

The Honorable Board of Lander County Commissioners met in special session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada on January 10, 2013 at 9:00 a.m.

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

**9:00 A.M.**

Commissioner Bullock called the meeting to order.

Let the record reflect a quorum of five Commissioners.

Commissioner Stienmetz led the Pledge of Allegiance.

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

**APPROVAL OF AGENDA NOTICE**

The Notice of Posting was reviewed and MOA on item #17 it should have been MOU. Commissioner Stienmetz moved to approve the Notice of Posting as amended. Seconded by Commissioner Waits, the motion was voted and carried unanimously. **APPROVED**

**APPROVAL & ACCEPTANCE OF MINUTES**

**December 12, 2012**

Commissioner Mason moved to accept the minutes from the regular session of December 12, 2012 as presented. Seconded by Commissioner Stienmetz, the motion as voted and carried unanimously. **APPROVED**

Lander County Board of Commissioners

Meeting of January 10, 2013

## COMMISSIONER REPORTS

Commissioner Mason reported on his attendance of the Planning Commission on January 9, 2012. There were seven agendas items. Items #2, #3, and #5 were approved for maps and parcels. One was deferred for signature and they discussed the sewer expansion and the need to stay balanced on our growth in the city.

Commissioner Stienmetz just welcomed Patsy Waits to the Board of Commissioners.

Commissioner Bullock made notice that on January 31, 2013 there will be a meeting with the Department of Health on a new grant that is available for Rural Counties. It will be held in the Administration Building at 10:00 a.m. and they need to see if Brenda Keller can attend.

Commissioner Stienmetz did report the Courthouse/Administration Building Committee met, January 9, 2013, and looked over the Architects. They have made their selections and will be meeting with them on January 23, 2013 to hear their presentations.

## PAYMENT OF THE BILLS

Jane Bianchi presented the Board with bills to be ratified.

Commissioner Garner moved to approve the submitted expenditures in the amount of \$178,513.81 from check #43014 thru #43142. Seconded by Commissioner Stienmetz, the motion was voted and carried with Commissioner Stienmetz abstaining from check #43121 and Commissioner Bullock abstaining from check #43030. **APPROVED**

## WELLS FARGO REMITTANCE

Commissioner Garner moved to ratify check #42964 in the amount of \$1,866.58 to Wells Fargo Remittance. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

## PAYROLL CHANGE REQUESTS

1. Employee Change Request for employee #1160, New Hire, Deputy Sheriff, \$18.36 per hour, effective January 7, 2013.
2. Employee Change Request for employee #1284, New Hire, Deputy Sheriff, \$18.36 per hour, effective January 7, 2013.

3. Employee Change Request for employee #1399, Promotion, Court Clerk/Office Manager-Austin JP, \$12.50 per hour, effective January 1, 2013.
4. Employee Change Request for employee #1355, New Hire, Relief Communications Officer, \$15.71 per hour, effective January 7, 2013.

Commissioner Waits commented that, on employee #1399, Judge Dory asked for the rate of pay to be the same as the outgoing Office Manager. It was reduced down and is much lower than the rate of pay for the Office Manager has had for the past six years. She feels it should be the position that should actually be holding the same amount of pay at \$14.04.

Soveida Robinson, Human Resources, informed the Board she spoke with Rogene Hill, Finance Director, and this employee started out at \$10.58. They did some research and decided they would start this employee out at the same rate as Judge Bunch's latest hire which was started at \$12.50. She never heard or saw anything from Judge Dory on keeping the pay rate at \$14.04. Ms. Robinson also explained this is a part-time position.

Commissioner Garner asked how many years of experience this employee has. It was stated she has been there four years. The person leaving the position (Commissioner Waits) started out at \$10.00 an hour. After a year the Officer Manager left and Commissioner Waits took over that position she was bumped to the current rate of pay of the Office Manager at \$12.74. This was six years ago. She feels the position should be looked at and not the person. It was stated the County does look at the position and the years of service and not the person.

Commissioner Garner suggested they defer employee #1399 and that Commissioner Waits should refrain from the discussion due to this being her previous position and to ethics.

Rogene Hill, Finance Director, stated this is a position that is not part of the Union so the rate of pay is decided by the Commission.

Commissioner Garner moved to approve employee #1160, #1284, and #1355. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously.  
**APPROVED**

Commissioner Garner moved to defer employee #1399 and direct staff to review. Seconded by Commissioner Stienmetz, the motion was voted at carried unanimously.  
**DEFERRED**

**PUBLIC COMMENT**

No Public Comment

**FINANCE**

- 1) **Discussion For Possible Action Regarding Budget Review, Contracts, Financial Update & Other Matters Properly Related Thereto:** Rogene Hill, Finance Director, reported for the month of December, on the Ambulance, twelve accounts totaling \$5,860.00 were sent to collections, and one account for \$530.00 was written off and moved to the over six month account with no activity. The total amount at the collection agency with active accounts is \$23,968.00.

Accounts Receivable for the month of December are as follows:

WATER: \$7,868.00  
SEWER: \$9,687.00  
WATER & SEWER MISC: \$115.00  
LANDFILL: \$10,858.00  
AMBULANCE: \$6,264.00  
ACTIVE ACCTS. AT COLLECTIONS: \$23,698.00  
TOTAL: \$58,760.00

Ms. Hill also reported interviews, for the Assistant Finance Director, were held on December 20, 2012. Budget packets for the FY 2013-2014 budget were sent out on December 27, 2012 with budget due to the Finance Department on Monday, February 4, 2013 at 5:00 p.m. Ms. Hill asked the Board about responsibility for overseeing the fencing and lighting projects for the Racetrack and Motocross. She has received a bill from Nelson Electric for \$85,000.00, which is a partial payment. She thinks someone needs to be overseeing that project and making sure the work is being done.

Commissioner Garner asked Joe Lindsey, Building Department, if he had been out there to check on the project. Mr. Lindsey answered that he has been out there to check on the electrical but has not checked on the fencing. Commissioner Stienmetz said he drives by there every day and has noticed they are getting a lot of fence up.

There was more discussion on the progress of the lighting and fencing projects and Joe Lindsey was asked to check on them. Joe Lindsey was asked to oversee these projects and keep Ms. Hill and the Commission informed on the progress. **UPDATE**

- 2) **Discussion For Possible Action Regarding Write-off Of Uncollectible Lander County Ambulance Billings & Other Matters Properly Related Thereto:** Rogene Hill, Finance Director, presented two uncollectable Ambulance Runs that need to be written off. They are under \$150.00 and unable to collect.

1. Run #2012042-DOS 05/07/2012-\$134.40
2. Run #2012002-DOS 03/18/2012-\$82.80

Total amount to be written off is \$217.20.

Commissioner Garner moved for the Commission to approve the write-off of the ambulance billing for Ambulance Run #2012042 and Ambulance Run #2012002, in the total amount of \$217.20. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

- 3) **Discussion For Possible Action Regarding Approval/Disapproval Of The Fiscal Year 2011-2012 Plan Of Corrective Action To The Nevada Department Of Taxation & Other Matters Properly Related Thereto:** Rogene Hill, Finance Director, explained the letter before them is the 2011-2012 Plan of Corrective Action that is a requirement for the Department of taxation for apparent violation noted in the annual Audit Report. It is being presented to the Board for approval.

Commissioner Garner asked if this was corrected. Ms. Hill answered that it was corrected and it was an over extension on LEDA's Budget.

Commissioner Garner moved for the Commission to accept and approve the Lander County Plan of Corrective Action addressing the issue of apparent noncompliance identified in the 2011-2012 annual Audit Report, to be submitted to the Department of Taxation pursuant to the provision of Nevada Revised Statutes (NRS) 354.6245(2). Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

Commissioner Bullock noted that the LEDA Board does have a Treasurer now.

## **BUILDING**

- 4) **Discussion For Possible Action Regarding Operations & Projects For the Building Department & Other Matters Properly Related Thereto:** Joe Lindsey, Building Department, updated the Board that for the month December ten permits were issued. The ongoing project is the Newmont Copper Leach project, and future projects are the Clark Apartment expansion and the Elquist Street Subdivision Duplex. A tentative map

was approved, in the January 9, 2013 Planning Commission meeting, for the Elquist Street project. It is budget time again and Mr. Lindsey wanted to remind all departments to submit their request for any building issues or needed building maintenance prior to January 14, 2013 for inclusion in the budget packet. Amped-Out-Electric was notified January 2, 2013 to schedule budget repairs on Austin Buildings as his schedule allows. He has quotes for the Town Hall, the Courthouse, and the new Road and Bridge Building. In the South County he has three single family homes under construction, three room additions, the Verizon cell tower in Austin, Com Net cell Tower in Kingston, and one garage. He does have a list of items of other items that need to be worked on in Austin as well. **UPDATE**

### **ROAD & BRIDGE SOUTH**

- 5) **Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge South Department & Other Matters Properly Related Thereto:** Burt Ramos, Road and Bridge South, reported to the Board via telephone conference in Austin. He stated that everything is going as normal in Austin, and their broom was delivered last week. On the next agenda Mr. Ramos will have the building down below and the stage two of the environmental. He needs to get with Ms. Hill and get the financing figured out, but it did come in a little bit cheaper than was anticipated. He will get with Mr. Lindsey and roll over some of the budget items for next year. He said he didn't have any big projects just the lights, electrical, possibly painting the lower building so it is up to snuff for NV Energy when they move into it.

Commissioner Mason asked how the black top gutters were holding up. Mr. Ramos answered by saying they were holding up good and the water is running where it belongs.

Commissioner Garner asked if Mr. Ramos had got with the Safety Director, Keith Westengard, on the sweeper. Mr. Ramos replied that they had a salesman come when the sweeper was delivered. They had a John Deere training course, but Mr. Westengard was not there. **UPDATE**

### **ROAD & BRIDGE NORTH**

- 6) **Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge North Department & Other Matters Properly Related Thereto:** Donnie Negro, Road and Bridge North, reported to the Board they are just trying to stay ahead of the snow and ice. It hasn't warmed up enough to melt so they are pushing up into the middle and smashing it around. They are waiting to take delivery on their big truck. He expects it to be delivered by the first part of the week. Mr. Negro added that when equipment is

delivered they have to come task train them. They had training on the skid steer and they will on the truck.

Commissioner Garner asked that they make Mr. Westengard part of the process. This way if Austin needed to use the equipment Mr. Westengard could go with it and task train them on the equipment. **UPDATE**

## **PUBLIC WORKS**

- 7) **Discussion For Possible Action Regarding Operations & Projects For The Public Works Department & Other Matters Properly Related Thereto:** Jake Edgar, Public Works Foreman, reported to the Board that he is working on getting the Christmas light and decoration down. There have been several water leaks and he is trying to get ahead of those. All the bathrooms are now shut down due to them freezing up. One toilet may have to be replaced and he is going to try to budget for heaters for all the bathrooms so they can be left open all year. He is still waiting for the guy to show up with the signs for the park and that will be the end of the park project.

Mr. Edgar has been working with Jay Fisher for the past month or so on well 7 and 8. They are also going back into the test drilling for well 9.

Jay Fisher, Hydrologist and owner of Reese River Hydrologic, updated the Board he has been working with Mr. Edgar to clean up, repair, and collecting the information to place the order for the two replacement pumps. Flow Way has offered to replace the previous equipment at no cost to the County. Over the holidays, they encounter a failure of well #8. There was a collapse of the casing and it is identical to what happened in well #7. They are waiting for the repair company that did the repairs on well #7 to provide their schedule for availability to work on well #8. They will be testing the well capacity to determine what pumps fit the wells. In parallel with this is a test hole program to identify the location for well #9. This is required as a backup to the current wells we have. Two wells are required at nearly 100% during the peak months of July and August. They met with Shaw Engineering and Hydrologist, Dwight Smith, to discuss how to proceed with the test hole drilling program. Shaw is only helping with what they previously started on the test hole drilling program, and had agreements for. The test holes they have drilled for well # 9 do not have final determinations yet.

Commissioner Bullock asked if Mr. Smith was going to be involved in the test holes. He does not feel we need to hire two Hydrologists for the same test holes. Mr. Edgar answered by saying Mr. Smith was under contract with Shaw Engineering. Commissioner Bullock restated we don't need to be paying two hydrologists for the same test so one needs to be chosen, either Mr. Smith or Mr. Fisher.

Mr. Fisher explained the reasoning for both him and Mr. Smith working on the test hole project. Mr. Edgar said he would let Mr. Smith know he cannot work on the test hole project.

Mr. Edgar explained the well is pumping about 750 gallons a minute and run for about eight hours a day. The highest they ever ran was 900. Both wells combined pump about 1300. Mr. Fisher explained that although there is some air in the water it isn't affecting the quality. He also said the equipment is running fine. **UPDATE**

**8) Discussion For Possible Action Regarding The Mountain View Golf Course Reservations For Events That Are Not Golf Related & Other Matters Properly Related Thereto:**

Commissioner Bullock stated this was a carry-over from last month's discussion on whether individuals or groups can rent the golf course for different activities or festivities.

Commissioner Waits asked if events held there creates money for the golf course or the County.

Commissioner Garner had stated they have done this before and the money should go to the County. Reserving the golf course or renting it is not something that has been promoted.

Commissioner Stienmetz explained that part of the concern was people can't be out there golfing.

Commissioner Bullock explained they have already set precedence. As far as the season pass holder, there are private golf tournaments that season pass holders cannot participate in. This is worse than the County making money off of reserving the course, because you don't make anything for a private tournament. Commissioner Bullock is a pass holder and stated he does not have a problem with reserving the course. The community should be allowed to use it because it is a service.

Commissioner Garner explained, when the course was reserved before people paid for the whole course plus \$200. They allowed the holes that were not being used for the event to be used by the public free of charge. He thinks that is fair and it still leaves part of the course open.

Scott Bullock, Golf Course Manager, stated there is a tournament, almost, every Saturday. Season pass holders can play in any tournament they are invited to. There are, however, private tournaments and the course is closed. Anything that could be done to

promote the golf course and to promote events out there will create publicity for the County. This will help to generate more revenue in the long run.

Commissioner Garner said the golf course is the County's and is for the public. He thinks they need to set up a fee and determine what it includes and what it doesn't include. It could be brought back and amended if needed.

Commissioner Bullock expressed his thoughts by saying if they are not closing the golf course down and using other parts of the course, they could look at a \$200 fee. It was discussed if the course is going to be closed there needs to be a time limit and the event cannot be before 4:00 and a fee of about \$500.

There was discussion on the different times of day people may want to hold events and the fees. It was suggested by Mr. Edgar to create a Committee to go over any issues and make a plan.

Commissioner Garner moved for the Commission to accept outside events to be held at the golf course, to be determined price, availability, and structure to be set up in the future by the golf course lease, Jake Edgar, and Commissioner Bullock. Seconded by Commissioner Stienmetz.

Donnie Negro suggested setting up a grassed area with a pavilion. There was more discussion on certain areas designated for events and bringing in their own tents. There was also discussion of creating a menu of what services are offered so people could just call and make their reservation. Mr. Edgar also requested to have Ms. Hill's input.

Commissioner Garner withdrew his motion, and made a new motion.

Commissioner Garner moved for the Commission to accept outside events to be held at the golf course with provisions and limitations to follow with a committee of Mike Vermeys, Scott Bullock, Dean Bullock, Brian Garner, and Rogene Hill to set a fee schedule and a menu of attraction for the Mountain View Golf Course. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

- 9) **Discussion For Possible Action Regarding Request From Cheyenne Esparza To Reserve The Mountain View Golf Course July 13, 2013 For A Wedding & Other Matters Properly Related Thereto:** Commissioner Garner moved for the Commission to accept Cheyenne Esparza's reservation for the date of July 13, 2013 pending a money equivalent through the Board that was just set up. Seconded by Commissioner Stienmetz.

Cheyenne Esparza said she was planning to get married at 8:00 at night and thanked the Board.

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

## SAFETY

### **10) Discussion For Possible Action Regarding Operations & Projects Of The Lander County**

**Safety Manager & Other Matters Properly Related Thereto:** Keith Westengard, Safety Manager, updated the Board on his position and his purchases. This are going well and they have had some safety meetings. His vehicle is being transformed into full on command type vehicle. It will be set up for emergency management of, almost, any incident that could come forth in the County. The vehicle would provide enough to be fully self-sufficient for four days.

He has been working on the Safety Manual, looking at putting together a proposal for cadets for the fire department, and a proposal for possible full-time fire personnel in the County to go along with the Ambulance service. He is working on putting together Snow CAT training, hopefully in February, to train and qualify five people to run the Snow CAT. The training will cost about \$5,000 for five people for a week long training.

Parts of Mr. Westengard's duties include LEPC and the Safety Committee. LEPC is working on getting into compliance. For the Safety Committee, he had bids coming in for Fire Extinguisher Training for all County and Elected Officials. He also has defensive driving training coming up for all County and Elected Officials. There will also be CPR AED (Automated External Defibrillator) training in February.

Commissioner Garner asked Mr. Westengard if he has made himself visible to all departments and if he has started a phone list so people have his number if they need to get in touch with him. Mr. Westengard answered that he is working on one, but he does give out his card to everybody. Commissioner Garner encouraged Mr. Westengard to make himself know to the County employees and follow up for those who may not have met him yet.

Judge Max Bunch expressed his concerns on the fire extinguisher and defensive driving training being for all County employees and Elected Officials. He has not been contacted regarding any of these trainings, nor has the County Clerk. Judge Bunch suggested that Mr. Westengard may want to know what their schedules are too because of Court.

Mr. Westengard stated he does not have dates yet he is just getting prices. The CPR AED Training will start next month and he will get a schedule out. He also stated these trainings are not just one day events. **UPDATE**

- 11) **Discussion For Possible Action Regarding Approval For A Study & Possible Construction Of An Alternate "Hazardous Materials" Route Around The Town Of Battle Mountain & Other Matters Properly Related Thereto:** Keith Westengard, Safety Manager, stated, in April, the Phoenix Mine will be transporting 93% acid solution. They will start out with five to eight trucks a day and increase to about forty trucks a day, in about a month. When things start to settle out the number of trucks will drop to fourteen to twenty trucks per day, indefinitely. Mr. Westengard would like to get some groups together and look at some hazardous materials routes that would go around the town. The current proposed route goes right through town.

Shar Petersen, External Relations with Newmont, stated they have done some internal risk reviews and took a look at the amount of traffic we do have. They are looking at designating a specific route to them, but when they really took a look at it there could be more of a hazard by doing such.

Commissioner Stienmetz suggested starting a study to determine what would be the best way to go, they can get funding from the State to help them for building or paving of a road. It was also stated the State would have to designate the route for hazardous materials. **UPDATE**

- 12) **Discussion For Possible Action Regarding Approval Of The Lander County Safety Manual & Other Matters Properly Related Thereto:** Keith Westengard, Safety Manager, provided copies of the safety manual to the Board. This is a general safety plan for the County. It can and will be built upon throughout time. Each individual department will have a safety manual specific to their department. The safety manual will be part of a hiring packet, and will be reviewed by current County employees as well.

Commissioner Waits asked if ADA compliance should be mentioned in the safety manuals and suggested Mr. Westengard check with POOL/PACT to see if there is anything that should be included that may have been missed. She pointed out some errors and changes that should be made in the manual.

Commissioner Stienmetz moved for the Commission to approve the Lander County Safety Manual subject to review by POOL/PACT. Seconded by Commissioner Garner, the motion was voted and carried unanimously. **APPROVED**

## ARGENTA & AUSTIN JUSTICES OF THE PEACE

**13) Discussion For Possible Action On Setting The Salary Of The Argenta & Austin Township Justices Of The Peace & Other Matters Properly Related Thereto:** William E. Schaeffer, Austin Justice of the Peace, addressed the Board and compared the salaries between Lander County and the surrounding Counties. He explained his position has not had a pay increase in many years, since Judge Andersen.

There was some discussion on the low number of court cases held in Austin Justice Court, and the Highway Patrol writing tickets into other Counties. Judge Schaeffer stated he hopes to change things in Austin, and feels the salary should be close to what Crescent Valley has based on population and potential.

Commissioner Waits agreed that Austin Justice Court is one of the lowest ones compared to other Counties. She also pointed out that Judge Schaeffer came into the position with a Legal Degree. Although a degree is not required, she questioned if they would want to pay for that. Commissioner Waits agreed that Judge Schaeffer should get an increase, but thought they should wait until July.

Argenta Justice of the Peace, Max Bunch, read Nevada Revised Statute (NRS) 4.040 to the Board:

*"1. The several boards of county commissioners of each county, at the regular meeting in July of any year in which an election of justices of the peace is held, shall fix the minimum compensation of the justices of the peace within their respective townships for the ensuing term, either by stated salaries, payable monthly, semimonthly or at regular 2-week intervals, or by fees, as provided by law, or both, and they may thereafter increase or change such compensation during the term but shall not reduce it below the minimum so established.*

*2. If it becomes necessary to appoint a justice of the peace at any time, the board of county commissioners in the county in which such appointment is made shall fix the compensation, either by salary or by fees, as provided by law, or both, for the term for which the justice of the peace is appointed."*

Commissioner Waits said the salary should stay the same then if the Commission didn't set the salary in July 2012, prior to the election.

Judge Bunch asked why the Justice of the Peace should be penalized because whoever was to put this on the agenda to go before the Board in July didn't do their job. The law is clear that this is to be done the July before the election. Judge Bunch did notify the Finance Department and he did the potential increase in his budget last year. To Judge Bunch's understanding the Executive Director told the Finance Director to take it out without going to the County Commissioners and following the law that is required. Judge Bunch confirmed his understanding with Ms. Hill, the Finance Director.

Lander County Board of Commissioners

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Commissioner Waits asked again if the salary would then remain the same, or if the Commission is out of compliance because it wasn't looked at in July.

Judge Bunch stated they are out of compliance because they didn't do it. It says "shall" it doesn't say "may". Judge Bunch and Judge Schaeffer are coming to the Board now, after the election, to ask for an increase.

There was discussion of a prior Commission looking into doing away with the Austin Justice Court, about nine years ago. There was also discussion if there would be enough money in the budget to cover the increases. Judge Bunch informed the Board the Courts have their own budget and it would be just a matter of adjusting some of the line items.

Judge Schaeffer explained that, although he is a part-time Justice of the Peace, he is still on call 24 hours a day 7 days a week. If somebody needs a search warrant they need to get it, and he has to review cases, if there is an arrest, within 48 hours. Judge Bunch pointed out this includes weekends and holidays.

Judge Bunch stated there was a 3% increase about four years ago and there was supposed to be a 3% increase every year.

Commissioner Garner said it has been established that the Austin Justice of the Peace position has not had a raise in twelve years. If you take 2.5% a year for twelve it would bring that salary up \$7,996.00 annually. That would be an increase of 30% over the last twelve years. The Argenta Justice of the Peace has not had a raise in four years. If you take 2.5% for the last four years from, his base salary, it would bring him up \$7,366.00. This would put the salary of the Austin Justice of the Peace at \$34,653.00 a year and Argenta Justice of the Peace would be at \$81,027.00 a year.

Commissioner Garner moved for the Commission to approve the base salary of \$34,653.53 to the Austin Justice of the Peace, and a continuance of this motion that the Argenta Justice of the Peace be increased to the salary of \$81,027.00 effective January 7, 2013. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

## **BATTLE MOUNTAIN RECREATION CENTER**

- 14) Discussion For Possible Action Regarding Update On The Battle Mountain Recreation Center & Other Matters Properly Related Thereto:** Rusty Bahr and Jessica Arky, Battle Mountain Recreation Center Board of Directors, provided an update to the Board the progress of the Battle Mountain Recreation Center Project. Mr. Bahr stated the

Commissioners asked LEDA to look into the possibility of getting a new pool and possibly some other recreation activities as well. The Ad Hoc committee was put together to look at that. They discussed who would manage the Center, and it was suggested the Ad Hoc Committee start their own 501c3 and they have done that as well. They are now incorporated as the Battle Mountain Recreation Center, and there is a board of Directors.

Mr. Bahr stated they have done their due diligence to come up with a business plan, which he has presented to the Board. He explained they needed money to do this so they asked all three Gold Mines for \$15,000.00 for seed money, and the mines supported their request. With that money they were able to go through a community assessment and a feasibility study that came back positive. They were also able to do their governance and set up their bylaws and articles of incorporation. The business plan is now complete and they are presenting it to the Board.

Mr. Bahr pointed out four key reasons why we would do this Rec Center. The first key reason is the quality of life in Battle Mountain. The second key reason is the current pool has issues and needs repairs and the Rec Center would give a year round pool. The third key reason is the child care issue in Battle Mountain. The grant for the after school programs has been lost and there will not be an after school program after the end of this year. The Rec Center could take that on and provide that for the community. The last key reason is the economic impact this could make for this community. This would be a destination sight for other communities and would attract more families to move here.

Mr. Bahr explained they have broken this project into four phases. Phase one would be the aquatic center. It would be an indoor/outdoor complex where it has three exposed walls. In the winter it would be closed in for swimming activities, then in the summer these doors would open up and the three walls would be exposed to the outside. There would be a deck, a grasses area, a waterslide pool for the summer, and a spray pad. No one in this area has something like this. Phase two would be to add a comprehensive fitness center with cardio equipment, weight circuits, and health and wellness programs. They would also like a multi-purpose gymnasium that may be used by the high school; they could do roller skating on Friday nights, dances, and spaghetti feeds. They would also have a multi-purpose room for youth development, and have meetings in there. Phase three would add a second level with a natatorium, a racquetball/volleyball court, and a suspended walking track. The final phase would be an outdoor complex with a water park. This would make Battle Mountain a real destination place.

Mr. Bahr provided a cost projection to the Board, and said it is very close to what they believe they will be at. The entire project will cost \$8 million, but they believe they could raise \$1.5 to \$2 million outside on the community from support. He said they are here to ask the Board to consider the \$5 to \$6.5 million to make this happen. He threw in a disclaimer and asked the Board to be creative with them, and the commitment could be over a three to five year period. He said if the Board can't come to the full amount, to give them an opportunity to adapt their project.

Mr. Bahr said in a community like ours we don't want this to fail so he talked about sustainability. He also said they aren't sure on the location the complex would be built, but they have two options they would like to research more. **UPDATE & DISCUSSION ONLY**

### COMMISSIONERS

- 15) Discussion For Possible Action Regarding Request From The Battle Mountain Alcoholics Anonymous Group To Hold Their Meetings In One Of The County's Buildings & Other Matters Properly Related thereto: Nathan (last name is inaudible), Representative of the Battle Mountain Recovery Group NNA, addressed the Board and stated they are looking for a place to hold their meetings on a regular basis. Their group is really growing and they currently have seventeen members. They are currently meeting in Dr. Peters' garage. The AA program has moved all over town and this causes a problem to be standard on the National Register. This is important for people traveling through town and for those moving into town. Nathan said they do have a little bit of money and maybe there is something they can get for back taxes. There are some that are willing to make a long term commitment. They used to have one meeting a week and they have grown to five to seven meetings a week. These meetings are for all addictions and they have a lot of recovery going on.

There was some discussion on possibilities of buildings that could be used. Commissioner Bullock said they are willing to help them and they will do some research and see what they can come up with.

Candido Villanueva said he finds it just as important for sobriety on a Monday afternoon as it is on a Sunday morning. He would like to expand the meetings to include the Hispanic community as well. **DISCUSSION ONLY**

- 16) Discussion For Possible Action Regarding Presentation Of Schedule Of Bids Received & Recommendation For Award Of Bid To MGM Construction, Inc., Of North Salt lake, Utah For The Austin Loneliest Highway Visitors Center Construction & Other Matters Properly Related Thereto: Randy Hesterlee, Nevada Department of Transportation,

addressed the Board with questions regarding this bid. Last month was the bid opening for this project. Under the cooperative agreement between Lander County and the DOT, the County is responsible for the staffing of this project. Mr. Hesterlee was not able to get any answers about what staffing was in place, or would be in place like a Resident Engineer.

Commissioner Bullock asked about Stantec. Mr. Hesterlee said it was his understanding that Stantec was contracted for the design phase only. They do not have a contract for the construction phase. He did have a discussion with Mr. Etcheverry last month about Stantec coming on board and performing the construction administration as well. It was the understanding of the Commission that Stantec had the project all the way through.

The Board cannot award the bid until they know who the Engineer is on this project.

Mr. Hesterlee asked who would be his contact on this project. Commissioner Bullock answered that the best contact would be Burt Ramos because he is Road and Bridge South, and would right there.

Mr. Hersterlee then asked who he should contact regarding issues on the Cooperative Agreement especially when it comes to reimbursement of expenses and making decisions. Commissioner Bullock said to put Rogene Hill.

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

***This item was reopened after item #32.***

Sadie Sullivan provided back up to the Commission for the MGM Bid. It shows all the bidders. A contract has to be executed within thirty days of award and acceptance of the bid.

Angie Elquist, District Attorney, stated she has not reviewed this information and she would only review it if there was a legal issue. She also stated that legal issues are to not be talked about in an open meeting.

***Commissioner Bullock closed the meeting and went into closed session.***

Commissioner Bullock stated without an Engineer they cannot proceed.

Rogene Hill, Finance Director, said Mr. Gene Etcheverry hired Shaw Engineering as the Project Manager and Resident Engineer for the Austin Loneliest Highway Visitor's Center.

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

- 17) Discussion For Possible Action Regarding Approval/Disapproval Of A Memorandum Of Agreement (MOA) Between Lander County & The Furman Group, Inc., In The Amount Of \$90,000.00, To Extend The Furman Group's Professional Services Agreement To Provide Federal Government Relations Consulting Services To Lander County & Other Matters Properly Related Thereto:** Commissioner Bullock recommended to do away with this. We are not going anywhere and the Army Corp doesn't have any money, especially since Hurricane Sandy.

Commissioner Garner moved for the Commission to terminate the agreement between Lander County and Furman Group. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

Rogene Hill, Finance Director, asked if the District Attorney's Office was going to write a letter.

There was discussion on the courtesy and professionalism of sending a letter to the Furman Group informing them Lander County would not be renewing the contract with them.

Commissioner Garner moved for the District Attorney's Office to send a letter in that regard. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

***This item was reopened after Correspondence/Reports/Upcoming Agenda Items***

Angie Elquist, District Attorney, expressed her concerns on the Board directing the District Attorney's Office to write the letter to the Furman Group.

Commissioner Garner stated it was directed that way because it is regarding a contract.

Ms. Elquist said this is not a contract with the District Attorney; it is a contract with the County. She feels a letter should be drafted on the Commissioner letterhead and then signed by the chair. She could look over it for legal issues, but she doesn't feel the letter should come from the District Attorney's Office.

Commissioner Bullock explained it was his understanding the District Attorney is supposed to represent the County Commissioners on legal papers on their behalf.

Ms. Elquist stated this was not a legal paper; it is a letter stating the Commissioners do not want to move forward. She stated if the Board wants her to she would do a letter on her letter head stating the Board did not want to move forward. The Board told her that was what they wanted her to do.

#### **LANDER ECONOMIC DEVELOPMENT AUTHORITY**

- 18) **Discussion For Possible Action Regarding The Great Basin Regional Development Authority Interlocal Agreement For Economic Development Activities & Other Matters Properly Related Thereto:** George Fennemore, LEDA Board Member, sated about a year ago the State changed how they authorizing funding for Local Economic Development Authorities and indicated to LEDA they need to regionalize in order to continue receive State funding or support for Economic Development Authorities. A recommendation was made to the Commission, which was accepted, to regionalize by joining a Great Basin Regional Economic Authority. The parties to this region would be White Pine, Eureka, and Lander Counties. The Board gave permission to negotiate an Interlocal Agreement with the other Counties, and they have prepared one that meets their satisfaction. They feel this agreement is in compliance with the State's Regulation which is called AB449. This will allow them to access the State funding through this Regional Agreement while still giving them the flexibility to pursue their options and activities as an independent County.

Commissioner Garner moved for the Commission to approve the Great Basin Regional Development Authority Interlocal Agreement for economic development activities and appoint Lander County representatives to the RDA.

Mr. Fennemore recommended Dee Helming as the business owner/representative at large, the LEDA Chairman, John Sherve, as the delegate from LEDA, and whoever is on the Commission assigned to LEDA be the three representatives to the County, and all the members of LEDA be named as alternatives.

Commissioner Garner said that would have to be put back on the agenda.

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

**APPROVED**

Commissioner Bullock stated his reservation with putting Dee Helming on as a Lander County representative to the RDA because she is a LEDA Board member. That would be putting two LEDA Board members on there so they need to find someone else.

- 19) Discussion For Possible Action Regarding The "Agreement For Services For The Lander Economic Development Authority" & Other Matters Properly Related Thereto: John Sherve, Chairman of LEDA, explained they have been working with Don Vetter for a number of years. This is a renewal of a contract for Mr. Vetter to provide services for LEDA for this Fiscal Year.

There was some discussion on the terms of the contract and the amount to be paid.

Commissioner Garner moved for the Commission to follow the recommendation of the Lander Economic Development Authority (LEDA) and approve the Fiscal Year 2012-2013 agreement between Lander County and Vetter PR (VPR) for advertising and marketing services for the Lander Economic Development Authority (LEDA) in the amount of \$39,000.00 and authorize the Chairman to sign the agreement. Seconded by Commissioner Stienmetz.

Commissioner Waits questioned if something needs to be said about the additional costs for travel, copies, etc. Commissioner Garner stated the total value of the service is agreed upon as \$39,000.00. Commissioner Waits said that was not how she reads it.

Rogene Hill, Finance Director, asked if this was an agreement to get LEDA through the end of June 2013. Mr. Sherve said it was. Ms. Hill explained they have already spent \$24,734.00 this year and their budget is for \$40,000.00. They have \$15,266.00 left unless they are going to augment their budget. They have an ending fund balance which they can do so. As it is budgeted right now they do not have the money.

Commissioner Garner withdrew his motion and explained if they are going to make a recommendation they need to make sure the money is there. If they are going to augment their budget, that needs to be stated in the recommendation as well. There needs to be clarification.

Ms. Hill will meet with LEDA and discuss their budget.

Mr. Sherve said this should be tabled because there is some confusion on the budget that needs to be clarified. He also explained they have been without a Treasurer on their Board for about a year but they have been, informally, working with Ms. Hill. **DEFERRED**

## COOPERATIVE EXTENTION

- 20) Discussion For Possible Action Regarding Appointment Of A County Representative(s) For The Lander County Conservation District & Other Matters Properly Related Thereto: The Board discussed if there would be a conflict with Rod Davis being appointed as a County Representative for the Lander County Conservation District.

Commissioner Garner moved for the Commission to reappoint Rod L. Davis to serve on the Lander County Conservation District. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

## ***COMMISSIONER BULLOCK RECESSED OF THE MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS & CONVENED THE MEETING OF THE LANDER COUNTY LIQUOR BOARD (AFTER ITEM #23)***

## SHERIFF

- 21) Discussion For Possible Action Regarding Issuance Of An On/Off Site Sale Liquor License To Ami D. Rogers For Perde Management LLC Located At 453 N. Second Street, Battle Mountain, & Other Matters Properly Related Thereto: Sheriff, Ron Unger, stated the Sheriff's Department has no issues and it will be an on/off site.

Commissioner Garner moved for the Commission to approve the Liquor License to Perde Management, 453 N. Second Street, Battle Mountain, Nevada. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

Commissioner Garner moved to adjourn the meeting of the Lander County Liquor Board & reconvene the meeting of the Lander County Board of Commissioners. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **MEETING RECONVENED**

## COMMISSIONERS

- 22) Discussion For Possible Action Regarding Approval/Disapproval Of Resolution No. 2013-01, A Resolution Calling For The Legislative Committee On Public Lands To Study & Make Recommendations On Alternative Sources Of Water For Nevada Communities During The 3013-2014 Interim, & Submit A Report Of The Results Of The Study & Recommendations To The 78<sup>th</sup> Session Of The Nevada Legislature & Other Matters Properly Related Thereto: Commissioner Garner moved for the Commission to approve Resolution 2013-01, a Resolution calling for the Legislative Committee on Public Lands to study and make recommendations on alternative sources of water for Nevada

communities during the 2013-14 interim, and submit a report of the results of the study and recommendations to the 78<sup>th</sup> session of the Nevada Legislature as presented for the Commission's consideration. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

- 23) Discussion For Possible Action Regarding The Nevada Division Of Water Resources FY 2013-2014 Budget For The: A)Antelope Valley Groundwater Basin; B) Boulder Flat Groundwater Basin; C) Clovers Area Groundwater Basin; D) Crescent Valley Groundwater Basin; E) Humboldt River Distribution; F) Kingston Creek (Big Smoky Creek); G) Lower Reese River Valley Area Groundwater Basin; H) Middle Reese River Valley Groundwater Basin; I) Whirlwind Valley Groundwater Basin; & Other Matters Properly Related Thereto: Rogene Hill, Finance Director, stated this is an annual thing on water rights. Jay Fisher and Jake Edgar have been looking into things to make sure nothing is falling into the cracks

Jay Fisher added this looks like the water budget. The Division of Water Recourses does ground water level elevation studies every year to determine how the Basin water is responding to drought conditions and pumping. It could affect people's water rights in those Basins.

Jake Edgar, explained that he and Jay Fisher have been checking on the water rights in each of these Basins to see what is current and what is not current. They are using a company called Tetra Tech, currently, but will putting it on the agenda to have Mr. Fisher take over that scope of work.

Grace Powrie, Lander County Treasurer, explained the Water Basin Budgets are billed through the Water Resource Division of the State on wells. The County does not receive this money. What happens is we are the billing source for the State. The State utilizes out tax bill. We do have water rights we pay for, but it is paid to the State of Nevada. Anyone who has a well pays so much acre foot of water and we collect it through the tax bill and then send it to the State as revenue. We get these every December and the Board is approving the budgets for the billing as of July 1. We had three Basin Budgets but are now up to nine. Sometimes they bill a Basin Budget and sometimes they don't. If the State doesn't have enough revenue in the Basin Budget to come check the water they increase the cents per acre foot. If the Budget ends up with too much money in a specific Basin Budget they won't bill one year and let it slide until the money depleishes then they will charge an acre foot again.

Commissioner Garner moved for the Commission to approve the Water Resources FY 2013-2014 Budget for a)Antelope Valley Groundwater Basin for \$3,115.60; b) Boulder Flat Groundwater Basin for \$206.99; c) Clovers Area Groundwater Basin for \$1,993.28;

d) Crescent Valley Groundwater Basin for \$4,904.70; e) Humboldt River Distribution for \$12,628.76; f) Kingston Creek (Big Smoky Creek) for \$2,246.08; g) Lower Reese River Valley Area Groundwater Basin for \$1,573.25; h) Middle Reese River Valley Groundwater Basin for \$5,667.20; and i) Whirlwind Valley Groundwater Basin for no fee. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously.

**APPROVED**

**COMMISSIONER BULLOCK RECESSED OF THE MEETING OF THE LANDER COUNTY BOARD OF COMMISSONERS & CONVENED THE MEETING OF THE LANDER COUNTY LIQUOR BOARD (Item 21)**

- 24) Discussion For Possible Action Regarding Recreation & Public Purposes (R&PP) Lease Renewal (N-19750-01) Between Lander County & The Bureau Of Land Management (BLM) For The Kingston Solid Waste Disposal Site, Including An \$80.00 Rental Fee, & Other Matters Properly Related Thereto:** Commissioner Waits questioned where the County was on the paperwork for the land itself because on the lease renewal offer it states “*pending Lander County’s pursuit of an R&PP patent of the land for permanent transfer bin site*”.

There was discussion this is just to renew and they didn’t feel the BLM would sell this portion.

Commissioner Garner moved for the Commission to approve the R&PP Lease Renewal (N-19750-01) between Lander County and the Bureau of Land Management for the Kingston solid waste disposal site, including an \$80.00 rental fee. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

- 25) Discussion For Possible Action Regarding The Hiring Of Joy Sweeney For The Position Of Assistant Finance Director & Other Matters Properly Related Thereto:** Rogene Hill, Finance Director, said interviews were held on Thursday, December 20, 2012 by the Assistant Finance Director Selection Committee. The committee consisted of Kathy Ancho, retiree of Battle Mountain General Hospital; Max Bunch, Argenta Justice of the Peace; Robert Quick, Undersheriff; Nan Ancho, ex-Finance Department employee; Kim Plummer, Drake Rose and Associates; Commissioner Bullock and Soveida Robinson, Human Resource Director. There were four applicants who applied and the committee selected Joy Sweeney. There was \$65,000.00 for that position and the committee decided to put this before the Board, for approval, a starting wage of \$60,000.00 for the first six months. Upon completing her probationary period she would get an addition \$5,000.00. This is a ratification of what was presented by the Selection Committee.

Commissioner Stienmetz asked if Ms. Hill has guidelines set up for what they are supposed to know at the end of their six months.

Ms. Hill said she didn't, but she will be going through the budget process, and that is the big thing from now until June 1<sup>st</sup>. From July 1 to the end of December they will be doing auditing. Other than that it will be the daily duties.

Commissioner Mason asked if Ms. Sweeney was to quit half way through the process, if Ms. Hill would still retire. Ms. Hill answered by saying she would stay on until someone was trained.

Angie Elquist, District Attorney, questioned if Ms. Sweeney wouldn't just become an employee and not have a contract because she is an employee under Ms. Hill's supervision. When she takes over Ms. Hill's position then she would enter into an agreement.

Commissioner Garner moved for the Commission to ratify the selection of Mrs. Joy Sweeney as the Assistant Finance Director for Lander County upon the ratification of the job description on January 24, 2013. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

**26) Discussion For Possible Action Regarding Point Of Contract For The Battle Mountain & Austin Airports & Other Matters Properly Related Thereto:** Commissioner Bullock stated that J-U-B Engineering made a call wanting to know who to contact over the airports in Austin and Battle Mountain. His recommendation is to have Donnie Negro for the Battle Mountain Airport and Burt Ramos for the Austin Airport.

Commissioner Garner moved for J-U-B Engineers contact South be Burt Ramos and North be Donnie Negro. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

**27) Discussion For Possible Action Regarding The Possibility Of Creating A Medical Scholarship Fund Pursuant To The Provisions Of The Nevada Revised Statutes (NRS) 244.382 Through 244.823, & Other Matters Properly Related Thereto:** Commissioner Stienmetz asked for this to be on the agenda because Mason Burkhart talked to him at the last Hospital Board Meeting. Mason is a senior and wants to go to medical school at UNR. If a scholarship is set up and he gets it then it can be made that he is required to come back to Battle Mountain to work for however many years he is given financial aid. This is something they could create for next year's budget and use some of the net proceeds.

There was discussion that this was something the Hospital did. According to the NRS is the Commission who is to create this scholarship.

Commissioner Garner moved for the Commission to direct staff to put this on the budget packet in an undisclosed amount to be determined. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

**28) Discussion For Possible Action Regarding Appointment Of A Lander County Commissioner(s) To The Various 2013-2014 Advisory Boards, Categories 1, 2, 3, & 4, & Other Matters Properly Related Thereto:** The Board reviewed the following Board and determined which Commissioners would serve on these Boards.

- ❖ LANDER COUNTY BOARD OF EQUALIZATION – David Mason
- ❖ LANDER COUNTY DEBT MANAGEMENT COMMISSION – Dean Bullock
- ❖ LANDER COUNTY CONVENTION & TOURISM AUTHORITY – Brian Garner  
Steven Stienmetz-Alternate
- ❖ LANDER COUNTY REGIONAL TRANSPORTATION COMMISSION – Patsy Waits  
Dean Bullock-Alternate
- ❖ LANDER COUNTY PLANNING COMMISSION – David Mason  
Dean Bullock-Alternate
- ❖ AUSTIN AIRPORT ADVISORY BOARD – Patsy Waits
- ❖ BATTLE MOUNTAIN LIVESTOCK EVENTS CENTER – Brian Garner
- ❖ LANDER COUNTY PUBLIC LAND USE ADVISORY PLANNING COMMISSION –  
Patsy Waits & Steven Stienmetz-Alternate
- ❖ LANDER COUNTY ECONOMIC DEVELOPMENT AUTHORITY – Dean Bullock  
Steven Stienmetz-Alternate
- ❖ GREAT BASIN DEVELOPMENT DISTRICT – Dean Bullock
- ❖ LANDER COUNTY ADVISORY RESOURCE CONSERVATION & DEVELOPMENT  
DISTRICT – David Mason
- ❖ LOCAL EMERGENCY PLANNING COMMISSION – Steven Stienmetz
- ❖ NEVADA WORKS (formerly JOIN) – Dean Bullock  
Steven Stienmetz-Alternate
- ❖ HUMBOLDT RIVER BASIN WATER AUTHORITY – Steven Stienmetz  
David Mason-Alternate
- ❖ CENTRAL NEVADA REGIONAL WATER AUTHORITY – Steven Stienmetz  
Patsy Waits
- ❖ NACO BOARD – Patsy Waits & David Mason-Alternate
- ❖ STATE LAND USE PLANNING ADVISORY COMMITTEE – Steven Stienmetz  
David Mason-Alternate

- ❖ LANDER COUNTY HOSPITAL DISTRICT – COMMISSION APPOINTMENT-  
Steven Stienmetz
- ❖ DOE BOARD REPRESENTATIVE – Patsy Waits & Dean Bullock-Alternate
- ❖ LANDER COUNTY SAFETY COMMITTEE – Brian Garner

### BOARD APPOINTMENTS

- 29) Discussion For Possible Action Regarding Appointment Of George Fennemore To The 2013-2014 Category 3 Lander Economic Development Authority & Other Matters Properly Related Thereto: Commissioner Garner moved for the Commission to approve Mr. George Fennemore to serve on the LEDA Board for 2013-2014, a two year appointment starting January 1<sup>st</sup> to January 1<sup>st</sup>. Seconded by Commissioner Waits, the motion was voted and carried unanimously. **APPROVED**
- 30) Discussion For Possible Action Regarding Appointment Of Judie Allan To The 2013-2014 Category 1 Lander County Regional Transportation Commission & Other Matters Properly Related Thereto: Commissioner Garner moved for the Commission to approve Ms. Allan's appointment to the Commission. Seconded by Commissioner Waits, the motion was voted and carried unanimously. **APPROVED**
- 31) Discussion For Possible Action Regarding Appointment Of Ray H. Williams, Jr. To The Following 2013-2014 Advisory Boards: A) Category 4 Central Nevada Regional Water Authority; B) Category 3 Austin Airport Advisory Board; C) Category 3 Lander County Public Land Use Advisory Planning Commission, & Other Matters Properly Related Thereto: Commissioner Garner moved for the Commission to appoint Ray H. Williams, Jr. to the following Advisory Boards: a) Category 4 Central Nevada Regional Water Authority; b) Category 3 Austin Airport Advisory Board; and c) Category 3 Lander County Public Land Use Advisory Planning Commission with available seats. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **APPROVED**

### COMMISSIONERS

- 32) Discussion For Possible Action Regarding The Request Of Ray H. Williams, Jr. To Continue Use Of His Old County Laptop Computer & Computer Hot Spot To Keep Past Files Up-To-Date & Have The Ability To Communicate With The Board Of Commissioners & Secretaries Of The Above-Mentioned Boards, & Other Matters Properly Related Thereto: Commissioner Stienmetz said he spoke with Lura Duvall,

County Assessor, regarding the laptop. She didn't have problem with Mr. Williams keeping the laptop because she was going to replace it any way. The County is paying \$40 a month for the Hot Spot and if one is provided for him then everyone on the Boards will want one provided to them. Commissioner Stienmetz also said the Hot Spot sticks need to be turned in because the new iPads have internet access.

Commissioner Bullock disagrees with letting Mr. Williams keep that laptop. He feels that would still set a precedence and other Advisory Board members would want the County to provide laptops to them as well.

Commissioner Garner moved for the Commission to not allow Ray H. Williams, Jr. to continue use of his old laptop computer or Hot Spot stick, and to return the County property to the rightful Department Head. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **NOT APPROVED**

*The Commission reopened Item #16 at this time.*

**33) Discussion For Possible Action Regarding Future Positions, Duties & Responsibilities Of The Administrative Offices For Lander County & Other Matters Properly Related Thereto:** Commissioner Stienmetz stated he will have the job description ready for the County Engineer Position by the next meeting. **DEFERRED**

**34) Discussion For Possible Action Regarding Status Of Lander County Courthouse/Administration Building Project & Other Matters Properly Related Thereto:** Commissioner Stienmetz and Commissioner Garner updated the Board there will be five Architect Companies coming to give their presentations to the Building Committee on January 23, 2013. The Committee with then chose the top one and they can move forward. **UPDATE**

**35) Correspondence/Reports/Potential Upcoming Agenda Items:**

The Board reviewed the following correspondences that are retained in the Clerk's Office:

1. CHRISTOPHER J. COOK, BUREAU OF LAND MANAGEMENT, to Reader, letter regarding Decision Record and Finding of No Significant Impact (FONIS) for the Final Environmental Assessment (EA) for the Diamond Complex Wild Horse Gather.
2. CHRISTOPHER J. COOK, BUREAU OF LAND MANAGEMENT, to Interested Public, letter regarding Environmental Assessment (EA) to analyze the impact of a proposed Barite Exploration Project near Battle Mountain, Nevada.

3. CHRISTOPHER J. COOK, BUREAU OF LAND MANAGEMENT, to Interested Public, letter regarding public consultation for the 2012 Frazier Fire, Mount Lewis Field Office.
4. NEVADA DIVISION OF ENVIRONMENTAL PROTECTION, Notice of Public Comment Period beginning December 14, 2012 and Public Hearing on January 15, 2013 on a proposed certification that the existing Nevada State Implementation Plan (SIP) is adequate for implementation of the 2012 nitrogen dioxide national ambient air quality standard.
5. JEFF HARDCASTLE, NEVADA STATE DEMOGROPER, to Representative of Nevada's Counties, Cities, and Towns, e-mail regarding appeal of draft 2012 population estimates.
6. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE, to Lander County Commissioners, e-mail regarding continued controversial horse round-up in Utah by the Bureau of Land Management (BLM).
7. ELKO COUNTY BOARD OF COMMISSIONERS, to Governor Brian Sandoval, letter supporting reinstatement of the University of Nevada Cooperative Extension Budget.
8. KEN LODA, BUREAU OF LAND MANAGEMENT FIELD MANAGER, HUMBOLDT RIVER FIRELD OFFICE, to Interested Party, letter soliciting written comments regarding Environmental Assessment (EA) for amended Plan of Operations submitted by Marigold Mining Company to modify existing and authorized operations.
9. GENE SEIDLITZ, BUREAU OF LAND MANAGEMENT, to Permittees & Interested Public, letter regarding drought conditions in Nevada and development of a Drought Management Environmental Assessment for the Winnemucca District.
10. CHRISTOPHER J. COOK, BUREAU OF LAND MANAGEMENT, to interested Public, letter regarding Wildfire management and Livestock Closure Decision.

Commissioner Bullock asked to have the agenda setting meeting on the 15<sup>th</sup> instead of the 16<sup>th</sup> due to the holiday.

Jake Edgar asked to put Jay Fisher over the water right issue on the agenda.

Angie Elquist, District Attorney, asked to reopen item #1

**PUBLIC COMMENT**

No Public Comment.

**ADJOURNMENT**

There being no further business before the Board at this time, Commissioner Garner moved to adjourn the meeting of January 10, 2013. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **ADJOURNED**



**CHAIRMAN OF THE BOARD OF LANDER  
COUNTY COMMISSIONERS AND THE  
LANDER COUNTY LIQUOR BOARD**

ATTEST:



**LANDER COUNTY CLERK**

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