRMAN BAKKER: Robert, putting this tower -- this taller
29 tower on Mount Lewis, is that going to help our blackout spots
30 going to Austin?

31 UNDERSHERIFF ROBERT QUICK: I don't know that it's going to
32 help with the -- in the canyons there. I don't think anything's
33 going to help that. We've looked at that and potential for
34 additional repeaters inside those canyons. But being a taller
35 tower, it's -- it's certainly going to help with the
36 communication with the main hub, which is Mount Lewis.

37 CHAIRMAN BAKKER: Right. Okay. Just curious. I think
38 it's a good deal.

39 COMMISSIONER MILLS: What's the --

40 DISTRICT ATTORNEY HERRERA: I have a legal question, if I

1 may. In the contract, it contemplates that -- that your
2 company, Barrick, has the right to terminate -- early terminate
3 at any point with -- with 30 days. So it's a 30-day notice.

4 Lander County doesn't have any right for early termination or
5 even after ten years. So -- whereas, it may look like a 10-year
6 contract, for all intents and purposes, it's a 30-year contract.
7 And Lander County has absolutely no right to terminate for any
8 reason. Is -- would that be subject to negotiation? Just that
9 aspect? Because I think it's a great idea.

10 ETHAN HOLT: Correct.

11 DISTRICT ATTORNEY HERRERA: But -- but I think Lander
12 County needs some early termination right or at least after a
13 10-year period. And under this current agreement, it's a
14 30-year contract.

15 ETHAN HOLT: Sure.

16 COMMISSIONER STIENMETZ: Uh-huh.

17 DISTRICT ATTORNEY HERRERA: And you have a 30-day -- you
18 guys can get out in 30 days. And that's just not fair.

19 ETHAN HOLT: Okay.

20 And that again, this is -- part of this is that we understood
21 there may be some counter proposals. And so that's fine.
22 We're -- it's -- it's not a break -- make-or-break deal.

23 DISTRICT ATTORNEY HERRERA: Right, and --

24 ETHAN HOLT: So if there are some small amendments to the
25 contract verbage-wise for those types of allowances, I'm fine.

26 DISTRICT ATTORNEY HERRERA: Right. And -- and I'm not
27 talking about the price. And I'm certainly not talking about
28 the idea because the idea is an excellent idea. And it would
29 work good for Lander County and Barrick. But we need some type
30 of termination clause. So if -- if we could do that, --

31 ETHAN HOLT: Right. So basically if -- if you want to
32 redline that and -- and put a -- put a counter proposal or at
33 least those back in there, we can have that approved quickly.

34 DISTRICT ATTORNEY HERRERA: Okay.

35 CHAIRMAN BAKKER: Just put a 30-day clause.

36 DISTRICT ATTORNEY HERRERA: Yeah. Well, I'd -- I'd just
37 probably suggest that we have the same opportunity --

38 COMMISSIONER CLARK: Right.

39 DISTRICT ATTORNEY HERRERA: -- you have.

40 CHAIRMAN BAKKER: Right.

1 ETHAN HOLT: Sure.
2 CHAIRMAN BAKKER: Okay.
3 ETHAN HOLT: And I think that would be amicable on both
4 sides.
5 COMMISSIONER MILLS: And I --
6 COMMISSIONER CLARK: Can we -- can we -- put that --
7 COMMISSIONER MILLS: -- have one other question.
8 COMMISSIONER CLARK: -- in a motion?
9 DISTRICT ATTORNEY HERRERA: Right. You would include that
10 in a --
11 CHAIRMAN BAKKER: Yeah, the --
12 DISTRICT ATTORNEY HERRERA: -- motion.
13 CHAIRMAN BAKKER: -- amendment in --
14 DISTRICT ATTORNEY HERRERA: -- with that --
15 CHAIRMAN BAKKER: -- the motion.
16 DISTRICT ATTORNEY HERRERA: -- with that term change.
17 COMMISSIONER MILLS: What's the -- can you give me an idea
18 of some of the time frames? How long it will take to finish?
19 What's the interruption time for services for the -- our
20 tenants? And as things get switched over and those kinds of
21 things?
22 ETHAN HOLT: There -- the -- your current tenants, aside
23 from the county itself, there would be no interruption.
24 COMMISSIONER MILLS: Okay.
25 ETHAN HOLT: As they'd be staying where they are currently.
26 As we move forward, we can certainly help accommodate the
27 movement of those clients. We can negotiate that separately.
28 With the county, we -- they have an agreement that they can
29 have zero hours of interruption. So they're separately going to
30 stand up a whole separate system. That's the 55,000 that we're
31 paying to buy, purchase, and install a separate system. And
32 they flip the switch and it's zero downtime. So it actually
33 runs in tandem --
34 COMMISSIONER MILLS: Okay.
35 ETHAN HOLT: -- and then we just shut off the old one. And
36 so there's zero interruption at that point.
37 COMMISSIONER MILLS: And the --
38 CHAIRMAN BAKKER: Perfect.
39 COMMISSIONER MILLS: -- and the old tower's going to be
40 completely removed?

1 ETHAN HOLT: Correct.
2 COMMISSIONER STIENMETZ: Yes.
3 COMMISSIONER MILLS: And it will be gone?
4 ETHAN HOLT: Yep.
5 COMMISSIONER MILLS: Okay.
6 ETHAN HOLT: And that is also part of that -- that budgeted
7 amount that we would rec- -- reclaim that.
8 COMMISSIONER MILLS: Okay.
9 UNDERSHERIFF ROBERT QUICK: Can you -- can you speak to if
10 the county were to want to increase the height of that tower?
11 ETHAN HOLT: Yeah. The tower is expandable.
12 Currently, it is set for 60 feet. But the -- the tower is
13 a modular tower so you can add 20-foot sections at a time. And
14 the foundation is also what we call a cell block foundation.
15 It's not poured in place. And it's aboveground so there's no
16 ground disturbance. It's basically huge Legos, heavy Legos.
17 And you can expand those as you need to go up. So future
18 expansion is a possibility up to 120 feet. So you can double
19 the size of the tower --
20 CHAIRMAN BAKKER: Wow.
21 ETHAN HOLT: -- with very minimal cost.
22 CHAIRMAN BAKKER: Okay.
23 DISTRICT ATTORNEY HERRERA: Would the old equipment be
24 stored or --
25 ETHAN HOLT: The old equipment would be -- as far as the
26 county equipment?
27 DISTRICT ATTORNEY HERRERA: Yeah.
28 ETHAN HOLT: That would be turned back in to the county for
29 their discretion.
30 DISTRICT ATTORNEY HERRERA: Okay.
31 That's all the observations I have.
32 CHAIRMAN BAKKER: Thank you, Ted.
33 Can I get a motion?
34 COMMISSIONER CLARK: Yeah, I'll make a motion to approve
35 the Mount Lewis lease agreement between Barrick Goldstrike Mines
36 and Lander County, including the funding of a replacement radio
37 tower, not to exceed 250- -- a one-time consideration grant to
38 the sheriff's office of \$55,000, moving tower equipment, and all
39 other matters properly related thereof, with an agreement of the
40 same termination language for the county as Barrick.

1 COMMISSIONER STIENMETZ: I'll second the motion.
2 CHAIRMAN BAKKER: Have a motion, have a second. Any public
3 comment?
4 (No comment.)
5 CHAIRMAN BAKKER: All those in favor?
6 COMMISSIONER CLARK: Aye.
7 COMMISSIONER MILLS: Aye.
8 COMMISSIONER STIENMETZ: Aye.
9 COMMISSIONER WAITS: Aye.
10 CHAIRMAN BAKKER: Okay. Motion passes. Thank you, guys.
11 ETHAN HOLT: Thank you.
12 COMMISSIONER STIENMETZ: Thanks.
13 CHAIRMAN BAKKER: Actually, Robert, I think the next one's
14 you too.
15

16 5) Discussion and possible action regarding entering into a
17 service contract between AT&T and the Lander County Sheriff's
18 Office for E-911 services, and all other matters properly
19 related thereto.
20

21 CHAIRMAN BAKKER: Okay. Agenda Item Number 5, discussion
22 and possible action regarding entering into a service contract
23 between AT&T and Lander County Sheriff's Office for E-911
24 services, and all other matters properly related thereto.

25 SHERIFF RON UNGER: Good morning. He'll be with us in just
26 a second.

27 COMMISSIONER CLARK: State your name for the record.

28 SHERIFF RON UNGER: Ron Unger, for the --

29 COMMISSIONER CLARK: Oh, okay.

30 SHERIFF RON UNGER: -- record. Sorry.

31 UNDERSHERIFF ROBERT QUICK: Robert Quick for the sheriff's
32 office.

33 Oh, so what this is is a contract for the 911 system for the
34 Sheriff's Office.

35 So several years ago, we've -- we've -- probably five, this
36 has been going on, we've been trying to upgrade the Lander
37 County's emergency 911 system.

38 And AT&T and their vendors for these systems, which
39 apparently is a grueling certification process, has been dragging
40 along, so to speak.

1 We've we finally obtained a contract from -- from them.

2 We've budgeted for this for several years now, for the cost
3 of this contract. And they've now finally certified the equipment
4 that they're able to use.

5 Our present 911 system for the county is beyond end of life
6 by about five years. And it's barely being supported at all by
7 the -- AT&T, who's the vendor.

8 What this is -- this is a contract for services. So
9 instead of the county outright buying thousands and thousands
10 and thousands of dollars in equipment and then purchasing just a
11 -- a data service from AT&T for 911 systems, this actually is a
12 turnkey type system. So AT&T will purchase, supply the
13 equipment, and we pay for service-based equipment and -- and
14 service on a monthly basis.

15 CHAIRMAN BAKKER: How much is that, Robert?

16 UNDERSHERIFF ROBERT QUICK: It is ab- -- about s- --
17 there's an initial cost and then I want to say it's --

18 COMMISSIONER CLARK: Sixty a year.

19 UNDERSHERIFF ROBERT QUICK: About 6500 a month.

20 CHAIRMAN BAKKER: Sixty-five hundred a month?

21 UNDERSHERIFF ROBERT QUICK: And then --

22 CHAIRMAN BAKKER: What's the initial cost?

23 UNDERSHERIFF ROBERT QUICK: Sorry?

24 CHAIRMAN BAKKER: What's the initial cost?

25 UNDERSHERIFF ROBERT QUICK: That is a monthly cost.

26 There's no up-front large amount.

27 CHAIRMAN BAKKER: Okay.

28 UNDERSHERIFF ROBERT QUICK: But there is a recurring cost
29 to it based on the number of 911 cell calls we get.

30 They can predict the -- based on the population, the number
31 of 911 land-based calls we can get. So that's a flat rate that
32 we're charged.

33 However, because they don't know how many cell calls we
34 get, they charge us per call. So our budget reflects the base
35 cost of the contract as it's written. And then there's a -- a
36 little buffer in our current budget to allow for whatever number
37 of cell calls we get.

38 CHAIRMAN BAKKER: What do we pay currently?

39 UNDERSHERIFF ROBERT QUICK: Currently, we are running
40 probably 50,000 a year.

1 Again, that is based on number of calls we get.

2 CHAIRMAN BAKKER: Right.

3 UNDERSHERIFF ROBERT QUICK: It varies up to several
4 thousand a month depending on the calls.

5 For our current 911 system is what's referred to as Phase
6 0, which means that we are lucky if we get caller ID on a phone
7 call. We also cannot transfer to any other 911 data system in
8 any other county. And frequently, we get 911 calls from other
9 jurisdictions because it just depends -- with cell service -- it
10 depends on the tower it hits where it goes.

11 CHAIRMAN BAKKER: Right.

12 UNDERSHERIFF ROBERT QUICK: With this system, it will be a
13 true phase upper -- upgrade to that and allow us to get accurate
14 data from the vendor, from AT&T, of the subscriber's name, their
15 phone number, and their address.

16 With cell calls, it will allow us for phones that report
17 that, to get the GPS coordinates on an individual as well.

18 They've also incorporated, just recently into 911, texting.
19 That's still a very new feature, but they are -- it's
20 incorporated into the system as well. As you know, many people
21 can text before they can make a phone call, especially in the
22 sparse areas we're in; so that's also helpful.

23 CHAIRMAN BAKKER: Cool.

24 COMMISSIONER WAITS: This is the -- the current state of
25 the art of where we are, of where the other counties and states
26 are going; is it not? Are we --

27 UNDERSHERIFF ROBERT QUICK: Oh, absolutely. Absolutely.

28 COMMISSIONER WAITS: Okay.

29 UNDERSHERIFF ROBERT QUICK: It's called a public safety or
30 a peace app. And every county has one. Because we are required
31 to take 911 calls and so forth.

32 So all the counties around us are not at this level, but
33 they're certainly not the level we currently are.

34 COMMISSIONER WAITS: They're moving --

35 UNDERSHERIFF ROBERT QUICK: They're kind of an in-between.
36 We -- because we've been waiting so long to get this system
37 upgraded, we are the first one in the state of Nevada to do it
38 because the -- AT&T will be purchasing the backbone equipment on
39 their end for this.

40 And they've already got -- at the time I spoke to them, they

1 already have six other jurisdictions lined up behind us to upgrade
2 their equipment.

3 CHAIRMAN BAKKER: When will this take effect?

4 UNDERSHERIFF ROBERT QUICK: Six months, give or take, from
5 when you sign the contract or when the sheriff signs it and you
6 approve it.

7 COMMISSIONER MILLS: Are there any grants available to help
8 cover some of these costs?

9 UNDERSHERIFF ROBERT QUICK: The only other funding
10 available is the 911 surcharge that you're authorized by statute
11 to do to the county, which you've elected not to do.

12 COMMISSIONER WAITS: How -- how much equipment are we
13 talking? Is this something stored at the sheriff's office?

14 UNDERSHERIFF ROBERT QUICK: The only equipment at the
15 sheriff's office will be some small network-type equipment and
16 two PCs. Everything else will be on AT&T in Reno.

17 COMMISSIONER WAITS: Okay. But we aren't concerned about,
18 like repairing of that equipment or anything like that? That's
19 all taken care of?

20 UNDERSHERIFF ROBERT QUICK: Any repairs or replacements
21 during the contract period is the responsibility of AT&T.

22 COMMISSIONER WAITS: And --

23 UNDERSHERIFF ROBERT QUICK: Anything goes wrong, we call
24 them; they come and fix it.

25 COMMISSIONER WAITS: What kind of --

26 UNDERSHERIFF ROBERT QUICK: That is the other -- kind of
27 the other aspect of this. If the county decides to buy the
28 equipment, which it can do, separately, and then get the
29 service, because AT&T is the only vendor for that type of a
30 service, then in the past, I've seen, and I'm sure you have
31 seen, something happens and each one of the vendors blames the
32 other one as the cause.

33 And we can't -- we can't do that. We don't have that kind of
34 time with a 911 system.

35 So we've -- we've opted, especially with this -- this type
36 of system, we need a single vendor to go to and say, I don't
37 care what's wrong with it. Fix it and make it work.

38 COMMISSIONER WAITS: What kind of a life expectancy are we
39 looking at with this type of system?

40 UNDERSHERIFF ROBERT QUICK: You know, it's --

1 realistically, it's like any other computer because that's what
2 it's based off of. This is a five-year contract. And I
3 would -- I would wholeheartedly believe that in five years, the
4 negotiation is going to cost more because they -- everything
5 goes up. But the negotiation's going to be, I want new
6 equipment as well. Because new features come out as well on a
7 system. But it's -- it's five years, which is a standard life
8 expectancy --

9 COMMISSIONER WAITS: Thank you.

10 UNDERSHERIFF ROBERT QUICK: -- for this type of equipment.

11 CHAIRMAN BAKKER: Thank you, guys.

12 COMMISSIONER STIENMETZ: Thank you.

13 CHAIRMAN BAKKER: Can I get a motion?

14 COMMISSIONER STIENMETZ: I'll make a motion that we approve
15 entering into a service contract between AT&T and Lander County
16 Sheriff's Office for E-911 services and authorize the chair to
17 sign.

18 COMMISSIONER CLARK: We --

19 CHAIRMAN BAKKER: Or the sheriff to sign.

20 COMMISSIONER STIENMETZ: Authorize the sheriff to sign.

21 COMMISSIONER CLARK: I'll second that. We've got somebody
22 back there.

23 CHAIRMAN BAKKER: Hold on. I've got a motion by Steve.
24 Art seconded --

25 COMMISSIONER CLARK: Second.

26 CHAIRMAN BAKKER: -- it. Any public comment?

27 JENNIFER O'KANE: I just have -- I --

28 CHAIRMAN BAKKER: State your name.

29 JENNIFER O'KANE: -- some questions.

30 CHAIRMAN BAKKER: Come up --

31 JENNIFER O'KANE: Okay. I'm sorry.

32 CHAIRMAN BAKKER: -- here and state your name.

33 JENNIFER O'KANE: I have two questions. Is there a T-9
34 available with them? And is it fiber optic or is it overhang?

35 CHAIRMAN BAKKER: Jennifer, you've got to state your name.

36 JENNIFER O'KANE: Oh. Jennifer O'Kane.

37 UNDERSHERIFF ROBERT QUICK: The data service on this system
38 is a T-1 line.

39 JENNIFER O'KANE: It's not T-9.

40 UNDERSHERIFF ROBERT QUICK: T-1 line. And because of --

1 it's a single T-1 because we have no redundancy, regardless. So
2 even if we got two T-1 lines, if somebody cuts the line, they
3 both go down. So it's -- it's a standard T-1 line, which they
4 find to be sufficient for the number of trunks that we would
5 receive calls on.

6 JENNIFER O'KANE: And no fiber optics are available?

7 UNDERSHERIFF ROBERT QUICK: No.

8 JENNIFER O'KANE: Okay.

9 There are other options out there. And I don't know if it
10 would work for the sheriff's office, but it's fiberoptics that
11 actually goes under the ground to where they can't be cut. And
12 there are several people that are using them, including myself,
13 that are available. Have you guys looked into that or would it
14 even be feasible for Lander County Sheriff's Office?

15 UNDERSHERIFF ROBERT QUICK: We have looked at it. And
16 unfortunately, the fiber optics do get cut because they have
17 been cut on the Reno side, which killed all the phone systems
18 here. We currently have fiber optics in the sheriff's office.
19 However, the cost for what we need for this, for the data size
20 that we need, a T-1 was more than sufficient.

21 JENNIFER O'KANE: Okay.

22 CHAIRMAN BAKKER: Okay. Any more public comment?

23 (No comment.)

24 CHAIRMAN BAKKER: Okay. Got a motion and a second. All in
25 favor?

26 COMMISSIONER CLARK: Aye.

27 COMMISSIONER STIENMETZ: Aye.

28 COMMISSIONER MILLS: Aye.

29 COMMISSIONER WAITS: Aye.

30 CHAIRMAN BAKKER: Okay.

31 COMMISSIONER CLARK: Aye.

32 CHAIRMAN BAKKER: All in favor. Motion carries.

33
34 **6) Discussion and possible action to pay the 2016 Nevada**
35 **Association of Counties (NACO) annual membership dues, for**
36 **calendar year 2016 in an amount not to exceed \$13,787, and**
37 **all other matters properly related thereto.**
38

39 CHAIRMAN BAKKER: Agenda Item --

40 COMMISSIONER STIENMETZ: Thank you.

1 CHAIRMAN BAKKER: -- Number --
2 UNDERSHERIFF ROBERT QUICK: Thank you.
3 CHAIRMAN BAKKER: -- 6.
4 SHERIFF RON UNGER: Thank you.
5 CHAIRMAN BAKKER: Thank you, guys.
6 COMMISSIONER MILLS: You got your way twice today, Ron.
7 Mark it on your calendar.
8 SHERIFF RON UNGER: Well, thanks.
9 CHAIRMAN BAKKER: Discussion and possible action to pay the
10 2016 Nevada Association of Counties, NACO, annual membership
11 dues, for the calendar year 2016 in an amount not to exceed
12 \$13,787, and all other matters properly related thereto.
13 KEITH WESTENGARD: These are our annual membership dues for
14 NACO. And actually they've gone down from last year. We were
15 in the \$18,000 range last year. And we're down to 13,787.
16 CHAIRMAN BAKKER: This is just --
17 COMMISSIONER WAITS: Just to comment on that, the dues --
18 first of all, Nevada is a hundred percent NACO state, which
19 means all the counties belong.
20 And our -- our amount for our dues is predicated on a couple
21 of different things: our audited revenues, which have gone down,
22 and also the population.
23 There's a few counties that have gone down. Some have gone
24 up. So like Keith said, it has gone down. Last year was
25 18,761. So now it's down to 13,787.
26 And just as a quick comment on that, I wanted to say one of
27 the things that -- that NACO has certainly done for all of us in
28 this state is to -- to preserve our local decision-making.
29 That's one of the things they really, really work hard for and
30 are lobbying to protect the counties from unfunded mandates and
31 to actually make sure nothing is preempting our local authority.
32 And so that's one of the main focuses besides federal and state,
33 which they are there for us.
34 So I'm -- I'm thrilled that they can do the type of job
35 that they do. And of course, it's always nice to see your --
36 your dues go down a little bit, but that just means our revenues
37 went down too. So that's not always a good thing.
38 CHAIRMAN BAKKER: Anybody else?
39 COMMISSIONER WAITS: If nobody has any questions, I will
40 make a motion that we pay the 2016 NACO annual membership dues

1 in the amount not to exceed \$13,787.

2 COMMISSIONER STIENMETZ: I'll second the motion.

3 CHAIRMAN BAKKER: Patsy made the motion; Steve seconded it.
4 Any public comment?

5 (No comment.)

6 CHAIRMAN BAKKER: All those in favor?

7 COMMISSIONER STIENMETZ: Aye.

8 COMMISSIONER MILLS: Aye.

9 COMMISSIONER WAITS: Aye.

10 COMMISSIONER CLARK: Aye.

11 CHAIRMAN BAKKER: Okay. Everyone's in favor. Motion
12 carries.

13
14 7) Discussion and possible action to approve a contract between
15 Lander County and Pathfinders, Incorporated, for computer IT
16 services, and all other matters properly related thereto.
17

18 CHAIRMAN BAKKER: Agenda Item Number 7, discussion for
19 possible action to approve a contract between Lander County and
20 Pathfinders, Incorporated, for computer IT services, and all
21 other matters properly related thereto.

22 KEITH WESTENGARD: This is the contract that --

23 COMMISSIONER CLARK: Lura?

24 KEITH WESTENGARD: -- since you're here. Would you like to
25 --

26 LURA DUVALL: Sure.

27 KEITH WESTENGARD: Put together by the assessor. It has
28 been reviewed by the district attorney to provide these
29 services.

30 With that, I'll give it to Lura.

31 LURA DUVALL: Lura Duvall, assessor, for the record.

32 As he stated, the district attorney reviewed the contract,
33 and with a few minor changes, went over it. This will be for
34 computer IT services at a minimum of eight hours a week and a
35 maximum of 16, with four hours of phone service, basically remote
36 service, if necessary.

37 Right now, we're doing Mondays and Wednesdays for a little
38 while until we can kind of get caught up on everything.

39 They just installed a work order system online so they'll
40 be going around. They've got some of the departments set up

1 yesterday, most of them. And you'll be able to just go to a
2 website and just type in your work order, set a priority. It's
3 really user friendly and very, very much better than what we
4 have right now, which is the paper work orders. And then I will
5 see it and review it and then push it on to them. They'll see
6 it before they get here. And if it's something that's urgent,
7 an emergency or something they can take care of over the phone,
8 they'll do that right away. So you'll set a priority.

9 It's a pretty good program and it was actually free, which
10 I like. And it's just much easier for people to use. So if you
11 have problems, you'll be able to just log in.

12 And you can also see -- you can update your problem. You
13 can see any notes that we put in there. You can modify it. You
14 can delete it or cancel it -- not delete it, but cancel it. But
15 everything will be tracked. All of the work orders will be
16 tracked. And that way we can kind of analyze, you know, what
17 our overall needs are.

18 But I think this will work very well. I've asked for the
19 contract through the end of this fiscal year, the end of the
20 calendar year -- excuse me -- through December 31st.

21 And I can say if it wasn't for these people, we wouldn't be
22 functioning right now. Because the move and the chaos with all
23 the IT stuff, I probably would've just ran away.

24 It's -- it's been -- they've got us through some big hurdles.
25 And things are getting a lot better and things are starting to
26 smooth out quite a bit. So I anticipate that probably we'll go to
27 just eight hours a week at a point, you know, in the near future
28 because I think as things start to mesh together and work better,
29 the needs will start to diminish. And this is why I decided to go
30 this route rather than hiring a full-time person.

31 So hopefully with your approval and blessing we can proceed
32 with this and approve the contract.

33 CHAIRMAN BAKKER: And this comes out of your IT budget,
34 Lura?

35 LURA DUVALL: No. This comes out of the computer line that
36 we have budgeted for. Yeah.

37 COMMISSIONER WAITS: I noticed in the contract the -- the
38 actual hours that are -- are billable, it says, on site is \$85
39 an hour.

40 LURA DUVALL: Uh-huh. Yes.

1 COMMISSIONER WAITS: But on a remote site, which would be
2 Austin, --
3 LURA DUVALL: Uh-huh.
4 COMMISSIONER WAITS: -- Kingston, I'm assuming; right? If
5 --
6 CHAIRMAN BAKKER: Uh, no.
7 LURA DUVALL: No.
8 COMMISSIONER WAITS: If we ever get Kingston --
9 LURA DUVALL: Remote is telephone support.
10 CHAIRMAN BAKKER: Or in Winnemucca on the computer.
11 LURA DUVALL: Yeah, their --
12 COMMISSIONER WAITS: Okay.
13 LURA DUVALL: -- at their office and they need to remote
14 into your desktop and, you know, resolve problems, whether it be
15 here or Austin, that would be --
16 COMMISSIONER WAITS: So we're talking personal -- personal
17 visits there or just if --
18 LURA DUVALL: No. No.
19 Personal visits to Lander County.
20 Now if -- we may talk about, you know, once we get going on
21 this, as you guys start to put in work orders and there's enough
22 work, then instead of coming here, they would go there on a day,
23 maybe one day a month.
24 COMMISSIONER WAITS: That's where the travel time --
25 LURA DUVALL: Yes.
26 COMMISSIONER WAITS: -- comes in? They charge --
27 LURA DUVALL: Yes.
28 COMMISSIONER WAITS: -- travel time.
29 LURA DUVALL: They would have to because obviously that's
30 not -- I mean, that's double.
31 COMMISSIONER WAITS: But our on-site time here is
32 no travel --
33 LURA DUVALL: No travel.
34 COMMISSIONER WAITS: -- time. That's all.
35 LURA DUVALL: From Winnemucca to here, the on-site is no
36 travel.
37 COMMISSIONER WAITS: Okay.
38 CHAIRMAN BAKKER: They come here --
39 LURA DUVALL: Ted, --
40 CHAIRMAN BAKKER: -- on a regular --

1 LURA DUVALL: -- that's not something --
2 CHAIRMAN BAKKER: -- basis.
3 LURA DUVALL: -- we even thought about was Austin. But
4 that would be -- they would have to charge travel to go to
5 Austin, obviously, because that's a 150 miles.
6 DISTRICT ATTORNEY HERRERA: Well, it says Lander County
7 so -- so they --
8 LURA DUVALL: It does.
9 DISTRICT ATTORNEY HERRERA: -- they probably didn't
10 contemplate this.
11 LURA DUVALL: I don't think, yeah, it was ever even
12 discussed.
13 DISTRICT ATTORNEY HERRERA: No. It wasn't, but -- we put
14 everything on Lander County --
15 LURA DUVALL: Right.
16 DISTRICT ATTORNEY HERRERA: -- so technically --
17 technically, you know, we probably should notify them because --
18 because we didn't put down Battle Mountain, Austin. We put
19 Lander County.
20 LURA DUVALL: Yeah, we did.
21 DISTRICT ATTORNEY HERRERA: And -- and I don't think, as
22 Lura said, I don't think they contemplated the drive time to
23 Austin.
24 LURA DUVALL: I don't think that was even considered to be
25 included. No.
26 DISTRICT ATTORNEY HERRERA: Right, but we --
27 LURA DUVALL: So --
28 DISTRICT ATTORNEY HERRERA: -- but it does say Lander
29 County. So technically would be included. So I think, for
30 fairness, if we want good service, we should probably contact
31 them and have a -- fix a clause or add a clause to include --
32 LURA DUVALL: Can be we do an addendum?
33 DISTRICT ATTORNEY HERRERA: Yeah. We can do an addendum.
34 If you approve this with the understanding, in the motion, that
35 an addendum will be done that includes Austin specifically --
36 LURA DUVALL: Okay.
37 DISTRICT ATTORNEY HERRERA: -- that will be fine.
38 COMMISSIONER WAITS: And hopefully, we can do it by remote
39 access --
40 DISTRICT ATTORNEY HERRERA: Yeah.

1 COMMISSIONER WAITS: -- so they don't have to travel,
2 which --
3 DISTRICT ATTORNEY HERRERA: And --
4 COMMISSIONER WAITS: -- which would be --
5 DISTRICT ATTORNEY HERRERA: Right.
6 COMMISSIONER WAITS: -- the same for them, --
7 LURA DUVALL: Exactly. Exactly.
8 COMMISSIONER WAITS: -- of course. Yeah.
9 CHAIRMAN BAKKER: They're getting customers in Austin
10 too -- aren't they? -- with the new system?
11 DISTRICT ATTORNEY HERRERA: They are because they put their
12 thing on the --
13 CHAIRMAN BAKKER: So it needs to be specific --
14 DISTRICT ATTORNEY HERRERA: -- sheriff's department.
15 CHAIRMAN BAKKER: -- to only Lander County problems we'll
16 pay travel to Austin. Because if they're going down there for
17 their own personal --
18 LURA DUVALL: No, this has nothing to do with that. Uh-uh.
19 CHAIRMAN BAKKER: Okay.
20 DISTRICT ATTORNEY HERRERA: No, it really doesn't.
21 LURA DUVALL: No.
22 DISTRICT ATTORNEY HERRERA: But we need an addendum on
23 that. That's true. Because we just put Lander County on
24 everything.
25 LURA DUVALL: Uh-huh.
26 DISTRICT ATTORNEY HERRERA: And they didn't even -- I don't
27 think they even thought --
28 LURA DUVALL: I don't think that that -- because they've
29 never provided service there before. So we've had AVS cover
30 that area when we've needed because they're cl- -- well, they're
31 not really closer, but -- that's something I think we probably
32 better --
33 DISTRICT ATTORNEY HERRERA: Discuss.
34 LURA DUVALL: -- discuss with them. Yeah.
35 COMMISSIONER WAITS: So does this have any effect then on
36 the access that our departments might be able to have to the
37 website and changing --
38 LURA DUVALL: No correlation --
39 COMMISSIONER WAITS: -- any of that?
40 LURA DUVALL: -- between the two.

1 COMMISSIONER WAITS: Nothing at all?
2 LURA DUVALL: This is totally --
3 COMMISSIONER WAITS: With that.
4 LURA DUVALL: -- nothing to do with that. No.
5 COMMISSIONER WAITS: That's separate. Okay.
6 LURA DUVALL: That's completely separate. Yeah. Nothing
7 to do with that.
8 DISTRICT ATTORNEY HERRERA: So -- so the motion should --
9 should reference that this particular contract, even though it
10 says Lander County, is in reference to Battle Mountain area?
11 LURA DUVALL: Correct.
12 CHAIRMAN BAKKER: And you need an addendum for travel?
13 DISTRICT ATTORNEY HERRERA: And we need an addendum for the
14 Austin area. Or -- yes.
15 LURA DUVALL: With exception to the remote support.
16 DISTRICT ATTORNEY HERRERA: Right.
17 LURA DUVALL: Yeah, which I would assume --
18 DISTRICT ATTORNEY HERRERA: It would be the same. It would
19 be --
20 LURA DUVALL: It would be the same.
21 DISTRICT ATTORNEY HERRERA: -- s- --
22 LURA DUVALL: Yeah.
23 DISTRICT ATTORNEY HERRERA: Same for remote.
24 COMMISSIONER WAITS: So how -- how do we do this? Do you
25 write up the addendum? Do they write up the addendum? That
26 comes up separately before us?
27 DISTRICT ATTORNEY HERRERA: We -- we'd talk to them --
28 LURA DUVALL: Yeah.
29 DISTRICT ATTORNEY HERRERA: -- and come to an agreement and
30 then submit the addendum to -- to --
31 COMMISSIONER WAITS: Okay.
32 DISTRICT ATTORNEY HERRERA: -- to the county.
33 COMMISSIONER WAITS: But this has been basically in effect.
34 It's going retroactively to --
35 LURA DUVALL: Yes.
36 COMMISSIONER WAITS: -- January --
37 LURA DUVALL: Yes.
38 COMMISSIONER WAITS: -- -16th because they've been --
39 LURA DUVALL: As far as the billing, yes.
40 COMMISSIONER WAITS: -- helping you.

1 LURA DUVALL: Yes.
2 COMMISSIONER WAITS: Right.
3 DISTRICT ATTORNEY HERRERA: Yes.
4 COMMISSIONER WAITS: So you want us to approve this right
5 now without the addendum?
6 DISTRICT ATTORNEY HERRERA: Yes.
7 COMMISSIONER WAITS: Okay.
8 DISTRICT ATTORNEY HERRERA: And that's why I'd like a
9 reference to Battle Mountain in this context because it's Battle
10 Mountain area and the Austin area with remote, but it doesn't
11 cover travel time to Austin.
12 COMMISSIONER WAITS: Right.
13 CHAIRMAN BAKKER: Can I get a motion?
14 Anyone?
15 COMMISSIONER STIENMETZ: Let's see. I'll make a motion
16 that we approve a contract between Lander County and
17 Pathfinders, Incorporated, for computer IT service for the
18 Battle Mountain area and remote access and an addendum will be
19 written to cover Austin.
20 COMMISSIONER WAITS: It's remote access to Battle Mountain
21 and Austin.
22 COMMISSIONER STIENMETZ: That's what I said.
23 COMMISSIONER WAITS: And then an addendum to Austin; --
24 COMMISSIONER STIENMETZ: Right.
25 COMMISSIONER WAITS: -- right?
26 UNIDENTIFIED PARTICIPANT: Yes.
27 CHAIRMAN BAKKER: Right.
28 LURA DUVALL: Physical on site.
29 CHAIRMAN BAKKER: Right.
30 COMMISSIONER STIENMETZ: For physical on site.
31 CHAIRMAN BAKKER: And authorize the chair to sign.
32 COMMISSIONER STIENMETZ: And authorize the chair to sign.
33 COMMISSIONER CLARK: Second.
34 CHAIRMAN BAKKER: Okay. Steve made a motion; Art seconded
35 it. Any public comment?
36 (No comment.)
37 CHAIRMAN BAKKER: All those in favor?
38 COMMISSIONER STIENMETZ: Aye.
39 COMMISSIONER MILLS: Aye.
40 COMMISSIONER WAITS: Aye.

1 COMMISSIONER CLARK: Aye.

2 CHAIRMAN BAKKER: Art said, --

3 COMMISSIONER CLARK: Aye.

4 CHAIRMAN BAKKER: -- aye, for the record.

5 COMMISSIONER CLARK: Aye, aye, aye.

- 6
7 8) Discussion and possible action to move the regularly
8 scheduled Lander County Board of Commissioners meeting
9 scheduled for March 24, 2016, to March 31, 2016, due to the
10 2016 Nevada Airports Association membership and conference
11 scheduled for March 22nd to March 25th, 2016, located in
12 Boulder City, Nevada, and all other matters properly related
13 thereto.
14

15 CHAIRMAN BAKKER: Okay. Agenda Item Number 8, discussion
16 and possible action to move the regulatory [verbatim] scheduled
17 Lander County Board of Commissioners meeting scheduled for
18 March 24th, 2016, to March 31st, 2016, due to the 2016 Nevada
19 Airports Association membership and conference scheduled for
20 March 22nd to March 25th, 2016, located in Boulder City,
21 Nevada, and all other matters properly related thereto.

22 KEITH WESTENGARD: We're asking to -- to have the
23 commission meeting moved. Commissioner Mills and Commissioner
24 Waits would like to attend that, which would severely affect the
25 meeting.

26 COMMISSIONER WAITS: Actually, I'm not sure whether I am
27 going to attend. I'm going to wait to see if -- if Commissioner
28 Mills does. I think one commissioner is extremely important. I
29 don't know that they need two.

30 But I know Ray Williams was interested as our chair of
31 Austin Airport Advisory Board of attending. And most certainly
32 we want our airport manager, our executive director, to attend.
33 So it was important that we move this. And naturally, our
34 county engineer, J-U-B, always attends.

35 KEITH WESTENGARD: Yes.

36 COMMISSIONER WAITS: Lew Lott is always there so...

37 If that's okay with everybody on the schedule of the 31st
38 of March. It worked out where we still have two weeks --

39 KEITH WESTENGARD: Correct.

40 COMMISSIONER WAITS: -- to our next commission meeting too

1 so it didn't hurt the departments and finance, I don't think.
2 Okay, I'll make a motion that the Lander County Board of
3 Commissioners reschedule our March 24th, 2016, meeting to
4 March 31st, 2016.

5 COMMISSIONER STIENMETZ: I'll second the motion.

6 CHAIRMAN BAKKER: Okay. Patsy made a motion. What?

7 COUNTY CLERK SULLIVAN: I just have a question.

8 CHAIRMAN BAKKER: Patsy made a motion. Steve seconded it.
9 Any public comment?

10 COUNTY CLERK SULLIVAN: Sadie Sullivan, for the record.

11 In this instance, we need to do a publication; is that
12 correct?

13 DISTRICT ATTORNEY HERRERA: Yes.

14 COUNTY CLERK SULLIVAN: Okay.

15 DISTRICT ATTORNEY HERRERA: That is right.

16 COUNTY CLERK SULLIVAN: Is that something you guys would
17 like me to do or Keith's office?

18 CHAIRMAN BAKKER: I guess you, --

19 KEITH WESTENGARD: Might as well.

20 CHAIRMAN BAKKER: -- Sadie.

21 COUNTY CLERK SULLIVAN: Okay.

22 KEITH WESTENGARD: I have --

23 COUNTY CLERK SULLIVAN: Thank you.

24 CHAIRMAN BAKKER: Thank you, --

25 KEITH WESTENGARD: -- Google here, if --

26 CHAIRMAN BAKKER: -- Sadie.

27 KEITH WESTENGARD: -- she'd like.

28 COUNTY CLERK SULLIVAN: Thanks.

29 CHAIRMAN BAKKER: Any more public comment?

30 (No comment.)

31 CHAIRMAN BAKKER: All those in favor?

32 COMMISSIONER STIENMETZ: Aye.

33 COMMISSIONER MILLS: Aye.

34 COMMISSIONER WAITS: Aye.

35 COMMISSIONER CLARK: Aye.

36 CHAIRMAN BAKKER: Okay. All in favor.

- 37
38 9) Discussion and possible action regarding county
39 commissioners' attendance at the National Riparian meeting to
40 be held at the Battle Mountain Civic Center February 17,

1 2016, and all other matters properly related thereto.

2
3 CHAIRMAN BAKKER: Moving on to Agenda Item Number 9.
4 Discussion and possible action regarding county commissioners'
5 attendance at the National Riparian meeting to be held at the
6 Battle Mountain Civic Center February 17th, 2016, and all other
7 matters properly related thereto.

8 KEITH WESTENGARD: This was placed on the agenda in the
9 event that more than two of the commissioners would like to
10 attend this meeting.

11 If there's only two that would like to go, then we don't
12 need to agendize it.

13 COMMISSIONER CLARK: Yep.

14 KEITH WESTENGARD: So it's -- it's up for your discussion.

15 COMMISSIONER CLARK: I would recommend that you agend- --
16 agendize it in case more than two of us show up. I know I'll be
17 there.

18 COUNTY CLERK SULLIVAN: I have a question. Sadie Sullivan,
19 for the record.

20 What's the time for this meeting?

21 COMMISSIONER CLARK: Yeah.

22 COUNTY CLERK SULLIVAN: Is it day? Evening?

23 COMMISSIONER MILLS: I don't think we know that.

24 COMMISSIONER CLARK: We usually start in the morning.

25 COUNTY CLERK SULLIVAN: Okay, I just need to make sure --

26 PAULA TOMERA: Actually, --

27 COMMISSIONER CLARK: Yeah.

28 COUNTY CLERK SULLIVAN: -- I have staff.

29 PAULA TOMERA: Sorry. Paula Tomera for the record.

30 I believe it's -- they scheduled it from 4:00 to 8:00 p.m.
31 So I think it -- I'm not sure exactly on the time, but I'll get
32 with you. But it's an evening --

33 COUNTY CLERK SULLIVAN: Okay.

34 COMMISSIONER CLARK: Would you --

35 PAULA TOMERA: -- meeting.

36 COMMISSIONER CLARK: Maybe you should call BLM and get the
37 exact time.

38 FRANK WHITMAN: Austin here.

39 CHAIRMAN BAKKER: Go ahead, Frank.

40 FRANK WHITMAN: What was the times on that? Did --

1 CHAIRMAN BAKKER: Well, state your name, Frank? Sorry.
2 FRANK WHITMAN: I'm sorry. Frank Whitman, here from
3 Austin. Did you have some times on that? Some --
4 CHAIRMAN BAKKER: Yeah. Paula just said she believes it's
5 between 4:00 and 8:00, but they're going to double-check.
6 FRANK WHITMAN: Very good. Thank you.
7 CHAIRMAN BAKKER: Your guys' feelings?
8 How do you feel?
9 COMMISSIONER STIENMETZ: I'd put it on the agenda just --
10 COMMISSIONER CLARK: Yeah.
11 CHAIRMAN BAKKER: Okay.
12 COMMISSIONER CLARK: Agendize it.
13 CHAIRMAN BAKKER: So we need a motion?
14 DISTRICT ATTORNEY HERRERA: Yes.
15 COMMISSIONER WAITS: I do have a Kingston board meeting
16 that night. If it's something that we agendize, is this
17 something you want all of us there for? Or just enough to
18 cover --
19 COMMISSIONER MILLS: No.
20 COMMISSIONER WAITS: -- that those that will attend --
21 COMMISSIONER STIENMETZ: Just in case --
22 DISTRICT ATTORNEY HERRERA: Commissioner, --
23 COMMISSIONER STIENMETZ: -- more than two of us show up.
24 COMMISSIONER CLARK: Right.
25 DISTRICT ATTORNEY HERRERA: Commissioner, we put it -- we
26 worded it the way we worded it to see if more than two
27 commissioners --
28 COMMISSIONER WAITS: Right.
29 DISTRICT ATTORNEY HERRERA: -- wanted to go.
30 COMMISSIONER WAITS: Okay.
31 DISTRICT ATTORNEY HERRERA: And if they did, we'd have to
32 do a special meeting.
33 COMMISSIONER MILLS: Just precautionary.
34 COMMISSIONER CLARK: So if we agendize it, then if more
35 than two of us showed up, we'd be covered.
36 DISTRICT ATTORNEY HERRERA: Yes.
37 COMMISSIONER CLARK: It's the same thing we did last time.
38 DISTRICT ATTORNEY HERRERA: Yes. Correct.
39 COMMISSIONER CLARK: Yeah.
40 DISTRICT ATTORNEY HERRERA: That's correct.

1 CHAIRMAN BAKKER: Okay. Need a motion.

2 COMMISSIONER CLARK: Well, I make a motion that we agendize
3 the National Riparian meeting be held at the civic center on
4 February 17th with the county clerk to post the correct time
5 after she checks with BLM.

6 COMMISSIONER STIENMETZ: I'll second the motion.

7 CHAIRMAN BAKKER: Art made a motion. Steve seconded it.
8 Any public comment?

9 COUNTY CLERK SULLIVAN: Sadie Sullivan, for the record.
10 I just need to make sure who's going to be doing the
11 agenda.

12 KEITH WESTENGARD: We- -- we'll do it.

13 CHAIRMAN BAKKER: Okay.

14 COUNTY CLERK SULLIVAN: And then you'll get it to us to
15 post?

16 KEITH WESTENGARD: Yes.

17 COUNTY CLERK SULLIVAN: Okay. Thank you.

18 CHAIRMAN BAKKER: Perfect.

19 No public comment?

20 All those in favor?

21 COMMISSIONER STIENMETZ: Aye.

22 COMMISSIONER CLARK: Aye.

23 COMMISSIONER MILLS: Aye.

24 COMMISSIONER WAITS: Aye.

25 CHAIRMAN BAKKER: All right. All in favor. Moving on.

26 UNIDENTIFIED PARTICIPANT: (Indiscernible.)
27

28 **10) Presentation from Marty Ugalde on septic systems in Lander**
29 **County, Battle Mountain area, and discussion and possible**
30 **action on the developers' responsibility of installing water**
31 **and sewer in order to be compliant with the Lander County**
32 **master plan, and all other matters related thereto.**
33

34 CHAIRMAN BAKKER: Number 10. Presentation from Marty
35 Ugalde on septic systems in Lander County, Battle Mountain area,
36 and discussion, possible action on the developers'
37 responsibility of installing water and sewer in order to be
38 compliant with the Lander County master plan, and all other
39 matters properly relating thereto.

40 COMMISSIONER WAITS: Hello, Marty.

1 COMMISSIONER STIENMETZ: Hi, Marty.

2 MARTIN UGALDE: Good morning. Marty Ugalde with Day
3 Engineering.

4 I was a little unsure what was -- what you guys were
5 looking for here when I saw my name on the agenda.

6 But I did -- I did do some research and -- with the state.
7 And I guess it -- this is a brief presentation. But
8 essentially, the state has on their website -- when I say the
9 state, I mean the Division of Environmental Protection,
10 specifically the Bureau of Water Pollution Control. They have
11 different bureaus. They have safe drinking water and different
12 bureaus. And they police and -- and manage and maintain and
13 enforce the U.S. EPA guidelines and requirements for things like
14 safe drinking water and groundwater pollution, which in this
15 case is related to septic systems.

16 And so on the website, they have a table. And the table
17 contains a density number or number of septic systems that is
18 considered allowable with relation to groundwater contamination
19 per groundwater basin. And just very briefly, what that means
20 is, the state has been divided into groundwater basins, based on
21 hydrology. Your water rights are based on that.

22 And so with respect to groundwater basins, the septic
23 system density's also related to the groundwater basin because
24 your septic systems, through your leach fields, contribute to
25 the ground water. That's what it's based on.

26 Battle Mountain is in Basin 64. If you go on the website
27 in the state engineer's office, Division of Water Resources,
28 you'll see that your water rights are listed under Basin 64,
29 Clovers area.

30 And so with regard to the septic system density for Basin
31 64, the number is 99. That's on their table. What 99 means is
32 you can have 99 septic systems in one square mile. That's the
33 allowable density for Basin 64. So that's really it in a
34 nutshell.

35 One of the things that is, I guess, a little confusing to
36 me and perplexing -- and I called Charlie Lee. He's the guy
37 that is the representative at the state at NDP for septic
38 system. It used to be Ken Green. When I did the septic system,
39 the re- -- replacement or the new septic system at the golf
40 course here in town, Ken Green was the guy I've always dealt

1 with. Charlie Lee's the new guy.

2 And I spoke with him a little bit. And what I asked him
3 was specifically this: Ninety-nine septic systems in a square
4 mile is 99 sys- -- 99 septics in 640 acres. That's a square
5 mile. That's one section. A section is one square mile.
6 That's 640 acres. That's equivalent to one septic system for
7 every six acres.

8 So how does that -- I was thinking -- how does that fall into
9 play with -- with zoning, planning studies, planning areas? And I
10 really don't know the answer to that because I don't know your --
11 your -- your planning criteria.

12 However, I do know that Lander County does have a land-use
13 plan, a zoning plan. And that's the reason you have these
14 things is to make these things work.

15 Because I can see where there'd be an issue where you might
16 have a cluster of septics in a specific development because it
17 meets the criteria, but then that would eliminate the potential
18 for future development from somebody else. And it's usually
19 first come, first serve. And where do you draw the -- the
20 circle for one square mile? That's kind of the question I have
21 in my mind.

22 And so whatever land-use plan, zoning plans, whatever
23 master plans that the county has, I believe that's the best
24 solution to address anything for future development when it
25 comes to water and sewer. Because that's the plan that you put
26 together to address issues that include density of septics and
27 how do you get water supply, water wells, and things like that.

28 But that's beyond me. And I'm -- you know, I'm not
29 involved with any of that process. But to address that, how
30 would you -- how you would assess where to put 99 septics in a
31 development? So I can't answer those questions. But as far as
32 the state's concerned, 99's the magic number.

33 There is one other caveat to that. And the state allows a
34 report to be filed with the Division if they believe that
35 they -- when I say they, perhaps let's say a developer comes in
36 and they want to develop, the state does allow a report to be
37 submitted by whomever that could potentially justify a greater
38 density or more septics to be installed. But again, that's up
39 to the state. It has -- has to be submitted by whomever wants
40 to, you know, install more septics. But as far as the state's

1 concerned, 99's kind of your magic number. And it's -- again,
2 it's based on your groundwater basin. So...

3 One thing I would like to add, though, in relation to this,
4 in talking with master plans and land-use plans and zoning
5 plans, Day Engineering's going to be involved in July putting
6 together, updating your water and sewer master plans. And the
7 purpose for that plan, obviously, you can see the benefit to
8 that. We have to look at potential growth areas, potential
9 development areas, and how it's going to impact your existing
10 water and sewer infrastructure. And so that's the reason you
11 pay to have these studies done is so that you can look forward
12 and look ahead to things like future developments and say, okay,
13 you know, if we're going to develop and, you know, put in
14 another hundred lots, we're going to need more storage. We're
15 going to need more groundwater. We might need more water
16 rights, things like that.

17 So I probably said more than I needed to, but that --
18 that's really all I have on density for septics.

19 COMMISSIONER WAITS: Thank you. We appreciate --

20 COMMISSIONER STIENMETZ: Thank you.

21 COMMISSIONER WAITS: -- the background, --

22 COMMISSIONER CLARK: Thanks.

23 COMMISSIONER WAITS: -- Marty.

24 COMMISSIONER CLARK: Thanks, Marty.

25 COMMISSIONER WAITS: Thank you.

26 MARTIN UGALDE: Thank you.

27 COMMISSIONER MILLS: Thanks.

28 CHAIRMAN BAKKER: Thanks, Marty. So...

29 What would you guys like to do?

30 COMMISSIONER MILLS: What are you looking to do?

31 CHAIRMAN BAKKER: It says, take possible action on the
32 developers' responsibility of installing water and sewer in
33 order to be compliant with Lander County master plan.

34 Just follow the master plan?

35 COMMISSIONER MILLS: Yeah.

36 Are we in compliance with our master plan? Are we in
37 compliance with this 99 --

38 DISTRICT ATTORNEY HERRERA: We have not --

39 COMMISSIONER MILLS: -- septic systems --

40 DISTRICT ATTORNEY HERRERA: -- been in --

1 COMMISSIONER MILLS: -- per square mile?
2 DISTRICT ATTORNEY HERRERA: -- compliance with the master
3 plan.
4 CHAIRMAN BAKKER: We're not in compliance with the master
5 plan.
6 COMMISSIONER MILLS: Well.
7 DISTRICT ATTORNEY HERRERA: Why not? Is that what you're
8 asking?
9 CHAIRMAN BAKKER: No. He said, "Well."
10 DISTRICT ATTORNEY HERRERA: Oh, okay.
11 COMMISSIONER MILLS: I would think we need to be.
12 CHAIRMAN BAKKER: Do we need a motion, Ted?
13 DISTRICT ATTORNEY HERRERA: Yes. But the --
14 COMMISSIONER MILLS: Is there a specific --
15 DISTRICT ATTORNEY HERRERA: -- any -- any action you take
16 will -- will -- is going to trickle down to the planning
17 commission's ongoing decisions on this.
18 COMMISSIONER CLARK: Right.
19 DISTRICT ATTORNEY HERRERA: And if you -- for instance, if
20 you're going to make developers responsible or something, then
21 you guys are making a policy that the planning commission and
22 everybody that comes in front of it from now on or in front of
23 your board -- because it gets to your board, including the next
24 item, will need to be in compliance with the master plan if you
25 choose to go that way.
26 So it has far-reaching implications is what I'm saying.
27 CHAIRMAN BAKKER: I've got a question. We adopted a master
28 plan. The planning commission's supposed to be following it.
29 Why haven't they? I mean, why spend all the money on a master
30 plan if they're not going to use it?
31 KEITH WESTENGARD: Excellent question.
32 COMMISSIONER WAITS: My understanding, though, is it's
33 ready to be updated; right?
34 CHAIRMAN BAKKER: The master --
35 COMMISSIONER WAITS: We're saying we haven't been following
36 the master plan?
37 CHAIRMAN BAKKER: Right. The zoning. He -- Marty's going
38 to do an update on our water and sewer --
39 COMMISSIONER WAITS: Right.
40 CHAIRMAN BAKKER: -- master plan.

1 COMMISSIONER WAITS: Right. And that is in the process
2 of -- we -- we need to update that; right?
3 DISTRICT ATTORNEY HERRERA: The water and sewer part of it,
4 not the zoning part of it --
5 COMMISSIONER WAITS: Right.
6 DISTRICT ATTORNEY HERRERA: -- necessarily.
7 COMMISSIONER WAITS: Right.
8 DISTRICT ATTORNEY HERRERA: So the question in front of you
9 is, if -- if you want to be -- you want to make a policy that --
10 that we have to, in zoning matters, be compliant with the master
11 plan or you don't.
12 COMMISSIONER WAITS: Because --
13 DISTRICT ATTORNEY HERRERA: That's the issue.
14 COMMISSIONER WAITS: -- they haven't been?
15 CHAIRMAN BAKKER: They haven't.
16 DISTRICT ATTORNEY HERRERA: No.
17 For instance, the master plan contemplates that -- that next
18 to agricultural parcels can be only five acres, and we're allowing
19 them to go down to two.
20 And if they go down to two, then each two-acre parcel -- like
21 the next thing on the agenda gets a septic tank, then you're
22 having all these septic tanks.
23 COMMISSIONER WAITS: Okay. So our other option is, instead
24 of jumping into changing something or slapping hands because we
25 haven't done it, is to update it and then -- and make sure it's
26 going to be --
27 DISTRICT ATTORNEY HERRERA: Well, I don't believe that
28 part's being --
29 COMMISSIONER WAITS: -- followed?
30 DISTRICT ATTORNEY HERRERA: -- updated.
31 CHAIRMAN BAKKER: No, it --
32 COMMISSIONER WAITS: You don't --
33 CHAIRMAN BAKKER: -- Marty --
34 COMMISSIONER WAITS: -- believe water and sour -- water and
35 sour -- water and sewer --
36 DISTRICT ATTORNEY HERRERA: Water and sewer.
37 COMMISSIONER WAITS: -- or just the zoning?
38 DISTRICT ATTORNEY HERRERA: The zoning.
39 CHAIRMAN BAKKER: The water and sewer system is what
40 Marty's going to be working on --

1 DISTRICT ATTORNEY HERRERA: Right.
2 CHAIRMAN BAKKER: -- as far as our pipes and where we need
3 to plumb, --
4 COMMISSIONER WAITS: Yes, but --
5 CHAIRMAN BAKKER: -- not the zoning and the septic.
6 COMMISSIONER WAITS: Right. No, I understand that.
7 CHAIRMAN BAKKER: So it's not getting updated. We didn't
8 -- we're not -- Marty's not doing that part of it.
9 KEITH WESTENGARD: We have -- we have a master plan in
10 place --
11 DISTRICT ATTORNEY HERRERA: For zoning.
12 COMMISSIONER WAITS: Right.
13 KEITH WESTENGARD: -- for zoning. But it just hasn't --
14 DISTRICT ATTORNEY HERRERA: It hasn't been followed.
15 KEITH WESTENGARD: -- been followed.
16 DISTRICT ATTORNEY HERRERA: Okay.
17 COMMISSIONER WAITS: Okay. It's just the zoning one you're
18 talking about them not following it.
19 DISTRICT ATTORNEY HERRERA: Right.
20 COMMISSIONER WAITS: And I'm talking about the update that
21 everyone's recommended we do on our water and sewer so --
22 KEITH WESTENGARD: That's separate.
23 COMMISSIONER WAITS: Separate? Okay.
24 KEITH WESTENGARD: That is correct.
25 COMMISSIONER CLARK: Okay. The master plan and the water
26 and sewer master plan merge.
27 DISTRICT ATTORNEY HERRERA: Right.
28 COMMISSIONER CLARK: In development.
29 DISTRICT ATTORNEY HERRERA: Right.
30 COMMISSIONER CLARK: The master plan is specific about how
31 land's developed without septic and with septic.
32 DISTRICT ATTORNEY HERRERA: Right.
33 COMMISSIONER CLARK: City water and sewer. Okay.
34 CHAIRMAN BAKKER: Okay.
35 COMMISSIONER CLARK: So --
36 COMMISSIONER MILLS: So are we --
37 COMMISSIONER CLARK: I'd like to make --
38 COMMISSIONER MILLS: Are we saying we're out of compliance
39 on some of these things in some areas?
40 CHAIRMAN BAKKER: We are.

1 DISTRICT ATTORNEY HERRERA: The zoning -- the -- we've been
2 allowing smaller parcels than -- than the master plan
3 contemplates. That's how we're out of compliance.

4 Well, the -- the commissioners have adopted the plan
5 commission; how could that --

6 KEITH WESTENGARD: You're right.

7 CHAIRMAN BAKKER: Okay. So what do we need to do?

8 COMMISSIONER CLARK: We need a --

9 CHAIRMAN BAKKER: We need a motion.

10 COMMISSIONER CLARK: We need a motion.

11 DISTRICT ATTORNEY HERRERA: Well, you either need to follow
12 the master plan or use the master plan just as a maybe.

13 CHAIRMAN BAKKER: No, we didn't spend all that money not to
14 follow it.

15 DISTRICT ATTORNEY HERRERA: That's what we've been doing.

16 COMMISSIONER CLARK: That's what's been done. We can
17 correct it from this point forward.

18 CHAIRMAN BAKKER: Okay, so --

19 COMMISSIONER CLARK: We can't -- we can't rec- --

20 CHAIRMAN BAKKER: Then I need a motion to correct what's
21 been wrong.

22 COMMISSIONER CLARK: No, we just need a -- we need a motion
23 to follow the master plan.

24 DISTRICT ATTORNEY HERRERA: We need a motion that -- that
25 all developers and -- and the planning commission --

26 COMMISSIONER CLARK: Domestic and industrial.

27 DISTRICT ATTORNEY HERRERA: -- need to follow the master
28 plan, --

29 COMMISSIONER CLARK: Right.

30 DISTRICT ATTORNEY HERRERA: -- if that's what --

31 COMMISSIONER MILLS: Having --

32 DISTRICT ATTORNEY HERRERA: -- you want to do.

33 COMMISSIONER MILLS: -- having created --

34 CHAIRMAN BAKKER: And the planning commission.

35 DISTRICT ATTORNEY HERRERA: And --

36 COMMISSIONER MILLS: -- having created --

37 DISTRICT ATTORNEY HERRERA: -- the planning commission.

38 COMMISSIONER MILLS: -- a master plan, isn't it assumed
39 that we're going to follow it? Do we need a motion to follow
40 the plan?

1 DISTRICT ATTORNEY HERRERA: The -- the master plan is -- is
2 not a "shall." You shall do this.

3 COMMISSIONER MILLS: Okay.

4 DISTRICT ATTORNEY HERRERA: It is -- is this is a
5 reasonable approach and you should follow it.

6 But there's no "shall" language. If you -- if you make a
7 motion and adopt it as policy, you're making it a "shall." We
8 shall follow --

9 COMMISSIONER MILLS: I see.

10 DISTRICT ATTORNEY HERRERA: -- the master plan from here on
11 out.

12 CHAIRMAN BAKKER: And the planning commission shall.

13 COMMISSIONER MILLS: Okay.

14 COMMISSIONER WAITS: With that, I think maybe we would have
15 to go back and review that master plan before I would absolutely
16 say shall. Because sometimes we've got things in there that are
17 for bigger cities.

18 UNIDENTIFIED PARTICIPANT: Uh-huh.

19 COMMISSIONER WAITS: And we might want to take a look at it
20 that it's definitely what we want to follow before we say, you
21 shall --

22 COMMISSIONER MILLS: You shall --

23 COMMISSIONER WAITS: -- follow.

24 COMMISSIONER MILLS: -- follow.

25 COMMISSIONER WAITS: You will follow this.

26 If it's just a recommendation and we haven't followed it,
27 then maybe we should look at it to see if it's truly going to be
28 workable for our -- we're still a rural county. And maybe we
29 don't want all the whistles and bells that a master plan we put
30 together -- saying, this is something we might like out here.

31 So before we just say, follow it, guys, I think --

32 CHAIRMAN BAKKER: Well, what part --

33 COMMISSIONER MILLS: So --

34 CHAIRMAN BAKKER: What part of the master plan is for
35 bigger cities?

36 COMMISSIONER WAITS: Well, there's some things in there
37 that -- how we follow different codes and stuff.

38 CHAIRMAN BAKKER: Because --

39 COMMISSIONER WAITS: Yeah. I mean it's -- it's an ideal --

40 CHAIRMAN BAKKER: I read the whole thing.

1 COMMISSIONER WAITS: -- when you put the master plan, like,
2 let's put this together. But it's just a few people are putting
3 it together.
4 CHAIRMAN BAKKER: Well, we paid --
5 COMMISSIONER WAITS: We paid big bucks to have it together.
6 CHAIRMAN BAKKER: No, who's the guy that did it?
7 COMMISSIONER WAITS: Yes, we do.
8 CHAIRMAN BAKKER: Rex Massey.
9 KEITH WESTENGARD: Yes.
10 DISTRICT ATTORNEY HERRERA: The zoning part of the master
11 plan is for this area.
12 CHAIRMAN BAKKER: Yeah, Rex --
13 DISTRICT ATTORNEY HERRERA: It's not --
14 CHAIRMAN BAKKER: -- conferred it to Battle Mountain.
15 COMMISSIONER WAITS: I understand that. But I also know
16 that -- that I've seen Rex come up with some things regarding
17 wells and what has to be done that truly are -- are for bigger
18 areas than us.
19 So I'm saying I think before we just say, absolutely follow
20 it. That's the -- that's -- that's our concern.
21 DISTRICT ATTORNEY HERRERA: You can certainly make a motion
22 that they will follow the master plan and -- and give -- give
23 authority for your board to authorize --
24 CHAIRMAN BAKKER: Advise it.
25 DISTRICT ATTORNEY HERRERA: -- an --
26 COMMISSIONER CLARK: Right.
27 DISTRICT ATTORNEY HERRERA: -- exception.
28 COMMISSIONER CLARK: Right. There's always --
29 CHAIRMAN BAKKER: Yep.
30 COMMISSIONER CLARK: -- exceptions.
31 COMMISSIONER MILLS: When certain --
32 COMMISSIONER WAITS: I understand that. I'm just saying I
33 think I'd like to read that again before we just say, "All
34 right. Follow it."
35 COMMISSIONER MILLS: When's the next time the master plan's
36 going to get updated?
37 CHAIRMAN BAKKER: When we approve the money to do it.
38 COMMISSIONER MILLS: But --
39 COMMISSIONER CLARK: If we don't --
40 COMMISSIONER MILLS: -- how old is this master plan?

1 COMMISSIONER CLARK: If we don't --
2 CHAIRMAN BAKKER: 2010.
3 COMMISSIONER CLARK: If we don't go ahead and move on this,
4 then we have unrestricted development.
5 DISTRICT ATTORNEY HERRERA: Yes.
6 COMMISSIONER WAITS: Well, surely we could -- we could
7 certainly look at it in our next meeting, if we go ahead and
8 table it and do a little bit more research. I mean, I'd truly
9 like to read the master plan again before I just say, I want
10 everybody in this county to follow this.
11 COMMISSIONER CLARK: It's right here.
12 CHAIRMAN BAKKER: (Indiscernible.)
13 COMMISSIONER WAITS: I mean, I've -- I've reviewed it for
14 certain things. But I haven't reviewed it with the idea that
15 every single thing is going to be enforceable. And I'd like the
16 opportunity to do that.
17 CHAIRMAN BAKKER: Well, that's where the exceptions clause
18 comes in.
19 COMMISSIONER CLARK: Right.
20 CHAIRMAN BAKKER: That fixes all that.
21 COMMISSIONER WAITS: I -- I understand that too. But I --
22 CHAIRMAN BAKKER: Obviously not.
23 COMMISSIONER WAITS: -- before I --
24 CHAIRMAN BAKKER: Because --
25 COMMISSIONER WAITS: -- say do it, I would like to see us
26 be very care- --
27 CHAIRMAN BAKKER: Okay. I need --
28 COMMISSIONER WAITS: -- -ful.
29 CHAIRMAN BAKKER: -- a motion.
30 COMMISSIONER CLARK: I -- I make a motion to -- that all --
31 all development, domestic and industrial, in Lander County
32 follow the master plan with the option that if there's an
33 exception needed, they come to the board and we review it.
34 DISTRICT ATTORNEY HERRERA: To which board?
35 CHAIRMAN BAKKER: Which board?
36 COMMISSIONER CLARK: The Board of Commissioners.
37 CHAIRMAN BAKKER: Okay. I have a motion. Do I have a
38 second?
39 COMMISSIONER WAITS: Just a clarif- -- clarification.
40 COMMISSIONER STIENMETZ: I second it.

1 COMMISSIONER WAITS: This is for just the Battle Mountain
2 master plan; is that correct?
3 COMMISSIONER CLARK: Lander County.
4 CHAIRMAN BAKKER: No.
5 COMMISSIONER CLARK: No? Just Battle --
6 DISTRICT ATTORNEY HERRERA: Just Battle Mountain area.
7 COMMISSIONER CLARK: -- Mountain? Just Battle Mountain.
8 Okay. Amend my motion to read just Battle Mountain.
9 CHAIRMAN BAKKER: I have a motion. And I have a second
10 from Steve.
11 Any public comment?
12 JENNIFER O'KANE: I have -- Jennifer O'Kane.
13 (Indiscernible.)
14 CHAIRMAN BAKKER: You got to come closer. Sorry.
15 JENNIFER O'KANE: Jennifer O'Kane.
16 I have a couple of questions. When we do that, do- -- the
17 water treatment plan is what we're talking about for the --
18 COMMISSIONER CLARK: Uh-uh.
19 DISTRICT ATTORNEY HERRERA: No.
20 JENNIFER O'KANE: -- drinking, sewer?
21 DISTRICT ATTORNEY HERRERA: No.
22 JENNIFER O'KANE: No?
23 CHAIRMAN BAKKER: No.
24 DISTRICT ATTORNEY HERRERA: Zoning.
25 JENNIFER O'KANE: Zoning for the sewer?
26 CHAIRMAN BAKKER: No.
27 COUNTY CLERK SULLIVAN: For Lander --
28 CHAIRMAN BAKKER: Just property.
29 COUNTY CLERK SULLIVAN: -- County.
30 DISTRICT ATTORNEY HERRERA: Land.
31 JENNIFER O'KANE: To dig for sewer?
32 DISTRICT ATTORNEY HERRERA: No.
33 COMMISSIONER STIENMETZ: If anybody's putting in sewer,
34 septic systems or drilling wells, they've got to follow this
35 plan.
36 JENNIFER O'KANE: That's -- okay, so --
37 CHAIRMAN BAKKER: Yeah.
38 JENNIFER O'KANE: -- they are?
39 CHAIRMAN BAKKER: Yeah.
40 JENNIFER O'KANE: Okay. So when we go out there, is that

1 the building or is that -- how -- who -- who --
2 COMMISSIONER WAITS: Well, the septic system comes under
3 the state, not the county.
4 COMMISSIONER STIENMETZ: The state tells --
5 JENNIFER O'KANE: So that's --
6 COMMISSIONER STIENMETZ: -- you what to do with it.
7 JENNIFER O'KANE: -- my question.
8 COMMISSIONER WAITS: Okay.
9 JENNIFER O'KANE: When it comes to septic systems, are they
10 a level 2 or are they a level 3 septic certification?
11 Because there's three different levels of certifications for
12 our water --
13 COMMISSIONER STIENMETZ: Well, --
14 JENNIFER O'KANE: -- treatment.
15 COMMISSIONER STIENMETZ: -- it's not for the people running
16 it. This is if you go out here and buy five acres --
17 JENNIFER O'KANE: Correct. Okay.
18 COMMISSIONER STIENMETZ: -- and you want to put in a septic
19 system, you've got to follow what the master plan tells you.
20 JENNIFER O'KANE: And that says within five --
21 COMMISSIONER STIENMETZ: Yeah. So far from a well. So --
22 CHAIRMAN BAKKER: There's guidelines.
23 COMMISSIONER STIENMETZ: -- you've got a certain density.
24 CHAIRMAN BAKKER: Jennifer, actually you can get a copy of
25 this at the admin office.
26 JENNIFER O'KANE: Can I?
27 CHAIRMAN BAKKER: Yeah.
28 JENNIFER O'KANE: Okay.
29 CHAIRMAN BAKKER: And it has it detailed everything you
30 need to know.
31 JENNIFER O'KANE: Okay. Thanks.
32 COMMISSIONER CLARK: Now here's --
33 KEITH WESTENGARD: It's on -- it's on the Internet too.
34 COMMISSIONER CLARK: -- here's one thing that we have to
35 understand.
36 KEITH WESTENGARD: It's on the Internet.
37 COMMISSIONER WAITS: The state may give permits, but the
38 county'll be responsible --
39 KEITH WESTENGARD: It's online.
40 JENNIFER O'KANE: Right.

1 COMMISSIONER CLARK: -- for any mishaps that --
2 JENNIFER O'KANE: Right.
3 COMMISSIONER CLARK: -- that take place.
4 CHAIRMAN BAKKER: It's also online, Jennifer. You can pull
5 it up on the county website too.
6 JENNIFER O'KANE: Okay. Because that's -- that's a pretty
7 important factor there; correct? Or not?
8 CHAIRMAN BAKKER: Yeah. Yeah.
9 And it tells you -- there's ratios in there and what you can
10 and can't do.
11 JENNIFER O'KANE: Okay. And who follows -- who follows
12 that up? I mean, is it our building inspectors? Is it Lander
13 County? Who's responsible to actually go out there and inspect
14 it or follow through with it?
15 CHAIRMAN BAKKER: It'd be our building department.
16 COMMISSIONER CLARK: That's -- that's my concern. The
17 state issues the permits, but the county's going to be
18 responsible if there's a problem.
19 JENNIFER O'KANE: That's my --
20 COMMISSIONER CLARK: So --
21 JENNIFER O'KANE: -- that's my question is what is --
22 COMMISSIONER CLARK: That's why we have the master plan.
23 JENNIFER O'KANE: Okay. And who -- who is -- again, it
24 goes back to Lander County being responsible when the state is
25 the one that -- am I making --
26 CHAIRMAN BAKKER: They issue the permits for the septic.
27 But they still have to get permits through --
28 COMMISSIONER STIENMETZ: Through the county --
29 CHAIRMAN BAKKER: -- yeah -- through the county. And
30 that's when the county is notified so they know to inspect and
31 watch for it.
32 JENNIFER O'KANE: To deny or accept.
33 CHAIRMAN BAKKER: Yes.
34 JENNIFER O'KANE: Okay. Cool.
35 DISTRICT ATTORNEY HERRERA: Commissioners, if the county
36 starts detouring away from the master plan, you -- you -- you
37 start getting spot zoning --
38 COMMISSIONER STIENMETZ: Right.
39 DISTRICT ATTORNEY HERRERA: -- what we call spot zoning.
40 And that's what we have in Lander County. We have spot zoning

1 all over the place because there's been no adherence to the
2 plan. And we have one, a master plan.

3 So we're just deciding, are we going to follow it? Or are
4 we going to continue to spot zone?

5 And that -- that's the long and short of it.

6 CHAIRMAN BAKKER: Okay. Any more public comment?

7 (No comment.)

8 CHAIRMAN BAKKER: All those in favor?

9 COMMISSIONER CLARK: Aye.

10 COMMISSIONER STIENMETZ: Aye.

11 COMMISSIONER MILLS: Aye.

12 COMMISSIONER WAITS: Aye.

13 CHAIRMAN BAKKER: Okay. All in favor.

14 COMMISSIONER CLARK: Aye.

15 DISTRICT ATTORNEY HERRERA: All opposed.

16 CHAIRMAN BAKKER: Any opposed?

17 (No comment.)

18 CHAIRMAN BAKKER: There's none opposed.

19 You guys heard all that good?

20 COUNTY CLERK SULLIVAN: Sure hope so.

21 CHAIRMAN BAKKER: I hope so too.

22 LAKEN MARINE: We won't know till (indiscernible).

- 23
24 11) Discussion and possible action regarding a zone change
25 request for APN 010-280-16, approximately 23.65 acres, from
26 Farm and Ranch District (A-3) to One-acre Agricultural
27 District (A-1), with a deed restriction requiring a minimum
28 of two acres for any subsequent parceling, and all other
29 matters related thereto.

30
31 CHAIRMAN BAKKER: Okay. Agenda Item Number 11. Discussion
32 and possible action regarding a zone change request for APN
33 010-280-16, approximately 23.65 acres, from Farm and Ranch
34 District, A-3, to One-acre Agricultural District, A-1, with a
35 deed restriction requiring a minimum of two acres for any
36 subsequent parceling, and all other matters pro- -- related
37 thereto.

38 Okay.

39 JAY WINTLE: Jay Wintle, applicant.

40 COMMISSIONER WAITS: Good morning, Jay.

1 JAY WINTLE: How you doing?
2 CHAIRMAN BAKKER: Morning.
3 JAY WINTLE: I believe I'm following the master plan. I
4 read it pretty close. I didn't see where A-1 zoning couldn't be
5 abutting A-3 zoning. If you could state there, show me that, I
6 --
7 COMMISSIONER CLARK: Keith, why don't we have a copy of the
8 master plan page pertaining to this?
9 KEITH WESTENGARD: I can get you one right away, if you'd
10 like.
11 COMMISSIONER CLARK: Yeah. Well, that wasn't my question.
12 KEITH WESTENGARD: I can't answer that and I apologize.
13 I -- I took the packet from Community Services --
14 JAY WINTLE: It's me --
15 KEITH WESTENGARD: -- who submitted it.
16 JAY WINTLE: -- reviewing the master plan. The master plan
17 calls for everything east of my current zoning to be rezoned
18 back to R-1, R-2 and developed as a higher density, if needed.
19 When you t- -- when you look at the master plan.
20 Master plan also calls for a road that I -- the reason I'm
21 accommodating this, it also calls for a road coming from -- tying
22 305 to Allen Ranch Road.
23 With this development, I can build another quarter mile.
24 And if we further develop, we could achieve this by small steps.
25 This gets us closer to a looping road from 305 to Allen Ranch
26 Road.
27 COMMISSIONER WAITS: Is that paved --
28 CHAIRMAN BAKKER: But --
29 COMMISSIONER WAITS: -- or graveled road, Jay?
30 JAY WINTLE: It's been graveled at the time. But if I do
31 more development out of the parcel map, it would be paved.
32 CHAIRMAN BAKKER: So Jay, in the master plan it says,
33 A-1 -- okay -- proposed zone changes which result in the
34 creation of A-1 lands should be discouraged unless municipal
35 sewer and water services are extended to the site. Lander
36 County should require 2 1/2-acre zoning at the highest
37 residential density allowed without municipal sewer and water.
38 So if you want to put in septic, it should be 2 1/2-acre zoning
39 at A-1 is what the master plan is saying.
40 JAY WINTLE: Okay. And we -- and that might be confused on

1 part because we was grossed -- we was having gross lots of two
2 acres. We can definitely change that to 2 1/2 acres. That's --
3 or even take it up on the minimum acre requirement.

4 CHAIRMAN BAKKER: Right.

5 JAY WINTLE: To meet that -- to meet that --

6 CHAIRMAN BAKKER: Yeah, I'm good with that.

7 JAY WINTLE: Yeah, I mean, basically when we wrote it the
8 first time and there wasn't no conflict, it went through was we
9 developed two acres. It was actually two -- gross 2 1/2-acre
10 development in the -- because of the roads and the -- so I chose
11 to survey and dedicate the roads to the county for -- we set the
12 pins back so they never get lost in the middle of the road and
13 everything like that.

14 CHAIRMAN BAKKER: Right. And I think that's kind of where
15 it gets confused too. Is it 2 1/2 acres actual property? Or is
16 it 2 1/2 acres with the easements in there or not? Because it
17 doesn't clarify that one way or the other.

18 JAY WINTLE: Well -- well, we -- the way I did it before, I
19 dedicated the -- the previous one I did, I did -- we did the two
20 acres. But I dedicated the roads to the county so they were
21 over two, you know -- mass density would be over 2 1/2 acres for
22 the --

23 CHAIRMAN BAKKER: Right.

24 JAY WINTLE: -- for the area. Every lot might -- there
25 might be lots that --

26 CHAIRMAN BAKKER: Right.

27 JAY WINTLE: -- develop left. But like I say, if you
28 prefer -- prefer the verbiage to make it compliable, we can take
29 it to 2 1/2 acres without no problem --

30 CHAIRMAN BAKKER: Right.

31 JAY WINTLE: -- where everything stays about 2 1/2 acres.

32 CHAIRMAN BAKKER: And I'm good with that.

33 LIZ HEIMBIGNER: I live out on 3300 East Street. And years
34 and years ago --

35 COMMISSIONER CLARK: Name?

36 CHAIRMAN BAKKER: State --

37 LIZ HEIMBIGNER: Oh, I'm Liz Heimbigner. I'm sorry.

38 Anyhow, we bought ten acres out on 3300 East. And there
39 was no -- hardly anybody even living out there. There was not
40 even much over on Skyline.

1 And on the master plan for that area, it was called New
2 Town, there was actually the easements on there -- 38 -- it has
3 to be 30 feet from each property owner all the way around for
4 access. There was nothing there.

5 Our garage was already there when we bought the place. We
6 put the fence up because we went out and found out our four corner
7 survey stakes on each corner. And then somebody bought property
8 out behind me. And I was told I had to give up 60 feet off my
9 side for the road going back to the landlocked property behind me.
10 And I said, it states 30 feet, not 60. You need to talk to the
11 people over on the other side.

12 So every plan should have an easement penciled in, dotted
13 line, or whatever. When you say ten acres, 2 1/2 acres,
14 whatever, you know. The people that are buying 2 1/2 half acres
15 should be buying 2 1/2 acres. And somewhere in there you have
16 to factor in --

17 JAY WINTLE: Well, --

18 LIZ HEIMBIGNER: -- a road easement.

19 JAY WINTLE: -- what I did was dedicate to the county.
20 It's county -- the road --

21 LIZ HEIMBIGNER: Oh, okay.

22 JAY WINTLE: -- easements are all county-owned property now
23 --

24 LIZ HEIMBIGNER: Oh, okay.

25 JAY WINTLE: -- to access to all properties so there's not
26 this confusion, somebody throwing up fence down the center --

27 LIZ HEIMBIGNER: Right. Right.

28 JAY WINTLE: -- of an easement line. Because there are
29 pins in the middle of a road. The road is not developed so
30 you --

31 LIZ HEIMBIGNER: Well, they --

32 JAY WINTLE: That's to clear up this. When you go set
33 your -- I set --

34 LIZ HEIMBIGNER: Right.

35 JAY WINTLE: -- the pins back. What I'm telling him is the
36 reason we got it.

37 LIZ HEIMBIGNER: Have the -- okay, on your power line.
38 Because then the power company came in. Since I had gave up my
39 30 feet, --

40 CHAIRMAN BAKKER: Hey, Liz.

1 LIZ HEIMBIGNER: -- you know, to the middle, the power
2 company came down, put power lines right on top of my fence line
3 --
4 COMMISSIONER CLARK: We're --
5 LIZ HEIMBIGNER: -- and then wanted me to give up more
6 land.
7 CHAIRMAN BAKKER: Chill.
8 LIZ HEIMBIGNER: I'm off subject?
9 CHAIRMAN BAKKER: Kind of.
10 JAY WINTLE: We've covered that in this.
11 CHAIRMAN BAKKER: Yeah. But I do get what you're saying.
12 JAY WINTLE: And that's kind of why I did it --
13 CHAIRMAN BAKKER: It is semi- --
14 JAY WINTLE: -- the way I did it --
15 CHAIRMAN BAKKER: -- -relevant.
16 JAY WINTLE: -- kind of back in --
17 CHAIRMAN BAKKER: So --
18 LIZ HEIMBIGNER: Who -- who oversees the master plan,
19 actually, to help people out? Your building department?
20 CHAIRMAN BAKKER: Yeah. And planning commission.
21 JAY WINTLE: Until they voted on it, it was basically a --
22 like they said, it was just a guideline.
23 DISTRICT ATTORNEY HERRERA: Yes.
24 JAY WINTLE: Is all the master plan has been is a guideline
25 to follow for --
26 LIZ HEIMBIGNER: It used to be much firmer than it is now.
27 JAY WINTLE: It's a guideline and you have --
28 LIZ HEIMBIGNER: Yeah.
29 JAY WINTLE: -- kind of contradictions in between the code
30 and the guideline.
31 Because under code, you could set a -- I mean, you can be --
32 you can put a septic tank in a --
33 DISTRICT ATTORNEY HERRERA: Do whatever you want.
34 JAY WINTLE: -- sewer on one acre if it's zone one, on one
35 acre. That's what the state will allow. If you have --
36 LIZ HEIMBIGNER: Well, almost -- almost in the middle of a
37 road.
38 JAY WINTLE: If you have -- well, it has -- it has setbacks
39 and everything.
40 CHAIRMAN BAKKER: Right.

1 JAY WINTLE: But we'll get back on -- fine.
2 CHAIRMAN BAKKER: Okay. Jay, -- anybody else got
3 questions?
4 COMMISSIONER MILLS: So are these -- these lots are going
5 to have septic systems on them?
6 JAY WINTLE: It'll be set with a well and a septic.
7 COMMISSIONER MILLS: And we're --
8 JAY WINTLE: And to get on --
9 COMMISSIONER MILLS: -- doing them on a --
10 JAY WINTLE: -- the septic --
11 COMMISSIONER MILLS: -- 2 1/2 acre lots?
12 JAY WINTLE: What?
13 COMMISSIONER MILLS: And we're doing them on --
14 DISTRICT ATTORNEY HERRERA: This --
15 COMMISSIONER MILLS: -- two --
16 DISTRICT ATTORNEY HERRERA: -- needs to revised to -- to be
17 in compliance.
18 COMMISSIONER MILLS: Yeah.
19 DISTRICT ATTORNEY HERRERA: -- it's not a big revision.
20 But -- but --
21 COMMISSIONER MILLS: Because we just heard that we're
22 allowed 99 wells per section.
23 And that's one septic for every six acres.
24 JAY WINTLE: Right.
25 COMMISSIONER MILLS: And we're looking at doing a septic on
26 every 2 1/2 acres.
27 JAY WINTLE: No, we're not. We have -- we're leaving
28 twenties in there. That's the minimum I'm going to develop.
29 I'll develop anywhere from -- if we have 2 1/2 acres, it'll be 2
30 1/2 acres to, probably, 5, 10 acres, kind of a community, is
31 what I plan on developing.
32 And there's a -- one thing we need to kind of clarify, the
33 state is -- which he kind of got into -- the state when they
34 designated 99 septic tanks was a real conservative number. If you
35 go with a -- like he said -- if you come back with an application
36 with a ground -- groundwater table survey and a soil-type survey,
37 you probably going to take that number up over 200, if the
38 conditions are right.
39 COMMISSIONER MILLS: Have we done that?
40 JAY WINTLE: Well, nobody's had to yet. That'd be the

1 develop- -- if the developer wanted to develop, that would be
2 his responsibility to come forward with that agreement before he
3 put a subdivision map to the state, he would have to do all this
4 before the state would sign off on getting any more.

5 CHAIRMAN BAKKER: So I think if we do approve this, we need
6 to make sure the restrictions are --

7 DISTRICT ATTORNEY HERRERA: You can't -- you can't change
8 this so it needs to --

9 CHAIRMAN BAKKER: So we need to revise it.

10 DISTRICT ATTORNEY HERRERA: It needs to be revised and then
11 it needs to come with the application, which --

12 CHAIRMAN BAKKER: Okay.

13 DISTRICT ATTORNEY HERRERA: -- wouldn't --

14 COMMISSIONER MILLS: So we have to --

15 DISTRICT ATTORNEY HERRERA: -- be a big deal.

16 COMMISSIONER MILLS: We have to table it and have it be
17 revised and be brought back.

18 DISTRICT ATTORNEY HERRERA: That's my advice.

19 COMMISSIONER STIENMETZ: Yep.

20 JAY WINTLE: So we can't just put an amendment on there
21 that would change the two --

22 DISTRICT ATTORNEY HERRERA: No.

23 JAY WINTLE: -- acres to 2 1/2?

24 DISTRICT ATTORNEY HERRERA: No, it's -- it just hasn't
25 been -- you haven't given notice that way. The -- the agenda is
26 pretty specific.

27 JAY WINTLE: Okay.

28 DISTRICT ATTORNEY HERRERA: So I don't want a -- I don't
29 want an open meeting violation.

30 JAY WINTLE: Okay.

31 COMMISSIONER CLARK: One thing I'd like to add, --

32 CHAIRMAN BAKKER: When's the next planning commission
33 meeting?

34 KEITH WESTENGARD: Next month.

35 COMMISSIONER CLARK: Next month.

36 CHAIRMAN BAKKER: Oh.

37 KEITH WESTENGARD: He can bring --

38 DISTRICT ATTORNEY HERRERA: Well, he doesn't have --

39 KEITH WESTENGARD: -- it right --

40 DISTRICT ATTORNEY HERRERA: -- to go to the planning

1 commission again.
2 CHAIRMAN BAKKER: Oh, right.
3 DISTRICT ATTORNEY HERRERA: He can just come --
4 CHAIRMAN BAKKER: He can revise it for the next agenda.
5 KEITH WESTENGARD: For this meeting.
6 CHAIRMAN BAKKER: Yeah. The next meeting. So in two
7 weeks.
8 DISTRICT ATTORNEY HERRERA: Yeah.
9 JAY WINTLE: Okay.
10 CHAIRMAN BAKKER: So we just got to rewrite the language.
11 DISTRICT ATTORNEY HERRERA: Yeah.
12 CHAIRMAN BAKKER: Okay. You okay with that, Jay?
13 DISTRICT ATTORNEY HERRERA: Which means that --
14 JAY WINTLE: I'm good with that.
15 DISTRICT ATTORNEY HERRERA: -- his propo- --
16 CHAIRMAN BAKKER: Okay.
17 DISTRICT ATTORNEY HERRERA: -- his application needs to be
18 slightly revised so we can revise the language.
19 COMMISSIONER STIENMETZ: Right.
20 CHAIRMAN BAKKER: I got you.
21 DISTRICT ATTORNEY HERRERA: Okay.
22 CHAIRMAN BAKKER: Okay. Sounds good.
23 JAY WINTLE: Any other questions?
24 CHAIRMAN BAKKER: Anybody else have questions for Jay?
25 COMMISSIONER CLARK: I don't have a question for Jay. I
26 just have a comment that this master plan says that when you
27 restructure like this, you should discourage it unless you have
28 municipal sewer and water services extended to the site.
29 JAY WINTLE: That's for less -- less than 2 1/2 acre lots.
30 CHAIRMAN BAKKER: Yeah. That's one-acre lots.
31 COMMISSIONER CLARK: Right.
32 DISTRICT ATTORNEY HERRERA: Yeah.
33 JAY WINTLE: That's for -- that's why we put --
34 CHAIRMAN BAKKER: That's the A-1.
35 JAY WINTLE: -- the restriction on there --
36 DISTRICT ATTORNEY HERRERA: It's even for two-acre --
37 JAY WINTLE: -- is to follow it. Follow it.
38 DISTRICT ATTORNEY HERRERA: It's even for two-acre lots.
39 JAY WINTLE: Yeah.
40 CHAIRMAN BAKKER: Right.

1 JAY WINTLE: Well, I mean, it was confusing. We planned --
2 DISTRICT ATTORNEY HERRERA: Yes.
3 JAY WINTLE: -- on having over two -- 2 1/2 acres. We
4 just --
5 DISTRICT ATTORNEY HERRERA: Right.
6 CHAIRMAN BAKKER: Right.
7 JAY WINTLE: We just interpreted it at a time when we did
8 the first agenda that we -- we wanted to dedicate the roads out.
9 We were --
10 DISTRICT ATTORNEY HERRERA: Right.
11 JAY WINTLE: -- maintaining 2 1/2 acres.
12 DISTRICT ATTORNEY HERRERA: I -- I understand. But with --
13 with the language written, like --
14 JAY WINTLE: No, I under- -- I understand you. Like I say,
15 --
16 DISTRICT ATTORNEY HERRERA: All right.
17 JAY WINTLE: -- we're --
18 CHAIRMAN BAKKER: We're good. So two weeks.
19 JAY WINTLE: Okay.
20 COMMISSIONER CLARK: Is a month going to slow you down?
21 JAY WINTLE: Oh, no --
22 COMMISSIONER CLARK: Okay.
23 JAY WINTLE: -- it's not that.
24 CHAIRMAN BAKKER: All right. Thanks, Jay.
25 JAY WINTLE: That's just things that need to happen.
26 Thanks.
27 CHAIRMAN BAKKER: All right. Thank you, Jay.
28 COMMISSIONER WAITS: You need a motion to table it.
29 CHAIRMAN BAKKER: Okay. I need a motion. Thank you,
30 Patsy.
31 COMMISSIONER STIENMETZ: I'll make a motion that Item
32 Number 11 be revised to reflect the proper --
33 CHAIRMAN BAKKER: Language.
34 COMMISSIONER STIENMETZ: -- language and be brought back to
35 us at the next meeting.
36 CHAIRMAN BAKKER: Got a motion. Need a second.
37 COMMISSIONER MILLS: I'll second.
38 CHAIRMAN BAKKER: Any public comment?
39 (No comment.)
40 CHAIRMAN BAKKER: All those in favor?

1 COMMISSIONER STIENMETZ: Aye.

2 COMMISSIONER MILLS: Aye.

3 COMMISSIONER WAITS: Aye.

4 COMMISSIONER CLARK: Aye.

5 CHAIRMAN BAKKER: I have one -- motion passes.

6
7 **12) Discussion and possible action to appoint a replacement to**
8 **fill a vacancy for Lander County General Improvement**
9 **District, No. 1, TV District, at-large Seat B to serve until**
10 **December 31, 2016, and all other matters related thereto.**
11

12 CHAIRMAN BAKKER: Okay. Number 12, discussion and possible
13 action to appoint a replacement to fill a vacancy for Lander
14 County General Improvement District, Number 1, TV District,
15 at-large Seat B to serve until December 31st, 2016, and all
16 other matters related thereto.

17 DISTRICT ATTORNEY HERRERA: Now, Commissioners, if I may
18 give you some background on this.

19 This is -- this is a district. This is the TV board
20 district.

21 Now under Nevada Revised Statute, they have a right to
22 replace their own vacancies, but they'd only have 30 days to do
23 it.

24 And the language of the statute is if for whatever reason, if
25 they -- if they neglect to do it, if they omit to do it, whate- --
26 theres four or five words that they use. But if they don't do it,
27 it says, the county commissioners shall.

28 Now, the person that -- that they're asking for -- and this
29 is from the TV board -- is Melvin -- what is his name? --

30 KEITH WESTENGARD: Langer.

31 DISTRICT ATTORNEY HERRERA: -- Melvin Langer.

32 KEITH WESTENGARD: Yeah.

33 DISTRICT ATTORNEY HERRERA: And that's who -- yeah, Melvin
34 Lang- -- and it's -- it's part of your package.

35 The chairman of the TV board, Earl, advised me that they --
36 they picked Melvin, but he hadn't taken his oath yet. And then
37 I asked the pertinent question: How long has the vacancy been
38 there?

39 And he says, a year.

40 I said, oh, no, no, no. We've got to take it from the

1 commissioners. So that's all we're doing.

2 CHAIRMAN BAKKER: Okay. So we need a motion to appoint
3 him.

4 COMMISSIONER CLARK: I make a motion that we appoint Mel
5 Langer to number 1 TV District, at-large Seat B until
6 December 31st, 2016.

7 CHAIRMAN BAKKER: Got a motion.

8 COMMISSIONER WAITS: I'll second that motion.

9 CHAIRMAN BAKKER: Art made a motion. Patsy seconded it.
10 Any public comment?

11 COMMISSIONER CLARK: I'd just like to make a comment that
12 Mel would be here, but he's assisting a friend, who lost their
13 spouse, move to out of state.

14 CHAIRMAN BAKKER: Thank you, Art. All those in favor?

15 COMMISSIONER STIENMETZ: Aye.

16 COMMISSIONER WAITS: Aye.

17 COMMISSIONER MILLS: Aye.

18 COMMISSIONER CLARK: Aye.

19 CHAIRMAN BAKKER: Art said aye.

20 COMMISSIONER CLARK: Aye.

21 Man.

22
23
24 **CLOSED PERSONNEL SESSION**

- 25
26 13) **Discussion and possible action regarding closed personnel**
27 **session pursuant to Lander County Code 2.06.090 executive**
28 **director, department supervision; subsection E, transfer,**
29 **discipline, or dismiss appointed department heads, when**
30 **appropriate, subject to ratification by the county**
31 **commissioners -- employee #1337 and #1416 -- and all other**
32 **matters properly related thereto. No action will be taken in**
33 **closed personnel session.**

34
35 CHAIRMAN BAKKER: Okay. Number 13. We're deferring?
36
37
38
39
40

1 OPEN PERSONNEL SESSION

- 2
3 14) Discussion and possible action to uphold, reverse, or modify
4 the termination of employee #1337 and employee #1416, and all
5 other matters properly related thereto. Action will be taken
6 in the open public session.
7

8 KEITH WESTENGARD: And 14, please.

9 CHAIRMAN BAKKER: And 14.

10
11
12 COMMISSIONERS

- 13
14 15) Discussion and possible action regarding appointment of a
15 county representative(s) for the Lander County Conservation
16 District Board, and all other matters properly related
17 thereto.
18

19 CHAIRMAN BAKKER: So we're moving to 15? Discussion and
20 possible action regarding appointment of a county representative
21 for Lander County Conservation District Board, and all other
22 matters properly related thereto.

23 Now, I know we already did this --

24 DISTRICT ATTORNEY HERRERA: Well, --

25 CHAIRMAN BAKKER: -- in a sense.

26 DISTRICT ATTORNEY HERRERA: Commissioner, what we did is we
27 appointed this person to the wrong board. And we're trying to
28 now appoint him to the right board.

29 CHAIRMAN BAKKER: And I'm on the wrong board too,
30 apparently. But --

31 COMMISSIONER WAITS: You're on the wrong board?

32 CHAIRMAN BAKKER: Yeah. We're appointed to a board that we
33 have no idea what it's really for.

34 DISTRICT ATTORNEY HERRERA: We don't know why it exists,
35 how it came into being, or what its purpose is.

36 CHAIRMAN BAKKER: But it's on our list of board members.

37 COMMISSIONER MILLS: Which board is that?

38 COMMISSIONER WAITS: The conservation?

39 COMMISSIONER MILLS: Conservation District.

40 CHAIRMAN BAKKER: That's not --

1 COMMISSIONER WAITS: Are there --
2 CHAIRMAN BAKKER: Yeah, there's more --
3 COMMISSIONER WAITS: -- two conservations?
4 CHAIRMAN BAKKER: -- than one.
5 COMMISSIONER WAITS: Is that it?
6 DISTRICT ATTORNEY HERRERA: There's --
7 CHAIRMAN BAKKER: Yeah.
8 DISTRICT ATTORNEY HERRERA: -- there's only one. There's
9 only supposed to be one, Patsy.
10 COMMISSIONER WAITS: But we're using --
11 CHAIRMAN BAKKER: There's only one in Battle Mountain, --
12 COMMISSIONER WAITS: -- we're referring --
13 CHAIRMAN BAKKER: -- but this one's --
14 COMMISSIONER WAITS: -- to it with different names? And we
15 -- is that what --
16 CHAIRMAN BAKKER: Yes.
17 COMMISSIONER WAITS: -- we did?
18 DISTRICT ATTORNEY HERRERA: They both have conservation
19 district in their names.
20 COMMISSIONER WAITS: Okay. Because I know Sean was our
21 representative and Doug was our alternate, but that -- but we
22 have to correct that too?
23 CHAIRMAN BAKKER: Yeah.
24 DISTRICT ATTORNEY HERRERA: We're going to have to correct
25 that too.
26 CHAIRMAN BAKKER: Just not on --
27 COMMISSIONER WAITS: Okay.
28 CHAIRMAN BAKKER: -- this agenda item. Because this is
29 just for the represent- -- that we --
30 DISTRICT ATTORNEY HERRERA: But --
31 COMMISSIONER WAITS: Is this Sean or --
32 CHAIRMAN BAKKER: Yeah.
33 COMMISSIONER WAITS: -- Dan or --
34 CHAIRMAN BAKKER: Shawn Mariluch.
35 COMMISSIONER WAITS: Oh, the last one we appointed, Shawn.
36 CHAIRMAN BAKKER: Yeah, we need to --
37 COMMISSIONER WAITS: Okay.
38 CHAIRMAN BAKKER: We need to make in a motion --
39 COMMISSIONER WAITS: We're just correcting.
40 CHAIRMAN BAKKER: -- appointing Shawn Mariluch to this

1 board.
2 COMMISSIONER WAITS: Okay.
3 DISTRICT ATTORNEY HERRERA: And the right board is -- is as
4 listed, --
5 COMMISSIONER WAITS: I see.
6 DISTRICT ATTORNEY HERRERA: Lander County Conservation
7 District Board. That's the one we want to put --
8 CHAIRMAN BAKKER: Shawn Mariluch on.
9 DISTRICT ATTORNEY HERRERA: -- Shawn Mariluch on. And --
10 CHAIRMAN BAKKER: But we already did, in a sense, --
11 COMMISSIONER WAITS: Okay.
12 CHAIRMAN BAKKER: -- or we thought we were doing.
13 So I need a motion.
14 COMMISSIONER STIENMETZ: I make a motion we appoint Shawn
15 Mariluch to the county -- to be the county representative for
16 the Lander County Conservation District Board.
17 COMMISSIONER WAITS: I'll second that motion.
18 CHAIRMAN BAKKER: Steve made a motion. Patsy seconded it.
19 Any public comment?
20 (No comment.)
21 CHAIRMAN BAKKER: All those in favor?
22 COMMISSIONER STIENMETZ: Aye.
23 COMMISSIONER WAITS: Aye.
24 COMMISSIONER MILLS: Aye.
25 COMMISSIONER CLARK: Art says aye.
26 CHAIRMAN BAKKER: Art says aye.
27
28 **16) Discussion and possible approving Resolution 2016-01 creating**
29 **the Austin and Battle Mountain Cemetery Board, and all other**
30 **matters properly related thereto.**
31
32 CHAIRMAN BAKKER: Okay. Discuss-- -- Agenda Item Number 16.
33 Discussion and possible action approving resolution 2016-01
34 creating the Austin and Battle Mountain Cemetery Board, and all
35 other matters properly related thereto.
36 Okay.
37 DISTRICT ATTORNEY HERRERA: Do you have a copy of the
38 resolution?
39 CHAIRMAN BAKKER: Yep.
40 COMMISSIONER WAITS: Uh-huh.

1 COUNTY CLERK SULLIVAN: I have a comment. Sadie Sullivan,
2 for the record.

3 I didn't think to make a copy of this one here. We needed
4 to have it to where we handwrite all the yays, nays
5 individually. So it's just a little bit different. Would you
6 like me to make copies and pass that around?

7 CHAIRMAN BAKKER: For four lines, no.

8 COUNTY CLERK SULLIVAN: Yeah, it's just --

9 CHAIRMAN BAKKER: No, we're good.

10 COUNTY CLERK SULLIVAN: Okay.

11 COMMISSIONER STIENMETZ: Yeah.

12 COUNTY CLERK SULLIVAN: Just so that you know.

13 CHAIRMAN BAKKER: Okay.

14 COUNTY CLERK SULLIVAN: As long as you're good with that.

15 CHAIRMAN BAKKER: I'm good with that, Sadie.

16 COMMISSIONER WAITS: I had one question on the resolution.
17 When you're asking them to meet once a year and send their
18 minutes to the board, do we have any time frame on that?

19 DISTRICT ATTORNEY HERRERA: It depends on their bylaws,
20 which -- which, when you guys -- when you guys created this, in
21 the past commissioner meeting, you told them to get together and
22 adopt some new -- some new, basically, guidelines or bylaws
23 or -- or new --

24 CHAIRMAN BAKKER: Fees.

25 DISTRICT ATTORNEY HERRERA: -- anything they wanted to
26 change, pricing, things like that. So they're supposed to get
27 together and --

28 COMMISSIONER WAITS: So the specifics will be in the bylaws
29 of the --

30 DISTRICT ATTORNEY HERRERA: Yeah.

31 COMMISSIONER WAITS: -- the time frame.

32 DISTRICT ATTORNEY HERRERA: Right.

33 COMMISSIONER WAITS: Not -- this is just general to
34 create --

35 DISTRICT ATTORNEY HERRERA: Right.

36 COMMISSIONER WAITS: -- it.

37 DISTRICT ATTORNEY HERRERA: We --

38 COMMISSIONER WAITS: Okay.

39 DISTRICT ATTORNEY HERRERA: I don't want to tell them when
40 they have to meet. I don't want -- but you can. You certainly

1 may. You certainly have the --
2 COMMISSIONER WAITS: No, --
3 DISTRICT ATTORNEY HERRERA: -- authority.
4 COMMISSIONER WAITS: -- it's fine, as long as we address
5 it. But, I mean, if we don't get them for a year later, it's
6 like --
7 DISTRICT ATTORNEY HERRERA: I think once they get the
8 initial meeting, I don't think they're going to need to meet
9 more than once a year to be quite candid.
10 COMMISSIONER WAITS: I just didn't think we wanted to wait
11 till the next year. And of course, it's commonplace that --
12 DISTRICT ATTORNEY HERRERA: Well, they haven't met yet this
13 year.
14 COMMISSIONER WAITS: No, I understand that.
15 CHAIRMAN BAKKER: Okay.
16 Looks good, Ted. Good job.
17 I need a motion.
18 COMMISSIONER STIENMETZ: I'll make a motion to approve Res-
19 -- Resolution Number 2016-01 creating a -- creating the Austin
20 and Battle Mountain Cemetery Board.
21 COMMISSIONER CLARK: Second.
22 CHAIRMAN BAKKER: Okay, Steve made a motion --
23 COMMISSIONER STIENMETZ: And authorize the chair to sign.
24 Excuse me.
25 CHAIRMAN BAKKER: Steve made a motion; Art seconded it.
26 Any public comment?
27 (No comment.)
28 CHAIRMAN BAKKER: All those in favor?
29 COMMISSIONER STIENMETZ: Aye.
30 COMMISSIONER WAITS: Aye.
31 COMMISSIONER MILLS: Aye.
32 COMMISSIONER CLARK: Aye.
33 CHAIRMAN BAKKER: Okay.
34
35 17) Discussion and possible action approving the contract for the
36 Lander County Kids Club lease agreement for the building
37 located at 270 South Mountain Street, Battle Mountain, Nevada
38 89820, and all other matters properly related thereto.
39
40 CHAIRMAN BAKKER: Agenda Item Number 17. Discussion and

1 possible action approving the contract for the Lander County
2 Kids Club lease agreement for the building located at 370 South
3 Mountain Street, Battle Mountain, Nevada 89820, and all other
4 matters properly related thereto.

5 DISTRICT ATTORNEY HERRERA: Now on this one, Commissioners,
6 you have approved the lease. You didn't approve the terms yet.
7 You wanted me to do the terms and I've done up the terms in
8 compliance with your wishes. It's got the 30-day notice that
9 you can get out of it. And I believe it has everything that you
10 authorized me to put in it.

11 CHAIRMAN BAKKER: Awesome. Thank you.

12 COMMISSIONER WAITS: Good morning.

13 DISTRICT ATTORNEY HERRERA: And they've looked at it.
14 They've looked at it and agreed to the terms. I should have
15 added that. I'm sorry.

16 COMMISSIONER WAITS: What is the status of your nonprofit?

17 LAUREN CAMPBELL: All right. This is Lauren Campbell, for
18 the record.

19 Our -- I submitted the 1023 form, oh, my gosh, about four
20 to six weeks ago. They did cash our check already.

21 I have not heard any other news from them, of course. I've
22 heard one month to sixteen months --

23 COMMISSIONER WAITS: Because the --

24 LAUREN CAMPBELL: -- on processing --

25 COMMISSIONER WAITS: -- status is --

26 LAUREN CAMPBELL: -- time.

27 COMMISSIONER WAITS: -- they've cashed your check.

28 LAUREN CAMPBELL: The status is they have cashed my --

29 SHAYNE VILLANUEVA: That's a --

30 LAUREN CAMPBELL: -- check.

31 SHAYNE VILLANUEVA: -- good sign.

32 LAUREN CAMPBELL: But the form was submitted as soon as I
33 received everything back from the state, which you all have
34 copies of.

35 CHAIRMAN BAKKER: Any more questions?

36 COMMISSIONER MILLS: Uh-uh.

37 COMMISSIONER WAITS: (Indiscernible.)

38 CHAIRMAN BAKKER: Okay. I need a motion.

39 COMMISSIONER MILLS: I'll make a motion that we approve the
40 contract for Lander County Kid Club's lease agreement for the

1 building located at 370 South Mountain Street in Battle
2 Mountain, Nevada.

3 COMMISSIONER CLARK: Second.

4 CHAIRMAN BAKKER: Okay. Doug made a motion; Art seconded
5 it. Any public comment?

6 (No comment.)

7 CHAIRMAN BAKKER: All those in favor?

8 COMMISSIONER STIENMETZ: Aye.

9 COMMISSIONER WAITS: Aye.

10 COMMISSIONER MILLS: Aye.

11 COMMISSIONER CLARK: Aye.

12 CHAIRMAN BAKKER: Okay. Thank you.

13 COMMISSIONER STIENMETZ: Thank you.

14 LAUREN CAMPBELL: Thank you.

15 COMMISSIONER CLARK: Good luck, ladies.

16
17 **18) Discussion and possible action regarding the annual LEPC**
18 **Letter of Promulgation and authorization for the chair to**
19 **sign, and all other matters properly related thereto.**
20

21 CHAIRMAN BAKKER: Agenda Item Number 18. Discussion and
22 possible action regarding the annual LEPC Letter of Promulgation
23 and authorization for the chair to sign, and all other matters
24 properly related thereto. LEPC.

25 KEITH WESTENGARD: This is our Lander County, our LEPC,
26 Lander County Emergency Planning Committee's annual Letter of
27 Promulgation. We do it every year. The state requires it.
28 We -- I asked the chair to sign it. I sign it as the co-chair
29 of LEPC. We submit that to the state. And it's part of our
30 emergency operations plan.

31 It's -- like I said, it's done every year and --

32 CHAIRMAN BAKKER: Pretty simple.

33 KEITH WESTENGARD: Pretty simple.

34 COMMISSIONER MILLS: I'll make a motion that we approve the
35 annual LEPC Letter of Promulgation and authorize the chair to
36 sign.

37 COMMISSIONER CLARK: Second.

38 FEMALE CLASS MEMBER: Doug made a motion; Art seconded it.
39 Any public comment?

40 (No comment.)

1 CHAIRMAN BAKKER: All those in favor?

2 COMMISSIONER STIENMETZ: Aye.

3 COMMISSIONER MILLS: Aye.

4 COMMISSIONER WAITS: Aye.

5 COMMISSIONER CLARK: Aye.

6 CHAIRMAN BAKKER: Okay.

7
8 **19) Update regarding the status of the Battle Mountain Recreation**
9 **Center project and all other matters properly related**
10 **thereto.**

11
12 CHAIRMAN BAKKER: Agenda Item Number 19, we were going to
13 skip.

14
15 **20) Update regarding the status of the Mountain View Golf Course**
16 **Phase 1 project and all other matters properly related**
17 **thereto.**

18
19 CHAIRMAN BAKKER: Update regarding the status of the
20 Mountain View Golf Course Phase 1 project and all other matters
21 properly related thereto.

22 Casey, I think you're going to have to cover this one, the
23 golf course.

24 COMMISSIONER CLARK: Come on down, Casey.

25 CHAIRMAN BAKKER: I don't see Bert. Where'd Bert go to?

26 KEITH WESTENGARD: He snuck out.

27 CHAIRMAN BAKKER: Okay.

28 KEITH WESTENGARD: I was just looking for him too.

29 CASEY GUNTHER: All right. Casey Gunther, for the record,
30 with CORE Construction.

31 What was the agenda item?

32 CHAIRMAN BAKKER: Mountain View Golf Course Phase 1 --

33 COMMISSIONER CLARK: Okay.

34 CHAIRMAN BAKKER: -- project.

35 CASEY GUNTHER: Okay.

36 CHAIRMAN BAKKER: An update.

37 CASEY GUNTHER: All right. So I can tell you right now
38 that Hunewill started tying in to the main line for the
39 irrigation.

40 Russ Mitchell, the irrigation consultant and the designer

1 of the irrigation system, is going to be here Monday to flag all
2 the existing sprinkler heads on the greens because that's where
3 everything else ties into. And from that point forward, we
4 should be able to get going forward with the irrigation main
5 lines.

6 Other than that, not much of an update to give.

7 CHAIRMAN BAKKER: Sounds good. So they're -- they're
8 pretty much just starting.

9 CASEY GUNTHER: Yes, pretty much.

10 CHAIRMAN BAKKER: We'll know more a couple weeks down the
11 road.

12 CASEY GUNTHER: We should. Yes.

13 CHAIRMAN BAKKER: Okay. Any questions?

14 COMMISSIONER CLARK: Thanks, --

15 CHAIRMAN BAKKER: Awesome.

16 COMMISSIONER CLARK: -- Casey.

17 CHAIRMAN BAKKER: Thanks, Case.

18 CASEY GUNTHER: Thank you.

19
20
21 **FINANCE**

22
23 **21) Update on budget review, contracts, financial update, and all**
24 **other matters properly related thereto.**

25
26 CHAIRMAN BAKKER: Twenty-one, update on budget review,
27 contracts, financial update, and all other matters properly
28 related thereto.

29 NAN ANCHO: Hello.

30 CHAIRMAN BAKKER: Hi, Nan.

31 NAN ANCHO: Nan Ancho, --

32 COMMISSIONER WAITS: Hi, Nan.

33 NAN ANCHO: -- Finance.

34 COMMISSIONER STIENMETZ: Hello, Nan.

35 NAN ANCHO: Just in the middle of doing budgets. I have a
36 couple of departments that I've not received yet, but I expect
37 I'll be getting them in the next couple days.

38 Today, I have a line-item adjustment that I need to read into
39 the minutes.

40 And it is in Argenta Justice Court Fund. I've moved \$23,120

1 from the Drug Court line, 001-023-53922 to: Salaries,
2 001-023-51010, \$17,100; to -- also to Medicare, 001-023-52016,
3 \$700; Workman's Comp to 001-023-52020, \$520; and PERS,
4 001-023-52040, 4,800.

5 And this was previously discussed and approved at the
6 commission meeting on June 25th. This was to move money from
7 drug court up into salaries for Judge Bunch's drug court
8 addition to his responsibilities.

9 DISTRICT ATTORNEY HERRERA: And --

10 NAN ANCHO: So...

11 DISTRICT ATTORNEY HERRERA: -- and his responsibilities
12 as -- as juvenile master.

13 Now, next year, the salary part of that should be in the
14 judicial budget, but we'll see.

15 For what it's worth. We'll see where that lands.

16 CHAIRMAN BAKKER: Right.

17 NAN ANCHO: Yep. And that is all I have for today.

18 CHAIRMAN BAKKER: Thank you, Nan.

19 COMMISSIONER STIENMETZ AND COMMISSIONER CLARK: Thanks,
20 Nan.

21
22
23 **COMMISSIONERS**

24
25 **22) Correspondence, reports, potential upcoming agenda items.**

26
27 CHAIRMAN BAKKER: Okay. Number 22. Correspondence,
28 reports, and potential upcoming agenda items.
29 Anybody?

30
31 (The following correspondence was received:

32 1. United States Department of the Interior, Bureau of
33 Land Management, to Interested Public, the Argenta Settlement
34 Agreement Range Improvement EA.

35 2. Department of Conservation and Natural Resources,
36 Division of Environmental Protection, Bureau of Mining
37 Regulation and Reclamation, Water Pollution Control Permit,
38 Newmont USA Limited, Fortitude/Reona (Phoenix) Project.

39 3. Department of Conservation and Natural Resources,
40 Division of Water Resources, Rock Creek Valley Groundwater

1 Basin.

2 4. United States Nuclear Waste Technical Review Board,
3 DOE R&D on High Burnup Spent Nuclear Fuel Performance during
4 Storage and Transportation is focus of U.S. NWTRB meeting in
5 Knoxville, Tennessee.

6 5. Union Pacific Railroad, Request for Release/Spill
7 Information.

8 6. Department of Conservation and Natural Resources,
9 Division of Environmental Protection, Bureau of Mining
10 Regulation and Reclamation, Water Pollution Control Permit,
11 Carico Lake Mining, LLC, Carico Lake Turquoise Mine.

12 7. Monthly Reports to Lander County Commissioners,
13 November 2015.

14 8. Monthly Reports to Lander County Commissioners,
15 December 2015.

16 9. State of Nevada, Commission on Mineral Resources,
17 Division of Minerals, Nevada Division of Minerals Regulatory
18 Workshop.

19 10. United States Department of Commerce, Economics and
20 Statistics Administration, U.S. Census Bureau.

21 11. United States Department of the Interior, Bureau of
22 Land Management, Battle Mountain, District Office, to Interested
23 Public, Environmental Assessment.

24 12. Nevada Division of Environmental Protection, Actual
25 Production/Emissions Reporting Form.)

26
27 CHAIRMAN BAKKER: Oh. We've got someone.

28 COMMISSIONER CLARK: I thought we were going to be done.

29 CHAIRMAN BAKKER: Oh, Max, we've got to break for lunch.

30 JUDGE MAX BUNCH: Okay.

31 Try to keep it short.

32 Max Bunch, for the record.

33 I -- I know I wasn't on the agenda for an update, but I
34 thought it would be appropriate to give an update to the
35 commissioners of the current status of the building and -- and
36 what's going on.

37 Casey Gunther is also here from CORE Construction.

38 There is -- Tri-Signal, as you know, you may have got your
39 badges and your pictures done, they're trying to put the
40 finishing touches.

1 We've got -- and small issues still left with the cell
2 tower that's up on the -- the roof.

3 They're putting the finishing touches on the proximity cards
4 and the badging. The door buttons. They're also doing right now
5 the security from -- from our building to the sheriff's office.
6 They're putting in a reader over at the sheriff's office that --
7 that's one of the things that they had to -- to do.

8 CASEY GUNTHER: Key pad.

9 JUDGE MAX BUNCH: Key pad, basically, is what it is. So
10 when somebody pulls the duress alarm, the dispatch knows exactly
11 where the duress alarm is coming from. And you guys, I think,
12 have found out, after the last meeting when we talked about the
13 duress alarm, where it's located up there; you do have one.

14 CHAIRMAN BAKKER: Steve hit it.

15 COMMISSIONER STIENMETZ: Right over here.

16 JUDGE MAX BUNCH: Okay. Yeah. Don't hit it, Steve. We
17 don't want the cops coming.

18 So -- so basically, all that is coming along pretty well.

19 We had an issue -- I explained to you -- we had an issue with
20 the boiler with the alarms going off on it. We think we've got
21 that covered. There's still another gauge or something that has
22 to be replaced, and they're in the process of doing that. So
23 those people will be in the building.

24 Next week, the heating and cooling, I know that we've had
25 where the building's been hot in certain areas. And we've been
26 working on that since probably at least January.

27 They -- they are coming out next week. They are bringing out
28 their -- their specialist out of Canada to come in. The building
29 next week will go from extremely hot to extremely cold. They are
30 going to take it to the full limits of the full heat that they can
31 get in the building and the full coldness that they can get in the
32 building. So if anybody has employees and anybody's here, tell
33 your employees on Wednesday to dress in layers. So -- because
34 it's going to get really hot and then it's going to turn around
35 and get really, really cold. Because they're going to take to it
36 to the top and bottom limits.

37 COMMISSIONER WAITS: What kind of a time frame are you
38 talking? They do that within --

39 JUDGE MAX BUNCH: That's going to --

40 COMMISSIONER WAITS: -- a few hours?

1 JUDGE MAX BUNCH: That's going to be all day. They're
2 going to -- they're going to take out -- hopefully, they'll do
3 the hot in the morning and the cool in afternoon.

4 COMMISSIONER WAITS: Just one day?

5 JUDGE MAX BUNCH: It's just one day on Wednesday. They
6 will be here on Tuesday to get everything prepared for it. And
7 then on Wednesday, as I understand it, from the last e-mail that
8 I received last week, that Casey and I both received, that it
9 was going to happen Tuesday. And then on Wednesday was going to
10 actually be the test.

11 COMMISSIONER WAITS: I'm glad you avoided a commissioners'
12 meeting. Thank you.

13 JUDGE MAX BUNCH: Well, they're bringing a guy out of
14 Canada. And I think they had to wor- -- only do it when he was
15 available. So --

16 CASEY GUNTHER: They'll be here Tuesday through Thursday.

17 JUDGE MAX BUNCH: Yeah. And they will be here Tuesday
18 through Thursday. So they'll be -- but the test is supposed to
19 happen on Wednesday, as I understand it.

20 There's just a few issues left on keying. The gentleman
21 from A Plus Lock out of Reno, the keying issue, there's some
22 keying issues on the courtroom doors and on the stairwell for
23 the panic alarms that are up there that have to be changed out.
24 I -- I think that's, as far as I'm concerned, that's the only
25 issues with -- with keying other than what you guys addressed
26 before.

27 The -- the flitch doors. So the doors -- go ahead.

28 CASEY GUNTHER: Okay.

29 JUDGE MAX BUNCH: Casey.

30 CASEY GUNTHER: Flitched is a funny term. Anything that --
31 like in this -- this room here, in the commissioners' chambers,
32 where you have the same veneer on the door that's on the walls,
33 that -- that veneer obviously is failing. So we -- we ordered
34 doors a long time ago for it. And they're going to ship --

35 JUDGE MAX BUNCH: Temporary.

36 CASEY GUNTHER: Temporary doors on the --

37 JUDGE MAX BUNCH: In March.

38 CASEY GUNTHER: In March, right around the first or second
39 week. So as it gets closer and I know exactly when they're
40 going to land, and I can get all the other subcontractors on

1 board to come out here and replace the doors and all the
2 hardware, it's going to involve about five subcontractors in
3 total to get them in because it's just integration with
4 Tri-Signal, electricity, hardware guys, so on and so forth. So
5 as that gets closer, I'll make sure Judge Bunch knows and we can
6 update all the employees.

7 JUDGE MAX BUNCH: And the only rooms it's going to affect
8 are the commissioners' chambers and the two courtrooms.

9 CASEY GUNTHER: Yes.

10 JUDGE MAX BUNCH: So that's the only rooms that this
11 affects. And so, you know, we'll hopefully not set it up on a
12 day when the commission has a meeting.

13 CASEY GUNTHER: Uh-huh.

14 JUDGE MAX BUNCH: And we'll try to not set it up when the
15 courts have court.

16 And then these are temporary doors that will be coming in.
17 And then the doors that are existing right now will be sent back
18 to the factory to be redone and then rebrought back out.
19 Temporary doors will -- will be taken out and are -- and the
20 doors that we have now that have been redone will be reput back
21 into the building; is that correct? Is that the way I
22 understood it? Or not?

23 CASEY GUNTHER: As I understand it, the --

24 JUDGE MAX BUNCH: Or are they sending out replacement
25 doors?

26 CASEY GUNTHER: The -- the doors that we're getting are
27 replacement doors.

28 JUDGE MAX BUNCH: Okay.

29 CASEY GUNTHER: Not necessarily temp doors because we're
30 getting rid of the fletching.

31 JUDGE MAX BUNCH: Okay. I thought they were taking them
32 back, going to the factory. Okay.

33 So evidently we're getting new doors that -- that -- and
34 they're going to be the same color as the outside of the doors,
35 what they normally are now that match the rest of the building. I
36 think they called it espresso.

37 CASEY GUNTHER: It is espresso stain color.

38 JUDGE MAX BUNCH: An espresso stain color that --

39 CHAIRMAN BAKKER: I didn't even notice they weren't
40 matching.

1 JUDGE MAX BUNCH: Well. No. All the doors match. But the
2 interiors of these doors, where you turn around and look at the
3 wood paneling look, those are failing on -- on all the doors.

4 And so this was the third time that we attempted to get it --
5 to get it done right and it still failed on the third time.

6 CASEY GUNTHER: We -- we reordered the replacement doors in
7 November. We saw that it was failing. We saw what the issue
8 was as soon as they were delivered. But we ordered the
9 replacement doors and they're just now getting ready to ship.
10 There's a total of 13 doors, if I remember right. Something
11 like that.

12 JUDGE MAX BUNCH: But they only include the courtrooms and
13 the commissioners' chambers.

14 CHAIRMAN BAKKER: Okay.

15 JUDGE MAX BUNCH: Because all the other doors are -- are
16 okay. And that's how they're going to look. They're going to
17 have that same stain as going into the administration or the
18 treasurer. It's all the same.

19 CHAIRMAN BAKKER: Okay.

20 JUDGE MAX BUNCH: All right.

21 CHAIRMAN BAKKER: Good deal.

22 JUDGE MAX BUNCH: And then, one of the things that -- that
23 is probably going to have to be put on the agenda is --

24 CHAIRMAN BAKKER: Keith? This needs to go on an agenda.

25 JUDGE MAX BUNCH: One of the things that are probably going
26 to need to go on the agenda in the future is who's going to
27 administer the proximity cards for the county so that --

28 I know you guys can't say anything now. You guys can -- we
29 can discuss it if you want. We can go on the agenda and get it
30 all discussed and taken care of.

31 KEITH WESTENGARD: You want it on the next one?

32 JUDGE MAX BUNCH: It --

33 KEITH WESTENGARD: March?

34 JUDGE MAX BUNCH: Just whenever you want. We can -- we can
35 talk and you can decide where you -- where and what agenda you
36 want it on.

37 KEITH WESTENGARD: Would you like your spot? We can put it
38 back on. I thought you wanted it taken off. Update. We can
39 put it back in.

40 JUDGE MAX BUNCH: Well, we're pretty close to the end here.

1 I mean, you know, we might need one -- maybe one more.

2 KEITH WESTENGARD: We'll leave it on and if there's
3 nothing, we'll just take it --

4 JUDGE MAX BUNCH: How about we do it in a month instead of
5 worrying about two weeks.

6 CHAIRMAN BAKKER: I think that's what we planned on doing,
7 once a month.

8 KEITH WESTENGARD: All right.

9 JUDGE MAX BUNCH: And -- and as soon as we can get done and
10 -- and we can get it fully --

11 CHAIRMAN BAKKER: Wrapped up.

12 JUDGE MAX BUNCH: -- the building fully done.

13 Because Tri-Signal's under contract with CORE Construction
14 to do certain things in the building. And -- and they're still
15 here and we're still trying to get things worked out. And, you
16 know, even though we're in the building and we're working,
17 there's still things that are going on. And as I explained to
18 you before, there's going to be things going on on warranty all
19 the way through at least probably, maybe into December of this
20 year.

21 So I mean it's going to take us a year to get this thing --
22 this whole building figured out a little bit.

23 I mean, light bulbs might go out. And those are all covered
24 under warranty. So -- and Anna's been working really well with
25 CORE's warranty group. She's been doing all the warranty work.
26 And -- and so we've got it set up, I believe, through Keith to go
27 through Anna and any request for that and for whatever needs to be
28 done.

29 CHAIRMAN BAKKER: Right. Good deal.

30 JUDGE MAX BUNCH: Okay. So that's everything I have.

31 CHAIRMAN BAKKER: Thank you, guys.

32 JUDGE MAX BUNCH: Thank you.

33 COMMISSIONER STIENMETZ: Thank you.

34 COMMISSIONER WAITS: Thank you.

35 CHAIRMAN BAKKER: Anybody have anything?

36 COMMISSIONER STIENMETZ: Okay.

37 CHAIRMAN BAKKER: Okay. I -- I guess I need a motion. Oh,
38 no.

39 COMMISSIONER STIENMETZ: Public comment.
40

1 **PUBLIC COMMENT**

2
3 CHAIRMAN BAKKER: Public comment for non-agendized items
4 only. Persons are invited to submit comments in writing or
5 attend and make comments on any non-agenda item at the board
6 meeting, if any. Discussion of these comments at the discretion
7 of the board. All public comment may be limited to three
8 minutes per person, again, at the discretion of the board.
9 Reasonable restrictions may be placed on public comments based
10 upon time, place, and manner, but public comment based upon
11 viewpoint may not be restricted.

12 Any public comment?

13 JENNIFER O'KANE: I just have a question.

14 You guys, --

15 CHAIRMAN BAKKER: Got to state your name, Jennifer.

16 JENNIFER O'KANE: Jennifer O'Kane. You guys took off the
17 rec -- recreation.

18 CHAIRMAN BAKKER: Yeah, we skipped it.

19 JENNIFER O'KANE: Is that going back on?

20 CHAIRMAN BAKKER: What do you mean?

21 JENNIFER O'KANE: Are we going to be able to discuss what's
22 going on with that in the future?

23 CHAIRMAN BAKKER: Yeah, but they're -- when they come --
24 CORE's compiling everything right now. So when they come back
25 with it, we'll -- we'll discuss it then.

26 JENNIFER O'KANE: But in -- okay.

27 CHAIRMAN BAKKER: Yeah.

28 JENNIFER O'KANE: All right. I just didn't know.

29 CHAIRMAN BAKKER: It's going to be a standing agenda item.

30 JENNIFER O'KANE: Thank you.

31 CHAIRMAN BAKKER: Okay. Any more public comment?

32 SHERIFF RON UNGER: I just got one, and then I'm leaving.
33 Ron Unger, for the record.

34 You discussed earlier, we're going to have that riparian
35 meeting. And the -- you guys are agenda- -- agenditized to be
36 there so you can be there.

37 I think that's going to be a really important meeting for
38 as many ears to hear what they're going to have to say as
39 possible.

40 I foresee issues with summer coming up. And the more

1 information you get from these riparians, I think the better off
2 it's going to be. So just a suggestion. That's -- probably be
3 an important meeting and --

4 CHAIRMAN BAKKER: Thank you, Ron.

5 SHERIFF RON UNGER: -- you ought to try to be there if you
6 could. Okay?

7 COMMISSIONER STIENMETZ: They're coming the --

8 CHAIRMAN BAKKER: Thank you.

9 COMMISSIONER STIENMETZ: -- 17th.

10 SHELLY DRAKE: Thank you, guys.

11 CHAIRMAN BAKKER: Austin?

12 Are you there?

13 MITESHELL LANHAM: No questions.

14 CHAIRMAN BAKKER: Okay. Thank you.

15
16
17 **ADJOURNMENT**

18
19 COMMISSIONER CLARK: I'll make a motion to adjourn.

20 COMMISSIONER STIENMETZ: I'll second.

21 CHAIRMAN BAKKER: Any public comment?

22 (No comment.)

23 CHAIRMAN BAKKER: All those in favor?

24 COMMISSIONER CLARK: Aye.

25 COMMISSIONER MILLS: Aye.

26 COMMISSIONER WAITS: Thank you, Austin.

27 MITESHELL LANHAM: Thank you.

28 COMMISSIONER STIENMETZ: Thank you.

29 CHAIRMAN BAKKER: Thank you.

30 COMMISSIONER WAITS: Bye.

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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.

1 STATE OF UTAH)
2) ss.
3 COUNTY OF DAVIS)
4
5
6

7 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
8
9 CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "JAVS"
10
11 DIGITAL AUDIO/VIDEO RECORDING OF A MEETING WHICH TOOK PLACE
12
13 THE 11TH DAY OF FEBRUARY 2016, AND SAID RECORDING AND INFORMATION
14
15 PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER
16
17 COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS
18
19 THE AUDIO/VIDEO RECORDING ALLOWED.
20

21
22 DATED AT _____
23 THIS _____ DAY OF _____
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27 _____
28 TIFFANY ELKINGTON, CCR #930
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<p>ANDRE ROSE: [3] 20/21 20/32 21/19 BERT RAMOS: [40] 24/19 24/22 24/27 24/29 24/31 24/36 24/40 25/2 25/4 25/24 25/26 25/29 25/32 25/37 26/2 26/20 26/23 26/29 27/5 27/7 27/12 27/14 27/18 27/23 28/19 28/22 28/26 29/22 29/27 29/32 29/34 30/2 30/9 30/11 30/13 30/15 30/18 30/20 30/26 31/6 CASEY GUNTHER: [19] 95/28 95/34 95/36 96/8 96/11 96/17 99/7 100/15 100/27 100/29 100/35 100/37 101/8 101/12 101/22 101/25 101/28 101/36 102/5 CHAD ATKINSON: [20] 10/27 10/30 10/34 10/38 11/1 11/4 11/6 11/8 15/27 15/29 15/35 16/12 16/23 16/38 17/9 17/11 17/13 17/17 17/30 17/37 CHAIRMAN BAKKER: [424] COMMISSIONER CLARK: [150] COMMISSIONER MILLS: [112] COMMISSIONER STIENMETZ AND COMMISSIONER CLARK: [1] 97/18 COMMISSIONER STIENMETZ: [84] 2/5 2/14 8/31 8/37 9/17 9/22 9/30 17/40 21/16 21/28 23/28 26/5 26/7 26/34 29/5 29/33 30/7 30/30 30/40 31/5 38/11 42/15 44/1 44/40 45/7 45/11 49/11 49/13 49/19 50/26 50/39 52/1 52/6 58/14 58/21 58/23 58/29 58/31 58/37 60/4 60/31 62/8 62/20 62/22 63/5 63/20 63/40 66/19 73/39 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79/4 79/6 79/17 79/23 79/26 79/30 80/16 80/18 80/21 80/24 80/27 80/31 80/34 81/9 81/11 81/13 81/15 81/20 81/23 81/26 81/28 81/33 81/37 81/40 82/5 82/7 82/9 82/11 82/23 82/26 82/39 83/19 83/22 83/26 83/29 84/8 84/13 84/22 84/28 84/32 84/34 84/36 84/38 84/40 85/2 85/6 85/10 85/13 85/16 85/18 85/20 85/22 85/24 JENNIFER O'KANE: [43] 49/26 49/28 49/30 49/32 49/35 49/38 50/5 50/7 50/20 74/11 74/14 74/19 74/21 74/24 74/30 74/35 74/37 74/39 75/4 75/6 75/8 75/13 75/16 75/19 75/25 75/27 75/30 75/39 76/1 76/5 76/10 76/18 76/20 76/22 76/31 76/33 104/12 104/15 104/18 104/20 104/25 104/27 104/29 JUDGE MAX BUNCH: [32] 98/29 99/8 99/15 99/38 99/40 100/4 100/12 100/16 100/28 100/34 100/36 101/6 101/9 101/13 101/23 101/27 101/30 101/37 101/40 102/11 102/14 102/19 102/21 102/24 102/31 102/33 102/39 103/3 103/8 103/11 103/29 103/31 JUDIE ALLEN: [17] 26/40 27/3 27/6 27/10 27/13 27/16 27/20 27/24 27/28 27/40 28/3 28/15 28/21 28/24 28/27 28/32 28/39 KEITH WESTENGARD: [46] 6/4 51/12 52/21 52/23 52/26 59/21 59/34 59/38 60/18 60/21 60/24 60/26 61/7 61/13 63/11 63/15 67/30 69/8 69/12 69/14 69/21 69/23 70/5 72/8 75/32 75/35 75/38 78/8 78/11 78/14 83/33 83/36 83/38 84/4 86/29</p>	<p>86/31 88/6 94/24 94/32 95/25 95/27 102/30 102/32 102/36 103/1 103/7 KIM PLUMMER: [1] 23/31 LAKEN MARINE: [3] 31/13 31/17 77/21 LAUREN CAMPBELL: [7] 93/16 93/23 93/25 93/27 93/29 93/31 94/13 LIZ HEIMBIGNER: [16] 79/32 79/36 80/17 80/20 80/23 80/26 80/30 80/33 80/36 80/40 81/4 81/7 81/17 81/25 81/27 81/35 LURA DUVALL: [48] 52/25 52/30 53/34 53/39 54/2 54/6 54/8 54/10 54/12 54/17 54/24 54/26 54/28 54/32 54/34 54/38 54/40 55/2 55/7 55/10 55/14 55/19 55/23 55/26 55/31 55/35 56/6 56/17 56/20 56/24 56/27 56/33 56/37 56/39 57/1 57/3 57/5 57/10 57/14 57/16 57/19 57/21 57/27 57/34 57/36 57/38 57/40 58/27 MARTIN UGALDE: [2] 64/1 66/25 MITESHELL LANHAM: [2] 105/12 105/26 NAN ANCHO: [9] 10/5 10/8 10/10 96/28 96/30 96/32 96/34 97/9 97/16 PAULA TOMERA: [3] 61/25 61/28 61/34 SHAYNE VILLANUEVA: [2] 93/28 93/30 SHELLY DRAKE: [20] 17/39 18/3 19/27 20/9 20/36 21/18 21/20 21/32 21/40 22/15 22/27 22/31 22/34 22/38 23/2 23/4 23/17 23/20 23/22 105/9 SHERIFF RON UNGER: [32] 35/39 36/1 36/3 36/16 36/19 36/23 36/28 36/36 36/38 36/40 37/8 37/13 37/15 37/21 37/23 37/25 37/27 38/14 38/17 38/34 38/37 38/39 39/1 39/3 39/6 45/24 45/27 45/29 51/3 51/7 104/31 105/4 UNDERSHERIFF ROBERT QUICK: [44] 31/37 31/39 32/2 32/30 32/33 34/8 34/20 34/24 35/29 35/36 37/30 37/33 37/35 37/39 38/10 38/16 41/30 44/8 45/30 46/15 46/18 46/20 46/22 46/24 46/27 46/38 47/2 47/11 47/26 47/28 47/34 48/3 48/8 48/13 48/19 48/22 48/25 48/39 49/9 49/36 49/39 50/6 50/14 51/1 UNIDENTIFIED PARTICIPANT: [6] 17/34 25/12 25/17 58/25 63/25 71/17 UNIDENTIFIED TELEPHONIC PARTICIPANT: [1] 27/1</p> <hr/> <p>\$</p> <p>\$100,000 [2] 29/14 29/19 \$112,000 [1] 26/17 \$1200 [1] 35/21 \$13,787 [3] 50/36 51/12 52/1 \$17,100 [1] 97/2 \$18,000 [1] 51/15 \$200,000 [1] 7/25 \$208,000 [1] 27/28 \$23,120 [1] 96/40 \$250,000 [1] 31/26 \$300,000 [1] 28/31 \$37,300 [1] 26/15 \$4,000 [3] 34/37 35/4 37/21 \$40,000 [4] 27/22 27/26 28/12 28/15 \$500 [3] 34/37 35/3 38/30 \$520 [1] 97/3 \$55,000 [3] 31/27 31/35 44/38 \$700 [1] 97/3 \$85 [1] 53/38</p> <hr/> <p>'15 [3] 10/13 29/14 29/20 '15/16 [3] 10/13 29/14 29/20 '16 [6] 10/13 17/15 29/14 29/16 29/20 29/21 '16/17 [2] 29/16 29/21 '17 [2] 29/16 29/21</p>
--	---

-	2016/2017 [1] 30/34
-ful [1] 73/28	2017 [2] 4/5 30/34
-relevant [1] 81/15	2018 [1] 4/6
0	208 [1] 28/3
001-023-51010 [1] 97/2	208,000 [1] 27/39
001-023-52016 [1] 97/2	21 [1] 96/23
001-023-52020 [1] 97/3	22 [2] 97/25 97/27
001-023-52040 [1] 97/4	22nd [2] 59/11 59/20
001-023-53922 [1] 97/1	23.65 [2] 77/25 77/33
01 [3] 90/28 90/33 92/19	24 [1] 59/9
010-280-16 [2] 77/25 77/33	24th [2] 59/18 60/3
1	25 [2] 7/25 12/1
1/2 [17] 79/2 79/15 79/16 79/21 79/29 79/31 80/13 80/14	250 [4] 33/29 39/2 39/5 44/37
80/15 82/11 82/26 82/29 82/30 83/23 84/29 85/3 85/11	250,000 [3] 31/34 33/38 37/24
1/2-acre [3] 78/36 78/38 79/9	25th [3] 59/11 59/20 97/6
10 [4] 63/28 63/34 82/30 98/19	270 [1] 92/37
10 percent [1] 3/36	28th [3] 8/21 8/23 9/28
10-year [2] 42/5 42/13	3
101,700 [1] 22/4	3 percent [1] 17/19
1023 [1] 93/19	30 [8] 15/16 25/4 34/37 39/14 40/16 42/3 42/18 86/22
108 [1] 9/5	30 feet [3] 80/3 80/10 80/39
10:00 [1] 24/8	30 percent [1] 39/30
10:00 o'clock [1] 2/36	30-day [4] 42/3 42/17 42/35 93/8
11 [6] 1/4 8/30 77/24 77/31 85/32 98/21	30-year [3] 20/38 42/6 42/14
11th [2] 1/24 107/13	300,000 [1] 28/5
12 [3] 86/7 86/12 98/24	305 [3] 1/4 78/22 78/25
120 feet [1] 44/18	30th [1] 18/20
12:00 p.m [1] 1/36	31 [2] 59/9 86/10
13 [3] 87/26 87/35 102/10	31st [6] 53/20 59/18 59/37 60/4 86/15 87/6
13,787 [2] 51/15 51/25	320 [5] 27/15 27/16 27/17 27/19 28/2
1337 [2] 87/31 88/4	3300 [1] 79/33
14 [4] 9/17 88/3 88/8 88/9	3300 East [1] 79/38
140M3 [3] 24/14 24/18 26/36	37,3 [1] 26/18
1416 [2] 87/31 88/4	370 [2] 93/2 94/1
14th [3] 8/21 8/24 9/3	38 [1] 80/2
15 [3] 11/17 88/14 88/19	3rd [1] 2/17
150 [1] 55/5	4
157,056 [1] 25/11	4,000 [1] 38/30
16 [5] 52/35 77/25 77/33 90/28 90/32	4,800 [1] 97/4
16th [1] 57/38	40 [2] 27/32 28/31
17 [3] 60/40 92/35 92/40	40 feet [1] 36/22
17th [3] 61/6 63/4 105/9	40,000 [4] 28/6 28/8 28/17 28/18
18 [5] 32/6 33/1 36/21 94/17 94/21	4:00 [2] 61/30 62/5
18,761 [1] 51/25	5
19 [2] 95/8 95/12	50 [3] 1/4 40/24 40/31
1995 [1] 7/22	50,000 [1] 46/40
1998 [1] 20/12	51010 [1] 97/2
19th [1] 7/20	52016 [1] 97/2
1:00 p.m [1] 1/36	52020 [1] 97/3
2	52040 [1] 97/4
2.06.090 [1] 87/27	53922 [1] 97/1
20 [6] 13/11 14/1 14/37 16/10 40/36 95/15	55 [1] 33/23
20-foot [1] 44/13	55,000 [3] 33/40 34/22 43/30
200 [1] 82/37	6
2010 [1] 73/2	60 [3] 15/14 15/17 80/10
2013 [3] 18/9 18/20 22/4	60 feet [2] 44/12 80/8
2015 [6] 24/14 24/19 26/37 29/40 98/13 98/15	60-foot [1] 39/40
2015/2016 [1] 30/32	64 [4] 64/26 64/28 64/31 64/33
2015s [1] 30/1	640 [2] 65/4 65/6
2016 [28] 1/4 1/24 8/30 9/3 9/17 9/28 30/32 50/34 50/36	65 [1] 12/13
51/10 51/11 51/40 59/9 59/9 59/10 59/11 59/18 59/18 59/18	6500 [1] 46/19
59/20 60/3 60/4 61/1 61/6 86/10 86/15 87/6 107/13	67,000 [1] 17/14
2016-01 [3] 90/28 90/33 92/19	

7	administration [3] 1/3 98/20 102/17
75,000 [1] 33/28	adopt [2] 71/7 91/22
8	adopted [2] 67/27 70/4
89820 [2] 92/38 93/3	ADS [2] 14/22 14/23
8:00 [1] 62/5	advertisement [1] 7/1
8:00 p.m [1] 61/30	advertising [1] 2/26
8:59 [1] 1/4	advice [1] 83/18
8th [1] 2/20	advise [2] 6/32 72/24
9	advised [1] 86/35
911 [16] 45/18 45/23 45/33 45/37 46/5 46/11 46/29 46/31	advisory [3] 2/20 4/10 59/31
47/5 47/7 47/8 47/18 47/31 48/10 48/34 49/16	Af [1] 40/15
930 [2] 1/5 107/27	affect [2] 59/24 101/7
99 [9] 64/31 64/31 64/32 65/4 65/4 65/30 66/37 82/22 82/34	affected [1] 38/4
99's [2] 65/32 66/1	affects [1] 101/11
9:49 [1] 24/8	afternoon [2] 9/13 100/3
9th [2] 2/6 2/35	agend [1] 61/15
A	agenda [48] 2/30 4/34 7/37 8/8 8/10 8/11 8/15 8/16 8/29 8/29
a few [1] 99/40	10/1 10/11 24/11 29/18 31/30 33/18 34/17 45/21 50/39 52/18
A-1 [7] 77/27 77/34 78/4 78/33 78/34 78/39 84/34	59/15 61/3 61/8 62/9 63/11 64/5 68/21 77/31 83/25 84/4 85/8
A-3 [3] 77/26 77/34 78/5	89/28 90/32 92/40 94/21 95/12 95/31 97/25 97/28 98/33
ab [1] 46/16	102/23 102/24 102/26 102/29 102/35 104/5 104/29 104/35
ability [1] 39/28	agenditized [1] 104/35
aboveground [1] 44/15	agendize [6] 61/12 61/16 62/12 62/16 62/34 63/2
absent [1] 9/8	agendized [2] 7/35 104/3
abutting [1] 78/5	ago [12] 13/30 14/26 20/38 21/22 21/32 21/33 22/39 32/6
accept [1] 76/32	45/35 79/34 93/20 100/34
accepts [1] 3/24	agreed [1] 93/14
access [8] 4/31 12/23 55/39 56/36 58/18 58/20 80/4 80/25	agreement [14] 10/14 31/24 31/32 33/36 42/13 43/28 44/35
accommodate [1] 43/26	44/39 57/29 83/2 92/36 93/2 93/40 97/34
accommodating [1] 78/21	agrees [1] 39/13
accordingly [1] 22/17	agricultural [3] 68/18 77/26 77/34
account [1] 40/27	AICPA [2] 12/17 21/27
accounting [3] 11/39 13/4 20/15	air [3] 16/3 33/8 34/4
accurate [1] 47/13	airport [8] 2/20 2/21 2/22 2/29 6/38 7/7 59/31 59/32
achieve [1] 78/24	airport's [1] 6/35
acre [14] 68/20 77/26 77/34 78/36 78/38 79/3 79/9 81/34	Airports [2] 59/10 59/19
81/35 82/11 84/29 84/30 84/36 84/38	alarm [3] 99/10 99/11 99/13
acres [31] 65/4 65/6 65/7 68/18 75/16 77/25 77/28 77/33	alarms [2] 99/20 100/23
77/35 79/2 79/2 79/9 79/15 79/16 79/20 79/21 79/29 79/31	Allegiance [1] 1/29
79/38 80/13 80/13 80/14 80/15 82/23 82/26 82/29 82/30	Allen [3] 27/4 78/22 78/25
82/30 83/23 85/3 85/11	allow [5] 46/36 47/13 47/16 65/36 81/35
acted [2] 8/12 8/15	allowable [2] 64/18 64/33
action [39] 8/13 19/31 22/31 22/35 24/13 24/17 29/13 29/19	allowances [1] 42/25
31/23 31/31 45/16 45/22 50/34 51/9 52/14 52/19 59/7 59/16	allowed [3] 78/37 82/22 107/19
60/38 61/4 63/30 63/36 66/31 67/15 77/24 77/32 86/7 86/13	allowing [3] 6/22 68/18 70/2
87/26 87/32 88/3 88/5 88/14 88/20 90/33 92/35 93/1 94/17	allows [3] 12/31 15/10 65/33
94/22	along [4] 7/21 40/35 45/40 99/18
add [5] 35/40 44/13 55/31 66/3 83/31	alternate [1] 89/21
added [2] 9/9 93/15	always [9] 2/40 18/24 23/24 51/35 51/37 59/34 59/36 64/40
addendum [12] 55/32 55/33 55/35 56/22 57/12 57/13 57/25	72/28
57/25 57/30 58/5 58/18 58/23	Amend [1] 74/8
adding [2] 2/7 32/9	amended [1] 9/16
addition [3] 9/5 9/12 97/8	amendment [3] 8/25 43/13 83/20
additional [2] 7/11 41/34	amendments [1] 42/24
address [7] 15/33 39/15 47/15 65/24 65/26 65/29 92/4	American [2] 4/27 4/28
addressed [2] 5/13 100/25	amicable [1] 43/3
addressing [2] 12/12 16/8	Amodei [1] 5/17
adequate [1] 21/38	Amodei's [1] 6/21
adherence [1] 77/1	amount [14] 22/23 29/13 29/19 30/31 33/3 38/29 38/30 39/30
adjourn [1] 105/19	44/7 46/26 50/36 51/11 51/20 52/1
adjustment [1] 96/38	analyze [1] 53/16
admin [1] 75/25	ANCHO [2] 1/15 96/31
administer [1] 102/27	and/or [1] 7/36
	Andre [3] 10/25 18/6 20/33
	Anna [1] 103/27
	Anna's [1] 103/24

<p>A</p> <p>annual [9] 34/36 50/35 51/10 51/13 51/40 94/17 94/22 94/26 94/35</p> <p>ANSI [1] 6/30</p> <p>answer [6] 15/21 15/25 32/25 65/10 65/31 78/12</p> <p>antenna [4] 32/11 32/15 32/37 33/7</p> <p>antennas [3] 32/35 38/2 38/5</p> <p>anticipate [2] 33/31 53/26</p> <p>antigon [1] 4/34</p> <p>Anyhow [1] 79/38</p> <p>anything's [1] 41/32</p> <p>apart [1] 13/15</p> <p>APN [2] 77/25 77/32</p> <p>apologize [1] 78/12</p> <p>app [1] 47/30</p> <p>applicant [1] 77/39</p> <p>application [3] 82/35 83/11 84/17</p> <p>appoint [6] 86/7 86/13 87/2 87/4 88/28 90/14</p> <p>appointed [4] 87/29 88/27 88/32 89/35</p> <p>appointing [1] 89/40</p> <p>appointment [2] 88/14 88/20</p> <p>appreciate [3] 7/16 17/28 66/19</p> <p>approach [6] 14/8 15/2 15/2 18/38 21/1 71/5</p> <p>approached [1] 36/9</p> <p>approaching [2] 6/33 36/2</p> <p>appropriate [2] 87/30 98/34</p> <p>approval [6] 8/29 9/3 9/28 24/34 25/3 53/31</p> <p>approve [20] 8/28 9/16 24/13 24/17 26/35 44/34 48/6 49/14 52/14 52/19 53/32 55/34 58/4 58/16 72/37 83/5 92/18 93/6 93/39 94/34</p> <p>approved [6] 2/7 18/18 32/24 42/33 93/6 97/5</p> <p>approving [4] 90/28 90/33 92/35 93/1</p> <p>approximately [3] 33/28 77/25 77/33</p> <p>area [16] 11/29 14/40 37/11 56/30 57/10 57/14 58/10 58/10 58/18 63/29 63/35 64/29 72/11 74/6 79/24 80/1</p> <p>areas [10] 6/26 19/9 36/27 47/22 65/9 66/8 66/9 69/39 72/18 99/25</p> <p>aren't [3] 29/23 48/17 56/10</p> <p>Argenta [2] 96/40 97/33</p> <p>Arizona [2] 11/33 14/33</p> <p>arrangement [7] 18/8 18/11 18/19 18/21 19/16 19/20 22/1</p> <p>arrive [1] 21/12</p> <p>arrived [1] 19/7</p> <p>art [21] 1/10 4/8 5/20 26/10 26/39 29/2 30/36 31/19 47/25 49/24 58/34 59/2 63/7 87/9 87/14 87/19 90/25 90/26 92/25 94/4 94/38</p> <p>Art's [1] 31/11</p> <p>aside [1] 43/22</p> <p>aspect [2] 42/9 48/27</p> <p>assess [1] 65/30</p> <p>Assessment [1] 98/23</p> <p>assessor [2] 52/27 52/31</p> <p>assets [1] 19/10</p> <p>assigned [4] 16/11 16/13 16/18 20/8</p> <p>assist [3] 14/4 14/28 20/27</p> <p>assisting [2] 16/19 87/12</p> <p>Associates [5] 9/38 10/4 10/15 10/26 18/5</p> <p>Association [6] 2/29 12/4 50/35 51/10 59/10 59/19</p> <p>assume [1] 57/17</p> <p>assumed [1] 70/38</p> <p>assuming [1] 54/4</p> <p>at-large [3] 86/9 86/15 87/5</p> <p>Atkinson [3] 10/24 11/7 17/27</p> <p>attempted [1] 102/4</p> <p>attend [12] 2/18 2/31 2/40 5/34 6/32 7/37 59/24 59/27 59/32 61/10 62/20 104/5</p>	<p>attendance [2] 60/39 61/5</p> <p>attended [4] 2/4 5/25 6/4 7/12</p> <p>attending [1] 59/31</p> <p>attends [1] 59/34</p> <p>attorney [5] 1/14 7/21 7/22 52/28 52/32</p> <p>AUDIO [2] 107/11 107/19</p> <p>AUDIO/VIDEO [2] 107/11 107/19</p> <p>audit [47] 11/10 11/11 11/13 11/16 11/21 11/22 11/22 12/10 12/16 12/19 12/26 12/38 13/9 13/19 13/22 13/29 13/35 14/6 15/1 15/2 15/9 16/19 16/30 17/14 18/8 18/11 18/14 18/19 18/19 18/25 18/32 18/37 21/2 21/8 21/24 21/26 21/31 21/35 22/1 22/4 22/7 22/8 22/22 22/24 22/36 23/8 23/33</p> <p>audited [1] 51/21</p> <p>auditing [11] 9/36 10/2 11/33 11/34 11/39 12/1 12/35 14/28 14/38 15/38 23/16</p> <p>auditor [3] 10/13 12/12 14/7</p> <p>auditors [3] 10/16 16/10 16/12</p> <p>audits [8] 11/18 12/8 12/14 14/2 14/10 16/10 20/36 20/37</p> <p>Austin [38] 1/19 1/23 1/25 2/19 2/20 5/32 6/27 9/6 9/10 9/13 23/36 23/37 23/40 41/30 54/2 54/15 55/3 55/5 55/18 55/23 55/35 56/9 56/16 57/14 58/10 58/11 58/19 58/21 58/23 59/31 61/38 62/3 90/29 90/34 92/19 105/11 105/26 106/40</p> <p>Austin's [1] 23/35</p> <p>authority [3] 51/31 72/23 92/3</p> <p>authorization [2] 94/18 94/23</p> <p>authorize [7] 49/16 49/20 58/31 58/32 72/23 92/23 94/35</p> <p>authorized [2] 48/10 93/10</p> <p>automatically [2] 38/24 40/24</p> <p>av [1] 2/24</p> <p>availability [1] 39/27</p> <p>available [10] 8/17 8/18 20/13 41/2 48/7 48/10 49/34 50/6 50/13 100/15</p> <p>avoided [1] 100/11</p> <p>AVS [1] 56/29</p> <p>awards [1] 12/9</p> <p>aware [4] 4/30 19/15 19/18 37/6</p> <p>away [4] 53/8 53/23 76/36 78/9</p> <p>aye [81] 8/37 8/38 8/39 8/40 9/2 9/23 9/24 9/25 9/26 29/6 29/7 29/8 29/9 31/1 31/2 31/3 31/4 45/6 45/7 45/8 45/9 50/26 50/27 50/28 50/29 50/31 52/7 52/8 52/9 52/10 58/38 58/39 58/40 59/1 59/3 59/4 59/5 59/5 59/5 60/32 60/33 60/34 60/35 63/21 63/22 63/23 63/24 77/9 77/10 77/11 77/12 77/14 86/1 86/2 86/3 86/4 87/15 87/16 87/17 87/18 87/19 87/20 90/22 90/23 90/24 90/25 90/26 92/29 92/30 92/31 92/32 94/8 94/9 94/10 94/11 95/2 95/3 95/4 95/5 105/24 105/25</p> <hr/> <p>B</p> <p>backbone [2] 39/24 47/38</p> <p>background [5] 5/1 5/2 19/7 66/21 86/18</p> <p>backgrounds [1] 5/2</p> <p>backwards [1] 28/32</p> <p>badges [1] 98/39</p> <p>badging [1] 99/4</p> <p>BAKKER [1] 1/9</p> <p>ballot [3] 4/33 4/36 5/1</p> <p>barely [1] 46/6</p> <p>Barrick [18] 31/24 31/32 32/2 32/7 32/26 32/29 33/16 33/19 33/37 36/2 36/9 36/33 38/3 39/15 42/2 42/29 44/35 44/40</p> <p>Barrick approaching [1] 36/2</p> <p>base [1] 46/34</p> <p>basically in [1] 57/33</p> <p>basin [11] 4/23 4/24 4/24 64/19 64/23 64/26 64/28 64/30 64/33 66/2 98/1</p> <p>basins [2] 64/20 64/22</p> <p>basis [3] 7/15 46/14 55/2</p> <p>Battle [30] 1/3 1/23 7/6 55/18 57/10 58/9 58/9 58/18 58/20</p>
--	--

<p>B</p> <p>Battle... [21] 60/40 61/6 63/29 63/35 64/26 72/14 74/1 74/5 74/6 74/7 74/8 89/11 90/29 90/34 92/20 92/37 93/3 94/1 95/8 98/22 106/40</p> <p>BECKY [1] 1/16</p> <p>began [1] 12/1</p> <p>beginning [1] 16/29</p> <p>behalf [1] 10/19</p> <p>behind [3] 48/1 80/8 80/9</p> <p>believe [17] 16/9 17/14 21/34 27/26 27/30 28/11 36/22 41/21 49/3 61/30 65/23 65/34 68/27 68/34 78/3 93/9 103/26</p> <p>believes [1] 62/4</p> <p>bells [1] 71/29</p> <p>belong [1] 51/19</p> <p>benefit [3] 7/26 15/17 66/7</p> <p>Bert [11] 24/21 24/22 24/31 25/24 27/4 28/34 31/6 31/8 31/9 95/25 95/25</p> <p>best [4] 13/7 21/11 41/10 65/23</p> <p>better [10] 5/14 11/36 12/31 26/13 35/9 53/3 53/25 53/28 56/32 105/1</p> <p>bid [5] 2/24 5/21 25/16 27/10 33/28</p> <p>big [4] 53/24 72/5 82/19 83/15</p> <p>bigger [4] 17/6 71/17 71/35 72/17</p> <p>bill [6] 3/36 5/16 5/17 25/30 36/11 36/31</p> <p>billable [1] 53/38</p> <p>billed [1] 22/12</p> <p>billing [4] 3/33 3/35 3/39 57/39</p> <p>bills [1] 8/30</p> <p>BintonBurdick [2] 10/3 10/7</p> <p>bit [16] 5/25 6/18 11/34 15/1 15/34 30/6 33/18 35/8 39/15 41/9 51/36 53/26 65/2 73/8 91/5 103/22</p> <p>blackout [1] 41/29</p> <p>blade [3] 27/14 27/15 28/18</p> <p>blades [4] 25/34 25/39 27/18 27/31</p> <p>blames [1] 48/31</p> <p>blessing [1] 53/31</p> <p>BLM [8] 32/22 32/23 36/34 37/32 37/36 41/14 61/36 63/5</p> <p>block [1] 44/14</p> <p>Bloomberg [4] 4/33 4/34 4/35 4/39</p> <p>board [62] 1/1 1/23 1/23 2/21 3/17 3/27 5/25 5/32 6/32 6/33 7/37 7/39 7/40 8/12 8/14 9/36 10/2 10/12 20/16 20/23 36/30 59/8 59/17 59/31 60/2 62/15 67/23 67/23 72/23 73/33 73/34 73/35 73/36 86/19 86/29 86/35 88/16 88/21 88/27 88/28 88/29 88/31 88/32 88/36 88/37 90/1 90/3 90/7 90/16 90/29 90/34 91/18 92/20 98/2 101/1 104/5 104/7 104/8 106/14 106/16 106/39 106/39</p> <p>boiler [1] 99/20</p> <p>bonus [2] 34/37 35/25</p> <p>books [1] 25/10</p> <p>bought [3] 79/38 80/5 80/7</p> <p>Boulder [3] 2/28 59/12 59/20</p> <p>brakes [1] 2/22</p> <p>branching [1] 21/22</p> <p>brand [3] 26/16 26/19 30/1</p> <p>branding [1] 2/18</p> <p>break [8] 1/36 24/4 24/6 24/8 26/18 42/22 42/22 98/29</p> <p>breaks [1] 26/15</p> <p>bridge [1] 26/32</p> <p>brief [1] 64/7</p> <p>briefly [1] 64/19</p> <p>bring [4] 3/35 14/36 35/3 83/37</p> <p>bringing [2] 99/27 100/13</p> <p>broad [3] 15/29 19/25 23/23</p> <p>broke [1] 3/20</p> <p>brought [4] 19/5 28/24 83/17 85/34</p> <p>bucks [1] 72/5</p>	<p>budget [12] 5/29 24/24 29/25 29/36 29/38 30/23 46/34 46/36 53/33 96/23 96/26 97/14</p> <p>budgeted [6] 29/14 29/19 30/32 44/6 46/2 53/36</p> <p>budgeting [1] 19/12</p> <p>budgets [1] 96/35</p> <p>buffer [1] 46/36</p> <p>build [7] 3/30 4/5 17/18 33/20 38/10 40/23 78/23</p> <p>building [26] 1/3 3/28 32/32 32/36 33/7 33/9 35/39 75/1 76/12 76/15 81/19 92/36 93/2 94/1 98/35 99/5 99/23 99/28 99/31 99/32 101/21 101/35 103/12 103/14 103/16 103/22</p> <p>building's [1] 99/25</p> <p>built [1] 33/35</p> <p>bulbs [1] 103/23</p> <p>bumpy [1] 21/31</p> <p>Bunch [2] 98/32 101/5</p> <p>Bunch's [1] 97/7</p> <p>Bureau [6] 64/10 97/32 97/36 98/9 98/20 98/21</p> <p>bureaus [2] 64/11 64/12</p> <p>Burnup [1] 98/3</p> <p>But the [1] 67/13</p> <p>buttons [1] 99/4</p> <p>buy [13] 26/27 28/14 28/17 29/24 29/29 29/29 29/40 30/1 30/1 30/21 43/31 48/27 75/16</p> <p>buyback [12] 26/21 27/11 27/21 27/23 27/25 27/27 27/32 27/36 28/10 28/12 28/13 28/20</p> <p>buying [3] 46/9 80/14 80/15</p> <p>buys [1] 30/17</p> <p>bylaws [3] 91/19 91/22 91/28</p> <hr/> <p>C</p> <p>C.C.R [1] 1/5</p> <p>cabling [1] 38/5</p> <p>calendar [4] 50/36 51/7 51/11 53/20</p> <p>call [14] 4/1 6/15 6/16 15/20 22/13 22/15 24/10 44/14 46/34 47/7 47/21 48/23 61/36 76/39</p> <p>called [10] 3/34 12/3 12/17 12/18 32/40 41/17 47/29 64/36 80/1 101/36</p> <p>caller [1] 47/6</p> <p>calls [14] 19/4 46/29 46/31 46/33 46/37 47/1 47/4 47/8 47/16 47/31 50/5 78/17 78/20 78/21</p> <p>Campbell [1] 93/17</p> <p>can bring [1] 83/37</p> <p>can't rec [1] 70/19</p> <p>Canada [2] 99/28 100/14</p> <p>cancel [2] 53/14 53/14</p> <p>candid [1] 92/9</p> <p>canyons [2] 41/32 41/34</p> <p>cards [2] 99/3 102/27</p> <p>care [7] 37/1 38/40 48/19 48/37 53/7 73/26 102/30</p> <p>career [5] 11/17 12/1 20/38 21/15 21/28</p> <p>Carico [2] 98/11 98/11</p> <p>Carlin [1] 39/22</p> <p>carries [2] 50/32 52/12</p> <p>Carson [2] 2/35 3/6</p> <p>case [4] 61/16 62/21 64/15 96/17</p> <p>Casey [7] 95/22 95/24 95/29 96/16 98/37 100/8 100/29</p> <p>cash [2] 21/36 93/20</p> <p>cached [2] 93/27 93/28</p> <p>Cashman [5] 25/15 26/12 26/22 28/14 28/20</p> <p>Caterpillar [3] 24/14 24/18 26/36</p> <p>caught [1] 52/38</p> <p>cause [1] 48/32</p> <p>cautious [1] 4/12</p> <p>caveat [1] 65/33</p> <p>CCR [1] 107/27</p> <p>Cedar [1] 11/28</p>
--	---

<p>C</p> <p>cell [7] 44/14 46/29 46/33 46/37 47/9 47/16 99/1 Cemetery [3] 90/29 90/34 92/20 Census [1] 98/20 center [11] 5/21 12/17 12/19 12/20 12/21 21/27 60/40 61/6 63/3 80/26 95/9 central [1] 41/17 centralized [1] 12/32 CEO [3] 3/18 3/18 3/23 certain [6] 39/30 72/31 73/14 75/23 99/25 103/14 certainly [10] 41/35 42/27 43/26 47/33 51/27 59/31 72/21 73/7 91/40 92/1 certificate [1] 12/5 certification [2] 45/39 75/10 certifications [1] 75/11 certified [3] 14/15 46/3 107/7 CERTIFY [1] 107/9 Chad [2] 10/23 11/7 chair [10] 49/16 58/31 58/32 59/30 92/23 94/18 94/23 94/28 94/28 94/35 chairman [3] 86/35 106/13 106/13 chamber [1] 5/32 chambers [4] 1/2 100/31 101/8 102/13 chance [1] 13/6 change [9] 8/30 38/29 43/16 77/24 77/32 79/2 83/7 83/21 91/26 changed [5] 18/26 22/5 27/22 28/10 100/23 changes [3] 2/7 52/33 78/33 changing [3] 2/30 56/37 68/24 chaos [1] 53/22 charge [6] 8/18 20/10 20/20 46/34 54/26 55/4 charged [1] 46/32 charging [2] 3/36 22/14 Charlie [2] 64/36 65/1 check [5] 28/25 62/5 93/20 93/27 93/30 checked [1] 27/17 checking [1] 28/37 checks [4] 5/1 5/2 5/3 63/5 Chelsea [1] 4/2 Chill [1] 81/7 choice [1] 3/23 choose [1] 67/25 chose [1] 79/10 circle [1] 65/20 cities [2] 71/17 71/35 citizen [1] 8/14 City [10] 2/28 2/35 3/6 11/28 17/1 17/1 17/1 59/12 59/20 69/33 civic [3] 60/40 61/6 63/3 cl [1] 56/30 clarif [1] 73/39 clarification [2] 17/28 73/39 clarify [5] 10/7 25/22 34/21 79/17 82/32 CLARK [2] 1/10 7/14 classify [1] 38/13 clause [5] 42/30 42/35 55/31 55/31 73/17 clear [1] 80/32 clerk [4] 1/13 63/4 106/20 107/17 Clerk's [1] 8/17 client [5] 13/16 13/26 13/29 13/32 23/18 clients [23] 11/36 12/22 12/24 12/26 12/29 12/35 13/2 13/2 13/6 13/10 13/13 13/17 13/18 13/24 14/13 14/34 15/10 15/38 16/25 16/40 17/7 18/38 43/27 clinic [2] 3/28 3/30 clipboard [2] 4/38 4/38 clipboards [1] 4/37</p>	<p>close [4] 6/35 6/39 78/4 102/40 closed [3] 87/24 87/26 87/33 closer [5] 56/31 74/14 78/25 100/39 101/5 Clovers [1] 64/29 club [3] 5/30 92/36 93/2 Club's [1] 93/40 clubhouse [1] 7/9 cluster [1] 65/16 co [1] 94/28 co-chair [1] 94/28 code [3] 81/29 81/31 87/27 codes [1] 71/37 coffee [1] 39/26 cold [2] 99/29 99/35 coldness [1] 99/31 collaborative [1] 20/28 color [3] 101/34 101/37 101/38 Colorado [1] 11/34 combination [1] 2/11 comfortable [1] 12/11 comment [59] 7/33 7/35 7/39 8/1 8/2 8/4 8/5 8/34 8/35 9/20 9/21 26/40 29/3 29/4 30/38 30/39 45/3 45/4 49/26 50/22 50/23 51/17 51/26 52/4 52/5 58/35 58/36 60/9 60/29 60/30 63/8 63/19 74/11 77/6 77/7 77/17 84/26 85/38 85/39 87/10 87/11 90/19 90/20 91/1 92/26 92/27 94/5 94/6 94/39 94/40 103/39 104/1 104/3 104/7 104/10 104/12 104/31 105/21 105/22 comments [9] 7/36 7/37 7/38 13/34 20/32 104/4 104/5 104/6 104/9 Commerce [1] 98/19 commission [20] 1/2 5/11 6/34 7/27 10/22 10/28 59/23 59/40 67/21 70/5 70/25 70/34 70/37 71/12 81/20 83/32 84/1 97/6 98/16 101/12 commission's [2] 67/17 67/28 commissioner [22] 1/7 1/8 1/9 1/10 1/11 1/22 2/1 2/3 6/12 6/28 7/13 34/12 34/21 35/30 59/23 59/23 59/27 59/28 62/22 62/25 88/26 91/21 commissioners [37] 1/1 1/19 1/24 1/35 2/39 3/8 5/19 5/34 8/13 9/34 9/36 10/2 10/12 18/18 19/15 19/29 25/9 59/8 59/17 60/3 61/9 62/27 70/4 73/36 76/35 86/17 86/27 87/1 87/31 88/12 93/5 97/23 98/12 98/14 98/35 106/15 106/39 commissioners' [7] 4/14 60/39 61/4 100/11 100/31 101/8 102/13 committee [5] 4/13 22/37 23/6 23/7 23/34 Committee's [1] 94/26 common [2] 23/15 23/15 commonplace [1] 92/11 communication [4] 12/31 12/33 19/11 41/36 community [4] 6/7 11/12 78/13 82/30 Comp [1] 97/3 companies [1] 10/19 company [5] 3/33 3/39 42/2 80/38 81/2 comparables [1] 27/18 compiling [1] 104/24 complete [2] 15/9 21/35 completely [3] 15/16 43/40 57/6 completion [1] 6/36 complex [1] 19/6 compliant [1] 79/28 compliance [10] 16/7 66/36 66/37 67/2 67/4 67/24 69/38 70/3 82/17 93/8 compliant [4] 63/31 63/38 66/33 68/10 computer [7] 49/1 52/15 52/20 52/34 53/35 54/10 58/17 concept [1] 18/40 concern [4] 33/12 34/35 72/20 76/16 concerned [5] 4/15 48/17 65/32 66/1 100/24</p>
--	---

<p>C</p> <p>concerns [2] 10/20 33/17 conclusion [2] 3/30 11/10 conditions [1] 82/38 conference [7] 2/28 4/1 6/15 9/11 19/29 59/10 59/19 conferences [2] 2/4 6/3 conferred [1] 72/14 conflict [1] 79/8 confused [2] 78/40 79/15 confusing [2] 64/35 85/1 confusion [1] 80/26 Congressman [1] 6/21 consent [6] 8/8 8/10 8/11 8/15 8/16 8/29 conservation [10] 88/15 88/21 88/38 88/39 89/18 90/6 90/16 97/35 97/39 98/8 conservations [1] 89/3 conservative [1] 82/34 consider [1] 11/15 consideration [4] 31/26 31/34 41/10 44/37 considered [3] 8/11 55/24 64/18 consistent [2] 16/14 20/21 construction [4] 3/28 95/30 98/37 103/13 consultant [1] 95/40 consultation [2] 14/3 14/12 consultations [1] 14/17 consulting [2] 9/37 10/3 contact [4] 11/13 23/6 32/22 55/30 contacted [1] 19/19 contains [1] 64/17 contaminate [1] 6/36 contamination [1] 64/18 contemplate [1] 55/10 contemplated [1] 55/22 contemplates [3] 42/1 68/17 70/3 context [1] 58/9 continue [6] 3/30 6/14 6/23 6/25 7/15 77/4 continuity [1] 18/13 contr [1] 40/19 contract [41] 3/34 6/7 6/8 6/33 7/22 21/39 32/19 32/26 33/26 37/31 38/21 40/21 42/1 42/6 42/6 42/14 42/25 45/17 45/22 45/33 46/1 46/3 46/8 46/35 48/5 48/21 49/2 49/15 52/14 52/19 52/22 52/32 53/19 53/32 53/37 57/9 58/16 92/35 93/1 93/40 103/13 contracted [2] 14/13 33/30 contractor [2] 33/30 33/33 contracts [3] 7/16 96/23 96/27 contradictions [1] 81/29 contribute [1] 64/24 control [10] 14/12 14/14 18/34 19/37 21/4 21/25 21/26 64/10 97/37 98/10 controls [1] 32/32 conversation [3] 18/10 18/15 18/25 conversations [3] 18/23 32/22 38/3 cool [4] 2/14 47/23 76/34 100/3 cooling [1] 99/24 coordinates [1] 47/17 copied [1] 25/13 copies [3] 8/18 91/6 93/34 cops [1] 99/17 copy [5] 5/18 75/24 78/7 90/37 91/3 CORE [3] 95/30 98/37 103/13 CORE's [3] 5/21 103/25 104/24 corner [2] 80/6 80/7 Corps [1] 4/2 correct [26] 28/4 28/9 33/22 34/3 34/25 38/11 40/17 40/38 42/10 44/1 57/11 59/39 60/12 62/38 62/40 63/4 69/24 70/17</p>	<p>70/20 74/2 75/17 76/7 89/22 89/24 101/21 107/17 correcting [1] 89/39 correction [2] 8/25 9/5 corrections [1] 9/15 corrective [2] 22/31 22/35 correlation [1] 56/38 correspondence [3] 97/25 97/27 97/31 Cortez [4] 32/7 39/20 39/28 40/8 cost [21] 17/9 17/10 17/19 17/22 19/12 21/40 26/31 28/16 37/7 37/38 38/6 44/21 46/2 46/17 46/22 46/24 46/25 46/28 46/35 49/4 50/19 costs [2] 38/8 48/8 couldn't [4] 4/35 31/12 32/31 78/4 council [2] 4/10 4/32 Councils [2] 4/27 4/27 counter [2] 42/21 42/32 counteroffer [1] 3/19 counties [15] 5/27 14/4 14/9 14/10 17/30 21/17 21/28 27/9 47/25 47/32 50/35 51/10 51/19 51/23 51/30 counting [1] 33/23 county [167] county'll [1] 75/38 county's [5] 19/14 33/25 34/22 45/37 76/17 county-owned [1] 80/22 couple [15] 3/16 3/27 11/29 12/40 14/11 14/25 15/27 17/3 25/34 33/17 51/20 74/16 96/10 96/36 96/37 course [17] 2/30 5/9 5/31 7/8 7/9 16/28 18/15 33/16 51/35 56/8 64/40 92/11 93/21 95/15 95/20 95/23 95/32 court [8] 5/26 7/23 96/40 97/1 97/7 97/7 101/15 107/7 Courthouse [1] 1/3 courtroom [1] 100/22 courtrooms [2] 101/8 102/12 courts [1] 101/15 cover [8] 11/31 11/37 48/8 56/29 58/11 58/19 62/18 95/22 covered [6] 6/12 6/28 62/35 81/10 99/21 103/23 covering [1] 2/37 CPA [3] 9/37 10/3 20/17 CPAs [2] 12/18 14/39 cracking [1] 33/10 create [2] 20/24 91/34 created [3] 70/33 70/36 91/20 creating [4] 90/28 90/34 92/19 92/19 creation [1] 78/34 Creek [1] 97/40 criteria [2] 65/11 65/17 cross [1] 26/32 cry [1] 5/10 curious [3] 39/37 40/7 41/37 current [16] 7/2 32/28 32/29 33/4 33/12 33/28 34/39 35/15 37/32 42/13 43/22 46/36 47/5 47/24 78/17 98/35 currently [18] 6/37 10/14 19/16 19/21 32/40 33/6 33/30 34/4 35/17 36/18 39/27 41/15 43/25 44/12 46/38 46/39 47/33 50/18 customers [1] 56/9 cut [6] 12/37 29/38 30/6 50/11 50/16 50/17 cuts [1] 50/2</p> <hr/> <p>D</p> <p>DA [2] 6/8 7/15 Dan [1] 89/33 data [6] 39/26 46/11 47/7 47/14 49/37 50/19 date [1] 2/30 DATED [1] 107/22 DAVIS [1] 107/3 days [8] 15/14 15/16 15/17 25/4 42/3 42/18 86/22 96/37 deal [11] 2/16 25/6 27/33 28/30 35/10 41/6 41/38 42/22 83/15</p>
---	---

<p>D</p> <p>deal... [2] 102/21 103/29 dealt [1] 64/40 December [6] 53/20 86/10 86/15 87/6 98/15 103/19 December 31st [3] 53/20 86/15 87/6 decide [2] 29/40 102/35 decided [4] 3/34 3/37 4/21 53/29 decides [1] 48/27 deciding [1] 77/3 decision [2] 34/15 51/28 decision-making [1] 51/28 decisions [1] 67/17 dedicate [3] 79/11 80/19 85/8 dedicated [3] 14/38 79/19 79/20 deed [3] 36/12 77/27 77/35 defer [1] 35/8 deferring [1] 87/35 definitely [4] 18/26 22/16 71/20 79/2 delete [2] 53/14 53/14 delivered [2] 16/34 102/8 deliveries [1] 16/31 density [10] 64/17 64/30 64/33 65/26 65/38 66/18 75/23 78/18 78/37 79/21 density's [1] 64/23 deny [1] 76/32 department [18] 11/21 11/21 11/22 13/30 14/27 20/2 20/4 56/14 76/15 81/19 87/28 87/29 97/32 97/35 97/39 98/8 98/19 98/21 departments [8] 18/35 19/11 19/13 23/11 52/40 56/36 60/1 96/36 depend [1] 37/40 depending [1] 47/4 depends [4] 23/18 47/9 47/10 91/19 depth [2] 12/20 14/8 design [1] 20/7 designate [2] 10/13 10/22 designated [2] 10/16 82/34 designer [1] 95/40 desktop [1] 54/14 detailed [1] 75/29 detect [1] 19/37 detouring [1] 76/36 develop [8] 65/36 66/13 78/24 79/27 82/28 82/29 83/1 83/1 developed [4] 69/31 78/18 79/9 80/29 developer [2] 65/35 83/1 developers [2] 67/20 70/25 developers' [3] 63/30 63/36 66/32 developing [1] 82/31 development [14] 4/12 4/16 4/25 65/16 65/18 65/24 65/31 66/9 69/28 73/4 73/31 78/23 78/31 79/10 developments [1] 66/12 dialogue [1] 16/5 Diesels [1] 30/26 different [13] 2/33 11/31 11/35 14/7 23/10 32/13 51/21 64/11 64/11 71/37 75/11 89/14 91/5 dig [1] 74/31 DIGITAL [1] 107/11 diminish [1] 53/29 direction [1] 7/6 directly [4] 18/35 19/39 20/27 22/32 director [5] 1/12 1/15 1/16 59/32 87/28 dirty [1] 16/3 disappointing [1] 6/13 discipline [1] 87/29 discourage [1] 84/27 discouraged [1] 78/34</p>	<p>discovered [1] 21/37 discretion [5] 7/39 7/40 44/29 104/6 104/8 discuss [13] 6/17 7/5 7/5 10/21 13/14 16/1 18/7 56/33 56/34 90/32 102/29 104/21 104/25 discussed [9] 2/7 8/15 19/28 21/7 22/3 55/12 97/5 102/30 104/34 discussion [40] 3/29 5/12 7/13 7/38 8/13 10/11 24/13 24/17 29/13 29/18 31/23 31/30 45/16 45/21 50/34 51/9 52/14 52/18 59/7 59/15 60/38 61/4 61/14 63/29 63/36 77/24 77/31 86/7 86/12 87/26 88/3 88/14 88/19 90/28 90/33 92/35 92/40 94/17 94/21 104/6 discussions [5] 3/26 4/11 19/17 32/14 32/16 dismiss [1] 87/29 dispatch [1] 99/10 disruption [2] 12/33 15/8 district [30] 1/14 5/26 7/22 7/23 11/10 13/38 13/40 16/40 17/2 35/19 52/28 52/32 77/26 77/27 77/34 77/34 86/9 86/9 86/14 86/14 86/19 86/20 87/5 88/16 88/21 88/39 89/19 90/7 90/16 98/22 districts [2] 16/32 17/4 disturbance [1] 44/16 divided [1] 64/20 Division [9] 64/9 64/27 65/34 97/36 97/40 98/9 98/17 98/17 98/24 documents [2] 12/30 12/33 DOE [1] 98/3 doke [1] 23/26 dollars [5] 30/32 33/20 35/31 36/12 46/10 domestic [2] 70/26 73/31 door [2] 99/4 100/32 doors [23] 100/22 100/27 100/27 100/34 100/36 101/1 101/16 101/17 101/19 101/20 101/25 101/26 101/27 101/29 101/33 101/34 102/1 102/2 102/3 102/6 102/9 102/10 102/15 dotted [1] 80/12 double [3] 44/18 54/30 62/5 double-check [1] 62/5 DOUG [7] 1/11 3/15 4/8 39/12 89/21 94/4 94/38 downtime [1] 43/32 draft [1] 6/8 dragging [1] 45/39 Drake [10] 9/38 10/4 10/14 10/25 10/26 17/39 18/4 18/5 18/9 23/12 draw [1] 65/19 dress [1] 99/33 drilling [1] 74/34 drinking [3] 64/11 64/14 74/20 drive [6] 3/6 21/6 29/15 29/20 30/33 55/22 drought [1] 4/18 drug [4] 6/14 97/1 97/7 97/7 due [2] 59/9 59/18 dues [7] 50/35 51/11 51/13 51/17 51/20 51/36 51/40 duress [3] 99/10 99/11 99/13 during [8] 4/18 4/26 4/32 8/16 15/4 19/4 48/21 98/3 Duvall [1] 52/31</p> <p>E</p> <p>E-911 [3] 45/18 45/23 49/16 e-mail [2] 6/20 100/7 EA [1] 97/34 each [7] 2/12 13/2 16/19 48/31 68/20 80/3 80/7 Earl [1] 86/35 earlier [1] 104/34 early [3] 42/2 42/4 42/12 ears [1] 104/38 easement [3] 80/12 80/18 80/28 easements [3] 79/16 80/2 80/22</p>
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<p>E</p> <p>easier [1] 53/10 east [3] 78/17 79/33 79/38 easy [3] 13/18 13/21 13/21 eat [1] 37/28 Economics [1] 98/19 education [4] 2/34 4/29 18/39 22/20 effect [5] 4/31 20/29 48/3 56/35 57/33 effectively [1] 20/4 efficient [4] 12/39 16/6 17/23 21/2 efficiently [2] 13/23 15/5 eight [2] 52/34 53/27 Eisenberg [1] 6/15 either [6] 7/9 27/31 30/16 32/8 38/37 70/11 elected [1] 48/11 electricity [1] 101/4 eliminate [2] 23/2 65/17 Elizabeth [1] 13/37 Elkington [3] 1/5 107/7 107/27 emergency [9] 2/8 4/21 14/26 14/30 16/28 45/37 53/7 94/26 94/30 Emissions [1] 98/25 employee [3] 87/31 88/4 88/4 employees [3] 99/32 99/33 101/6 EMS [1] 6/33 encounter [2] 15/39 23/24 encoura [1] 23/24 encourage [3] 13/38 15/19 15/23 end [11] 3/34 4/4 14/5 26/27 38/19 38/21 46/5 47/39 53/19 53/19 102/40 ended [1] 22/4 ending [1] 18/19 enforce [2] 5/10 64/13 enforceable [1] 73/15 engagement [2] 16/16 16/17 engagements [1] 15/14 engineer [5] 4/20 4/21 4/22 35/37 59/34 engineer's [1] 64/27 engineered [2] 40/23 40/30 Engineering [1] 64/3 Engineering's [1] 66/5 Engineers [2] 2/25 4/2 enhance [2] 18/34 18/34 enough [3] 20/31 54/21 62/17 entering [3] 45/16 45/22 49/15 entire [1] 20/37 entirely [1] 23/3 entities [2] 18/11 22/6 entity [2] 21/5 21/15 environment [2] 23/13 32/38 Environmental [5] 64/9 97/36 98/9 98/23 98/24 EPA [1] 64/13 equipment [34] 25/32 26/12 26/16 26/19 26/27 31/28 31/35 32/8 32/9 32/10 32/21 32/35 34/22 35/38 36/26 38/1 38/10 44/23 44/25 44/26 44/38 46/3 46/10 46/13 46/13 47/38 48/2 48/12 48/14 48/15 48/18 48/28 49/6 49/10 equitable [1] 7/24 equivalent [1] 65/6 error [2] 19/36 19/37 errors [2] 19/34 19/35 especially [3] 4/20 47/21 48/35 espresso [3] 101/36 101/37 101/38 essentially [1] 64/8 Ethan [2] 32/2 32/25 evening [2] 61/22 61/32 event [1] 61/9</p>	<p>eventually [2] 5/34 23/9 everyone's [2] 52/11 69/21 evidence [2] 21/10 21/38 evidently [1] 101/33 evil [1] 13/20 exceed [7] 15/24 31/26 31/34 44/37 50/36 51/11 52/1 excellence [1] 12/5 excellent [5] 2/40 12/15 26/32 42/28 67/31 exception [4] 15/3 57/15 72/27 73/33 exceptions [2] 72/30 73/17 exchange [4] 12/25 12/27 12/31 12/34 excited [1] 2/24 executive [3] 1/12 59/32 87/27 existing [5] 32/14 32/20 66/9 96/2 101/17 exists [1] 88/34 exit [1] 19/29 expand [2] 40/31 44/17 expandable [1] 44/11 expansion [2] 40/6 44/18 expect [2] 16/18 96/36 expectancy [2] 48/38 49/8 expectations [1] 15/24 experience [4] 13/39 14/2 14/21 22/6 experiencing [1] 22/19 expertise [3] 12/14 14/1 21/24 experts [2] 11/38 12/8 explain [2] 25/9 39/15 explained [2] 99/19 103/17 explored [1] 32/13 exposures [1] 21/27 extended [2] 78/35 84/28 extension [7] 7/2 16/26 16/35 21/5 21/6 21/7 21/33 extensions [5] 16/23 16/29 20/36 20/37 20/39 extensive [1] 8/13 extremely [3] 59/28 99/29 99/29 eyes [1] 20/25</p> <p>F</p> <p>FAA [1] 32/23 face [1] 36/34 facilitate [1] 22/40 facility [1] 3/32 fact [3] 19/34 19/36 20/17 factor [2] 76/7 80/16 factory [2] 101/18 101/32 failed [1] 102/5 failing [3] 100/33 102/3 102/7 fair [1] 42/18 fairness [1] 55/30 fall [2] 30/1 65/8 fallen [1] 7/2 familiar [2] 14/24 20/9 far [9] 19/13 44/25 57/39 65/31 65/40 67/26 69/2 75/21 100/24 far-reaching [1] 67/26 Farm [2] 77/26 77/33 fashion [3] 21/35 22/30 23/17 favor [25] 8/36 9/22 29/5 29/11 30/40 31/5 45/5 50/25 50/32 52/6 52/11 58/37 60/31 60/36 63/20 63/25 77/8 77/13 85/40 87/14 90/21 92/28 94/7 95/1 105/23 FBO [3] 6/40 7/1 7/6 FBO's [1] 7/2 fear [1] 4/22 feasible [1] 50/14 feature [1] 47/19 features [1] 49/6</p>
---	--

<p>F</p> <p>February [9] 1/4 1/24 2/17 2/20 8/30 60/40 61/6 63/4 107/13 February 11 [1] 8/30 February 11th [1] 1/24 February 17th [2] 61/6 63/4 federal [5] 4/31 5/8 12/8 12/9 51/32 fee [2] 3/36 22/1 feel [3] 12/11 33/37 62/8 feelings [1] 62/7 fees [2] 17/23 91/24 feet [9] 14/31 36/22 39/31 44/12 44/18 80/3 80/8 80/10 80/39 fell [2] 5/6 38/9 felony [1] 5/8 felt [3] 11/11 37/17 38/33 FEMA [1] 6/25 fence [3] 80/6 80/26 81/2 Fernley [1] 17/1 few [10] 11/31 16/25 30/22 32/34 41/8 51/23 52/33 72/2 99/40 100/20 fiber [6] 41/18 41/23 49/34 50/6 50/16 50/18 fiberoptics [1] 50/10 fields [1] 64/24 fieldwork [3] 15/4 15/5 15/15 fifteen [1] 33/5 figured [1] 103/22 filed [1] 65/34 fill [2] 86/8 86/13 finally [4] 2/24 3/29 46/1 46/3 finance [7] 1/15 10/6 13/37 35/9 60/1 96/21 96/33 finances [3] 2/37 12/4 19/14 financial [9] 12/5 14/26 14/30 14/30 16/28 19/10 22/40 96/23 96/27 find [7] 13/7 15/34 18/38 19/40 20/5 22/7 50/4 findings [2] 18/32 19/30 fine [12] 10/34 10/37 32/29 32/30 34/20 37/11 41/12 42/21 42/25 55/37 82/1 92/4 finish [4] 3/27 3/31 15/14 43/18 finished [1] 11/9 finishing [2] 98/40 99/3 firm [26] 10/15 11/17 11/19 11/19 11/20 11/24 11/37 11/40 13/15 13/17 14/11 14/16 14/27 14/29 14/33 14/37 15/13 15/22 15/26 15/38 16/15 16/38 17/21 17/24 21/22 21/24 firmer [1] 81/26 firms [5] 9/37 10/3 10/18 15/3 15/38 first [15] 3/17 5/7 11/9 15/40 16/27 19/31 20/38 34/38 47/37 51/18 65/19 65/19 79/8 85/8 100/38 fiscal [3] 10/13 17/15 53/19 five [25] 1/18 13/29 15/6 16/17 18/11 18/18 24/6 27/25 27/32 28/5 28/13 28/15 28/17 28/23 45/35 46/6 46/20 49/2 49/3 49/7 68/18 75/16 75/20 86/26 101/2 five-day [1] 15/6 five-minute [1] 24/6 five-year [6] 18/11 18/18 27/25 27/32 28/23 49/2 fix [3] 48/24 48/37 55/31 fixes [1] 73/20 flag [1] 96/1 Flagstaff [1] 11/28 flat [2] 22/14 46/31 fletching [1] 101/30 flip [1] 43/32 flipping [2] 36/11 36/31 flitch [1] 100/27 Flitched [1] 100/30 floor [1] 10/23 focus [5] 11/18 11/33 19/34 22/24 98/4 focuses [1] 51/32</p>	<p>focusing [1] 6/25 folks [2] 13/34 41/12 follow [30] 3/31 6/15 20/1 66/34 70/11 70/14 70/23 70/27 70/39 70/39 71/5 71/8 71/20 71/23 71/24 71/25 71/31 71/37 72/19 72/22 72/34 73/10 73/32 74/34 75/19 76/14 77/3 81/25 84/37 84/37 follow-up [1] 6/15 followed [4] 68/29 69/14 69/15 71/26 following [5] 67/28 67/35 69/18 78/3 97/31 follows [2] 76/11 76/11 foot [2] 39/40 44/13 for Barrick [1] 39/15 force [1] 4/31 Ford [3] 29/15 29/20 30/33 Ford four-wheel [1] 29/15 FOREGOING [1] 107/9 foresee [1] 104/40 forgiving [1] 23/13 form [3] 93/19 93/32 98/25 forming [1] 21/22 forth [6] 7/16 12/34 30/28 32/36 47/31 101/4 Fortitude [1] 97/38 Fortitude/Reona [1] 97/38 forum [1] 4/18 forward [11] 2/26 4/18 18/28 23/14 24/34 43/26 66/11 70/17 83/2 96/3 96/4 found [2] 80/6 99/12 foundation [3] 33/10 44/14 44/14 four [22] 11/25 16/17 27/25 27/31 28/5 28/13 28/17 28/23 29/15 29/20 30/33 32/33 35/12 37/17 37/35 37/39 39/40 52/35 80/6 86/26 91/7 93/19 four-wheel [2] 29/20 30/33 frame [6] 41/13 41/24 41/25 91/18 91/31 99/37 frames [1] 43/18 Francis [1] 13/37 Frank [3] 61/39 62/1 62/2 free [1] 53/9 frequently [2] 23/7 47/8 fresh [1] 20/28 friend [3] 5/5 5/6 87/12 friendly [1] 53/3 front [5] 18/18 46/26 67/22 67/22 68/8 fuel [4] 2/25 6/35 6/37 98/3 ful [1] 73/28 full [6] 4/30 53/30 99/30 99/30 99/31 107/17 full-time [1] 53/30 fully [2] 103/10 103/12 functioning [1] 53/22 fund [3] 30/15 32/17 96/40 funding [8] 24/13 24/18 26/36 31/25 31/33 35/31 44/36 48/9 funny [1] 100/30 further [1] 78/24 future [14] 6/11 6/24 33/3 33/4 35/33 39/6 40/6 44/17 53/27 65/18 65/24 66/12 102/26 104/22 FY [4] 29/14 29/15 29/19 29/21</p> <hr/> <p>G</p> <p>gaining [1] 37/24 Gamble [1] 13/39 garage [1] 80/5 gas [2] 30/27 41/21 gauge [1] 99/21 gave [1] 80/38 general [4] 30/15 86/8 86/14 91/33 gentleman [2] 3/18 100/20 George [2] 11/27 13/3</p>
--	--

<p>G</p> <p>GFOA [2] 12/3 12/3 given [2] 25/14 83/25 gives [3] 10/24 11/35 13/5 giving [2] 34/1 41/22 glad [1] 100/11 goal [4] 13/30 15/15 20/39 21/12 goes [7] 15/32 25/12 47/10 48/23 49/5 50/11 76/24 Goldstrike [3] 31/24 31/32 44/35 golf [9] 5/30 5/31 7/8 7/9 64/39 95/15 95/20 95/23 95/32 gone [6] 44/3 51/14 51/21 51/23 51/23 51/24 Google [1] 60/25 gosh [1] 93/19 government [5] 12/4 12/16 12/19 13/1 21/26 governmental [5] 11/18 11/33 11/39 12/1 12/14 GPS [1] 47/17 grader [3] 24/14 24/18 26/37 grand [2] 27/32 28/32 grant [3] 31/27 31/34 44/37 grants [3] 6/25 12/10 48/7 graveled [2] 78/29 78/30 great [6] 3/7 3/7 13/6 16/24 18/30 42/9 greater [1] 65/37 Green [2] 64/38 64/40 greens [1] 96/2 Grindstone [2] 39/21 39/23 gross [2] 79/1 79/9 grossed [1] 79/1 ground [6] 14/31 41/18 44/16 50/11 64/25 82/36 groundwater [10] 64/14 64/18 64/19 64/20 64/22 64/23 66/2 66/15 82/36 97/40 group [1] 103/25 grow [2] 13/30 19/9 growing [1] 13/28 growth [3] 13/16 13/27 66/8 grueling [1] 45/39 guess [7] 4/6 22/20 35/6 60/18 64/7 64/35 103/37 guide [2] 32/16 33/2 guide-wire-type [1] 32/16 guideline [4] 81/22 81/24 81/27 81/30 guidelines [3] 64/13 75/22 91/22 gun [1] 5/5 Gunther [2] 95/29 98/37</p>	<p>have it [1] 83/16 haven't [14] 7/26 8/23 16/15 29/26 39/4 67/29 67/35 68/14 68/15 68/25 71/26 73/14 83/25 92/12 having [12] 2/12 3/39 18/36 21/3 22/9 36/5 68/22 70/31 70/33 70/36 79/1 85/3 he doesn't [1] 83/38 head [1] 40/40 headed [1] 4/13 heads [2] 87/29 96/2 health [1] 6/7 hear [3] 31/12 31/21 104/38 heard [5] 12/16 77/19 82/21 93/21 93/22 hearing [1] 3/23 heat [1] 99/30 heating [1] 99/24 height [1] 44/10 Heimbigner [1] 79/37 held [3] 60/40 61/5 63/3 Hello [3] 63/40 96/29 96/34 help [14] 11/36 16/6 19/10 19/37 19/40 22/40 36/30 41/29 41/32 41/33 41/35 43/26 48/7 81/19 helped [2] 12/37 23/5 helpful [1] 47/22 helping [4] 18/40 22/20 22/21 57/40 Henderson [2] 17/2 17/3 HERRERA [1] 1/14 Hi [4] 27/1 64/1 96/30 96/32 hidden [1] 5/9 high [2] 36/22 98/3 higher [4] 36/25 36/26 38/6 78/18 highest [2] 13/26 78/36 highlights [1] 11/37 highly [1] 15/22 highway [2] 1/24 6/30 hilltop [1] 37/11 HintonBurdick [6] 9/37 10/7 10/15 10/24 11/7 11/16 hired [2] 14/27 16/31 hiring [1] 53/30 history [1] 32/4 hit [4] 36/27 36/27 99/14 99/16 hits [1] 47/10 hold [8] 26/10 32/11 32/21 32/37 33/2 33/5 39/10 49/23 hole [2] 35/4 35/5 Holt [1] 32/2 hone [1] 22/16 Honorable [1] 1/1 hope [3] 11/14 77/20 77/21 hopefully [9] 24/28 24/32 25/1 25/7 36/35 53/31 55/38 100/2 101/11 hopes [1] 6/23 horrendous [1] 32/38 hospital [5] 3/16 3/32 5/25 6/32 6/33 hot [4] 99/25 99/29 99/34 100/3 hour [1] 53/39 hours [6] 43/29 52/34 52/35 53/27 53/38 99/40 house [1] 3/35 How'd [1] 24/5 However [3] 46/33 50/19 65/12 hub [1] 41/36 huge [1] 44/16 Humboldt [2] 21/19 39/25 hundred [5] 28/7 30/32 46/20 51/18 66/14 Hunewill [1] 95/38 hunt [1] 2/12 hunting [1] 5/6 hurdles [1] 53/24</p>
<p>H</p> <p>hadn't [1] 86/36 half [2] 25/26 80/14 Hall [1] 7/24 hand [1] 5/5 handed [1] 5/18 handful [1] 5/35 handle [6] 15/33 15/35 16/4 16/4 19/25 19/27 hands [3] 14/7 20/13 68/24 hands-on [2] 14/7 20/13 handwrite [1] 91/4 hang [2] 35/38 36/26 hanging [2] 36/7 36/7 happen [7] 12/34 12/38 19/35 19/39 85/25 100/9 100/19 happened [1] 33/32 happens [1] 48/31 happy [2] 22/10 35/6 hard [1] 51/29 hardly [1] 79/39 hardware [2] 101/2 101/4 hashed [1] 5/28 hasn't [4] 33/32 69/13 69/14 83/24</p>	

<p>H</p> <p>hurt [1] 60/1 hydrology [1] 64/21</p> <hr/> <p>I</p> <p>ID [1] 47/6 idea [10] 26/25 37/20 37/21 42/9 42/28 42/28 42/28 43/17 73/14 88/33 ideal [1] 71/39 ideas [1] 20/28 III [1] 1/10 illegal [1] 5/4 impact [2] 13/5 66/9 implement [1] 19/5 implementation [1] 18/31 implemented [1] 12/36 implications [1] 67/26 important [12] 3/17 14/18 15/14 15/36 17/6 19/38 20/24 59/28 59/33 76/7 104/37 105/3 improve [2] 13/7 19/40 improvement [4] 14/20 86/8 86/14 97/34 improvements [1] 19/33 in-between [1] 47/35 in-charge [2] 20/10 20/20 in-depth [2] 12/20 14/8 in-house [1] 3/35 Inc [1] 31/24 inception [2] 11/17 20/11 inches [2] 33/1 36/21 include [5] 34/1 43/9 55/31 65/26 102/12 included [3] 20/12 55/25 55/29 includes [1] 55/35 including [7] 8/29 25/17 31/25 31/33 44/36 50/12 67/23 inclusive [1] 7/10 incorporated [7] 11/20 31/32 47/18 47/20 52/15 52/20 58/17 increase [3] 17/19 38/30 44/10 indefinitely [1] 37/18 indiscernible [9] 10/29 16/20 16/40 25/25 63/26 73/12 74/13 77/22 93/37 individual [1] 47/17 individually [1] 91/5 individuals [1] 14/39 industrial [2] 70/26 73/31 industry [1] 14/40 infamous [1] 4/34 inflation [2] 34/38 38/32 information [18] 2/32 5/13 7/11 12/25 12/34 14/15 14/17 21/9 21/35 22/30 23/9 23/12 23/17 25/11 33/19 98/7 105/1 107/13 informed [2] 5/14 37/20 infrastructure [1] 66/10 initial [4] 46/17 46/22 46/24 92/8 initiate [1] 22/31 initiative [2] 4/33 4/36 input [1] 34/7 inside [1] 41/34 insight [1] 11/36 insightful [1] 5/33 inspect [2] 76/13 76/30 inspectors [1] 76/12 install [2] 43/31 65/40 installed [2] 52/39 65/38 installing [3] 63/30 63/37 66/32 instance [3] 60/11 67/19 68/17 instead [6] 22/14 28/7 46/9 54/22 68/23 103/4 integral [1] 19/14 integration [1] 101/3</p>	<p>intended [1] 5/1 intention [1] 16/3 intents [2] 32/19 42/6 Inter [1] 12/30 interact [1] 13/6 interest [1] 7/24 interested [4] 7/1 59/30 97/33 98/22 interesting [1] 5/27 Interior [2] 97/32 98/21 interiors [1] 102/2 internal [3] 14/12 14/14 15/15 Internet [4] 12/27 12/31 75/33 75/36 interpreted [1] 85/7 interruption [4] 43/19 43/23 43/29 43/36 intimate [1] 14/4 introduce [2] 11/24 18/5 invitation [1] 18/7 invited [2] 7/36 104/4 invoice [1] 25/10 involve [1] 101/2 involved [5] 15/7 20/27 22/22 65/29 66/5 irrigation [4] 95/39 95/40 96/1 96/4 issue [19] 5/1 5/12 5/14 15/39 16/7 21/36 22/29 26/26 32/23 33/39 38/20 38/35 65/15 68/13 76/26 99/19 99/19 100/21 102/7 issues [15] 6/17 6/36 6/40 15/34 16/2 16/6 17/32 22/40 65/26 76/17 99/1 100/20 100/22 100/25 104/40 it is [1] 25/33 it with [1] 89/14 item [24] 7/37 8/14 10/1 24/11 29/18 31/30 34/17 45/21 50/39 52/18 59/15 61/3 67/24 77/31 85/31 89/28 90/32 92/40 94/21 95/12 95/31 96/38 104/5 104/29 items [5] 7/35 24/25 97/25 97/28 104/3</p> <hr/> <p>J</p> <p>J-U-B [2] 2/25 59/34 January [9] 8/21 8/21 8/23 8/24 9/3 9/17 9/28 57/36 99/26 January 14 [1] 9/17 January 14th [3] 8/21 8/24 9/3 January 28th [3] 8/21 8/23 9/28 JAVS [1] 107/9 Jay [10] 77/39 77/40 78/29 78/32 82/2 84/12 84/24 84/25 85/24 85/27 Jeff [1] 6/15 Jennifer [8] 49/35 49/36 74/12 74/15 75/24 76/4 104/15 104/16 Jim [1] 13/39 job [3] 20/20 51/34 92/16 JOHNSON [2] 1/16 13/38 Judge [2] 97/7 101/5 judicial [2] 7/23 97/14 Judie [2] 27/4 29/1 July [1] 66/5 jump [2] 35/29 36/29 jumping [3] 37/4 41/22 68/24 jumps [1] 20/16 June [2] 18/20 97/6 jurisdictions [2] 47/9 48/1 Justice [1] 96/40 justify [1] 65/37 juvenile [1] 97/12</p> <hr/> <p>K</p> <p>keep [6] 12/32 23/14 26/20 36/11 37/22 98/31 keeps [1] 6/13 KEITH [7] 1/12 4/1 7/18 51/24 78/7 102/24 103/26</p>
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<p>K</p> <p>Keith's [2] 5/35 60/17 Ken [2] 64/38 64/40 key [3] 2/12 99/8 99/9 keying [4] 100/20 100/21 100/22 100/25 kick [1] 30/13 Kid [1] 93/40 Kids [2] 92/36 93/2 killed [1] 50/17 Kim [3] 10/25 18/6 20/11 kinds [3] 15/35 16/23 43/20 Kingston [5] 2/19 6/27 54/4 54/8 62/15 knowing [1] 37/4 knowledge [1] 34/9 knows [3] 12/7 99/10 101/5 Knoxville [1] 98/5</p>	<p>legal [1] 41/40 legislation [1] 5/9 legislature [1] 4/35 Legos [2] 44/16 44/16 legs [1] 39/40 Leighton [1] 7/24 LEPC [8] 2/6 6/28 94/17 94/22 94/24 94/25 94/29 94/35 less [3] 30/18 84/29 84/29 Letter [4] 94/18 94/22 94/26 94/35 levee [4] 4/2 4/5 6/12 6/26 levee's [1] 6/13 level [8] 13/26 14/5 18/17 22/10 47/32 47/33 75/10 75/10 levels [1] 75/11 Lew [1] 59/36 Lewis [9] 31/24 31/31 32/7 32/9 37/10 39/23 41/29 41/36 44/35 library [1] 17/2 life [4] 20/17 46/5 48/38 49/7 light [1] 103/23 limited [4] 7/39 33/2 97/38 104/7 limits [2] 99/30 99/36 Lindsey [1] 3/22 line [12] 49/38 49/40 50/2 50/3 53/35 80/13 80/28 80/37 81/2 95/38 96/38 97/1 line-item [1] 96/38 lined [1] 48/1 lines [5] 5/36 50/2 81/2 91/7 96/5 LIQUOR [1] 106/16 list [2] 12/28 88/36 listed [4] 8/11 14/3 64/28 90/4 listen [1] 20/3 little [25] 6/18 7/14 11/34 15/1 15/34 21/31 30/6 31/19 31/20 32/3 33/18 35/8 36/21 37/19 39/15 41/9 46/36 51/36 52/37 64/4 64/35 65/2 73/8 91/5 103/22 live [1] 79/33 living [2] 17/19 79/39 Liz [2] 79/37 80/40 LLC [1] 98/11 load [1] 13/33 lobbying [1] 51/30 local [3] 13/1 51/28 51/31 located [6] 59/11 59/20 92/37 93/2 94/1 99/13 location [2] 39/18 41/16 lock [2] 2/11 100/21 locks [1] 2/10 log [1] 53/11 long [10] 6/13 17/24 32/4 43/18 47/36 77/5 86/37 91/14 92/4 100/34 longer [1] 6/20 loop [1] 34/18 looping [1] 78/25 lose [1] 24/5 losing [1] 37/21 lost [2] 79/12 87/12 lot [13] 5/12 12/2 12/33 14/19 16/15 18/11 19/9 20/1 22/8 36/25 36/25 53/25 79/24 lots [10] 12/22 32/30 66/14 79/1 79/25 82/4 82/11 84/29 84/30 84/38 Lott [1] 59/36 loud [1] 10/39 louder [1] 31/20 love [3] 12/24 13/18 13/25 loved [1] 12/35 luck [1] 94/15 lucky [1] 47/6 lunch [4] 1/36 9/6 9/13 98/29</p>
<p>L</p> <p>labor [1] 38/8 ladies [1] 94/15 Lake [2] 98/11 98/11 Laken [1] 31/10 land [17] 4/10 4/27 4/27 4/28 4/32 5/17 37/37 41/10 46/31 65/12 65/22 66/4 74/30 81/6 97/33 98/22 100/40 land's [1] 69/31 land-based [1] 46/31 land-use [3] 65/12 65/22 66/4 Lander [78] 1/1 1/2 1/22 1/35 8/17 11/10 17/8 18/9 18/12 18/24 18/27 18/30 19/8 19/8 19/14 20/12 20/27 31/25 31/33 32/18 34/22 39/13 42/4 42/7 42/11 42/29 44/36 45/17 45/23 45/36 49/15 50/14 52/15 52/19 54/19 55/6 55/14 55/19 55/28 56/15 56/23 57/10 58/16 59/8 59/17 60/2 63/28 63/31 63/35 63/38 65/12 66/33 73/31 74/3 74/27 76/12 76/24 76/40 78/35 86/8 86/13 87/27 88/15 88/21 90/6 90/16 92/36 93/1 93/40 94/25 94/26 98/12 98/14 106/14 106/15 106/20 106/39 107/15 landlocked [1] 80/9 lands [4] 4/28 4/31 78/34 97/15 Lang [1] 86/34 Langer [3] 86/30 86/31 87/5 language [8] 44/40 71/6 84/10 84/18 85/13 85/33 85/34 86/24 large [5] 21/23 46/26 86/9 86/15 87/5 larger [5] 15/7 15/7 15/7 32/20 36/25 largest [1] 21/23 late [1] 16/30 lately [1] 12/24 later [2] 10/21 92/5 laundry [1] 16/3 Lauren [1] 93/17 law [1] 5/4 layers [1] 99/33 leach [1] 64/24 lead [2] 1/26 16/16 learned [1] 12/2 lease [9] 31/24 31/31 36/34 40/36 44/35 92/36 93/2 93/6 93/40 leases [1] 36/37 least [6] 5/33 37/17 42/12 42/33 99/26 103/19 leave [2] 30/9 103/2 leaves [3] 20/16 40/32 40/36 leaving [2] 82/27 104/32 LEDA [1] 2/18 Lee [1] 64/36 Lee's [1] 65/1 left [5] 17/5 40/31 79/27 99/1 100/20 leg [2] 39/21 40/1</p>	<p>legal [1] 41/40 legislation [1] 5/9 legislature [1] 4/35 Legos [2] 44/16 44/16 legs [1] 39/40 Leighton [1] 7/24 LEPC [8] 2/6 6/28 94/17 94/22 94/24 94/25 94/29 94/35 less [3] 30/18 84/29 84/29 Letter [4] 94/18 94/22 94/26 94/35 levee [4] 4/2 4/5 6/12 6/26 levee's [1] 6/13 level [8] 13/26 14/5 18/17 22/10 47/32 47/33 75/10 75/10 levels [1] 75/11 Lew [1] 59/36 Lewis [9] 31/24 31/31 32/7 32/9 37/10 39/23 41/29 41/36 44/35 library [1] 17/2 life [4] 20/17 46/5 48/38 49/7 light [1] 103/23 limited [4] 7/39 33/2 97/38 104/7 limits [2] 99/30 99/36 Lindsey [1] 3/22 line [12] 49/38 49/40 50/2 50/3 53/35 80/13 80/28 80/37 81/2 95/38 96/38 97/1 line-item [1] 96/38 lined [1] 48/1 lines [5] 5/36 50/2 81/2 91/7 96/5 LIQUOR [1] 106/16 list [2] 12/28 88/36 listed [4] 8/11 14/3 64/28 90/4 listen [1] 20/3 little [25] 6/18 7/14 11/34 15/1 15/34 21/31 30/6 31/19 31/20 32/3 33/18 35/8 36/21 37/19 39/15 41/9 46/36 51/36 52/37 64/4 64/35 65/2 73/8 91/5 103/22 live [1] 79/33 living [2] 17/19 79/39 Liz [2] 79/37 80/40 LLC [1] 98/11 load [1] 13/33 lobbying [1] 51/30 local [3] 13/1 51/28 51/31 located [6] 59/11 59/20 92/37 93/2 94/1 99/13 location [2] 39/18 41/16 lock [2] 2/11 100/21 locks [1] 2/10 log [1] 53/11 long [10] 6/13 17/24 32/4 43/18 47/36 77/5 86/37 91/14 92/4 100/34 longer [1] 6/20 loop [1] 34/18 looping [1] 78/25 lose [1] 24/5 losing [1] 37/21 lost [2] 79/12 87/12 lot [13] 5/12 12/2 12/33 14/19 16/15 18/11 19/9 20/1 22/8 36/25 36/25 53/25 79/24 lots [10] 12/22 32/30 66/14 79/1 79/25 82/4 82/11 84/29 84/30 84/38 Lott [1] 59/36 loud [1] 10/39 louder [1] 31/20 love [3] 12/24 13/18 13/25 loved [1] 12/35 luck [1] 94/15 lucky [1] 47/6 lunch [4] 1/36 9/6 9/13 98/29</p>

<p>L</p> <p>Lura [5] 52/23 52/30 52/31 53/34 55/22 Lura's [1] 22/13</p> <p>M</p> <p>machine [1] 28/31 made [19] 3/19 3/27 8/33 9/19 11/13 18/33 30/36 34/15 52/3 58/34 60/6 60/8 63/7 87/9 90/18 92/22 92/25 94/4 94/38 magic [2] 65/32 66/1 mail [2] 6/20 100/7 main [9] 11/27 11/27 17/6 17/6 39/24 41/36 51/32 95/38 96/4 maintain [1] 64/12 maintaining [1] 85/11 make-or-break [1] 42/22 Man [1] 87/21 manage [1] 64/12 management [3] 15/40 97/33 98/22 manager [1] 59/32 mandates [1] 51/30 manner [2] 8/2 104/10 many [8] 12/10 32/30 32/31 37/11 38/40 46/33 47/20 104/38 map [2] 78/31 83/3 March [16] 2/35 22/3 59/9 59/9 59/11 59/11 59/18 59/18 59/20 59/20 59/38 60/3 60/4 100/37 100/38 102/33 March 22nd [1] 59/20 March 24th [2] 59/18 60/3 March 25th [1] 59/20 March 31st [2] 59/18 60/4 March 9th [1] 2/35 marijuana [2] 4/38 4/39 Mariluch [5] 89/34 89/40 90/8 90/9 90/15 Mark [2] 5/17 51/7 marked [2] 6/29 6/29 market [2] 35/18 37/5 marketable [1] 20/18 Martin [1] 6/20 Marty [9] 63/28 63/34 63/40 64/1 64/2 66/23 66/24 66/28 68/33 Marty's [3] 67/37 68/40 69/8 mass [1] 79/21 Massey [1] 72/8 master [58] 63/32 63/38 65/23 66/4 66/6 66/33 66/34 66/36 67/2 67/4 67/24 67/27 67/29 67/34 67/36 67/40 68/10 68/17 69/9 69/25 69/26 69/30 70/2 70/12 70/12 70/23 70/27 70/38 71/1 71/10 71/15 71/29 71/34 72/1 72/10 72/22 72/35 72/40 73/9 73/32 74/2 75/19 76/22 76/36 77/2 78/3 78/8 78/16 78/16 78/19 78/20 78/32 78/39 80/1 81/18 81/24 84/26 97/12 match [2] 101/35 102/1 matching [1] 101/40 material [1] 2/9 materials [1] 8/16 Max [2] 98/29 98/32 maxed [1] 33/6 maximum [1] 52/35 meaningful [1] 19/13 means [7] 39/16 47/6 51/19 51/36 64/19 64/31 84/13 Medicaid [1] 3/33 medical [1] 4/39 Medicare [2] 3/33 97/2 Medicare/Medicaid [1] 3/33 meet [6] 7/15 79/5 79/5 91/17 91/40 92/8 meeting [57] 1/22 2/18 2/21 2/30 3/26 4/10 4/14 4/19 4/26 5/11 5/25 5/26 5/30 5/32 6/6 6/32 6/38 7/12 7/20 7/27 7/38 8/16 10/22 24/10 37/19 59/8 59/17 59/23 59/25 59/40 60/3 60/39 61/5 61/10 61/20 61/35 62/15 62/32 63/3 73/7 83/29 83/33 84/5 84/6 85/35 91/21 92/8 97/6 98/4 99/12 100/12</p>	<p>101/12 104/6 104/35 104/37 105/3 107/11 meeting with [1] 6/38 meetings [4] 2/3 3/17 6/3 16/3 meets [1] 65/17 Mel [2] 87/4 87/12 Melvin [4] 86/29 86/31 86/33 86/36 member [2] 8/14 23/6 members [7] 2/39 3/27 10/28 12/19 18/35 21/26 88/36 membership [7] 12/23 50/35 51/10 51/13 51/40 59/10 59/19 memory [1] 21/32 mention [2] 13/9 14/10 mentioned [8] 11/3 11/38 13/24 13/27 15/37 16/39 17/29 39/17 mentions [1] 12/13 merge [1] 69/26 mesh [1] 53/28 Mesquite [2] 11/28 17/2 messed [1] 5/7 met [4] 1/1 4/9 23/7 92/12 middle [6] 13/31 79/12 80/29 81/1 81/36 96/35 mile [7] 64/32 65/4 65/5 65/5 65/20 67/1 78/23 miles [1] 55/5 million [5] 33/20 33/24 35/31 36/12 36/14 MILLS [4] 1/11 6/12 59/23 59/28 mind [3] 36/11 37/24 65/21 mine [2] 39/20 98/11 Mineral [1] 98/16 Minerals [2] 98/17 98/17 Mines [3] 31/24 31/32 44/35 minimal [1] 44/21 minimize [1] 15/8 minimum [5] 52/34 77/27 77/35 79/3 82/28 Mining [3] 97/36 98/9 98/11 minor [1] 52/33 minute [1] 24/6 minutes [9] 7/40 8/21 8/21 9/3 9/16 9/28 91/18 96/39 104/8 misdemeanor [1] 5/8 mishaps [1] 76/1 misleading [1] 33/18 misunderstand [1] 41/5 misunderstandings [1] 24/25 Mitchell [1] 95/40 mixups [1] 24/24 model [3] 24/15 24/19 26/37 modify [2] 53/13 88/3 modular [1] 44/13 moment [2] 1/31 1/33 Monday [1] 96/1 Mondays [1] 52/37 money [14] 3/38 24/33 26/25 26/26 28/37 29/30 29/32 30/2 30/18 38/21 67/29 70/13 72/37 97/6 money's [1] 30/5 month [13] 2/26 7/3 24/40 46/19 46/20 47/4 54/23 83/34 83/35 85/20 93/22 103/4 103/7 monthly [4] 46/14 46/25 98/12 98/14 months [3] 32/6 48/4 93/22 more than [1] 62/23 morning [21] 6/5 10/29 11/2 17/40 18/1 18/2 18/3 18/8 24/20 24/21 24/22 31/37 31/38 31/39 45/25 61/24 64/2 77/40 78/2 93/12 100/3 mostly [1] 13/32 motion [87] 8/27 8/28 8/32 9/14 9/16 9/18 26/5 26/8 26/34 26/35 26/39 29/1 30/30 30/31 30/36 39/8 43/8 43/12 43/15 44/33 44/34 45/1 45/2 45/10 49/13 49/14 49/23 50/24 50/32 51/40 52/2 52/3 52/11 55/34 57/8 58/13 58/15 58/34 60/2 60/5 60/6 60/8 62/13 63/1 63/2 63/6 63/7 67/12 70/9 70/10</p>
---	--

M

motion... [37] 70/20 70/22 70/24 70/39 71/7 72/21 73/29
 73/30 73/37 74/8 74/9 85/28 85/29 85/31 85/36 86/5 87/2
 87/4 87/7 87/8 87/9 89/38 90/13 90/14 90/17 90/18 92/17
 92/18 92/22 92/25 93/38 93/39 94/4 94/34 94/38 103/37
 105/19
 Motion's [2] 8/33 9/19
 motioned [1] 29/2
 motor [3] 24/14 24/18 26/36
 Mount [9] 31/23 31/31 32/7 32/9 37/10 39/23 41/29 41/36
 44/35
 Mountain [36] 1/3 1/23 7/7 55/18 57/10 58/9 58/10 58/18
 58/20 60/40 61/6 63/29 63/35 64/26 72/14 74/1 74/6 74/7
 74/7 74/8 89/11 90/29 90/34 92/20 92/37 92/37 93/3 93/3
 94/1 94/2 95/8 95/15 95/20 95/32 98/22 106/40
 mountaintop [1] 39/22
 move [19] 15/11 21/1 24/34 33/24 34/1 37/7 37/18 37/30
 37/38 38/2 38/10 43/26 53/22 59/7 59/16 59/33 73/3 87/13
 97/6
 moved [3] 34/23 59/23 96/40
 movement [1] 43/27
 moving [9] 10/1 31/27 31/35 34/1 44/38 47/34 61/3 63/25
 88/19
 Mr. [1] 17/27
 Mr. Atkinson [1] 17/27
 multiple [3] 12/38 13/10 15/6
 multitude [1] 21/28
 municipal [3] 78/34 78/37 84/28
 myself [4] 20/12 20/26 38/36 50/12

N

NACO [7] 2/32 50/35 51/10 51/14 51/18 51/27 51/40
 name [15] 10/30 11/4 11/6 20/32 36/3 45/27 47/14 49/28
 49/32 49/35 62/1 64/5 79/35 86/29 104/15
 name's [1] 20/33
 names [3] 89/14 89/19 107/15
 NAN [16] 1/15 5/27 6/6 10/6 10/27 11/3 13/12 15/1 15/19 23/6
 96/30 96/31 96/32 96/34 97/18 97/20
 National [3] 60/39 61/5 63/3
 Natural [3] 97/35 97/39 98/8
 naturally [1] 59/33
 nays [1] 91/4
 NDP [1] 64/37
 near [2] 35/32 53/27
 necessarily [3] 21/8 68/6 101/29
 necessary [3] 2/7 13/20 52/36
 need [69] 4/3 5/35 5/35 9/14 12/28 12/29 21/1 23/17 24/1
 25/6 26/5 29/27 30/2 42/29 44/17 48/36 50/19 50/20 54/13
 56/22 57/12 57/13 59/29 60/11 61/12 61/25 62/13 63/1 63/10
 66/14 66/15 66/15 67/11 67/12 67/24 68/2 69/2 70/7 70/8
 70/9 70/10 70/11 70/20 70/22 70/22 70/24 70/27 70/39 73/27
 75/30 80/10 82/32 83/5 83/9 85/25 85/28 85/29 85/36 87/2
 89/36 89/38 90/13 92/8 92/17 93/38 96/38 102/26 103/1
 103/37
 needed [12] 18/17 21/10 21/37 22/5 22/30 25/40 32/12 56/30
 66/17 73/33 78/18 91/3
 needs [17] 9/9 12/12 18/16 18/24 18/26 21/5 42/12 53/17
 53/29 56/13 82/16 83/8 83/10 83/11 84/17 102/24 103/27
 neglect [1] 86/25
 negotiable [1] 39/35
 negotiate [2] 17/23 43/27
 negotiated [1] 22/14
 negotiation [4] 3/20 36/10 42/8 49/4
 negotiation's [1] 49/5
 network [2] 39/22 48/15
 network-type [1] 48/15

Nevada [31] 1/4 2/29 4/27 4/27 4/29 11/34 13/10 13/11 16/25
 16/33 16/37 17/3 17/30 17/31 21/24 47/37 50/34 51/10 51/18
 59/10 59/12 59/18 59/21 86/21 92/37 93/3 94/2 98/16 98/17
 98/24 106/40
 never [7] 5/10 20/16 20/38 28/24 29/31 56/29 79/12
 newer [1] 16/40
 Newmont [3] 41/16 41/22 97/38
 news [1] 93/21
 nice [4] 10/28 11/2 17/21 51/35
 night [3] 5/11 7/12 62/16
 nine [1] 65/3
 Ninety [1] 65/3
 Ninety-nine [1] 65/3
 NJPA [3] 27/5 27/7 28/35
 no [95] 4/5 6/20 8/5 8/35 9/15 9/21 25/12 26/3 27/6 28/16
 29/4 29/28 30/27 30/39 34/8 34/11 34/19 35/25 39/27 41/11
 42/7 43/23 44/15 45/4 46/26 50/1 50/6 50/7 50/23 52/5 53/35
 54/6 54/7 54/18 54/18 54/32 54/33 54/35 55/13 55/25 56/18
 56/20 56/21 56/38 57/4 58/36 60/30 62/19 63/19 67/9 68/16
 68/31 69/6 70/13 70/22 71/6 72/6 74/4 74/5 74/19 74/21
 74/22 74/23 74/26 74/32 77/1 77/7 77/17 79/8 79/29 79/39
 82/27 83/22 83/24 85/14 85/21 85/39 86/9 86/40 86/40 86/40
 87/32 88/33 90/20 91/7 91/9 92/2 92/14 92/27 94/6 94/40
 102/1 103/38 105/13 105/22
 no travel [1] 54/32
 nobody [1] 51/39
 nobody's [1] 82/40
 nominal [1] 8/18
 non [4] 7/35 7/37 104/3 104/5
 non-agenda [2] 7/37 104/5
 non-agendized [2] 7/35 104/3
 none [1] 77/18
 nonprofit [1] 93/16
 Nope [1] 17/35
 normally [2] 16/34 101/35
 Note [1] 106/39
 notes [1] 53/13
 nothing [8] 9/11 51/31 56/18 57/1 57/4 57/6 80/4 103/3
 notice [5] 8/29 42/3 83/25 93/8 101/39
 noticed [1] 53/37
 notified [3] 34/6 34/13 76/30
 notify [2] 3/12 55/17
 November [2] 98/13 102/7
 NRS [1] 16/7
 Nuclear [2] 98/2 98/3
 number [36] 10/1 18/30 24/11 29/18 31/30 45/21 46/29 46/30
 46/36 47/1 47/15 50/4 51/1 52/18 59/15 61/3 63/34 64/17
 64/17 64/31 65/32 66/1 77/31 82/34 82/37 85/32 86/12 86/14
 87/5 87/35 90/32 92/19 92/40 94/21 95/12 97/27
 nurse [1] 6/7
 nutshell [1] 64/34
 NWTRB [1] 98/4
 Nye [1] 4/14

O

o'clock [1] 2/36
 O'Kane [4] 49/36 74/12 74/15 104/16
 oath [1] 86/36
 observations [1] 44/31
 observed [1] 18/34
 obtain [1] 41/14
 obtained [1] 46/1
 occur [2] 21/13 21/14
 occurred [3] 19/36 20/2 21/14
 occurs [4] 18/39 19/38 20/29 20/36
 offer [3] 3/19 3/22 26/12

<p>O</p> <p>offered [2] 19/4 28/20 offers [2] 18/13 26/22 office [30] 6/21 8/17 11/27 11/27 11/28 13/3 19/4 20/7 31/27 31/35 32/1 41/17 44/38 45/18 45/23 45/32 45/34 48/13 48/15 49/16 50/10 50/14 50/18 54/13 60/17 64/27 75/25 98/22 99/5 99/6 Officers [1] 12/4 offices [4] 11/25 11/25 11/28 11/29 offset [1] 30/23 Okay.Can [1] 41/3 Okie [1] 23/26 old [6] 28/18 43/35 43/39 44/23 44/25 72/40 omit [1] 86/25 on-site [2] 54/31 54/35 on-time [1] 16/31 once [7] 5/33 21/14 54/20 91/17 92/7 92/9 103/7 one [112] one's [2] 45/13 89/13 one-acre [3] 77/26 77/34 84/30 one-time [3] 31/26 31/34 44/37 ones [4] 19/24 25/37 27/29 28/11 ongoing [1] 67/17 online [5] 9/6 9/13 52/39 75/39 76/4 open [4] 6/9 83/29 88/1 88/6 opening [1] 5/21 operations [1] 94/30 opportunity [7] 10/16 11/35 14/17 18/13 18/27 42/37 73/16 opposed [4] 29/36 77/15 77/16 77/18 opted [1] 48/35 optic [1] 49/34 optics [3] 50/6 50/16 50/18 option [3] 41/15 68/23 73/32 options [2] 32/13 50/9 order [8] 1/23 2/22 24/10 52/39 53/2 63/31 63/37 66/33 ordered [3] 2/9 100/33 102/8 orders [3] 53/4 53/15 54/21 organization [6] 4/28 12/17 13/5 13/8 14/18 17/8 organizations [4] 11/12 11/35 13/12 16/33 originally [1] 29/39 others [2] 16/17 26/1 ought [1] 105/5 ours [2] 38/5 38/6 ourself [1] 36/5 ourselves [2] 3/37 3/39 outright [1] 46/9 outside [3] 3/33 3/39 101/34 overall [1] 53/17 overhang [1] 49/34 overhead [2] 39/27 40/24 oversees [2] 12/17 81/18 own [4] 21/22 38/7 56/17 86/22 owned [1] 80/22 owner [1] 80/3</p>	<p>paper [1] 53/4 parcel [2] 68/20 78/31 parceling [2] 77/28 77/36 parcels [2] 68/18 70/2 Paris [1] 6/20 part [26] 6/22 6/27 19/14 20/23 21/23 21/25 25/16 25/30 29/24 37/31 38/34 39/36 39/36 40/39 42/20 44/6 68/3 68/4 69/8 71/32 71/34 72/10 79/1 86/34 94/29 97/13 part's [1] 68/28 PARTICIPANT [1] 107/15 participates [1] 12/6 particular [2] 20/10 57/9 parties [1] 7/1 partner [8] 11/16 11/40 12/2 16/16 18/6 20/13 20/20 36/30 partners [1] 11/22 partnership [1] 15/37 parts [2] 25/21 25/28 pass [1] 91/6 passes [2] 45/10 86/5 past [6] 18/12 27/18 28/26 33/33 48/30 91/21 Pathfinders [3] 52/15 52/20 58/17 PATSY [12] 1/8 1/26 2/16 3/2 23/35 52/3 60/6 60/8 85/30 87/9 89/9 90/18 Paul [1] 13/38 Paula [2] 61/29 62/4 paved [2] 78/27 78/31 pay [17] 28/2 28/5 33/20 33/25 33/38 35/13 35/15 35/19 36/14 38/10 46/13 46/38 50/34 51/9 51/40 56/16 66/11 paying [4] 35/10 37/14 37/26 43/31 payment [2] 8/30 34/36 payment's [1] 38/35 payments [1] 26/16 payroll [1] 8/30 PCs [1] 48/16 peace [1] 47/30 Peggy [1] 3/22 pencil [1] 36/7 penciled [1] 80/12 pending [3] 24/33 29/30 29/30 pending and [1] 29/30 per [9] 7/40 12/14 17/19 21/40 46/34 64/19 67/1 82/22 104/8 percent [11] 3/36 17/19 34/39 39/14 39/30 40/16 40/24 40/31 40/33 40/36 51/18 Perfect [4] 3/14 7/29 43/38 63/18 perfectly [1] 32/29 Performance [1] 98/3 performed [2] 12/10 13/9 perhaps [2] 3/5 65/35 period [4] 15/6 19/3 42/13 48/21 Permit [2] 97/37 98/10 permit's [1] 32/23 permits [4] 75/37 76/17 76/26 76/27 perplexing [1] 64/36 PERS [1] 97/3 Pershing [1] 7/21 person [5] 7/40 53/30 86/28 88/27 104/8 personal [4] 54/16 54/16 54/19 56/17 personnel [9] 13/1 18/10 18/15 18/23 29/26 87/24 87/26 87/33 88/1 Persons [2] 7/36 104/4 perspective [3] 11/32 14/9 20/24 perspectives [1] 12/15 pertaining [2] 78/8 107/15 pertinent [1] 86/37 phase [6] 3/28 47/5 47/13 95/16 95/20 95/32 Phoenix [2] 11/29 97/38</p>
<p>P</p> <p>Pacific [1] 98/6 package [1] 86/34 packet [2] 25/30 78/13 pad [2] 99/8 99/9 page [2] 9/5 78/8 Pahrump [2] 4/14 4/15 paid [2] 72/4 72/5 painless [1] 13/19 paneling [1] 102/3 panic [1] 100/23</p>	

<p>P</p> <p>phone [11] 1/25 19/3 22/15 23/36 23/40 47/6 47/15 47/21 50/17 52/35 53/7</p> <p>phones [1] 47/16</p> <p>physical [2] 58/28 58/30</p> <p>pick [3] 10/36 31/10 33/25</p> <p>picked [1] 86/36</p> <p>pickups [5] 29/15 29/20 29/24 30/21 30/33</p> <p>picture [3] 35/9 36/30 40/40</p> <p>pictures [1] 98/39</p> <p>piece [4] 26/16 26/19 26/27 40/35</p> <p>pieces [1] 33/8</p> <p>Pine [8] 13/35 13/37 14/22 14/25 16/27 16/39 17/29 17/31</p> <p>pins [3] 79/12 80/29 80/35</p> <p>pipe [1] 33/8</p> <p>pipes [1] 69/2</p> <p>place [12] 8/2 12/32 19/10 41/10 41/16 44/15 69/10 76/3 77/1 80/5 104/10 107/11</p> <p>placed [4] 8/1 32/36 61/8 104/9</p> <p>places [1] 16/37</p> <p>plan [67] 2/8 22/31 63/32 63/38 65/13 65/13 65/22 65/25 66/7 66/33 66/34 66/36 67/3 67/5 67/24 67/28 67/30 67/36 67/40 68/11 68/17 69/9 69/25 69/26 69/30 70/2 70/4 70/12 70/12 70/23 70/28 70/38 70/40 71/1 71/10 71/15 71/29 71/34 72/1 72/11 72/22 72/40 73/9 73/32 74/2 74/17 74/35 75/19 76/22 76/36 77/2 77/2 78/3 78/8 78/16 78/16 78/19 78/20 78/32 78/39 80/1 80/12 81/18 81/24 82/31 84/26 94/30</p> <p>plan's [1] 72/35</p> <p>planned [2] 85/1 103/6</p> <p>planning [16] 5/11 7/12 65/9 65/9 65/11 67/16 67/21 67/28 70/25 70/34 70/37 71/12 81/20 83/32 83/40 94/26</p> <p>plans [8] 5/30 22/35 65/22 65/23 66/4 66/4 66/5 66/6</p> <p>plant [1] 41/21</p> <p>play [1] 65/9</p> <p>playing [1] 24/29</p> <p>please [4] 1/31 24/3 41/5 88/8</p> <p>pledge [2] 1/26 1/29</p> <p>plumb [1] 69/3</p> <p>Plummer [3] 10/25 18/6 20/11</p> <p>Plus [1] 100/21</p> <p>point [6] 34/22 42/3 43/36 53/27 70/17 96/3</p> <p>police [1] 64/12</p> <p>policy [3] 67/21 68/9 71/7</p> <p>pollution [4] 64/10 64/14 97/37 98/10</p> <p>pop [1] 41/16</p> <p>pops [1] 41/18</p> <p>population [2] 46/30 51/22</p> <p>position [2] 3/25 21/11</p> <p>positive [1] 22/9</p> <p>possibility [3] 32/8 34/7 44/18</p> <p>possibly [2] 11/12 36/6</p> <p>post [2] 63/4 63/15</p> <p>posture [1] 21/11</p> <p>potential [8] 13/2 33/3 41/33 65/17 66/8 66/8 97/25 97/28</p> <p>potentially [5] 30/3 30/4 32/14 38/8 65/37</p> <p>poured [1] 44/15</p> <p>power [5] 41/21 80/37 80/38 81/1 81/2</p> <p>PowerPoint [1] 10/31</p> <p>powers [1] 4/20</p> <p>practice [2] 13/29 23/16</p> <p>practices [1] 13/7</p> <p>precautionary [1] 62/33</p> <p>predicated [1] 51/20</p> <p>predict [1] 46/30</p> <p>preempting [1] 51/31</p> <p>prefer [2] 79/28 79/28</p>	<p>premise [1] 21/8</p> <p>prepared [1] 100/6</p> <p>preparing [1] 14/6</p> <p>presence [3] 1/18 1/19 9/10</p> <p>present [3] 1/7 20/28 46/5</p> <p>presentation [9] 9/36 10/2 10/19 10/24 10/26 17/28 63/28 63/34 64/7</p> <p>presented [1] 6/7</p> <p>presently [2] 21/20 21/21</p> <p>preserve [1] 51/28</p> <p>pretty [15] 3/19 3/24 5/22 6/12 15/2 53/9 76/6 78/4 83/26 94/32 94/33 96/8 96/9 99/18 102/40</p> <p>prevent [1] 19/37</p> <p>previous [1] 79/19</p> <p>previously [2] 27/22 97/5</p> <p>price [3] 22/17 27/12 42/27</p> <p>pricing [1] 91/26</p> <p>primary [1] 23/6</p> <p>prime [2] 37/11 39/17</p> <p>prior [6] 21/21 25/38 27/29 27/31 35/40 36/2</p> <p>priority [2] 53/2 53/8</p> <p>private [3] 15/40 16/2 39/22</p> <p>pro [1] 77/36</p> <p>problem [8] 15/34 15/39 19/26 21/31 23/2 53/12 76/18 79/29</p> <p>problems [7] 7/4 19/27 19/31 23/24 53/11 54/14 56/15</p> <p>proceed [1] 53/31</p> <p>process [12] 13/19 13/22 14/6 14/28 16/30 18/25 19/18 24/24 45/39 65/29 68/1 99/22</p> <p>processes [2] 14/14 18/35</p> <p>processing [1] 93/24</p> <p>produced [1] 1/5</p> <p>Production [1] 98/25</p> <p>Production/Emissions [1] 98/25</p> <p>professional [2] 14/16 16/5</p> <p>professionals [1] 14/38</p> <p>program [7] 12/5 12/6 26/21 27/12 28/10 28/20 53/9</p> <p>programs [2] 27/21 28/29</p> <p>progress [1] 23/7</p> <p>project [11] 3/28 3/31 15/11 16/18 20/11 32/4 95/9 95/16 95/20 95/34 97/38</p> <p>Promulgation [4] 94/18 94/22 94/27 94/35</p> <p>proper [2] 29/24 85/32</p> <p>properly [35] 9/38 10/4 24/15 24/19 29/16 29/21 31/28 31/36 44/39 45/18 45/24 50/37 51/12 52/16 52/21 59/12 59/21 61/1 61/7 63/39 87/32 88/5 88/16 88/22 90/30 90/35 92/38 93/4 94/19 94/24 95/9 95/16 95/21 96/24 96/27</p> <p>properties [1] 80/25</p> <p>property [7] 5/36 74/28 79/15 80/3 80/7 80/9 80/22</p> <p>propo [1] 84/15</p> <p>proposal [8] 3/27 7/9 11/14 13/13 17/20 19/18 32/17 42/32</p> <p>proposals [2] 7/8 42/21</p> <p>proposed [5] 17/14 18/22 31/23 31/31 78/33</p> <p>prosperity [1] 13/17</p> <p>protect [2] 21/10 51/30</p> <p>Protection [4] 64/9 97/36 98/9 98/24</p> <p>provide [10] 11/12 12/15 12/29 12/40 13/26 14/11 14/12 14/14 14/32 52/28</p> <p>provided [8] 9/37 10/3 11/14 12/22 13/12 13/40 56/29 107/15</p> <p>provider [1] 11/25</p> <p>provides [5] 11/32 12/14 12/20 14/9 14/16</p> <p>proximity [2] 99/3 102/27</p> <p>public [47] 7/33 7/35 7/39 8/1 8/2 8/4 8/34 9/20 16/3 20/15 26/40 29/2 30/38 35/38 38/4 38/15 38/16 45/2 47/29 49/26 50/22 52/4 58/35 60/9 60/29 63/8 63/19 74/11 77/6 85/38 87/10 88/6 90/19 92/26 94/5 94/39 97/33 98/23 103/39 104/1 104/3 104/7 104/9 104/10 104/12 104/31 105/21</p>
--	--

<p>P</p> <p>publication [1] 60/11 pull [2] 8/20 76/4 pulled [1] 8/19 pulls [1] 99/10 purchase [8] 24/14 24/18 26/36 29/14 29/20 30/33 43/31 46/12 purchased [2] 27/29 27/31 purchases [1] 28/28 purchasing [8] 24/36 25/6 27/5 27/6 27/9 28/35 46/10 47/38 purpose [3] 15/31 66/7 88/35 purposes [2] 32/19 42/6 pursuant [1] 87/27 push [1] 53/5 pushing [1] 23/14 putting [9] 5/23 32/8 36/24 41/28 66/5 72/2 74/33 99/3 99/6</p>	<p>recession [2] 13/28 13/31 reclaim [2] 37/37 44/7 reclamation [3] 37/32 97/37 98/10 recommend [1] 61/15 recommendation [2] 23/34 71/26 recommendations [7] 4/18 4/19 14/14 14/20 18/32 18/33 20/1 recommended [3] 22/36 22/39 69/21 reconciliation [1] 21/36 record [18] 1/18 1/19 1/25 16/24 31/14 45/27 45/30 52/31 59/4 60/10 61/19 61/29 63/9 91/2 93/18 95/29 98/32 104/33 recorded [1] 9/7 recorder [1] 20/32 recording [4] 9/11 107/11 107/13 107/19 records [3] 9/8 9/10 22/21 recourse [1] 19/31 recover [1] 39/2 recreation [2] 95/8 104/17 recreational [1] 4/38 recurring [1] 46/28 redial [2] 24/1 24/2 redline [1] 42/32 redone [2] 101/18 101/20 reduced [1] 29/26 redundancy [1] 50/1 reference [4] 7/22 57/9 57/10 58/9 references [2] 13/12 15/20 referrals [2] 13/17 13/32 referred [1] 47/5 referring [1] 89/12 reflect [5] 1/18 1/19 1/25 9/10 85/32 reflects [1] 46/34 Refresh [1] 21/32 regard [2] 19/19 64/30 regardless [1] 50/1 regards [1] 20/26 regional [1] 11/24 regular [3] 1/2 7/15 54/40 regularly [1] 59/7 Regulation [2] 97/37 98/10 regulatory [2] 59/16 98/17 relating [2] 32/26 63/39 relation [2] 64/18 66/3 relationship [7] 6/9 14/8 18/13 18/36 22/2 22/4 22/9 Release [1] 98/6 Release/Spill [1] 98/6 relevant [1] 81/15 remainder [1] 40/16 remaining [2] 18/20 39/14 remember [2] 19/23 102/10 remind [1] 35/31 reminder [1] 2/33 remote [10] 52/35 54/1 54/9 54/13 55/38 57/15 57/23 58/10 58/18 58/20 removed [1] 43/40 renegotiate [1] 38/20 renews [1] 38/24 Reno [5] 5/22 7/21 48/16 50/17 100/21 rent [2] 34/30 37/6 Reona [1] 97/38 reordered [1] 102/6 repairing [1] 48/18 repairs [1] 48/20 repeaters [1] 41/34 replace [10] 25/40 26/30 32/17 32/19 35/32 35/32 35/36 36/5 86/22 101/1 replaced [1] 99/22</p>
<p>Q</p> <p>quality [5] 12/16 12/19 15/20 21/25 21/26 quarter [6] 33/20 33/24 35/31 36/12 36/14 78/23 question [24] 15/29 19/25 22/27 26/9 27/4 28/9 30/7 31/10 39/9 41/40 43/7 60/7 61/18 65/20 67/27 67/31 68/8 75/7 76/21 78/11 84/25 86/37 91/16 104/13 questions [20] 10/20 13/13 15/21 15/25 19/22 23/27 26/33 32/25 32/26 49/29 49/33 51/39 65/31 74/16 82/3 84/23 84/24 93/35 96/13 105/13 quick [4] 17/28 31/40 45/31 51/26 quicker [1] 15/12 quickly [3] 11/38 15/9 42/33 quiet [1] 31/19 quite [3] 30/22 53/26 92/9 quorum [1] 1/18 quote [1] 25/4</p>	
<p>R</p> <p>R-1 [1] 78/18 R-2 [1] 78/18 radio [5] 31/26 31/33 32/14 38/7 44/36 railroad [2] 6/17 98/6 ramifications [1] 16/1 ran [1] 53/23 Ranch [4] 77/26 77/33 78/22 78/25 range [3] 5/5 51/15 97/34 rate [3] 14/32 34/38 46/31 rather [1] 53/30 ratification [1] 87/30 ratios [1] 76/9 Ray [1] 59/30 re [3] 25/6 25/40 64/39 re-up [1] 25/6 reach [1] 11/11 reaching [1] 67/26 read [7] 26/11 71/40 72/33 73/9 74/8 78/4 96/38 reader [1] 99/6 ready [3] 22/22 67/33 102/9 real [5] 19/38 22/8 35/6 35/10 82/34 realistically [1] 49/1 reason [9] 13/16 13/27 36/33 42/8 65/13 66/10 78/20 80/36 86/24 reasonable [3] 8/1 71/5 104/9 rebrought [1] 101/18 rebudget [1] 29/36 rec [4] 5/21 44/7 70/19 104/17 receive [3] 7/8 12/21 50/5 received [8] 6/20 7/26 15/10 93/33 96/36 97/31 100/8 100/8 recently [2] 11/9 47/18</p>	

<p>R</p> <p>replacement [11] 31/25 31/33 32/17 44/36 64/39 86/7 86/13 101/24 101/27 102/6 102/9</p> <p>replacements [1] 48/20</p> <p>replacing [3] 25/31 25/35 32/14</p> <p>report [4] 4/17 47/16 65/34 65/36</p> <p>reporter [2] 9/9 107/7</p> <p>reporting [3] 12/5 19/11 98/25</p> <p>reports [9] 2/1 2/3 6/1 6/3 19/12 97/25 97/28 98/12 98/14</p> <p>represent [1] 89/29</p> <p>representative [5] 64/37 88/15 88/20 89/21 90/15</p> <p>represents [1] 39/30</p> <p>reput [1] 101/20</p> <p>request [8] 8/14 8/31 16/26 21/5 77/25 77/32 98/6 103/27</p> <p>requested [2] 14/35 18/9</p> <p>requesting [2] 22/7 32/29</p> <p>requests [2] 12/26 12/38</p> <p>require [2] 27/30 78/36</p> <p>required [5] 19/1 22/10 34/34 40/28 47/30</p> <p>requirement [1] 79/3</p> <p>requirements [2] 2/38 64/13</p> <p>requires [2] 37/32 94/27</p> <p>requiring [2] 77/27 77/35</p> <p>Res [1] 92/18</p> <p>reschedule [1] 60/3</p> <p>research [7] 27/30 28/9 35/8 35/27 37/19 64/6 73/8</p> <p>reserve [2] 39/14 40/13</p> <p>residential [1] 78/37</p> <p>resolution [7] 3/34 3/35 90/28 90/33 90/38 91/16 92/19</p> <p>resolve [2] 16/6 54/14</p> <p>resources [8] 1/16 12/23 64/27 97/35 97/39 97/40 98/8 98/16</p> <p>respect [1] 64/22</p> <p>response [1] 2/8</p> <p>responsibilities [4] 2/38 23/11 97/8 97/11</p> <p>responsibility [5] 48/21 63/30 63/37 66/32 83/2</p> <p>responsible [5] 67/20 75/38 76/13 76/18 76/24</p> <p>rest [1] 101/35</p> <p>restricted [2] 8/3 104/11</p> <p>restriction [3] 77/27 77/35 84/35</p> <p>restrictions [5] 2/37 4/30 8/1 83/6 104/9</p> <p>restructure [1] 84/27</p> <p>result [1] 78/33</p> <p>results [1] 4/3</p> <p>retain [1] 3/37</p> <p>retroactively [1] 57/34</p> <p>revenues [2] 51/21 51/36</p> <p>reverse [1] 88/3</p> <p>review [7] 14/13 53/5 71/15 73/33 96/23 96/26 98/2</p> <p>reviewed [6] 7/10 18/16 52/28 52/32 73/13 73/14</p> <p>reviewer [2] 12/3 12/6</p> <p>reviewing [1] 78/16</p> <p>revise [3] 83/9 84/4 84/18</p> <p>revised [7] 28/29 82/16 83/10 83/17 84/18 85/32 86/21</p> <p>revised to [1] 82/16</p> <p>revision [1] 82/19</p> <p>revisit [1] 22/11</p> <p>rewrite [1] 84/10</p> <p>Rex [4] 6/25 72/8 72/12 72/16</p> <p>rezoned [1] 78/17</p> <p>rid [1] 101/30</p> <p>Ridge [1] 39/24</p> <p>rifle [1] 5/7</p> <p>rifle's [1] 5/7</p> <p>rights [4] 4/24 64/21 64/28 66/16</p> <p>riparian [4] 60/39 61/5 63/3 104/34</p> <p>riparians [1] 105/1</p>	<p>ripped [1] 25/26</p> <p>road [15] 13/34 78/20 78/21 78/22 78/25 78/26 78/29 79/12 80/9 80/18 80/20 80/29 80/29 81/37 96/11</p> <p>roads [4] 79/10 79/11 79/20 85/8</p> <p>Robert [5] 31/40 41/28 45/13 45/31 46/15</p> <p>Rock [1] 97/40</p> <p>roll [4] 29/32 29/36 30/7 30/17</p> <p>rolled [3] 29/15 29/21 30/33</p> <p>Ron [5] 36/4 45/28 51/6 104/33 105/4</p> <p>roof [1] 99/2</p> <p>room [1] 100/31</p> <p>rooms [2] 101/7 101/10</p> <p>Rose [11] 9/38 10/4 10/14 10/25 10/26 17/39 18/5 18/6 18/9 20/33 23/12</p> <p>Ross [1] 17/39</p> <p>rotate [2] 16/11 20/19</p> <p>rough [1] 17/9</p> <p>round [2] 11/23 14/38</p> <p>route [2] 1/4 53/30</p> <p>routine [1] 8/12</p> <p>rules [1] 5/9</p> <p>run [6] 6/36 7/3 7/9 10/31 30/27 38/5</p> <p>running [5] 4/15 6/18 6/40 46/39 75/15</p> <p>runs [2] 26/26 43/33</p> <p>rural [3] 18/38 22/6 71/28</p> <p>Russ [1] 95/40</p> <hr/> <p>S</p> <p>SADIE [8] 1/13 60/10 60/20 60/26 61/18 63/9 91/1 91/15</p> <p>safe [2] 64/11 64/14</p> <p>safeguard [1] 19/10</p> <p>safety [6] 35/38 38/4 38/14 38/15 38/16 47/29</p> <p>salaries [2] 97/1 97/7</p> <p>salary [1] 97/13</p> <p>same [20] 2/10 16/32 19/24 20/14 27/11 28/36 41/23 41/25 42/37 44/40 56/6 57/18 57/20 57/23 62/37 100/32 101/34 102/17 102/18 107/17</p> <p>sat [1] 22/18</p> <p>save [1] 28/37</p> <p>saved [1] 40/16</p> <p>savings [2] 30/12 30/16</p> <p>saw [3] 64/5 102/7 102/7</p> <p>schedule [2] 12/9 59/37</p> <p>scheduled [7] 59/8 59/9 59/11 59/16 59/17 59/19 61/30</p> <p>school [5] 11/10 13/38 13/40 16/32 16/40</p> <p>scope [5] 18/22 18/27 22/2 22/5 22/16</p> <p>SEAN [4] 1/9 3/5 89/20 89/31</p> <p>Seat [3] 86/9 86/15 87/5</p> <p>second [31] 3/23 5/8 8/32 9/18 26/38 29/2 30/35 31/11 41/15 45/1 45/2 45/26 49/21 49/25 50/24 52/2 58/33 60/5 63/6 73/38 73/40 74/9 85/36 85/37 87/8 90/17 92/21 94/3 94/37 100/38 105/20</p> <p>seconded [15] 8/33 9/19 26/39 29/2 30/37 49/24 52/3 58/34 60/8 63/7 87/9 90/18 92/25 94/4 94/38</p> <p>section [3] 65/5 65/5 82/22</p> <p>sections [1] 44/13</p> <p>security [1] 99/5</p> <p>seeing [1] 5/22</p> <p>seen [7] 18/30 19/8 19/9 19/11 48/30 48/31 72/16</p> <p>selected [1] 12/12</p> <p>sell [3] 26/13 26/19 28/3</p> <p>semi [1] 81/13</p> <p>seminar [3] 2/18 3/7 13/1</p> <p>seminars [3] 2/4 6/4 12/40</p> <p>send [1] 91/17</p> <p>sending [1] 101/24</p>
---	--

<p>S</p> <p>senior [1] 11/40</p> <p>sense [3] 17/24 88/25 90/10</p> <p>sent [1] 101/17</p> <p>separate [6] 43/30 43/31 57/5 57/6 69/22 69/23</p> <p>separately [5] 8/16 43/27 43/29 48/28 57/26</p> <p>septic [34] 5/12 7/13 63/28 63/35 64/15 64/17 64/22 64/24 64/30 64/32 64/37 64/38 64/39 65/3 65/6 66/39 68/21 68/22 69/5 69/31 69/31 74/34 75/2 75/9 75/10 75/18 76/26 81/32 82/5 82/6 82/10 82/23 82/25 82/34</p> <p>septics [9] 5/12 65/4 65/16 65/26 65/30 65/38 65/40 66/18 78/38</p> <p>serve [3] 65/19 86/9 86/15</p> <p>serves [1] 106/39</p> <p>service [24] 11/25 12/15 13/16 13/26 14/34 15/21 18/17 18/24 22/10 45/17 45/22 46/11 46/13 46/14 47/9 48/29 48/30 49/15 49/37 52/35 52/36 55/30 56/29 58/17</p> <p>service-based [1] 46/13</p> <p>services [25] 9/37 10/3 11/13 11/31 12/35 13/40 14/11 17/11 17/12 17/15 18/28 22/3 22/8 43/19 45/18 45/24 46/8 49/16 52/16 52/20 52/29 52/34 78/13 78/35 84/28</p> <p>session [6] 1/2 87/24 87/27 87/33 88/1 88/6</p> <p>set [17] 3/5 3/12 13/30 20/25 29/25 44/12 52/40 53/2 53/8 79/11 80/32 80/33 81/31 82/6 101/11 101/14 103/26</p> <p>setbacks [1] 81/38</p> <p>sets [1] 13/15</p> <p>setting [1] 16/2</p> <p>Settlement [1] 97/33</p> <p>seven [1] 11/25</p> <p>several [7] 7/1 33/8 33/33 45/35 46/2 47/3 50/12</p> <p>severe [3] 14/26 14/30 16/28</p> <p>severely [1] 59/24</p> <p>sewer [23] 17/3 63/31 63/37 65/25 66/6 66/10 66/32 67/38 68/3 68/35 68/36 68/39 69/21 69/26 69/33 74/20 74/25 74/31 74/33 78/35 78/37 81/34 84/28</p> <p>shall [10] 71/2 71/2 71/6 71/7 71/8 71/12 71/16 71/21 71/22 86/27</p> <p>shared [1] 12/27</p> <p>Shawn [6] 89/34 89/35 89/40 90/8 90/9 90/14</p> <p>she'd [1] 60/27</p> <p>She's [2] 20/11 103/25</p> <p>Shelly [2] 10/25 18/4</p> <p>sheriff [4] 39/17 48/5 49/19 49/20</p> <p>sheriff's [17] 31/27 31/35 31/40 44/38 45/17 45/23 45/31 45/34 48/13 48/15 49/16 50/10 50/14 50/18 56/14 99/5 99/6</p> <p>ship [2] 100/34 102/9</p> <p>shoot [2] 5/5 39/28</p> <p>shooting [3] 39/23 39/24 41/23</p> <p>short [4] 19/3 22/23 77/5 98/31</p> <p>show [4] 5/30 61/16 62/23 78/5</p> <p>showed [1] 62/35</p> <p>shut [2] 38/1 43/35</p> <p>side [5] 3/32 20/22 50/17 80/9 80/11</p> <p>sides [1] 43/4</p> <p>sign [14] 48/5 49/17 49/19 49/20 58/31 58/32 83/4 92/23 93/31 94/19 94/23 94/28 94/28 94/36</p> <p>Signal [2] 98/38 101/4</p> <p>Signal's [1] 103/13</p> <p>signed [1] 4/40</p> <p>significant [2] 13/9 19/35</p> <p>signs [1] 48/5</p> <p>silence [2] 1/31 1/33</p> <p>similar [2] 4/28 17/32</p> <p>simple [2] 94/32 94/33</p> <p>since [11] 4/9 16/31 20/11 20/12 29/29 29/30 29/38 33/36 52/24 80/38 99/26</p>	<p>single [5] 12/8 32/15 48/36 50/1 73/15</p> <p>sit [5] 10/29 15/40 18/27 19/17 22/24</p> <p>site [13] 32/7 32/9 34/4 39/28 40/25 53/38 54/1 54/31 54/35 58/28 58/30 78/35 84/28</p> <p>situation [2] 15/37 36/16</p> <p>situations [1] 23/16</p> <p>six [5] 48/1 48/4 65/7 82/23 93/20</p> <p>sixteen [1] 93/22</p> <p>Sixth [1] 7/23</p> <p>Sixty [2] 46/18 46/20</p> <p>Sixty-five [1] 46/20</p> <p>size [2] 44/19 50/19</p> <p>skip [1] 95/13</p> <p>skipped [1] 104/18</p> <p>Skyline [1] 79/40</p> <p>slapping [1] 68/24</p> <p>slide [3] 11/26 12/13 15/23</p> <p>slides [1] 13/33</p> <p>slightly [1] 84/18</p> <p>slow [1] 85/20</p> <p>small [6] 33/1 36/7 42/24 48/15 78/24 99/1</p> <p>smaller [2] 11/29 70/2</p> <p>smooth [1] 53/26</p> <p>smoothly [2] 19/26 24/27</p> <p>snuck [1] 95/26</p> <p>So how [1] 57/24</p> <p>software [2] 14/22 14/24</p> <p>soil [1] 82/36</p> <p>soil-type [1] 82/36</p> <p>solution [2] 20/5 65/24</p> <p>solutions [2] 19/33 23/8</p> <p>somebody [9] 20/8 40/37 41/2 49/21 50/2 65/18 80/7 80/26 99/10</p> <p>someone [2] 16/11 98/27</p> <p>soon [6] 3/24 7/27 26/2 93/32 102/8 103/9</p> <p>sorry [10] 10/8 45/30 46/23 49/31 61/29 62/1 62/2 74/14 79/37 93/15</p> <p>sounds [5] 5/2 11/1 28/35 84/22 96/7</p> <p>sour [2] 68/34 68/35</p> <p>South [3] 92/37 93/2 94/1</p> <p>southern [1] 6/27</p> <p>space [7] 34/27 34/32 39/14 40/11 40/27 41/13 41/14</p> <p>spaces [1] 32/30</p> <p>sparse [1] 47/22</p> <p>speak [5] 15/22 31/20 41/4 44/9 45/40</p> <p>speaking [1] 28/21</p> <p>special [1] 62/32</p> <p>specialist [1] 99/28</p> <p>specialize [1] 14/39</p> <p>specialized [2] 12/7 12/22</p> <p>specialties [1] 11/20</p> <p>specific [6] 14/21 56/13 65/16 67/14 69/30 83/26</p> <p>specifically [6] 4/29 21/34 40/18 55/35 64/10 65/3</p> <p>specifics [1] 91/28</p> <p>spectrum [1] 23/23</p> <p>spend [5] 13/3 28/6 30/18 67/29 70/13</p> <p>spending [3] 22/23 28/7 28/8</p> <p>spendy [1] 3/19</p> <p>spent [2] 27/19 98/3</p> <p>Spill [1] 98/6</p> <p>spoke [2] 47/40 65/2</p> <p>sponsored [1] 5/16</p> <p>sportsmen [1] 4/29</p> <p>spot [5] 76/37 76/39 76/40 77/4 102/37</p> <p>spots [1] 41/29</p> <p>spouse [1] 87/13</p>
---	--

<p>S</p> <p>sprinkler [1] 96/2 square [9] 33/1 36/21 39/31 64/32 65/3 65/4 65/5 65/20 67/1 Squibb [1] 13/39 ss [1] 107/2 St. [2] 11/27 13/3 St. George [2] 11/27 13/3 staff [10] 2/39 6/1 6/3 15/7 18/39 20/14 20/16 20/19 20/23 61/28 stage [1] 15/12 stain [3] 101/37 101/38 102/17 stairwell [1] 100/22 stakes [1] 80/7 stand [2] 10/39 43/30 standard [3] 15/2 49/7 50/3 standards [5] 6/30 6/30 13/4 13/5 19/5 standing [1] 104/29 start [10] 15/15 33/23 34/39 35/2 41/6 53/28 53/29 54/21 61/24 76/37 started [6] 16/27 16/30 18/4 18/19 36/9 95/38 starting [2] 53/25 96/8 starts [1] 76/36 state's [2] 65/32 65/40 state-wide [1] 21/23 stated [3] 31/14 31/17 52/32 states [8] 11/31 12/18 47/25 80/10 97/32 98/2 98/19 98/21 station [1] 41/21 Statistics [1] 98/20 status [7] 93/16 93/25 93/28 95/8 95/15 95/19 98/35 statute [3] 48/10 86/21 86/24 stay [5] 16/7 16/14 20/21 37/10 37/29 staying [1] 43/25 stays [4] 20/8 26/25 26/25 79/31 steps [1] 78/24 Steve [14] 2/5 29/2 30/36 49/23 52/3 58/34 60/8 63/7 74/10 90/18 92/22 92/25 99/14 99/16 STEVEN [1] 1/7 sticking [1] 33/8 STIENMETZ [2] 1/7 6/28 storage [2] 66/14 98/4 stored [2] 44/24 48/13 straightened [1] 6/39 straw [1] 39/26 stream [1] 39/26 Street [4] 79/33 92/37 93/3 94/1 structurally [1] 40/23 structure [4] 32/11 32/37 33/9 33/10 studies [4] 4/3 14/32 65/9 66/11 stuff [5] 12/7 36/8 40/10 53/23 71/37 subcontractors [3] 5/23 100/40 101/2 subdivision [1] 83/3 subject [3] 42/8 81/8 87/30 submit [4] 7/36 57/30 94/29 104/4 submitted [5] 65/37 65/39 78/15 93/19 93/32 submitting [1] 2/8 subscriber's [1] 47/14 subsection [1] 87/28 subsequent [2] 77/28 77/36 substantiate [1] 21/10 subtracting [2] 34/40 35/2 successes [1] 18/30 successfully [2] 13/31 14/29 such [1] 37/7 sufficient [2] 50/4 50/20 suggest [1] 42/37 suggestion [1] 105/2</p>	<p>SULAC [2] 4/10 4/26 SULLIVAN [6] 1/13 60/10 61/18 63/9 91/1 107/17 sum [1] 22/14 summary [1] 4/11 summer [1] 104/40 sunk [1] 7/25 superior [1] 12/25 supervision [1] 87/28 supply [2] 46/12 65/27 support [2] 54/9 57/15 supported [1] 46/6 supposed [5] 33/25 67/28 89/9 91/26 100/18 surcharge [1] 48/10 surely [1] 73/6 surplussed [6] 25/34 25/35 25/37 25/38 25/39 26/2 survey [5] 2/19 79/11 80/7 82/36 82/36 swap [1] 38/5 sweet [1] 28/30 switch [1] 43/32 switched [1] 43/20 Synergy [1] 6/21 sys [1] 65/4 system [34] 6/35 6/37 12/25 12/27 19/36 38/1 43/30 43/31 45/33 45/37 46/5 46/12 47/5 47/7 47/12 47/20 47/36 48/34 48/36 48/39 49/7 49/37 52/39 56/10 64/23 64/30 64/38 64/38 64/39 65/6 68/39 75/2 75/19 96/1 systems [19] 14/17 14/19 18/34 19/9 19/40 45/38 46/11 50/17 63/28 63/35 64/15 64/17 64/24 64/32 65/3 66/39 74/34 75/9 82/5</p> <hr/> <p>T</p> <p>T-1 [6] 49/38 49/40 50/1 50/2 50/3 50/20 T-9 [2] 49/33 49/39 table [7] 64/16 64/16 64/31 73/8 82/36 83/16 85/28 taken [12] 8/15 12/8 24/8 36/39 40/27 48/19 86/36 87/32 88/5 101/19 102/30 102/38 talk [10] 7/16 10/39 13/39 15/1 17/25 39/12 54/20 57/27 80/10 102/35 talked [2] 4/26 99/12 talking [12] 3/4 36/24 40/1 42/27 42/27 48/13 54/16 66/4 69/18 69/20 74/17 99/38 talks [1] 39/13 taller [2] 41/28 41/34 tandem [1] 43/33 tank [2] 68/21 81/32 tanks [3] 7/13 68/22 82/34 targeting [1] 4/29 tax [1] 11/20 Taxation [1] 14/27 team [6] 5/23 14/36 15/7 16/13 16/17 20/15 teams [1] 16/14 technical [2] 32/25 98/2 technically [3] 55/16 55/17 55/29 technology [1] 14/15 techs [1] 38/7 Ted [6] 5/27 7/19 44/32 54/39 67/12 92/16 teleconference [2] 1/20 3/5 telephone [3] 9/10 39/25 54/9 tell [9] 15/34 32/28 32/31 35/12 35/38 37/12 91/39 95/37 99/32 telling [2] 4/40 80/35 tells [4] 2/25 75/4 75/19 76/9 temp [1] 101/29 temporary [4] 100/35 100/36 101/16 101/19 ten [16] 14/23 14/23 14/26 16/32 34/36 34/38 35/3 35/5 37/23 38/20 38/21 38/27 38/31 42/5 79/38 80/13</p>
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<p>T</p> <p>tenant [1] 40/34</p> <p>tenants [22] 32/30 32/32 32/34 33/3 33/4 34/2 34/6 34/23 34/24 34/29 34/32 37/5 37/6 37/9 37/12 37/29 37/35 37/39 38/6 40/9 43/20 43/22</p> <p>Tennessee [1] 98/5</p> <p>term [3] 19/29 43/16 100/30</p> <p>terminate [3] 42/2 42/2 42/7</p> <p>termination [5] 42/4 42/12 42/30 44/40 88/4</p> <p>terms [6] 34/36 37/21 93/6 93/7 93/7 93/14</p> <p>terrible [1] 39/25</p> <p>test [3] 15/24 100/10 100/18</p> <p>text [1] 47/21</p> <p>texting [1] 47/18</p> <p>that leaves [1] 40/32</p> <p>that your [1] 16/38</p> <p>the current [1] 35/15</p> <p>THEODORE [1] 1/14</p> <p>there'd [1] 65/15</p> <p>thereafter [1] 35/5</p> <p>thereof [1] 44/39</p> <p>theres [1] 86/26</p> <p>they're cl [1] 56/30</p> <p>thinking [1] 65/8</p> <p>third [3] 26/31 102/4 102/5</p> <p>Thirty [1] 40/33</p> <p>this year [1] 24/30</p> <p>thoroughly [2] 13/23 15/5</p> <p>though [6] 13/30 17/29 57/9 66/3 67/32 103/16</p> <p>thought [13] 6/10 6/34 14/10 18/16 24/27 28/30 55/3 56/27 90/12 98/28 98/34 101/31 102/38</p> <p>thousand [3] 28/7 30/32 47/4</p> <p>thousands [3] 46/9 46/9 46/10</p> <p>three [17] 7/40 21/22 26/13 26/17 26/18 26/20 26/27 27/27 27/37 28/3 28/21 32/33 34/36 37/15 37/21 75/11 104/7</p> <p>three-year [2] 27/27 28/21</p> <p>thrilled [1] 51/34</p> <p>throughout [2] 19/2 21/28</p> <p>throwing [1] 80/26</p> <p>Thursday [2] 100/16 100/18</p> <p>tied [1] 25/18</p> <p>ties [1] 96/3</p> <p>Tiffany [3] 1/5 107/7 107/27</p> <p>till [2] 77/22 92/11</p> <p>timeliness [1] 16/22</p> <p>timely [3] 21/35 22/30 23/17</p> <p>times [6] 18/11 19/34 20/1 35/12 61/40 62/3</p> <p>to only [1] 56/15</p> <p>today [7] 5/13 6/38 18/5 19/20 51/6 96/38 97/17</p> <p>together [15] 5/23 18/10 22/3 22/36 29/37 52/27 53/28 65/26 66/6 71/30 72/2 72/3 72/5 91/21 91/27</p> <p>told [2] 80/8 91/21</p> <p>Tomera [1] 61/29</p> <p>tomorrow [1] 38/9</p> <p>took [4] 4/36 78/13 104/16 107/11</p> <p>top [2] 81/2 99/36</p> <p>total [2] 101/3 102/10</p> <p>totally [1] 57/2</p> <p>touches [2] 98/40 99/3</p> <p>towards [1] 20/39</p> <p>tower [45] 31/26 31/27 31/33 31/35 32/15 32/16 32/18 32/20 32/20 33/1 33/13 34/5 35/32 35/39 36/5 36/7 36/12 36/18 36/20 37/30 37/32 37/36 39/14 39/40 40/10 40/10 40/23 40/30 40/35 40/36 41/3 41/11 41/22 41/28 41/29 41/35 44/10 44/11 44/12 44/13 44/19 44/37 44/38 47/10 99/2</p> <p>tower's [1] 43/39</p>	<p>towers [1] 33/33</p> <p>towns [1] 106/39</p> <p>track [1] 16/24</p> <p>tracked [2] 53/15 53/16</p> <p>trailer [1] 2/12</p> <p>trailers [3] 2/9 6/28 6/29</p> <p>training [6] 12/20 12/21 12/40 18/39 19/4 22/21</p> <p>transactions [1] 14/5</p> <p>TRANSCRIBED [1] 107/9</p> <p>Transcript [1] 1/5</p> <p>transfer [3] 5/17 47/7 87/28</p> <p>transfers [1] 4/23</p> <p>Transportation [1] 98/4</p> <p>travel [10] 54/24 54/28 54/32 54/33 54/36 55/4 56/1 56/16 57/12 58/11</p> <p>treasurer [1] 102/18</p> <p>treatment [2] 74/17 75/14</p> <p>Tri [3] 98/38 101/4 103/13</p> <p>Tri-Signal [2] 98/38 101/4</p> <p>Tri-Signal's [1] 103/13</p> <p>trickle [1] 67/16</p> <p>triple [1] 33/1</p> <p>trucks [2] 29/27 29/29</p> <p>true [3] 47/13 56/23 107/17</p> <p>truly [3] 71/27 72/17 73/8</p> <p>trunks [1] 50/4</p> <p>trust [1] 13/25</p> <p>try [12] 6/14 13/20 13/21 15/4 15/14 15/16 16/1 16/6 23/13 98/31 101/14 105/5</p> <p>trying [12] 3/18 6/39 16/25 17/5 20/3 29/38 40/40 40/40 45/36 88/27 98/39 103/15</p> <p>Tuesday [4] 100/6 100/9 100/16 100/17</p> <p>turn [2] 99/34 102/2</p> <p>turned [2] 5/31 44/28</p> <p>turnkey [1] 46/12</p> <p>turnover [4] 16/15 16/20 18/39 20/15</p> <p>Turquoise [2] 39/24 98/11</p> <p>TV [7] 35/19 86/9 86/14 86/19 86/29 86/35 87/5</p> <p>tweaked [1] 41/9</p> <p>twenties [1] 82/28</p> <p>twenty [3] 33/5 33/5 96/26</p> <p>Twenty-one [1] 96/26</p> <p>twice [1] 51/6</p> <p>two [49] 3/28 5/26 17/32 18/20 18/25 21/30 21/31 21/33 22/39 24/25 25/35 25/39 27/31 29/14 29/20 29/27 30/33 48/16 49/33 50/2 56/40 59/29 59/38 61/9 61/11 61/16 62/23 62/26 62/35 68/19 68/20 68/20 77/28 77/35 79/1 79/9 79/9 79/19 79/21 82/15 83/21 84/6 84/36 84/38 85/3 85/18 89/3 101/8 103/5</p> <p>two-acre [3] 68/20 84/36 84/38</p> <p>two-way [1] 18/25</p> <p>tying [2] 78/21 95/38</p> <p>type [11] 32/16 42/29 46/12 48/15 48/29 48/35 48/39 49/10 51/34 53/2 82/36</p> <p>types [1] 42/25</p> <p>typo [1] 10/9</p> <p>U</p> <p>U.S [3] 64/13 98/4 98/20</p> <p>Ugalde [3] 63/28 63/35 64/2</p> <p>Uh-oh [1] 23/38</p> <p>ultimate [1] 21/12</p> <p>Um [1] 41/26</p> <p>understand [14] 18/40 23/10 37/3 69/6 72/15 72/32 73/21 75/35 85/12 85/14 92/14 100/7 100/19 101/23</p> <p>understanding [4] 2/36 19/32 55/34 67/32</p>
---	--

U	W
<p>understood [2] 42/20 101/22 unfortunately [1] 50/16 unfunded [1] 51/30 Unger [4] 36/4 39/17 45/28 104/33 unincorporated [1] 106/39 Union [1] 98/6 unique [6] 11/19 11/32 12/15 14/2 14/9 14/37 United [5] 12/18 97/32 98/2 98/19 98/21 unless [3] 38/25 78/34 84/27 unlimited [1] 4/20 unmatched [1] 13/16 UNR [1] 2/18 unrestricted [2] 4/16 73/4 unsure [1] 64/4 up-front [1] 46/26 upcoming [2] 97/25 97/28 update [18] 53/12 67/38 68/2 68/25 69/20 95/8 95/15 95/19 95/36 96/6 96/23 96/23 96/26 96/27 98/33 98/34 101/6 102/38 updated [4] 67/33 68/30 69/7 72/36 updates [1] 13/4 updating [1] 66/6 upgrade [3] 45/36 47/13 48/1 upgraded [1] 47/37 uphold [1] 88/3 upon [6] 8/2 8/2 8/12 8/15 104/10 104/10 upper [1] 47/13 urgent [1] 53/6 USA [1] 97/38 used [3] 34/39 64/38 81/26 user [1] 53/3 using [2] 50/12 89/10 usually [4] 9/9 17/18 61/24 65/18 Utah [4] 11/30 11/33 17/32 107/1 utility [1] 14/32</p>	<p>wait [2] 59/27 92/10 waiting [2] 21/9 47/36 WAITS [2] 1/8 59/24 walls [1] 100/32 wanting [1] 23/12 warranty [5] 26/12 103/18 103/24 103/25 103/25 Waste [1] 98/2 watch [1] 76/31 water [42] 4/11 4/12 4/16 4/20 4/21 4/23 4/23 17/3 63/30 63/37 64/10 64/11 64/14 64/21 64/25 64/27 64/28 65/25 65/27 65/27 66/6 66/10 66/15 66/32 67/38 68/3 68/34 68/34 68/35 68/36 68/39 69/21 69/25 69/33 74/17 75/12 78/35 78/37 84/28 97/37 97/40 98/10 weakening [1] 33/10 weaknesses [1] 19/30 website [6] 53/2 56/37 64/8 64/16 64/26 76/5 Wednesday [5] 99/33 100/5 100/7 100/9 100/19 Wednesdays [1] 52/37 week [9] 4/14 6/16 52/34 53/27 99/24 99/27 99/29 100/8 100/39 weeks [6] 59/38 84/7 85/18 93/20 96/10 103/5 weight [2] 32/37 33/3 wells [4] 65/27 72/17 74/34 82/22 Wendover [1] 17/1 weren't [2] 9/7 101/39 West [1] 17/1 WESTENGARD [1] 1/12 whate [1] 86/25 wheel [3] 29/15 29/20 30/33 When's [2] 72/35 83/32 whenever [1] 102/34 Where'd [1] 95/25 whereas [1] 42/5 whichever [1] 20/2 whistles [1] 71/29 White [8] 13/35 13/37 14/22 14/25 16/27 16/39 17/29 17/31 Whitman [1] 62/2 whole [5] 5/12 25/10 43/30 71/40 103/22 wholeheartedly [1] 49/3 whomever [3] 20/2 65/37 65/39 wide [1] 21/23 Williams [1] 59/30 willing [4] 17/21 17/23 18/29 19/17 win [2] 36/35 36/35 win-win [1] 36/35 window [1] 19/3 Winnemucca [2] 54/10 54/35 winter [1] 32/38 Wintle [1] 77/39 wire [1] 32/16 wires [1] 33/2 wise [1] 42/25 wishes [1] 93/8 without [8] 2/12 8/13 37/4 37/5 58/5 69/31 78/37 79/29 wondered [2] 25/16 34/31 wonderful [2] 12/2 12/37 wondering [3] 29/39 34/17 35/7 wood [1] 102/3 wor [1] 100/14 worded [2] 62/26 62/26 words [1] 86/26 workable [1] 71/28 Workman's [1] 97/3 workshop [2] 2/35 98/18 workshops [1] 2/33</p>
<p>V</p>	
<p>vacancies [1] 86/22 vacancy [3] 86/8 86/13 86/37 Valley [1] 97/40 Valmy [2] 41/16 41/20 value [2] 35/20 37/5 varies [1] 47/3 various [2] 13/11 18/35 vehicles [1] 29/40 Velma [1] 13/39 vendor [4] 46/7 47/14 48/29 48/36 vendors [2] 45/38 48/31 vener [2] 100/32 100/33 verbage [1] 42/25 verbage-wise [1] 42/25 verbatim [1] 59/16 verbiage [1] 79/28 versus [2] 28/13 28/35 vertical [1] 39/31 via [2] 1/20 9/10 VICE [1] 106/13 VIDEO [2] 107/11 107/19 view [4] 18/36 95/15 95/20 95/32 viewing [1] 8/17 viewpoint [2] 8/3 104/11 violation [1] 83/29 visits [2] 54/17 54/19 voted [1] 81/21</p>	

W

worried [1] 39/6
worrying [1] 103/5
worth [1] 97/15
wrap [1] 15/11
wrap-up [1] 15/11
wrapped [2] 15/16 103/11
wrapping [1] 14/33
write [2] 57/25 57/25
writing [2] 7/36 104/4
written [7] 33/18 33/26 38/25 40/22 46/35 58/19 85/13
wrong [6] 48/23 48/37 70/21 88/27 88/29 88/31
wrote [1] 79/7

Y

yays [1] 91/4
year-end [1] 14/5
years would [1] 38/40
yesterday [1] 53/1

Z

zone [5] 77/4 77/24 77/32 78/33 81/34
zoning [25] 65/9 65/13 65/22 66/4 67/37 68/4 68/10 68/37
68/38 69/5 69/11 69/13 69/17 70/1 72/10 74/24 74/25 76/37
76/39 76/40 78/4 78/5 78/17 78/36 78/38