The Honorable Board of Lander County Commissioners met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada on January 26, 2012 at 9:00 a.m.

PRESENT: **DEAN BULLOCK, COMMISSIONER**
STEVEN STIENMETZ, COMMISSIONER
DAVID MASON, COMMISSIONER
RAY H. WILLIAMS, JR., COMMISSIONER
SADIE SULLIVAN, COUNTY CLERK
JAMES BARNES, DEPUTY DISTRICT ATTORNEY
GENE P. ETCHEVERRY, EXECUTIVE DIRECTOR
SOVIEDA ROBINSON, HUMAN RESOURCES
ROGENE HILL, FINANCE DIRECTOR
CATHY MYERS, DEPUTY CLERK

ABSENT: **BRIAN GARNER, COMMISSIONER**

9:00 A.M.

Chairman Dean 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

Commissioner Stienmetz moved to approve the Notice of Posting. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

APPROVAL & ACCEPTANCE OF MINUTES

January 12, 2012 – Regular Session

Commissioner Williams asked for a minor correction in the Commissioner Reports.

Commissioner Stienmetz moved to approve the minutes of the January 12, 2012 regular session as amended. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

COMMISSIONER REPORTS

Commissioner Williams reported on the lunch he had with Congressman Amodei on January 13, 2012 in Eureka. He said they talked about our water issues, the sage grouse and the internet and cell phone service issues in Austin. He also said he attended the Kingston Town Board meeting on January 18, 2012, and learned they have dropped their request for the CDBG Grant for their water tanks. He also said there was discussion on the noise issue with the battle wheel and the possible request for a grant from Lander County to put a gazebo or a pavilion in their park. Commissioner Williams said they also discussed the issue with communication with Kingston. He said January 23, 2012 was the NACO Land Board Meeting where they discussed the water right filings by BLM in Washoe County. He also said there was a NACO Board meeting on Friday January 27, 2012. Commissioner Williams said the Clinic in Austin is still closed and it is a big concern. He also said the Building Department needs to be a bit more coordinated with their repairs.

Commissioner Stienmetz said he attended the Hospital Board meeting on January 25, 2012 but no action could be done on the EMS Memorandum of Understanding because it wasn't agendized right. He said it would probably be approved at the next meeting in February. Commissioner Stienmetz said he would be attending the Humboldt River Basin Water Authority meeting on January 27, 2012 in Winnemucca.

STAFF REPORTS

Executive Director, Gene Etcheverry, reported that Congressman Amodei will be in town for the Lincoln Day Lunch on Saturday January 28, 2012 at the Hideaway. He also said the tour of the Palo Verde Nuclear Power Plant is on January 30, 2012 in Tonopah, Arizona. The meeting of the Nevada Tax Commission will be in February, where a request waiver will be requested from the competitive consolidated tax.

PAYMENT OF BILLS

MILLS ENTERPRISES, INC.

Commissioner Stienmetz moved to approve check #39464 to Mills Enterprises, Inc. in the amount of $412.85. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

WELLS FARGO REMITTANCE

Commissioner Stienmetz moved to approve check #39347 to Wells Fargo Remittance in the amount of $443.58. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

BATTLE MOUNTAIN POSTMASTER

Commissioner Stienmetz moved to approve check #39352 to Battle Mountain Postmaster in the amount of $795.00. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

BANK OF AMERICA

Commissioner Stienmetz moved to approve check #39335 to Bank of America in the amount of $327.14. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

Commissioner Stienmetz moved to approve the submitted expenditures in the amount of $612,170.29 from check #39367 thru #39460. Seconded by Commissioner Mason, the motion was voted and carried with Commissioner Williams abstaining from check #39458 and Commissioner Bullock abstaining from check #39380 and #39381. **APPROVED**

PAYROLL CHANGE REQUESTS

There were no Payroll Change Requests at this time.

PUBLIC COMMENT

There was no public comment.

FINANCE

1) **Discussion For Possible Action Regarding Budget Review, Contracts & Financial Update & Other Matters Properly Relating Thereto:** Finance Director, Rogene Hill, updated the Board that the 1099 have gone out and the W2's would go out that day. She said the information was completed for the post-employment benefit programs. She has submitted the last payment request for the Austin relocation program and informed the Board on the total cost of the project and where the funds came from. Ms. Hill said she updated the cost analysis for 2011 for the various service areas the County covers and said the Health Nurse and the Ag Extension should be added. She said the Budgets are due by Monday, February 6, 2012 by 5:00 p.m. and the Budget Workshop will be in March.

COMMISSIONERS

2) **Discussion For Possible Action Regarding Approval Of The Agreement Between Lander County & Research & Consulting Services, Inc. (RCS), In An Amount Not To Exceed $10,000.00, For Professional Services, Consultation & Advice In Connection With The Update & Revisions To The Lander County Policy Plan For Federally Administered Lands & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry

said during the meeting of December 15, 2011 it was approved for Rex Massey of RCS to provide an update and revision to the "Lander County Policy for Federally-Administered Lands". Mr. Etcheverry said this is the actual agreement to provide those services and the scope of work.

Commissioner Williams moved for the Commission to approve the Agreement between Lander County and Research and Consulting Services, Inc. (RCS), in an amount not to exceed $10,000.00, for professional services, consultation and advise in connection with the updated and revision to the "Lander County Policy for Federally Administered Lands" and authorize the Chairman to sign the Agreement with the expenditure to be charged to the General Fund, Executive Director function, Professional Services activity. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

EXECUTIVE DIRECTOR

3) **Discussion For Possible Action Regarding Ratification Of The 2012-2017 Airport Capital Improvement Projects (ACIP) For The Austin Airport & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry explained that each year the Board goes over the five-year rolling plan with the Project Manager from the FFA. He reviewed the plan and the changes to the plan. There was some discussion in regards to the funding and costs of some of the projects.

   Commissioner Williams moved for the Commission to accept and ratify the 2012-2017 Airport Capital Improvement Plan (ACIP) for the Austin Airport. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

4) **Discussion For Possible Action Regarding Ratification Of The 2012-2017 Airport Capital Improvement Projects (ACIP) For The Battle Mountain Airport & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry said this is the same thing but for the Battle Mountain Airport. Mr. Etcheverry reviewed some of the plans and some of the costs associated.

   Commissioner Stienmetz moved for the Commission to accept and ratify the 2012-2017 Airport Capital Improvement Plan (ACIP) for the Battle Mountain Airport. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

5) **Discussion For Possible Action Regarding Task Order No. 83-10-025-003 Between Lander County & J-U-B Engineers, Inc., In An Amount Not To Exceed $10,000.00 For General Engineering Services For The Battle Mountain Airport & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry said this Task Order is for tasks that have been performed on behalf of the Battle Mountain Airport.

Commissioner Williams moved for the Commission to approve Task Order No. 83-10-025-003 between Lander County and J-U-B Engineers, Inc., in an amount not to exceed $10,000.00, for general engineering services for the Battle Mountain Airport. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

6) **Discussion For Possible Action Regarding Task Order No. 83-10-025-103 Between Lander County & J-U-B Engineers, Inc., In An Amount Not To Exceed $10,000.00, For General Services For The Austin Airport & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry said this is the same as the previous item. He said this Task Order is for tasks performed on behalf of the Austin Airport.

   Commissioner Stienmetz moved for the Commission to approve Task Order No. 83-10-025-103 between Lander County and J-U-B Engineers, Inc., in an amount not to exceed $10,000.00, for general engineering services for the Austin Airport. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

7) **Discussion For Possible Action Regarding Update On The Battle Mountain Levee Project; Status Of Progress On Scope Of Work For Summit Engineering For The Battle Mountain Levee Project; & Other Matters Properly Relating Thereto:** Steve Morton, Planning Manager of Summit Engineering, provided a brief overview of where Summit is with the Levee Project and where they are with the Army Corps of Engineers. Mr. Morton also discussed costs and funding. Andrew Motter, Vice President of Engineering explained the costs to the County, the PCA Agreement and what needs to be amended for the North and South sides. Mr. Morton said they need a letter of intent from the Commission to be sent to the Army Corps of Engineers. Executive Director, Gene Etcheverry said a letter did go out, signed by the Chairman regarding funding. Mr. Morton talked about some of the issues with the section 408 that were not part of the original plan.

   Commissioner Stienmetz moved to give direction and for the Chairman to sign the letter of intent. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

PLANNING COMMISSION

8) **Discussion For Possible Action Regarding Approval Of Parcel Map For Lander County, Section 2, T31N, R45E, Battle Mountain, APN #011-320-02, Splitting One (1) Parcel Into Two (2) Parcels, & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry explained this was to split property owned by Lander County into two parcels. Mr. Etcheverry explained how the land was obtained and that some of that land was actually the property of another individual. He said signing the map would make things right for the property owner.

Commissioner Stienmetz moved for the Commission to uphold the recommendation of the Lander County Planning Commission and approve the parcel map for Lander County, Section 2, T31N, R45E, Battle Mountain, APN #011-320-02, splitting one (1) parcel into two (2) parcels, and authorize the Chair to sign the map. Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

BUILDING

9) **Discussion For Possible Action Amending Lander County Code 15.24.030(D) To Change The Allowable Age Of Mobile & Manufactured Homes From (5) To Fifteen (15) Years Old & Other Matters Related Thereto:** Executive Director, Gene Etcheverry, explained that in February 2007 the Board passed County Ordinance 2007-09. Mr. Etcheverry explained this Ordinance. He said the Planning Commission has amended the Code to change the allowable age from five to fifteen years. There was discussion on the process of inspecting the homes before they may be occupied.

   Commissioner Stienmetz moved for the Commission to uphold the recommendation of the Lander County Planning Commission and approve the amendment of Lander County Code 15.24.030(D), to change the allowable age of mobile and manufactured homes from five (5) to fifteen (15) years old, and propose an Ordinance for introduction during the February 9, 2012 Commission meeting. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

LOCAL PLANNING COMMITTEE

10) **Discussion For Possible Action Regarding Approval Of The 2012 Local Emergency Planning Committee (LEPC) Membership Roster & Other Matters Properly Relating Thereto:** Jason Cutler, Lander County LEPC Chairman, presented the Board with the 2012 membership roster. He explained one additional member was added and the new Secretary has not been voted on yet.

    Commissioner Mason moved for the Commission to approve the 2012 Local Emergency Planning Committee (LEPC) Membership Roster and request the LEPC Secretary to immediately forward the Roster to the State Emergency Response Commission (SERC). Seconded by Commissioner Williams, the motion was voted and carried. **APPROVED**

11) **Discussion For Possible Action Regarding Approval & Promulgation Of The Lander County All Emergency Plan (EOP) For 2012 & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry, said LEPC would like to request to re-promulgate the current or last year's plan in anticipation of the full revision necessary on this plan. He said this is just not ready yet. Jason Cutler said they want it to be done right and it could take several months.

Commissioner Williams moved for the Commission to approve the Lander County All Emergency Operation Plan (EOP) for 2012, authorize the Chairman to sign the Letter of Promulgation and request the LEPC Secretary to immediately forward the Letter of Promulgation and the EOP to the State Emergency Response Commission (SERC). Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

ROAD & BRIDGE NORTH

12) **Discussion For Possible Action Regarding Ratification Of The SRK Consulting Contract For The Movement Of The Battle Mountain Landfill Monitoring Wells & Other Matters Properly Relating Thereto:** Executive Director, Gene Etcheverry said SRK did contact the District Attorney's office and now the contract just needs to be approved. He said Donnie Negro would sign the scope of work.

Commissioner Stienmetz moved for the Commission to approve the contract with SRK for the movement of the Battle Mountain Landfill Monitoring Wells and authorize the Chair to sign. Seconded by Commissioner Mason, the motion was voted and carried. **APPROVED**

COMMISSIONERS

13) **Correspondence/Reports/Potential Upcoming Agenda Items:**
The Board reviewed the following Correspondences that are retained in the Clerk's Office:

1. USDA FOREST SERVICE, HUMBOLT-TOIYABE NATIONAL FOREST, Austin/Tonopah Ranger District, Request for Comments/Notice of Proposed Action, Antelope Zinc Mineral Exploration Project.

2. JON SHERVE, BATTLE MOUNTAIN RESIDENT, to County Commissioners, letter expressing appreciation to the Lander County Water & Sewer Department for their assistance during excavation of a sewer line on Saturday, December 24, 2011.
3. DOUGLAS W. FURTADO, BUREAU OF LAND MANAGEMENT, to Permittees. Letter regarding BLM's plan to develop a Drought Management Environmental Assessment for the Battle Mountain District.

4. GENE SEIDLITZ, BUREAU OF LAND MANAGEMENT, to Interested Public, letter regarding provisions for public participation in BLM's decision making process.

5. MICHAEL TRUDEN, BUREAU OF LAND MANAGEMENT, to Interested Public, letter seeking public input for environmental analysis by TGP Dixie Development Company, LLC.

6. ROBERT K. STOKES, ELKO COUNTY MANAGER, to Lander County Chairman Dean Bullock, letter announcing Jeff Williams as Chai, Glen Guttry as Vice-Chair, and Elko County Board of Commissioners 2012 regular meeting schedule.

Commissioner Williams questioned the situation with the Auditors. There was discussion about moving forward because the County doesn't have anyone to contact if there is a question. This issue was requested to be put on the next agenda. Executive Director, Gene Etcheverry said he would be representing Lander County's interest for the CTX (Consolidated Tax) Distribution.

PUBLIC COMMENT

There was no public comment.

ADJOURNMENT

There being no further business before the Board at this Commissioner Williams moved to adjourn the meeting of January 26, 2012. Seconded by Commissioner Stienmetz, the motion was voted and carried unanimously. **ADJOURNED**

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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.*