

1           The Honorable Board of Lander County Commissioners met in  
2 regular session in the Commission Chambers of the Lander County  
3 Courthouse/Administration Building in Battle Mountain, Nevada,  
4 50 State Route 305, on January 28, 2016, at 9:00 a.m.  
5 Transcript produced by Tiffany Elkington, C.C.R., #930.  
6

7           **PRESENT: STEVEN STIENMETZ, COMMISSIONER**  
8                   **PATSY WAITS, COMMISSIONER**  
9                   **SEAN BAKKER, COMMISSIONER**  
10                  **ART CLARK III, COMMISSIONER**  
11                  **DOUG MILLS, COMMISSIONER**  
12                  **KEITH WESTENGARD, EXECUTIVE DIRECTOR**  
13                  **SADIE SULLIVAN, COUNTY CLERK**  
14                  **THEODORE HERRERA, DISTRICT ATTORNEY**  
15                  **KEITH WESTENGARD, EXECUTIVE DIRECTOR**  
16                  **NAN ANCHO, FINANCE DIRECTOR**  
17                  **BECKY JOHNSON, HUMAN RESOURCES DIRECTOR**  
18

19           Let the record reflect the presence of a quorum of five  
20 commissioners.  
21

22           Let the record reflect the presence of Austin via telephone  
23 conference.  
24

25           CHAIRMAN BAKKER: -- county commissioner meeting to order,  
26 Town of Battle Mountain, and Austin Board of County Highway  
27 Commissioners, January 28, 2016.

28           Will you all -- Doug, will you lead us in the pledge.

29           COMMISSIONER MILLS: Sure.  
30

31           (Pledge of Allegiance)  
32

33           CHAIRMAN BAKKER: Okay. Everyone, can we have a moment of  
34 silence?  
35

36           (Moment of silence)  
37  
38  
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1        **COMMISSIONER REPORTS**

2  
3            CHAIRMAN BAKKER: Okay. Commissioner reports on meetings  
4 and conferences and seminars attended. Steve?

5            COMMISSIONER STIENMETZ: Yeah, on January 19<sup>th</sup>, we had a  
6 Convention and Tourism meeting. And the biggest thing that come  
7 out of that is that Convention and Tourism is giving the county  
8 a 120-day notice that they are not going to run the civic center  
9 anymore. They want out of that contract or agreement.

10           And then, they will -- in that time, they will come up and  
11 split up what belongs to Convention and Tourism and what belongs  
12 to the county. And they were going to go find another building  
13 someplace for Convention and Tourism.

14           CHAIRMAN BAKKER: Okay.

15           (Indiscernible.)

16           COMMISSIONER WAITS: Thank you. On January 21<sup>st</sup>, I did  
17 have a Division for Aging meeting. A couple of things that are  
18 coming out of that. There's been a lot going on with -- with  
19 different kinds of conference calls regarding the -- actually,  
20 it's the Department of Health and Human Services that is  
21 evaluating the alternative service delivery module for the  
22 Medicaid folks in Nevada. Right now we've got Washoe and Clark  
23 that actually are on the managed care. But the rest of the  
24 state is not.

25           So they're looking to expand statewide and also include some  
26 of the others that are not on that, such as the aged and the blind  
27 and the disabled, and put them all under a full managed care  
28 contract. That's been going around for some time. And they're  
29 investigating all the different ways and evaluating all those --  
30 those alternatives right now.

31           So that's -- that's a heavy item. And there are several  
32 discussion groups and -- and meetings all over the state yet.

33           I was appointed to one of the subcommittees, NRS 421, which  
34 is the tobacco settlement money. And every two years, we are --  
35 are commissioned to put together priorities for our independent  
36 living for seniors and give that report to the governor. So  
37 there'll be some extra committee meetings on that as we put  
38 together our priorities for this year and recommend to the  
39 governor what the seniors would like to see done with that for  
40 their independent living.

1           On January 22<sup>nd</sup>, I did have a NACO meeting. There's  
2 several things under that and a couple I did want to bring up.  
3 One is actually the Nevada Supreme Court committee that was put  
4 together to study evidence based on pretrial release. And I know  
5 our counselor is familiar with this. I'm sure that our chief  
6 justice had been speaking to him.

7           There are different pilot programs that counties can  
8 volunteer. The point of the committee and the outcomes of the  
9 program is to see if we can save the county money and reduce our  
10 jail population.

11           So it's not taking into account the actual mental health  
12 issues that we have regarding the jails, but just a prerelease  
13 evidence that everyone will -- will come together and -- based on  
14 all the same information. So all the counties would be the same  
15 on that. So we'll see what counties are stepping up to volunteer  
16 to do those pilot programs.

17           We talked about AB 191 again. That's our ballot question  
18 that needs to be ready -- the language needs to be ready about May  
19 or June. And that's the one on the fuel tax. And for the first  
20 time, it's including the diesel tax, which we've never had before.  
21 So the RTC will be meeting on that to try and put together some  
22 priorities because that's all language they would need to put  
23 together for the pros and cons, like: What would your county do?  
24 And so it has to be more specific to each county. NACO is happy  
25 to help us with most of it, but we do have to have the individual  
26 part for -- for our Lander County, of course.

27           Let's see, also the proposal to consolidate the University of  
28 Nevada-Reno, the College of Agriculture, Biotechnology, and  
29 Natural Resources, Cooperative Extension, and the Nevada  
30 Agricultural Experiment Station. We've been talking about that  
31 for some time. As you know, we had kind of a hiatus for a couple  
32 of years while they looked at it. But they had a retreat for a  
33 couple of days that did invite the NACO staff. And NACO has put  
34 out their position paper on it. But basically, we want them to  
35 work with the counties. They just seemed to be ignoring us. And  
36 they were ignoring NACO pretty much too. But NACO tells us that  
37 they -- it's very definitely going through. And -- and they will  
38 be putting it together. We're hoping to have a subcommittee with  
39 NACO at least work out some of the things that they need and give  
40 us some kind of a framework. But they said it's definitely going

1 to happen. And it should be to the board of regents by May or  
2 June at least.

3 We also have had a Commission on Tourism meeting. That was  
4 yesterday. And Pony Express Territory met in Austin. It's now  
5 called Travel Nevada, not just Commission on Tourism. So their  
6 full name is Travel Nevada. And our rural roundup was set for  
7 Pahrump this year. That will be in April.

8 And they started a bidding process for the different  
9 hotels. And they've never done that. This is the first year  
10 they actually went out to bid and said, what kind of a program  
11 can you give us at your hotel to do all of these things?

12 And I -- I think that turned out very well. They're kind of  
13 excited about it. So next year, -- and we're looking at next year  
14 already -- it will be on Highway 80. So they'll be looking at  
15 Elko, Battle Mountain, Lovelock, and Winnemucca. And they are  
16 sending out the information so we still don't have our new big  
17 casino and our hotel rooms and convention center in there. But we  
18 still might be able to handle it with the amount of people that  
19 come so...

20 Anyway, it is out there. And we'll get an opportunity to  
21 at least take a look at it so -- to host that sometime, if not  
22 next year a few years after that. Thank you.

23 CHAIRMAN BAKKER: Thanks.

24 Doug?

25 COMMISSIONER MILLS: Okay. Most of what I have -- I have  
26 is about the hospital. We have several meetings. And I've got  
27 a lot of stuff. I hope I don't leave something out.

28 The first thing is that we did our final interview for CEO.  
29 And we did -- we offered the CEO position to a gentleman named  
30 Scott Mitchell. And we'll be hearing back from him, hopefully,  
31 this week as to whether or not he's -- he will accept that job.  
32 He had a couple of other job offers and interviews to do in  
33 other locations. So we don't know yet if he's accepted our  
34 offer.

35 Being the first of the year, we reorganized our board a  
36 little bit. We still have Linda Lauritzen as the chair, Nancy  
37 Lockridge as vice chair. But we put Earl Cassorla in as the  
38 secretary. So there was a change in the secretary position on  
39 the board.

40 One of the biggest problems we have at the hospital is

1 receiving payment on private pay accounts. And private pay  
2 would be anybody that does not have insurance or the portion of  
3 the -- the bill that the patient's responsible for, which would  
4 be the deductibles or the copays.

5 So we're going to be making some changes in way we try to  
6 collect those private pay portions of those bills. So there's  
7 some changes coming along in those regards.

8 Some months ago we talked about the survey that the Battle  
9 Mountain hospital was doing in the community. And we got the  
10 report back on that. And it's got a bunch of information on that  
11 that the hospital will be using for future planning, some things  
12 that we'll be doing to provide services and things that the  
13 community's been asking for. So we're going to put that to use.

14 Let's see. Construction of the hospital has been put on  
15 hold because of the weather. We're kind of not liking that a  
16 whole lot because we're -- we're taking a -- there's supposed to  
17 be a six-week delay in construction of the hospital. And that  
18 six-week delay is going to cost us almost \$90,000. And most of  
19 that's just pay for people to not work. So we're not real  
20 excited about that. We're trying to -- to push some of that  
21 through and have them work for their pay, I guess, is what we're  
22 trying to do.

23 Another thing is that Battle Mountain hospital is what's  
24 called a CAH hospital, C-A-H, which stands for critical access  
25 hospital. Every year the hospital has to do an annual evaluation  
26 and review of all departments. That was done. We got all that.  
27 If anyone wants to look at that, that's all public information.  
28 So if you want to read that, that's very interesting information  
29 that gives details about what each department at the hospital  
30 does, how many people in each department, talks about the volume  
31 of work that is done and those kinds of things. Very interesting  
32 to read through that.

33 And as I analyzed, I came up with there are 21 different  
34 departments in the hospital. And we have 137 employees, which is  
35 kind of interesting. But this, again, public information if you  
36 want to read that, a lot of good information. Talks about what  
37 the hospital actually does and the volume of work that our  
38 hospital does. It's kind of impressive.

39 The last thing, we had our annual audit. And there's some  
40 things I'd like to share with you from the audit. Some of it's

1 good. Some of it's not so good. I'll start with the good stuff.

2 The hospital has approximately \$34 million in its cash  
3 reserves. It's pretty darn good. That's down from 37 million  
4 last year. But it's still a pretty impressive number.

5 Our current ratio is 16.8 times. Just so you know, there's a  
6 comparison that says anything greater than 2.0 is considered very  
7 good. And we're at 16.8. That's because those cash reserves that  
8 we have.

9 Our long-term debt to capitalization is well below any peer  
10 group average since we have no debt. Again, this is in -- in line  
11 with a lot of what our county likes to do is run on no debt. And  
12 the hospital is doing the same thing. That also is quite  
13 impressive. And the auditors tell us that we have a very strong  
14 balance sheet.

15 Our net patient revenues are up. Our operating revenues are  
16 up. And our nonoperating revenue, which would be tax incomes, are  
17 up. So those are all good things. And that's -- it's -- those  
18 are kind of nice.

19 We do have some problems though. Our operating expenses  
20 increased by \$1.3 million last year. Employee compensation was  
21 \$919,000 of that increase.

22 In 2011, the salary to net revenue was 55 percent. Now our  
23 salary to revenue ratio is 106 percent. It's -- that -- that  
24 part of things is not very comfortable. And at this point, I  
25 don't know what we're going to do about that right off, but at  
26 some point we're certainly going to have to address that. And  
27 it's not going to be pleasant or fun, I don't think.

28 We have put a moratorium on hiring at the hospital for any  
29 positions that are not direct patient care. So if we lose a --  
30 if we lose a doctor, we'll replace a doctor. If we lose a  
31 nurse, we'll replace a nurse because they have direct patient  
32 care. But we put a moratorium on hiring any other positions in  
33 the hospital unless it's a -- actually approved by the board.

34 So that's one of the steps we've taken at this point as -- as  
35 an early stage step to correcting some of this -- this outflow of  
36 revenues from the hospital.

37 So overall our -- I don't know. We have good news for our  
38 finances. And we have a few things that aren't -- that aren't  
39 very good.

40 The board's been a little reluctant to make a lot of changes

1 in -- in some of these areas because we don't have a permanent  
2 CEO. And until we have a permanent CEO to help take care of a lot  
3 of these things, the board hasn't wanted to take a lot of direct  
4 action in -- in these things because we want to function  
5 appropriately as a board and not do a lot of micromanaging at the  
6 hospital.

7 So after we get a CEO, and assuming Mr. Mitchell accepts  
8 the position and we get him in there, after he gets in there,  
9 we'll expect to make a lot of other changes that will help the  
10 hospital, especially in the financial side.

11 And let's see.

12 I think that's it. I think I got everything.

13 CHAIRMAN BAKKER: Sure. Good job. Thanks, Doug.

14 Art?

15 COMMISSIONER CLARK: I didn't have any meetings.

16 CHAIRMAN BAKKER: Okay. I had a golf course meeting.  
17 Hopefully, they're going to start next week. They're getting  
18 parts in, piping, everything.

19 Went to the fair and rec or the convention and tourism  
20 meeting. Same one Steve was at.

21 We have a livestock meeting tonight. And that's about it.

## 22 23 24 **STAFF REPORTS**

25  
26 CHAIRMAN BAKKER: So staff reports on meetings,  
27 conferences, and seminars attended.

28 KEITH WESTENGARD: I just wanted to remind you, we do have  
29 a levee call today after the commission meeting with Jeff  
30 Eisenberg. So I told him it would be sometime between 10:00 and  
31 11:00 today.

32 I met last week with Bob Roper of Division of Forestry to  
33 discuss our Title 3 funds. So we'll be moving forward with some  
34 Title 3 funds within the community, hopefully, this year, get some  
35 things taken care of.

36 I met with Rex Massey to discuss the FEMA grants that we  
37 talked about. Earlier, we were going to try to get those for  
38 our lift stations. Unfortunately, we were too late for the lift  
39 stations. So what we're going to look at is grant moneys  
40 through FEMA for a levee project. And we're going to look at

1 about \$3 million. So we're going to, hopefully, we'll be able  
2 to get that.

3 We met a little bit with NV Energy yesterday to discuss  
4 incentives. And we're going to look at some incentives for our  
5 new rec center through NV Energy.

6 Today, we have a meeting with the State to discuss our  
7 community health nurse and that contract. So that'll be  
8 something I can report a little more at our next meeting.

9 We're going to also meet with LA Perks today regarding our  
10 fuel project at the Battle Mountain Airport. We'll have an  
11 update on that for you at the next meeting as well. It's almost  
12 complete. It's just disposing of the old tanks and the waste  
13 that's in those tanks.

14 I'm scheduled to be at the hospital board meeting  
15 February 3<sup>rd</sup> to discuss the EMS -- future of EMS and the  
16 relationship with the county and the hospital.

17 We do have a State Lands meeting tomorrow morning here. It  
18 starts at 8:00 o'clock.

19 And that's it.

20 CHAIRMAN BAKKER: Thanks, Keith.

21 KEITH WESTENGARD: Thank you.

22 CHAIRMAN BAKKER: Ted? Anything?

23 Okay.

24 DISTRICT ATTORNEY HERRERA: Nope.

25  
26  
27 **PUBLIC COMMENT**

28  
29 CHAIRMAN BAKKER: Public comment for non-agendized items  
30 only. Persons are invited to submit comments in writing and/or  
31 attend and make comments on any non-agenda item at the board  
32 meeting, if any. And discussion of those comments are at the  
33 discretion of the board. All public comment may be limited to  
34 three minutes per person, again, at the discretion of the board.  
35 Reasonable restrictions may be placed on public comment based  
36 upon time, place, and manner. But public comment based upon  
37 viewpoint may not be restricted.

38 Any public comment?

39 (No comment.)  
40

1        **CONSENT AGENDA**

2  
3            CHAIRMAN BAKKER: Okay. Consent agenda. All matters  
4 listed under the consent agenda are considered routine and may  
5 be acted upon by the Board of County Commissioners with one  
6 action without extensive discussion.

7            Any member of the board or any citizens may request that  
8 any item be taken from the consent agenda, discussed, and acted  
9 upon separately during this meeting.

10           Consent agenda materials are available at the Lander County  
11 Clerk's Office for viewing. And copies are available for a  
12 nominal charge.

13           Approval of agenda notice, January 28<sup>th</sup>, 2016;  
14 December 17<sup>th</sup>, 2015, meeting minutes; January 14<sup>th</sup>, 2016,  
15 meeting minutes; payment of bills; payroll change requests.

16           COMMISSIONER WAITS: We do need to pull out the  
17 December 17<sup>th</sup> minutes and the January 14<sup>th</sup> minutes to discuss  
18 those separately.

19           CHAIRMAN BAKKER: Okay.

20           COMMISSIONER WAITS: I'll make a motion we approve the  
21 consent agenda -- consent agenda for the balance, the approval  
22 of the agenda notice; payment of bills; and payroll change  
23 request.

24           COMMISSIONER MILLS: I'll second.

25           CHAIRMAN BAKKER: Okay. Motion made, seconded. All those  
26 in -- or public comment?

27           (No comment.)

28           CHAIRMAN BAKKER: All those in favor?

29           COMMISSIONER MILLS: Aye.

30           COMMISSIONER CLARK: Aye.

31           COMMISSIONER STIENMETZ: Aye.

32           COMMISSIONER WAITS: Aye.

33           CHAIRMAN BAKKER: Art?

34           COMMISSIONER CLARK: I did.

35           CHAIRMAN BAKKER: Oh.

36           Okay. Motion carries. Let's -- December 17<sup>th</sup>, 2015, meeting  
37 minutes.

38           COMMISSIONER MILLS: What did we need to discuss on that?

39           COMMISSIONER WAITS: Those -- those were pulled out because  
40 of the -- the amended approval that we had last time.

1 And when they checked the recording, apparently, it should  
2 stand as they read originally --

3 CHAIRMAN BAKKER: So do we need --

4 COMMISSIONER WAITS: -- and not --

5 CHAIRMAN BAKKER: -- a motion to --

6 COMMISSIONER WAITS: -- amended.

7 CHAIRMAN BAKKER: -- to accept them how they were?

8 COMMISSIONER WAITS: So we don't have to reverse it. We  
9 can just -- what do we just make a motion that we approve the  
10 original minutes? Is that what we need to do?

11 DISTRICT ATTORNEY HERRERA: Commissioner, I believe that  
12 the motion should -- you approve the original meeting and you  
13 ask that a -- a video CD be attached to those minutes.

14 Because it's my understanding that the video picked up.  
15 Commi- -- no, that's not the one?

16 CHAIRMAN BAKKER: No. Sadie said she looked at it again  
17 and no.

18 DISTRICT ATTORNEY HERRERA: She looked at it again?

19 COUNTY CLERK SULLIVAN: So Sadie Sullivan, for the record.  
20 What's happened throughout that meeting and several meetings is  
21 for the transcripts to be done it's all, of course, audio. And  
22 so if it's not picked up on the mics she is not allowed legally  
23 to put it on there, which we do have a CD that we can attach.  
24 So as long as it's the transcript and it's an audio, she can  
25 only go off what the actual audio recording is.

26 And so I've just asked each of -- each of the commissioners  
27 to speak clearly into the mic, make sure that we can hear their  
28 votes clearly. Even though through the Robert's rules it is  
29 acceptable for the raise of hand is definitely correct. But  
30 when it comes down to a transcript, it is audio. And so we do  
31 need to hear those votes or first and second, that type of  
32 thing.

33 So in that case, he definitely didn't do the raise of hand.  
34 So you cannot hear him. And there was no raise of hand.

35 DISTRICT ATTORNEY HERRERA: There was no raise of hand?

36 COUNTY CLERK SULLIVAN: There was no raise of hand.

37 CHAIRMAN BAKKER: We found that out this morning.

38 DISTRICT ATTORNEY HERRERA: Oh, okay. All right.

39 COUNTY CLERK SULLIVAN: Yeah.

40 DISTRICT ATTORNEY HERRERA: Then we don't have to attach a

1 CD. I retract what I said.

2 COUNTY CLERK SULLIVAN: But just for the record also --  
3 Sadie Sullivan -- the CD is in the packet. So any time anybody  
4 would like a CD as well, it's available to the public.

5 DISTRICT ATTORNEY HERRERA: Okay.

6 CHAIRMAN BAKKER: So I need a motion.

7 COMMISSIONER WAITS: I'll make a motion we approve the  
8 December 17<sup>th</sup>, 2015, meeting minutes as originally trans- --

9 CHAIRMAN BAKKER: Trans- --

10 COMMISSIONER WAITS: -- -cribed.

11 CHAIRMAN BAKKER: -- -cribed?

12 COMMISSIONER STIENMETZ: I'll second the motion.

13 CHAIRMAN BAKKER: Okay. Motion. Any public comment?

14 (No comment.)

15 CHAIRMAN BAKKER: All those in favor?

16 COMMISSIONER MILLS: Aye.

17 COMMISSIONER STIENMETZ: Aye.

18 COMMISSIONER CLARK: Aye.

19 COMMISSIONER WAITS: Aye.

20 CHAIRMAN BAKKER: Okay.

21 COMMISSIONER WAITS: And the January 14<sup>th</sup>, we haven't had a  
22 chance to review. They're not in our packets yet.

23 CHAIRMAN BAKKER: Okay. So moving on.

24  
25  
26 **COMMISSIONERS**

- 27  
28 1) **Update regarding Community Health Clinic regarding community**  
29 **outreach and clinic operations, and all other matters**  
30 **properly related thereto.**  
31

32 CHAIRMAN BAKKER: Okay. Update regarding Community Health  
33 Clinic regarding community outreach clinic operations, and all  
34 other matters properly related thereto.

35 ABBY BURKHART: Abby Burkhardt, Lander County Community  
36 Health.

37 CHAIRMAN BAKKER: Good morning, Abby.

38 ABBY BURKHART: How are we?

39 CHAIRMAN BAKKER: Good. You?

40 ABBY BURKHART: I just wanted to let you guys know how our

1 POD went and kind of what we have coming up. Our flu POD was  
2 down significantly this year. We did a little over a thousand  
3 last year at the same time. This year we did 700.

4 I think that the -- the difference was in timing of the  
5 event. Last year, we did it in the afternoon because they were  
6 scrambling to get vaccines. And we ended up having to do it on  
7 the -- I think it was a Tuesday or a Wednesday from 3:00 to  
8 7:00 or something like that. So I think we may have had a better  
9 turnout. Saturday mornings we had a lot of people gone for  
10 hunting and a lot of people gone for sports and those types of  
11 things.

12 So in hopes to improve that next year, I'm going to move the  
13 POD to a Thursday afternoon, hopefully, to catch people on their  
14 way out of town maybe? After school? See if we can't get a  
15 little better turnout next year.

16 On that note, I do have almost 300 shots left over. So if  
17 anybody knows of anybody that needs one, send them my way.

18 COMMISSIONER WAITS: How about the south? What did you do  
19 in the south end?

20 ABBY BURKHART: That was next. I did 27 shots combined  
21 between Kingston and Austin with the help of EMS. They stayed  
22 in Austin and did those. And eight of those shots came out of  
23 Round Mountain. So that was kind of a --

24 COMMISSIONER WAITS: I do have a --

25 ABBY BURKHART: -- disappointing --

26 COMMISSIONER WAITS: -- concern with --

27 ABBY BURKHART: -- rate.

28 COMMISSIONER WAITS: -- your advertising though. Because  
29 most people are telling me they had no idea you were even there.

30 ABBY BURKHART: Really?

31 COMMISSIONER WAITS: Yes.

32 ABBY BURKHART: Okay.

33 COMMISSIONER WAITS: So --

34 ABBY BURKHART: We can work on that.

35 COMMISSIONER WAITS: And one of the things you need to do  
36 is send it down to our commissioners' office in the south.

37 ABBY BURKHART: Okay.

38 COMMISSIONER WAITS: And they can at least put them out  
39 around town for Austin and fax to Kingston. I don't -- it's  
40 always been a concern. It isn't just this year so...

1           ABBY BURKHART: Okay.

2           COMMISSIONER WAITS: We need to do that way in advance so  
3 people truly know.

4           ABBY BURKHART: Okay.

5           COMMISSIONER WAITS: Thank you.

6           ABBY BURKHART: We can do that. We can work on that.

7           CHAIRMAN BAKKER: Maybe next year just get with Keith and  
8 have him send it down there.

9           ABBY BURKHART: Okay. We can do that.

10          Upcoming things. February is dental month so we'll be  
11 doing fluoride varnish in the preschool, the one preschool. We  
12 expect about 65 kids. So...

13          CHAIRMAN BAKKER: Good deal.

14          ABBY BURKHART: Any questions?

15          Okay.

16          CHAIRMAN BAKKER: Awesome.

17          ABBY BURKHART: Thank you.

18          CHAIRMAN BAKKER: Thank you, --

19          COMMISSIONER STIENMETZ: Thank you.

20          CHAIRMAN BAKKER: -- Abby.

21          COMMISSIONER MILLS: Thank you.

22

23    **2) Update regarding American Lands Council and all other matters**  
24    **properly related thereto.**

25

26          CHAIRMAN BAKKER: Agenda Item Number 2. Update regarding  
27 American Lands Council and all other matters properly related  
28 thereto.

29          DEMAR DAHL: Good morning. My name is Demar Dahl.

30          COMMISSIONER WAITS: Good morning.

31          COMMISSIONER MILLS: Good morning.

32          DEMAR DAHL: I --

33          COMMISSIONER STIENMETZ: Good morning.

34          DEMAR DAHL: I appreciate the opportunity to be able to  
35 come visit with you for a few minutes this morning.

36          It was interesting to hear the report on Lander County and  
37 how you're doing financially and to hear about the hospital.

38          One of my children was born in this hospital in 1970.

39          Doctor Bannister was the doctor. I don't know if anybody here  
40 is old enough to remember that.

1 DISTRICT ATTORNEY HERRERA: Oh, yeah.

2 DEMAR DAHL: Yeah.

3 UNIDENTIFIED PARTICIPANT: Yep.

4 DEMAR DAHL: I used to ranch south of here in Jersey Valley  
5 and Antelope Valley and the north end of Dixie. And we lost a  
6 child to a flash flood down there in 1973.

7 But this is -- this was home to me for 15 years. And I loved  
8 it. And it was some of the best part of my life.

9 I'll give you just a short history of American Lands Council,  
10 how it started. In 2009, the Forest Service came to our county  
11 commission in Elko and said we're going to do a travel management  
12 plan. We don't plan on closing any roads. And we want you to  
13 sign up as a cooperating agency. So we were glad to do that.

14 We signed up not only as cooperating, but a coordinating  
15 agency. And then within in short while we found out, actually,  
16 they were going to close a lot of roads. But they were bringing  
17 in a new map. And everything that wasn't on their map was  
18 automatically closed. And it amounted to about a thousand miles.  
19 So we pushed back. And we did everything we could to try to -- to  
20 work with them. We hired a facilitator from the college to help  
21 us negotiate with them. That went on until the beginning of --  
22 the end, I guess, of 2011.

23 And I was invited to go to Washington and testify before  
24 the Natural Resource Committee on that issue.

25 And while there, with the help of Congressman Amodei, we  
26 talked that committee into -- with -- Rob Bishop was the chair of  
27 that -- into coming to Elko and holding a hearing.

28 We had 64 counties from around the West that supported us  
29 in our position at that hearing, either with letters or  
30 testimony, resolutions, or whatever. And when we finished, the  
31 Forest Service thumbed their nose at us. And those 64 counties  
32 and the congressional committee.

33 One of the -- one of the counties that was really active in  
34 helping us was Kane County down in southern Utah. And I called  
35 a commissioner from down there after the -- after the record of  
36 decision and said, what we are going to do to get some local  
37 control over our natural resources? And we decided to go visit  
38 with Ken Ivory who had -- who was a legislator in Utah who had  
39 passed a bill at the -- in the legislature there calling for the  
40 transfer of the public land.

1           We put together an organization called the American Lands  
2 Council. I took that information to Cong- -- or to Senator  
3 Goicoechea and we pushed through -- he, along with the help of  
4 others -- AB 227, which called for a task force to study the  
5 implications of a transfer, assuming that a transfer had tak--  
6 -- taken place. What were the implications of that?

7           Some of you remember it because you were on the task force.  
8 The task force was made up of one county commissioner from  
9 every -- every county. So we had 17 on the -- on the task force.

10          They elected me chair. And I suggested that to start with,  
11 let's not vote on anything until we get a lot of information put  
12 together, except for one thing: How many think it's a good idea  
13 to transfer public land from the federal government to the state?  
14 And more than half thought it was not a good idea.

15          And so we met -- the legislation, AB 227, said we were to  
16 meet monthly for a year and then report to the legislature on what  
17 we decided.

18          One -- the first thing that we did was we contracted for an  
19 economic analysis. The economic analysis told us that if the  
20 State of Nevada owned the land and managed it, that we would have  
21 a net revenue of a minimum of \$350 million a year out of that.

22          We got the state agency people, the -- the head of the  
23 agencies to come and tell us what do we have to do to get from  
24 where we are to where we need to be in order to manage all of this  
25 land?

26          We got all of the stakeholders that we could get to come in,  
27 everybody from the -- from the Sierra Club to the Farm Bureau to  
28 come and make presentations to us.

29          And it was interesting to watch the members of the task force  
30 as that year went by and kind of watch the lights come on as all  
31 of this information was put together.

32          At the end of that -- at the end of our year, we put  
33 together a resolution, which called for the transfer of the  
34 public land.

35          One thing that everybody on that -- on that task force did  
36 was -- was supposed to do after every meeting to go back to  
37 their county commissions and take that information back so that  
38 everybody was up to speed on what was happening.

39          So when we put the resolution together, then every member of  
40 the -- of the task force took a copy of that resolution back to

1 their county. And every county in the state passed that  
2 resolution. That became SJR 1, Senate Joint Resolution 1. And it  
3 passed through the Senate and through the Assembly. And before  
4 the governor could even get a chance to sign it, it was picked up  
5 by Congressman Amodei and -- and became a bill in the House of  
6 Representatives.

7 It is now there. I don't know how many of you are familiar  
8 with it. If you're not, I encourage you to -- the bill -- the  
9 bill was -- is amended. The amendment actually replaces nearly  
10 all of the -- nearly all of the bill. There are very few changes  
11 in it, but when you -- when you look that bill up -- and I think  
12 the easiest way to find it is on the -- in the NACO website under  
13 Resource, Nevada Association of Counties. And there's a resource  
14 tab under there for -- for that bill.

15 What that bill calls for is the land to be transferred in two  
16 phases. The first phase is 7.2 million acres. Included in that  
17 are the acres that have already been designated for disposal by  
18 the federal agencies. And there are a lot of those acres that  
19 have been designated for disposal. And they've just never been  
20 able to get through the process of getting the land disposed of.

21 The other thing -- the other part of phase 1 would be the  
22 railroad corridor that comes here, you know, you who are  
23 familiar with the corridor. When the railroad built the  
24 railroad, the -- the government gave them every other section  
25 for 20 miles each side of the railroad. And it's been a mess  
26 ever since. You know, we've been trying to figure out how do  
27 we -- how do we do this?

28 So -- so the idea there would be that we would block it up,  
29 sell some of it, make it manageable. And -- and so those are  
30 the -- that's what would be included in phase 1.

31 Phase 2 is the balance of the public land. And it's --  
32 it's specific in the bill that that land would not be sold. It  
33 would remain public, all of it.

34 We were determined as a -- as a task force to make sure that  
35 anything that you can do on the public land today, you're going to  
36 be able to do after the transfer, except that you're not going to  
37 be locked out of a lot of places. You're not going to have a lot  
38 of roads closed. And if roads are closed, you're going to be able  
39 to have a say-so in it. You're going to be a part of the decision  
40 process instead of those -- those -- that direction coming from --

1 from Washington.

2 We think -- we think it's going to be a great blessing to the  
3 people of the state of Nevada when this happens.

4 And I appreciate the fact that Lander County is supporting  
5 American Lands Council.

6 And if you've got any questions, I'll try to answer them.

7 COMMISSIONER MILLS: I think I might have a couple.

8 DEMAR DAHL: Okay.

9 COMMISSIONER MILLS: So first we -- we joined the American  
10 Land Council earlier this year, a couple of months ago.

11 DEMAR DAHL: Yeah.

12 COMMISSIONER MILLS: But we did it not knowing much about  
13 what you do. So it's good to have you here to explain some of  
14 the things that you're working on. And you've answered a couple  
15 of my questions already.

16 One of my -- my biggest question would be, then: If these  
17 lands become part of the state, --

18 DEMAR DAHL: Right.

19 COMMISSIONER MILLS: -- how would that affect ranching and  
20 mining?

21 DEMAR DAHL: You know, and I should -- I should've told you  
22 that.

23 All of the valid existing rights -- and this -- this is in  
24 the bill -- all of the valid existing rights would transfer. In  
25 other words, if you can go out there and prospect, if you can  
26 fish, if you can hunt, if you can graze, whatever you can do now,  
27 you're going to be able to do then.

28 COMMISSIONER MILLS: What -- what about the fees that are  
29 paid for those things?

30 DEMAR DAHL: Well, --

31 COMMISSIONER MILLS: Do they change or would it be --

32 DEMAR DAHL: -- well, that'll be -- that'll be up to us as  
33 a state to decide.

34 You know, we'll have the opportunity if -- when these  
35 decisions are made. And say it was made in state -- State Lands.  
36 Say they were the managing agency and they come up with a fee and  
37 we think that the fee's not high enough or it's too high, we have  
38 the opportunity to go to Carson City and, you know, state our case  
39 and argue for -- for what we think.

40 COMMISSIONER MILLS: Okay.

1 And then I had one other question. I believe I read an  
2 article about American Lands Council and the amount they were  
3 paying the guy that's started it.

4 DEMAR DAHL: Yeah.

5 COMMISSIONER MILLS: And I guess he's not there anymore.  
6 There was a bunch of to-do about the rate that this guy was  
7 getting paid.

8 DEMAR DAHL: Right.

9 COMMISSIONER MILLS: Can you kind of address that for us a  
10 little bit?

11 DEMAR DAHL: Yeah. He was paid \$10,000 a month. And his  
12 name is Ken Ivory. And -- and he did more to get American Lands  
13 Council out there and heard about and understood than -- it was  
14 -- he was a lawyer. He was making considerably more than that  
15 as a lawyer, when he -- when he quit his law practice to be the  
16 president of the American Lands Council.

17 Now, he -- there have been charges filed against him for  
18 fraud. And -- and the charges are that -- and they've all been  
19 thrown out or dropped now.

20 Colorado is where they were filed. And the charge was that  
21 he was telling people in their states that the State could  
22 manage the land better and for less money than the federal  
23 government is doing it. And everybody knows that's not true.  
24 So he was being fraudulent in going out and --

25 COMMISSIONER MILLS: Okay.

26 DEMAR DAHL: -- and saying that. So it -- you know, there  
27 wasn't anything there to start with. And it was just thrown  
28 out.

29 COMMISSIONER MILLS: Okay. How's American Lands Council  
30 viewed by environmental groups in general?

31 DEMAR DAHL: Well, --

32 COMMISSIONER MILLS: Is that who brought those lawsuits?

33 DEMAR DAHL: Yeah. Oh, yeah. Oh, yeah. Yeah. For sure.

34 Tina Nappe, who was the -- was the -- the president of --  
35 I don't know if it was president or chair or what -- of the Sierra  
36 Club for a long time in Nevada, was on the governor's multiple use  
37 advisory committee. And I was on that, I think in 1972, is when I  
38 was put on that. O'Callaghan was the governor. I think it was  
39 '72, might have been later. Anyway, we've been friends, you know,  
40 ever since. We didn't agree on anything. We still don't. But we

1 also agree to disagree so we can have good discussions.

2 And -- and Tina and her group were part of who we had come  
3 in to our task force and make a presentation on -- on why they  
4 thought it was not a good idea.

5 And it -- they just had a hard time trying to make that --  
6 that argument. Because the things that they were concerned about,  
7 they were concerned about, well, it's going to be sold. And that  
8 was one of the first things they found out when they came and met  
9 with us. No, it's not going to be sold.

10 And we're going to lose our right to go places and do  
11 things. No, we're not.

12 You know, it's -- anyway, that was a good experience for all  
13 of us when -- when we all got -- had that chance to get together  
14 and -- and find out really what our proposal was.

15 COMMISSIONER MILLS: Okay.

16 DEMAR DAHL: Yeah.

17 COMMISSIONER MILLS: I think the last question I would have  
18 is: How does sage grouse fit into the picture?

19 DEMAR DAHL: Boy, oh, boy. You know. In -- in Elko County  
20 20 percent of our -- our county is shut down to oil and gas,  
21 geothermal, solar, wind energy. It's -- it's just shut down.  
22 Eighty percent of our county is impacted. I forget what it is  
23 for Lander County, but -- but you've got serious problems also.

24 And -- and you know when -- when they did that to the spotted  
25 owl, when they listed the spotted owl, and they shut down so many  
26 of those communities in the Northwest. And -- and when -- when I  
27 used to go to those national NACO meetings and another like  
28 Western Interstate Region and so on and -- and go to those  
29 meetings in Washington or wherever they would have them. And what  
30 the people in the Northwest would be complaining about when I  
31 first started going to those was, we need more SRS money. That's  
32 the Secure Rural School money, which the government says, okay, we  
33 listed the bird and that -- that shut down your community. It  
34 closed your forests. You don't have money to support your schools  
35 and your police department and so on and so forth. So we're going  
36 to give you money to replace what you lost. And they -- they used  
37 to say, we need more SRS money. And we need to be sure that it's  
38 going to come because some years it comes late and they cut it and  
39 we get -- and now what you hear is, keep your money. Give us our  
40 forest. Let us go back to work. Let our kids grow up in our

1 communities and work there and pay taxes. And we'll support our  
2 own schools and our own police departments and so on.

3 You know, well, this has the potential, the sage grouse, to  
4 do the same thing to us here. We've already been shut down on a  
5 lot of things, just -- you know, we had that hearing in that  
6 trial in -- in Reno. And we -- for a -- we wanted a temporary  
7 injunction. We wanted to just say -- the judge to say, hey,  
8 stop you've got to think about what you're doing here before  
9 they did it. And then we didn't win on that. And so now we're  
10 going to be going to trial sometime hopefully in the summer,  
11 fall.

12 And -- and if we -- if we don't win that -- but, well, you  
13 know what it comes down to is the only solution big enough to  
14 solve these problems is to transfer that public land to the  
15 states.

16 And -- and we're working in a lot of different states to make  
17 that happen and have brought about legislation in nine states in  
18 the West. But Nevada's the only one that has a specific bill for  
19 the transfer of the land in -- well, and I should tell you this.  
20 Because Nevada has a bill specific to Nevada, we have kind of  
21 branched with American Lands Council. And we have started the  
22 Nevada Lands Council. And I hope that some of you will -- will  
23 get involved in this.

24 And it -- and it's to work on that Nevada bill. Of course,  
25 when you work on that, you're working to get cosigners on and  
26 you're working with all the other states too, you know.

27 So we -- we just started this, Nevada Lands Council. You'll  
28 be hearing more about it. You'll be invited to be a part of it.  
29 And to my way of thinking, it's the only solution is to transfer  
30 the land.

31 COMMISSIONER MILLS: Okay. But you did bring up one other  
32 question. Have you start talking about money so...

33 DEMAR DAHL: Right.

34 COMMISSIONER MILLS: Right now we receive some PILT money  
35 from the government.

36 DEMAR DAHL: Right.

37 COMMISSIONER MILLS: Which isn't great. It doesn't compare  
38 to what could be received.

39 DEMAR DAHL: Right.

40 COMMISSIONER MILLS: It's not a lot.

1 DEMAR DAHL: Do you budget it?  
2 COMMISSIONER MILLS: We --  
3 DEMAR DAHL: Do you put it in your budget before you get  
4 it?  
5 COMMISSIONER MILLS: No.  
6 DEMAR DAHL: Right. We don't either in --  
7 COMMISSIONER MILLS: No.  
8 DEMAR DAHL: -- Elko. Elko County, we just pretend it  
9 isn't there until --  
10 COMMISSIONER MILLS: Yeah.  
11 DEMAR DAHL: -- we get the check.  
12 COMMISSIONER MILLS: Same thing we do with our -- yeah.  
13 DEMAR DAHL: Yeah.  
14 COMMISSIONER MILLS: Anyway, just -- just speculating that  
15 if -- if Nevada were to obtain possession of those lands, I  
16 would imagine the government would quit sending PILT money.  
17 DEMAR DAHL: Right. Right.  
18 COMMISSIONER MILLS: Would --  
19 DEMAR DAHL: And that's --  
20 COMMISSIONER MILLS: -- would the state then send us money?  
21 Where -- what --  
22 DEMAR DAHL: That's in --  
23 COMMISSIONER MILLS: -- would we replace --  
24 DEMAR DAHL: -- the bill.  
25 COMMISSIONER MILLS: -- that with?  
26 DEMAR DAHL: It's in the bill that the PILT -- PILT money  
27 that we would lose, the feds would pay -- are paying, would be  
28 replaced by money from the state. They'd have to. You know, I  
29 mean, --  
30 COMMISSIONER STIENMETZ: Uh-huh.  
31 DEMAR DAHL: -- they're going to be -- they're going to own  
32 the land. And if -- if they didn't, we could collect a taxes on  
33 it, which would be way more than -- what? -- what the state will  
34 pay. And I don't know what -- that will -- again, that's one of  
35 those things that we get to figure out ourselves.  
36 You know, --  
37 COMMISSIONER MILLS: Okay.  
38 DEMAR DAHL: -- what is that payment going to be?  
39 COMMISSIONER MILLS: And where would that money come from?  
40 DEMAR DAHL: Pardon -- well, it's -- it is plugged in. On

1 that economic analysis, it's plugged into the cost of -- of  
2 managing public lands, which shows that there is still a net  
3 revenue of \$350 million, at a minimum, from the management of  
4 the public lands.

5 So -- and -- and it also says in the bill that that money's  
6 going to be spent for education.

7 So that replaces, you know, the bill, the commerce tax  
8 that -- that we got here a while ago. And now there's contest as  
9 to whether there's -- there's going to be a referendum to do away  
10 with that commerce tax or not. That -- that is for education.  
11 That's where that money's going, about 400 -- 400 million bucks.  
12 And if -- the way that hole can be filled, if we lose that, if  
13 that is canceled out, is what can be made from the state managing  
14 the public lands.

15 So there are a lot of benefits to that.

16 COMMISSIONER MILLS: Okay. That's all. That's all I can  
17 think of.

18 CHAIRMAN BAKKER: Anyone else?

19 DEMAR DAHL: Patsy's been a lot of help on this. Patsy is  
20 a good representative for you on NACO. I'll tell you that.  
21 You're just lucky you've got her. She does a good job.

22 COMMISSIONER WAITS: Thank you.

23 CHAIRMAN BAKKER: Thank you.

24 DEMAR DAHL: Is that it?

25 CHAIRMAN BAKKER: Yep.

26 COMMISSIONER WAITS: Thank you, Commissioner.

27 DEMAR DAHL: Thank you.

28 COMMISSIONER MILLS: Okay. Thank you. Appreciate it.

29 DEMAR DAHL: We'll see you.

30  
31 **3) Discussion and possible action to consider Ray H. Williams**  
32 **for Seat E on the Austin Water & Sewer District 2, and all**  
33 **other matters properly related thereto.**  
34

35 CHAIRMAN BAKKER: Okay. Agenda -- Agenda Item Number 3.  
36 Discussion and possible action to consider Ray H. Williams for  
37 Seat E on the Austin Water and Sewer District 2, and all other  
38 matters properly related thereto.

39 COMMISSIONER WAITS: Miteshell, is Ray there this morning?

40 MITESHELL LANHAM: Yes.

1 RAY WILLIAMS: Yeah, I'm here.  
2 COMMISSIONER WAITS: Hi. We have your request. Anything  
3 you wanted to add?  
4 RAY WILLIAMS: No. No, I just -- taking a long while to  
5 get this so I'm ready to go to work and -- (indiscernible).  
6 CHAIRMAN BAKKER: He was the only one --  
7 RAY WILLIAMS: (Indiscernible.)  
8 CHAIRMAN BAKKER: -- that put in?  
9 RAY WILLIAMS: Just for the record, I can only stay on the  
10 board to the end of the term because my -- (indiscernible) --  
11 would be in January.  
12 COMMISSIONER MILLS: I didn't catch that.  
13 CHAIRMAN BAKKER: He can't stay on there very long.  
14 COMMISSIONER WAITS: I'll make a motion that we appoint Ray  
15 H. Williams for Seat E on the Austin Water and Sewer District 2.  
16 Do we know how long that -- that is before the election?  
17 COUNTY CLERK SULLIVAN: So he'll -- Sadie Sullivan, for the  
18 record -- he will fill in until the end of the year and then  
19 we'll -- so we'll publish it with this election.  
20 So he'll just be --  
21 COMMISSIONER WAITS: So it's good until December 31<sup>st</sup>?  
22 COUNTY CLERK SULLIVAN: Correct.  
23 COMMISSIONER WAITS: Okay.  
24 COMMISSIONER STIENMETZ: I'll second the motion.  
25 CHAIRMAN BAKKER: Motion's made and seconded. Any public  
26 comment?  
27 No public comment.  
28 RAY WILLIAMS: Thank you.  
29 CHAIRMAN BAKKER: All in favor?  
30 COMMISSIONER STIENMETZ: Aye.  
31 COMMISSIONER MILLS: Aye.  
32 COMMISSIONER CLARK: Aye.  
33 COMMISSIONER WAITS: Aye.  
34 COMMISSIONER STIENMETZ: Thanks, --  
35 COMMISSIONER WAITS: Thank you --  
36 COMMISSIONER STIENMETZ: -- Ray.  
37 COMMISSIONER WAITS: -- for stepping up, Ray.  
38 CHAIRMAN BAKKER: Thanks, Ray.  
39  
40

1     **4)     Update from Lander County EMS and all other matters properly**  
2     **related thereto.**  
3

4           CHAIRMAN BAKKER: Agenda Item Number 4. Update from Lander  
5 County EMS and all other matters properly related thereto.

6           RICHARD BELL: For the record, my name is Richard Bell.  
7 Good morning, Commissioners.

8           COMMISSIONER STIENMETZ: Good morning, Rick.

9           CHAIRMAN BAKKER: Good morning.

10          COMMISSIONER WAITS: Good morning, Rick.

11          RICHARD BELL: Sorry I was late about getting this in your  
12 dockets. But I think Keith got me hooked up. Thanks, Keith.

13          KEITH WESTENGARD: You're welcome.

14          RICHARD BELL: This report will be for November of '15. We  
15 had a total of 61 runs that month in which only 38 were  
16 billable. To the tune they could have -- they could bill out  
17 \$68,778. Contractual adjustments and accounts sent to  
18 collections. And the bottom line is payments received for that  
19 month or the prior months what was billed was \$34,667. Total  
20 operating expenses for the month that are listed there was  
21 \$67,051.

22          COMMISSIONER MILLS: Are you -- are you keeping track of  
23 this month by month?

24          RICHARD BELL: Yes, sir.

25          COMMISSIONER MILLS: To see if there's any kind of a trend  
26 going on? Because it -- I'm just trying to go from memory. But  
27 it seems like with the payments received, 35,000 bucks and the  
28 total expenses, 67,000, it seems like that ratio's getting  
29 better. Is that --

30          RICHARD BELL: You mean, the --

31          COMMISSIONER MILLS: The amount -- the expenses versus the  
32 revenue?

33          RICHARD BELL: Yes.

34          COMMISSIONER MILLS: It seems -- it seems like they're  
35 getting a little closer.

36          RICHARD BELL: They are getting a little closer.

37          COMMISSIONER MILLS: Okay.

38          RICHARD BELL: And we've got things in the works to even  
39 close that gap better than it is now.

40          COMMISSIONER MILLS: All right.

1 RICHARD BELL: Substantially.  
2 COMMISSIONER MILLS: Because I'm just trying to remember on  
3 history on this. And it seems like it's getting better. So  
4 that's a good sign. Okay.  
5 COMMISSIONER WAITS: Rick, how difficult is it to bring us  
6 up to date a little bit quicker, like if this was December's?  
7 RICHARD BELL: That's part of the -- billing cycle revenue.  
8 They really don't have those numbers till -- she had these like  
9 two weeks ago.  
10 COMMISSIONER WAITS: Couple of -- 60 days behind?  
11 RICHARD BELL: Yeah. It's -- yep. Probably close to 60  
12 days, --  
13 COMMISSIONER MILLS: Yeah.  
14 RICHARD BELL: -- Patsy.  
15 COMMISSIONER MILLS: That's -- that's one of those issues  
16 at the hospital we have is with -- with our billing and --  
17 COMMISSIONER WAITS: Yes.  
18 COMMISSIONER MILLS: -- part of it's computer problems and  
19 part of it's other problems. And we're still working on it.  
20 RICHARD BELL: Any other questions?  
21 CHAIRMAN BAKKER: Southern half of the county.  
22 Been three calls probably the last two weeks down there and  
23 the ambulances come from Battle Mountain. Now a month or two ago,  
24 I asked you the same question and you said they were in training.  
25 So why are we calling people from Battle Mountain when there needs  
26 to be people stationed in Austin?  
27 RICHARD BELL: We don't always have people in Austin  
28 because they work. They have real jobs and because it's a basic  
29 life support service.  
30 Part of the whole system, tiered system that we put  
31 together is when there's a call in Austin, Kingston area,  
32 wherever, we support them with the advanced life support. And  
33 that's why we launch from here.  
34 Instead of waiting till they get on scene to say, do I need  
35 ALS or not, we launch. They can cancel us in route and that's  
36 always how we've done it.  
37 CHAIRMAN BAKKER: But there are services in Austin?  
38 RICHARD BELL: There is services in Austin, which  
39 Commissioner Waits is part of.  
40 Thank you for your time, Patsy.

1 COMMISSIONER WAITS: Once -- once they're there -- if  
2 they're there, we have two EMTs and -- and a driver. So if --  
3 if we have two people out of town, then you can't do anything.

4 But once they're there -- and a couple of our calls have been  
5 midnight in the storms. And -- and once they get on the scene,  
6 then they determine whether they should continue with the  
7 paramedics. We have had calls that they've had to do that. We've  
8 had other times that they've turned around. So every call is  
9 different. But that's the first thing they run is -- is they're  
10 running too. Because, like I said, they're just basic. Although  
11 basic can transport in -- in a lot of areas where we --

12 RICHARD BELL: Absolutely.

13 COMMISSIONER WAITS: -- don't need the paramedic. And  
14 sometimes they've called for Care Flight already.

15 RICHARD BELL: And sometimes we end up rendezvousing with  
16 them to get the ALS to them quicker --

17 COMMISSIONER WAITS: Right.

18 RICHARD BELL: -- so, like --

19 COMMISSIONER WAITS: And transferring --

20 RICHARD BELL: -- Commissioner Waits said, --

21 COMMISSIONER WAITS: -- the patient --

22 RICHARD BELL: -- everything's a little different. We try  
23 to stay flexible and do what's best for the community and the  
24 patient. If you have some suggestions, I'd love to hear it.

25 COMMISSIONER WAITS: I think we should try another class.  
26 I really do. I'd like to see if we can set up some times and do  
27 some advertising and see if we can get a couple more EMTs down  
28 there.

29 KEITH WESTENGARD: Commissioner, --

30 CHAIRMAN BAKKER: I would agree.

31 KEITH WESTENGARD: -- Commissioner, Rick and I have had the  
32 discussion of the safety committee sponsoring a southern EMS  
33 class. So we've had those discussions, just waiting to get it  
34 going.

35 CHAIRMAN BAKKER: Good deal. Thanks, Rick.

36 COMMISSIONER MILLS: Okay.

37 RICHARD BELL: Any questions? Thank you, guys. I  
38 appreciate your time.

39 COMMISSIONER MILLS: Thank you.

40 COMMISSIONER STIENMETZ: Thank you, Rick.

1 CHAIRMAN BAKKER: Thank you.  
2

3 5) Discussion and possible action to approve a process for  
4 modifications to the Lander County Courthouse and  
5 Administration Building located at 50 State Route 305, Battle  
6 Mountain, Nevada 89820, and all other matters properly  
7 related thereto.  
8

9 CHAIRMAN BAKKER: Agenda Item Number 5. Discussion and  
10 possible action to approve a process for modifications to the  
11 Lander County Courthouse and Administration Building located at  
12 50 State Route 305, Battle Mountain, Nevada 89820, and all other  
13 matters properly related thereto.

14 KEITH WESTENGARD: If -- if you'll look in your books,  
15 there's a form that was put together to start the request  
16 process.

17 Once the form is filled out with the modification request,  
18 it'll -- it'll be submitted to -- to me. And then I'll get it on  
19 the agenda for your discussion.

20 And the individual or department head or the elected  
21 official requesting the modification would be here to let you  
22 know what they're looking to do. And it would be discussed at  
23 the meeting.

24 COMMISSIONER MILLS: Is there a guideline on what kind of  
25 modifications this would apply to?

26 KEITH WESTENGARD: Any modification that would affect the  
27 building warranty or actually changing the structure of the  
28 building, removing a wall, putting a window in, or anything that  
29 might affect the warranty of the building.

30 DISTRICT ATTORNEY HERRERA: Or the face -- or the face of  
31 the building.

32 KEITH WESTENGARD: Or the face of the building. Exactly.

33 COMMISSIONER MILLS: Okay.

34 So it's not -- it -- it wouldn't pertain to things like  
35 decoration, hanging pictures, nothing --

36 KEITH WESTENGARD: No. No.

37 COMMISSIONER MILLS: They're pretty free on that kind of  
38 thing?

39 KEITH WESTENGARD: Right. Well, unless you would like  
40 something different. I didn't see --

1 COMMISSIONER MILLS: Okay.  
2 KEITH WESTENGARD: -- a need to ask to hang a picture or  
3 something like that.  
4 COMMISSIONER MILLS: Okay.  
5 CHAIRMAN BAKKER: Need a motion?  
6 KEITH WESTENGARD: Just for the form to -- to put the  
7 process into place. Yes.  
8 And there was one other form that Lura had asked me to --  
9 And I put it in your packets. She just dropped this off to me.  
10 It's just a computer request work order. She uses it now,  
11 but she'd like to make it an official type of a -- a form.  
12 What we're going to do, what Lura explained to me what  
13 we're doing with the computer, IT part of it, she'll have somebody  
14 here Mondays and Wednesdays, eight hours a day to work on  
15 computers. And then they'll also, within that contract that she's  
16 finalizing, they'll be available four hours of call-in.  
17 But in order to have the IT person she's contracted with,  
18 Performance Computing, to work on computers, any department head  
19 or elected official would need to fill out the work order.  
20 COMMISSIONER WAITS: That isn't on the agenda because it's  
21 not agendized as form. So is that something you think we really  
22 have to approve is a computer form?  
23 I'm okay with approving this one. It's the building  
24 modification request, but --  
25 KEITH WESTENGARD: Okay. I was asked that.  
26 COMMISSIONER WAITS: -- we've always had a computer --  
27 KEITH WESTENGARD: Yes.  
28 COMMISSIONER WAITS: -- form of some type. And I think  
29 that's kind of in-house work- -- working. I don't see where --  
30 KEITH WESTENGARD: Okay. That's fine. Lura had asked me  
31 to --  
32 COMMISSIONER WAITS: Okay.  
33 KEITH WESTENGARD: -- to discuss it. She couldn't be here  
34 today. She's in Carson. And if that's the -- the process, --  
35 DISTRICT ATTORNEY HERRERA: Commissioner Waits, the -- the  
36 contract itself is on my desk. And I'm reviewing it in -- in  
37 the process of reviewing it. I thought that once I've reviewed  
38 it, I would agendize the contract itself for your approval. And  
39 at that time, we would attach the forms so you can --  
40 COMMISSIONER WAITS: Okay.

1 DISTRICT ATTORNEY HERRERA: -- approve the forms also.  
2 COMMISSIONER WAITS: Okay.  
3 KEITH WESTENGARD: Thank you.  
4 COMMISSIONER WAITS: I'll make a motion that we approve the  
5 building modification request form.  
6 COMMISSIONER MILLS: I'll --  
7 COMMISSIONER STIENMETZ: I'll --  
8 COMMISSIONER MILLS: -- second.  
9 COMMISSIONER STIENMETZ: -- second the motion.  
10 CHAIRMAN BAKKER: Okay. The motion made and seconded. Any  
11 public comment?  
12 No public comment.  
13 All those in favor?  
14 COMMISSIONER STIENMETZ: Aye.  
15 COMMISSIONER MILLS: Aye.  
16 COMMISSIONER WAITS: Aye.  
17 COMMISSIONER CLARK: Aye.  
18 CHAIRMAN BAKKER: Aye.  
19

20 6) Discussion and possible action to approve a process for  
21 safety procedures to the Lander County Courthouse and  
22 Administration Building located at 50 State Route 305, Battle  
23 Mountain, Nevada 89820, and all other matters properly  
24 related thereto.  
25

26 CHAIRMAN BAKKER: Number -- Agenda Item Number 6.  
27 Discussion and possible action to appro- -- approve process for  
28 safety procedures to the Lander County Courthouse and  
29 Administration Building, located at 50 State Route 305, Battle  
30 Mountain, Nevada 89820, and all other matters properly related  
31 thereto.

32 KEITH WESTENGARD: This would just be a directive that  
33 would be approved by the commission for any entrance into any  
34 offices would require prior approval from that elected official  
35 or department head. You can see that on the back page of your  
36 package there.

37 COMMISSIONER MILLS: Does this have any repercussions for  
38 not following the rule?

39 KEITH WESTENGARD: That would be up to the indiv- -- the  
40 department --

1 COMMISSIONER WAITS: Is this --  
2 KEITH WESTENGARD: -- or elected official.  
3 COMMISSIONER WAITS: -- is this a sample memo that you have  
4 in here then?  
5 KEITH WESTENGARD: Yes. That is correct.  
6 COMMISSIONER WAITS: Something you would be sending out?  
7 KEITH WESTENGARD: Yes. With your approval.  
8 CHAIRMAN BAKKER: All violators will be prosecuted by the  
9 DA.  
10 COMMISSIONER MILLS: There you go.  
11 CHAIRMAN BAKKER: I'm --  
12 COMMISSIONER CLARK: We'd have to have an ordinance then.  
13 Right?  
14 CHAIRMAN BAKKER: That's getting a little much. Okay.  
15 COMMISSIONER MILLS: I was just wondering if we're doing a  
16 thing with no teeth in it, is --  
17 DISTRICT ATTORNEY HERRERA: This is basically --  
18 Commissioners, this is basically, it's been brought to the  
19 attention of the commissioners and basically everybody in the  
20 administration or in this building that -- that there's certain  
21 offices that -- that have confidential information in them.  
22 And this memo is -- is to protect that confidentiality.  
23 If anyone needs to go into an elected official's office, they  
24 need to get prior permission to give the elected official the  
25 opportunity to lock those confidential papers up.  
26 And -- and there's an exception in here of life-threatening  
27 emergencies.  
28 COMMISSIONER WAITS: No, I understand that, but there's no  
29 dates -- so I was questioning whether he had sent it --  
30 KEITH WESTENGARD: No.  
31 COMMISSIONER WAITS: -- or whether it was something you  
32 wanted us to look at. That was my concern.  
33 DISTRICT ATTORNEY HERRERA: We would like your approval,  
34 your stamp of approval, so that the executive director can send  
35 this out to everybody and post it so that if anybody needs to  
36 work on an office on the weekends or any other time, they have  
37 to get prior permission to do so.  
38 CHAIRMAN BAKKER: Sounds good.  
39 COMMISSIONER STIENMETZ: Sounds good to me.  
40 CHAIRMAN BAKKER: Can I get a motion?

1 COMMISSIONER MILLS: What do we call this thing?  
2 CHAIRMAN BAKKER: Safety procedures.  
3 Do we need it in a motion, Ted, or just --  
4 DISTRICT ATTORNEY HERRERA: You need a mo- --  
5 CHAIRMAN BAKKER: Okay.  
6 DISTRICT ATTORNEY HERRERA: -- you need to approve --  
7 COMMISSIONER MILLS: We do?  
8 DISTRICT ATTORNEY HERRERA: -- this.  
9 COMMISSIONER MILLS: Okay. I make --  
10 DISTRICT ATTORNEY HERRERA: We won't --  
11 COMMISSIONER MILLS: -- a motion --  
12 DISTRICT ATTORNEY HERRERA: -- we won't -- as you pointed  
13 out, if there's any violations of this, we would like commission  
14 approval so that violators can be brought in front of the  
15 commission.  
16 CHAIRMAN BAKKER: And have a hearing?  
17 DISTRICT ATTORNEY HERRERA: Well, have some type of hearing  
18 to -- for them to give an explanation of why they're going into  
19 offices they're not supposed to go into.  
20 COMMISSIONER STIENMETZ: Yeah.  
21 CHAIRMAN BAKKER: I hear you.  
22 COMMISSIONER MILLS: Okay.  
23 COMMISSIONER STIENMETZ: I make a motion to approve the  
24 letter from the Lander County executive director to all  
25 personnel.  
26 COMMISSIONER MILLS: I'll second.  
27 CHAIRMAN BAKKER: Okay. Made and seconded. Any public  
28 comment?  
29 No public comment.  
30 All those in favor?  
31 COMMISSIONER MILLS: Aye.  
32 COMMISSIONER STIENMETZ: Aye.  
33 COMMISSIONER WAITS: Aye.  
34 COMMISSIONER CLARK: Aye.  
35 CHAIRMAN BAKKER: Motion passes.  
36 COMMISSIONER CLARK: Okay. Let's take a break for five  
37 minutes.  
38 CHAIRMAN BAKKER: Okay. Let's take a five-minute break.  
39  
40 (Break taken between 10:01 a.m. and 10:11 a.m.)

1 7) Discussion and possible action to move Battle Mountain Water  
2 and Sewer and Road and Bridge North offices to the new Lander  
3 County Courthouse and Administration Building, located at 50  
4 State Route 305, Battle Mountain, Nevada 89820, and to locate  
5 the Public Works director in the current safety office and  
6 the Road and Bridge North executive secretary to the current  
7 county engineer office, and all other matters properly  
8 related thereto.  
9

10 CHAIRMAN BAKKER: Moving on to Agenda Item Number 7.  
11 Discussion and possible action to move Battle Mountain Water and  
12 Sewer and Road and Bridge North offices to the new Lander County  
13 Courthouse and Administration Building, located at 50 State  
14 Route 305, Battle Mountain, Nevada 89820, and to locate the  
15 Public Works director in the current safety office and the Road  
16 and Bridge North executive secretary to the current county  
17 engineer office, and all other matters properly related thereto.

18 KEITH WESTENGARD: So I'm asking for your approval to do  
19 something that's already been started.

20 After some thought about the modifications and so forth to  
21 the buildings and discussion, I come to you humbly and ask that  
22 you approve this change that's already started.

23 COMMISSIONER CLARK: And what --

24 COMMISSIONER MILLS: Were they --

25 COMMISSIONER WAITS: I'm fine with having --

26 COMMISSIONER CLARK: Oh.

27 COMMISSIONER WAITS: -- them --

28 COMMISSIONER CLARK: Yeah.

29 COMMISSIONER STIENMETZ: So am I.

30 COMMISSIONER WAITS: -- in one office.

31 KEITH WESTENGARD: And then we'll -- we'll start the  
32 process to mothball the other building or -- or turn it way  
33 down.

34 DISTRICT ATTORNEY HERRERA: Now, Commissioners, in the  
35 motion, it would be appreciated if you would include  
36 modifications to the offices. Because right now the safety  
37 office says Safety Office. And we want to put instead --

38 COMMISSIONER STIENMETZ: The name.

39 DISTRICT ATTORNEY HERRERA: -- Public Works Director.  
40 So -- which we might as well do it all in one motion because

1 those minor modifications need to be made on the plaques.  
2 CHAIRMAN BAKKER: Well, and the other office probably needs  
3 to say Executive Secretary --  
4 DISTRICT ATTORNEY HERRERA: Yes.  
5 CHAIRMAN BAKKER: -- or --  
6 DISTRICT ATTORNEY HERRERA: So -- so --  
7 CHAIRMAN BAKKER: -- Public Works.  
8 COMMISSIONER WAITS: You want appropriate --  
9 COMMISSIONER STIENMETZ: Titles.  
10 CHAIRMAN BAKKER: Titles.  
11 COMMISSIONER WAITS: You want appropriate titles and name  
12 changes.  
13 DISTRICT ATTORNEY HERRERA: Yes.  
14 KEITH WESTENGARD: And I'll fill out the paperwork, if  
15 you'd like.  
16 DISTRICT ATTORNEY HERRERA: Well, we don't need to if -- if  
17 they approve it right now.  
18 COMMISSIONER MILLS: And they're -- they're taking those  
19 two offices in the back --  
20 KEITH WESTENGARD: Yeah.  
21 COMMISSIONER MILLS: -- by the entrance.  
22 COMMISSIONER STIENMETZ: Yeah.  
23 COMMISSIONER MILLS: All right.  
24 KEITH WESTENGARD: That is correct.  
25 COMMISSIONER MILLS: Okay.  
26 CHAIRMAN BAKKER: Okay.  
27 COMMISSIONER WAITS: I'll make a motion that we -- we  
28 approve the -- the location of the Public Works director and  
29 safety office and the Road and Bridge North secretary to our new  
30 courthouse and administration building with the appropriate --  
31 appropriate titles and name changes and the offices.  
32 COMMISSIONER MILLS: I'll --  
33 COMMISSIONER STIENMETZ: I'll --  
34 COMMISSIONER MILLS: -- second.  
35 CHAIRMAN BAKKER: Okay. Motion made and seconded. Any  
36 public comment?  
37 TAMMY DIMITROFF: Tammy Dimitroff. I am the north  
38 secretary.  
39 CHAIRMAN BAKKER: All right. Tammy, will you come up here,  
40 please, so they can hear you.

1 TAMMY DIMITROFF: I will apologize up front. I have a  
2 cold. So, anyway, Tammy Dimitroff. I am the north Road and  
3 Bridge, Public Works secretary. And I just want to make sure  
4 since we're going to be changing names and everything or titles  
5 or whatever that my title is not executive secretary. It is  
6 administrative assistant at the moment until -- I'm assuming  
7 that job description will probably be changed because it was  
8 under foreman's and now it's public works director. So before  
9 signs are ordered that might be something that you guys want to  
10 discuss.

11 COMMISSIONER STIENMETZ: We should appropriate --

12 DISTRICT ATTORNEY HERRERA: Yeah, you --

13 TAMMY DIMITROFF: Okay.

14 COMMISSIONER STIENMETZ: If the name's changed, we can  
15 change the --

16 DISTRICT ATTORNEY HERRERA: Public Works on both of them,  
17 probably.

18 COMMISSIONER STIENMETZ: Yeah.

19 TAMMY DIMITROFF: Okay. So whatever's handled.

20 COMMISSIONER STIENMETZ: Yeah.

21 TAMMY DIMITROFF: Okay. That's all I have.

22 COMMISSIONER WAITS: Thank you.

23 TAMMY DIMITROFF: Thank you. I love my office.

24 COMMISSIONER STIENMETZ: Thank you.

25 CHAIRMAN BAKKER: Okay.

26 Any more public comment?

27 (No comment.)

28 CHAIRMAN BAKKER: All those in favor?

29 COMMISSIONER STIENMETZ: Aye.

30 COMMISSIONER MILLS: Aye.

31 COMMISSIONER CLARK: Aye.

32 COMMISSIONER WAITS: Aye.

33 CHAIRMAN BAKKER: Aye.

34 Okay. Motion carries.

- 35  
36 8) Discussion and possible action regarding the Road and Bridge  
37 South new building, reallocating funds from the paint line  
38 item to pay for interior remodel that was not budgeted, and  
39 all other matters properly related thereto.  
40

1 CHAIRMAN BAKKER: Agenda Item Number 8.  
2 Discussion and possible action regarding the Road and Bridge  
3 South new building, relocating funds from the paint line item to  
4 pay for an interior remodel that was not budgeted, and all other  
5 matters properly related thereto.  
6 ANNA PENOLA: Good morning.  
7 CHAIRMAN BAKKER: Good morning, Anna.  
8 ANNA PENOLA: Anna, --  
9 COMMISSIONER WAITS: Morning, Anna.  
10 ANNA PENOLA: -- with the Building Department. Getting the  
11 sou- -- the (indiscernible) in the energy building for the Road  
12 and Bridge South.  
13 I just fell into this budget. And no- -- we're doing a  
14 bunch of interior upgrades for the offices and what's needed in  
15 there. And there's not a line item.  
16 So I'd like to take the paint line item and not paint it and  
17 do the upgrades that's necessary, which will also include the  
18 heater that's in your packet.  
19 COMMISSIONER WAITS: Anna, help me with this.  
20 I -- I understand the line item. And that's exactly what  
21 we're doing here. But with your backup information and  
22 everything that needs to be done -- that -- first of all, it  
23 didn't have any name on it. So I'm assuming that this is from a  
24 local contractor.  
25 ANNA PENOLA: Desi.  
26 COMMISSIONER WAITS: Okay. Because every time I see Desi's  
27 bids, --  
28 ANNA PENOLA: Well, --  
29 COMMISSIONER WAITS: -- he always has his name on it.  
30 Right. And it didn't have and I -- so I just wanted to clarify.  
31 But this contract, then, for these materials will come  
32 before us at another agenda item; is that correct?  
33 ANNA PENOLA: No, you're going to approve it now. This is  
34 the --  
35 COMMISSIONER WAITS: You want us to approve all this right  
36 now?  
37 ANNA PENOLA: Yeah.  
38 COMMISSIONER WAITS: Okay. Well, with that -- I guess I'm  
39 concerned if the bid was done the first of September. We're  
40 talking five months old. And he's holding that? We haven't had

1 any change in material prices or anything that would affect it  
2 at all?

3 ANNA PENOLA: Nope. We're --

4 COMMISSIONER WAITS: Okay.

5 ANNA PENOLA: -- we're as good as then.

6 COMMISSIONER WAITS: Okay. Thank you.

7 CHAIRMAN BAKKER: Can I get a motion?

8 Are you guys good? Any questions?

9 COMMISSIONER MILLS: Can you do it?

10 COMMISSIONER WAITS: Sure.

11 I'll make a motion that we reallocate the funds from the  
12 paint line item to pay for the interior remodel for the Road and  
13 Bridge building south.

14 COMMISSIONER MILLS: I'll second.

15 COMMISSIONER STIENMETZ: I'll second the motion.

16 COMMISSIONER MILLS: I second too.

17 COMMISSIONER STIENMETZ: Oh.

18 CHAIRMAN BAKKER: Doug -- Doug got it.

19 COMMISSIONER STIENMETZ: Oh, I thought you were asking for  
20 a second.

21 COMMISSIONER MILLS: We're -- we're competing today.

22 COMMISSIONER STIENMETZ: All right. No problem.

23 CHAIRMAN BAKKER: Patsy made the motion. Doug seconded.  
24 Any public comment?

25 No public comment.

26 All those in favor?

27 COMMISSIONER STIENMETZ: Aye.

28 COMMISSIONER MILLS: Aye.

29 COMMISSIONER WAITS: Aye.

30 COMMISSIONER CLARK: Aye.

31 CHAIRMAN BAKKER: Aye.

32 ANNA PENOLA: Thanks. I appreciate your guys'  
33 understanding and support.

34 CHAIRMAN BAKKER: Thanks, Anna.

- 35  
36 9) Discussion and possible action to accept Gardner Mechanical  
37 Services, Inc., proposal for preventative maintenance on  
38 equipment through June 30, 2016, and all other matters  
39 properly related thereto.  
40

1 CHAIRMAN BAKKER: Agenda Item Number 9. Discussion and  
2 possible action to accept Garner Mechanical Services,  
3 Incorporated, proposal for a preventive maintenance on equipment  
4 through June 30<sup>th</sup>, 2016, and all other matters properly related  
5 thereto.

6 ANNA PENOLA: Good morning, again. Anna Penola, with the  
7 Building Department. And I would like to introduce Scott Wagner  
8 with Gardner.

9 SCOTT WAGNER: Good morning.

10 COMMISSIONER MILLS: Good morning.

11 COMMISSIONER WAITS: Good morning.

12 ANNA PENOLA: This is a proposal to bring to you for the  
13 maintenance. It's -- right now everything is under warranty.  
14 So if any other person outside the contractor that touches the  
15 mechanicals will void the warranty.

16 So it's imperative that we get these guys on to do the  
17 preventive maintenance. This stuff is so high-tech. I -- there  
18 isn't anybody around here locally or outside our perimeter that  
19 would even be qualified to touch this stuff. And putting all  
20 this money upfront and with the beautiful building and keeping  
21 it up, I think it's imperative that we look at this contract and  
22 award it. And if you have any questions, Scott's here to answer  
23 anything you have.

24 SCOTT WAGNER: Yeah. In this contract, we have 76 hours  
25 of -- of labor, includes drive time to come out here. And  
26 that's twice a year -- I'm sorry -- twice in this six-month  
27 period. Okay.

28 And the first time we would come out would probably be  
29 within the next two weeks. That's how far we are behind on  
30 maintenance. It includes filter changes, checking the boilers,  
31 the sensors, cleaning sensors, greasing, lubricating, change  
32 belts, get with the factory on any issues that are a problem  
33 right now, and getting those parts and getting that fixed while  
34 it's still under warranty.

35 CHAIRMAN BAKKER: In a year period, how -- how many -- how  
36 many times does it need to be main --

37 SCOTT WAGNER: Four times.

38 CHAIRMAN BAKKER: -- annual maintenance? Four times?

39 ANNA PENOLA: Quarterly.

40 SCOTT WAGNER: And the manufac- -- quarterly, sir.

1 CHAIRMAN BAKKER: Okay.  
2 COMMISSIONER WAITS: Now, this automatically renews, it  
3 says, at the end of six months.  
4 SCOTT WAGNER: Yes.  
5 COMMISSIONER WAITS: Are we renewing for a year at that  
6 point or --  
7 SCOTT WAGNER: You would renew for another six months if  
8 that's --  
9 COMMISSIONER WAITS: Another six --  
10 SCOTT WAGNER: -- if that's --  
11 COMMISSIONER WAITS: -- months.  
12 SCOTT WAGNER: -- what you'd like. We would just need a  
13 letter from Anna saying, we'd like to renew for six months. And  
14 we'd put that in the computer. Or if you'd like to terminate,  
15 just 30 days' notice that we'd like to terminate and no  
16 problems. We'll hand over all the information -- filter lists,  
17 belts, everything -- to you guys.  
18 COMMISSIONER MILLS: Why is that on a six -- why a  
19 six-month cycle?  
20 COMMISSIONER WAITS: Yeah. I guess we were concerned --  
21 SCOTT WAGNER: I think that was done because of the -- what  
22 I was told --  
23 COMMISSIONER WAITS: The budget?  
24 SCOTT WAGNER: The budget.  
25 COMMISSIONER WAITS: The budget.  
26 SCOTT WAGNER: That your budget starts July 1<sup>st</sup>.  
27 COMMISSIONER MILLS: Oh.  
28 CHAIRMAN BAKKER: Uh-huh.  
29 SCOTT WAGNER: That's why. So we're trying to get you into  
30 the budget.  
31 COMMISSIONER WAITS: Okay. And you had a chance to review  
32 this?  
33 DISTRICT ATTORNEY HERRERA: I've reviewed it. It's -- it's  
34 the -- this is the -- this is a contract that you have to be  
35 comfortable with the terms of it. There's -- there's no hidden  
36 clauses or anything.  
37 COMMISSIONER WAITS: Okay.  
38 DISTRICT ATTORNEY HERRERA: But as long as you're  
39 comfortable with the terms, the contract itself is fine.  
40 SCOTT WAGNER: It's basically about two and a half days a

1 quarter or every time we come out. So we will be spending a  
2 night in a motel out here and coming back the next morning.

3 And the four hours is just -- the second day, which is  
4 driving home. So we will be staying overnight.

5 COMMISSIONER WAITS: Tell me how that works if we actually  
6 have a problem then. We're -- we're doing the preventive  
7 maintenance to keep the warranty in effect. And if something  
8 happens, it falls under the warranty, you bill us, and we have  
9 to go back? Or you go directly to the company or --

10 SCOTT WAGNER: Ma'am. We would take care of that for you.  
11 You would not see a bill. I've already found something on here  
12 on the boiler that needs to be replaced. It's a gauge. So when  
13 I get back to town, I'll get that on order. And hopefully we  
14 can get that one and come out next time just to save drive time.  
15 If it doesn't come in when we do maintenance, then it's on our  
16 dime to come out and fix it for you. Because you have a hundred  
17 percent warranty on this thing if -- if anything breaks.

18 COMMISSIONER WAITS: I just didn't know who -- who accessed  
19 it for us, so...

20 Thank you.

21 SCOTT WAGNER: Yeah. Uh-huh.

22 COMMISSIONER WAITS: Okay.

23 CHAIRMAN BAKKER: Okay.

24 COMMISSIONER STIENMETZ: I'll make a motion to accept the  
25 -- the Gardner Mechanical Services, Incorporated, proposal for  
26 the preventive maintenance on equipment through June 30<sup>th</sup>, 2016.

27 COMMISSIONER MILLS: I'll second.

28 CHAIRMAN BAKKER: Motion made and seconded. Any public  
29 comment?

30 No public comment.

31 All those in favor?

32 COMMISSIONER MILLS: Aye.

33 COMMISSIONER WAITS: Aye.

34 COMMISSIONER CLARK: Aye.

35 ANNA PENOLA: Thank you very much.

36 COMMISSIONER STIENMETZ: Did I need to --

37 SCOTT WAGNER: Thank you.

38 CHAIRMAN BAKKER: Steve, --

39 COMMISSIONER STIENMETZ: -- authorize the --

40 CHAIRMAN BAKKER: -- did you --

1 COMMISSIONER STIENMETZ: -- chair to sign?  
2 CHAIRMAN BAKKER: Ted?  
3 COUNTY CLERK SULLIVAN: He does need a signature.  
4 COMMISSIONER STIENMETZ: What?  
5 COUNTY CLERK SULLIVAN: He does need a signature.  
6 COMMISSIONER STIENMETZ: I saw that.  
7 DISTRICT ATTORNEY HERRERA: You need -- you need to  
8 authorize -- yeah. It's probably better the chair. Yeah. You  
9 need to authorize the chair --  
10 COMMISSIONER STIENMETZ: All right.  
11 DISTRICT ATTORNEY HERRERA: -- to sign.  
12 COMMISSIONER STIENMETZ: I'll add to my motion that  
13 authorize the chair to sign.  
14 CHAIRMAN BAKKER: Okay. Second?  
15 COMMISSIONER MILLS: I'll second.  
16 CHAIRMAN BAKKER: Okay. Made and seconded. Any public  
17 comment?  
18 (No comment.)  
19 CHAIRMAN BAKKER: All those in favor?  
20 COMMISSIONER MILLS: Aye.  
21 COMMISSIONER STIENMETZ: Aye.  
22 COMMISSIONER WAITS: Aye.  
23 CHAIRMAN BAKKER: Aye.  
24 COMMISSIONER CLARK: Aye.  
25 CHAIRMAN BAKKER: Okay.  
26 Thank you, guys.  
27 ANNA PENOLA: Thank you very much.  
28

29 **10) Discussion and possible action to approve the official bonds**  
30 **of all county and township officers so they can be filed and**  
31 **recorded with the county clerk pursuant to NRS 282.080(2),**  
32 **and all other matters properly related thereto.**  
33

34 CHAIRMAN BAKKER: Agenda Item Number 10. Discussion and  
35 possible action to approve the official bonds for all county and  
36 township officers so they can be filed and recorded with the  
37 county clerk pursuant to NRS 282.080(2), and all other matters  
38 properly relating thereto.

39 DISTRICT ATTORNEY HERRERA: Commissioners, I -- I placed  
40 this on the agenda. And I did a little investigation on -- on

1 bonds.

2 And a lot of the elected officials and other people are  
3 required by law to have bonds.

4 Now, we have our bonds through an insurance company. Well,  
5 most of the state has the same. It's a pool, insurance pool.  
6 And every time an elected official gets elected, they're covered  
7 by that bond. And it's been doing that for years.

8 But the statutes -- and -- and I included a copy of the  
9 statute. It's pretty explicit.

10 It says the official bonds of all county and township  
11 officers shall be approved by the Board of County Commissioners  
12 and filed and recorded in the office of county clerk.

13 Now, because the approval has never been taking place,  
14 Sadie has a bunch of empty files with no bonds in there.

15 So we're going to -- after every election -- we're going to  
16 have to be in -- even though bonds are in place, we have to comply  
17 with the statute and bring it in front of the board, have you  
18 approve it, and then ask the -- the county clerk to file and  
19 record said approved bond.

20 COMMISSIONER WAITS: So we're not approving any official  
21 bonds today? We're just --

22 DISTRICT ATTORNEY HERRERA: No, you're -- you're approving  
23 the -- the bonds that we have with the insurance company for all  
24 elected officials.

25 COMMISSIONER WAITS: Okay. So it's not going to come  
26 before us again?

27 COMMISSIONER MILLS: Until after the election.

28 DISTRICT ATTORNEY HERRERA: Not until the reelections.  
29 When -- when you --

30 COMMISSIONER WAITS: Okay.

31 DISTRICT ATTORNEY HERRERA: -- have new officers, --

32 COMMISSIONER WAITS: No, I was just confused how you  
33 were -- you were saying it. You said, you need to approve the  
34 bonds. So it's like, do we have to look at them? is what I'm  
35 saying. Or just --

36 DISTRICT ATTORNEY HERRERA: Well, --

37 COMMISSIONER WAITS: Because now --

38 DISTRICT ATTORNEY HERRERA: -- you should probably --

39 COMMISSIONER WAITS: Or do we have a list?

40 DISTRICT ATTORNEY HERRERA: We don't have that in here.

1 UNIDENTIFIED PARTICIPANT: I have to go upstairs.

2 COMMISSIONER WAITS: And would these bonds include, like,  
3 the justice court employees and --

4 DISTRICT ATTORNEY HERRERA: It includes the -- if you  
5 would -- if you would table this until Jeanne goes and gets a  
6 sample of it, then we could -- revisit this and I can show you  
7 what we're talking about.

8 CHAIRMAN BAKKER: Okay. Then let's ta- -- do you guys want  
9 to jump to another item?

10 DISTRICT ATTORNEY HERRERA: Yes.

11 CHAIRMAN BAKKER: We're going to table Number 11.

12 COMMISSIONER WAITS: No.

13 COMMISSIONER MILLS: (Indiscernible) 10.

14 COMMISSIONER CLARK: No, we're going to table --

15 COMMISSIONER WAITS: We're just going to move to Number 11.

16 DISTRICT ATTORNEY HERRERA: We're just going to move --

17 CHAIRMAN BAKKER: We're going to postpone 10. But we're  
18 tabling Number 11.

19 COMMISSIONER CLARK: Yeah.

20 COMMISSIONER WAITS: Oh.

21 COMMISSIONER CLARK: Eleven is sell the property.

22  
23 **11) Discussion and possible action to sell all surplus Lander**  
24 **County buildings with the exception of the old Lander County**  
25 **courthouse located at 315 South Humboldt Street, Battle**  
26 **Mountain, Nevada 89820, and all other matters properly**  
27 **related thereto.**  
28

29 CHAIRMAN BAKKER: Ted, jump in.

30 DISTRICT ATTORNEY HERRERA: Lander County's never really  
31 sold any property, from the research I've done. So the statutes  
32 are pretty explicit on what we have to do.

33 And one of the things we have to do -- first thing we have to  
34 do -- is make an ordinance and put our -- the appraisals in that  
35 ordinance. So there has to be an ordinance of appraisers.

36 Now, it's my understanding there's only maybe one or two in  
37 the state of Nevada that appraises commercial buildings. And  
38 once we have adopted the ordinance, then the appraisers -- we  
39 could validate what -- the appraisal we've already had.

40 We have six months from the appraisal to put -- put the

1 properties out to see if we want to sell them or whatever. But --  
2 but until we have the ordinance that adopts the appraisers, we  
3 haven't used the proper appraisals.

4 CHAIRMAN BAKKER: So we need to table Number 11.

5 COMMISSIONER WAITS: So you're going to bring us the  
6 ordinance --

7 DISTRICT ATTORNEY HERRERA: Yeah. We could --

8 CHAIRMAN BAKKER: Yeah. Yeah, we're going to --

9 DISTRICT ATTORNEY HERRERA: We have to follow --

10 CHAIRMAN BAKKER: -- have to --

11 COMMISSIONER WAITS: And then we can -- can we do a hearing  
12 the same day?

13 DISTRICT ATTORNEY HERRERA: Yeah.

14 CHAIRMAN BAKKER: Yeah.

15 DISTRICT ATTORNEY HERRERA: These statutes are pretty  
16 explicit that if we don't follow all the provisions, then --  
17 then the sale is void, even if it's years later. So we don't  
18 want to void anything we do, whether it's a lease or a sale. We  
19 don't want that voided because we didn't have an ordinance that  
20 adopts --

21 COMMISSIONER STIENMETZ: Yeah.

22 DISTRICT ATTORNEY HERRERA: -- certain appraisals.

23 COMMISSIONER WAITS: No, I was just clarifying what the  
24 next step is.

25 CHAIRMAN BAKKER: Yes.

26 COMMISSIONER WAITS: You're going to bring us the  
27 ordinance. We'll have the hearing and the ordinance rule the  
28 same day? We can do that?

29 DISTRICT ATTORNEY HERRERA: Well, --

30 COMMISSIONER WAITS: No?

31 DISTRICT ATTORNEY HERRERA: No.

32 COMMISSIONER WAITS: Okay.

33 DISTRICT ATTORNEY HERRERA: Because that --

34 COMMISSIONER WAITS: So bring us the ordinance first.  
35 Okay.

36 DISTRICT ATTORNEY HERRERA: And then we're going to have to  
37 do some --

38 CHAIRMAN BAKKER: So we're going to skip to Agenda Item  
39 Number 12.

40 DISTRICT ATTORNEY HERRERA: Okay. There's a lot of other

1 steps in the process.

2 CHAIRMAN BAKKER: Okay.

3  
4 **12) Discussion and possible action to start the process to create**  
5 **a resolution for the creation of a cemetery board and/or**  
6 **administrator, and all other matters properly related**  
7 **thereto.**  
8

9 CHAIRMAN BAKKER: Discussion and possible action to start  
10 the process to create a resolution for the creation of a  
11 cemetery board and/or administrator, and all other matters  
12 properly related thereto.

13 GRACE POWRIE: Good morning.

14 CHAIRMAN BAKKER: Good morning.

15 COMMISSIONER MILLS: Good morning.

16 COMMISSIONER WAITS: Good morning.

17 GRACE POWRIE: Grace Powrie, Lander County treasurer and  
18 cemetery administrator, for the record.

19 BERT RAMOS: Bert Ramos, Public Works.

20 GRACE POWRIE: After the last commission, the executive  
21 director came and told me that this was going to be on the  
22 agenda.

23 And visiting with a couple of the commissioners, my  
24 understanding was it was more of the fee schedule that was  
25 questioned more so than the board and the cemetery  
26 administrator.

27 So I guess, first, we need to know what the board wants or  
28 what explanation you need so that we can give you a history as  
29 to where we've come. And then we can go from there.

30 DISTRICT ATTORNEY HERRERA: Commissioners, and this may be  
31 one of the problems. We couldn't find anything in the minutes  
32 where any of the boards, any of the county commissioners have --  
33 have authorized or appointed a -- a cemetery administrator.

34 GRACE POWRIE: I believe the cemetery administrator was  
35 first appointed back in 1982, if not even before. It would have  
36 been Ila Shepherd when she took the treasurer's position of the  
37 county. She was the cemetery administrator for ten years.

38 And in 1993, when I took office, I became the cemetery  
39 administrator. Whether it was officially done --

40 DISTRICT ATTORNEY HERRERA: No, it wasn't.

1 GRACE POWRIE: -- on a record or whether it was, you know,  
2 just -- I know we had a -- well, that's all I know. Since 1993,  
3 it's been the practice as the administrator being in the  
4 treasurer's office. And I've held that position.

5 In addition to that, we had a cemetery board, but it was  
6 more of a beautification board. The -- the checks that came in  
7 to the county still went into a checking account, double  
8 signature required. Only the beautification or the donations  
9 that went toward planters or trees or that type of thing.  
10 Jeannie Bianchi, Molly Crimmins, and myself were on that board,  
11 just more to kind of, you know, to kind of guide around.

12 A gentleman by the name of Leonard Shepherd had been a  
13 volunteer over there for years. And then they finally gave him  
14 a \$500 bill a month to do everything that we always did. But  
15 with the OSHA requirements and everything that kept coming  
16 through the world, we couldn't have outside people come and use  
17 county equipment to dig graves anymore.

18 We used to have a gentleman by the name of Stanley Estes do  
19 most of our grave digging. And it would be like 150 bucks.  
20 He'd take 75. The county would keep 75 for maintenance and --  
21 and repairs.

22 So over the years, the -- the structure of the -- of the  
23 cemetery has become much, much better.

24 The cemetery beautification board dissolved. All that  
25 money is actually kept in the county General Fund. And we very  
26 seldom have donations to the cemetery for beautification. It's  
27 usually built within our budget, the cemetery budget.

28 The public works director in the past has always done the  
29 maintenance expenses, the -- the wage expenses for their  
30 employees.

31 I just take the money when there's a service from the  
32 family, by the resolution, and the fee schedule that's set by  
33 the commissioners.

34 In -- prior to 2008, the fees for a opening, closing for a  
35 grave was \$350 and the plot was 200.

36 In 2008, the public works director was asked, basically, to  
37 make sure that that was covering the cost of employees and the --  
38 the expenses of the machinery and -- and the time.

39 The public works director gave the commissioners a  
40 recommendation. And in 2008, those fees were then adopted.

1 In addition to that, a maintenance fee -- a one-time  
2 maintenance fee of \$100 was added so that it would help maintain  
3 the grass and the -- the facility over there.

4 I don't believe this has even been entertained over the  
5 last eight years. The last public works directors that we've  
6 had, I would think that this would come up during their budget  
7 time each year when they're submitting their budgets. And this  
8 is the first time it's been brought back to our attention that  
9 they need to be revisited.

10 DISTRICT ATTORNEY HERRERA: Commissioners, what Grace says  
11 is true. However, prior to that, there never was a cemetery  
12 board per se.

13 GRACE POWRIE: Correct.

14 DISTRICT ATTORNEY HERRERA: As she said, there was a --  
15 there was a beautification committee, is probably the best way  
16 to -- to say it.

17 And when -- when Grace took it over from her predecessor,  
18 who did it for ten years, it was never authorized as a -- as a  
19 cemetery board or a cemetery administrator. So no cemetery  
20 administrator has ever been really authorized.

21 Grace has been nice enough to -- to carry on this duty.

22 But the board should -- your board -- should appoint a hos-  
23 -- or a cemetery administrator or have the public works be the  
24 cemetery administrator. Because the ordinance contemplates either  
25 a cemetery board, a cemetery administrator, or the director of  
26 public works.

27 GRACE POWRIE: Okay. I -- I was reading this. It's true.  
28 It says on here -- and this is the only place I see -- it says,  
29 cemetery rates shall be set by the resolution of the Board of  
30 County Commissioners. The manner of handling the collection of  
31 the fees shall be at the discretion of the cemetery  
32 administrator or the director of the public works, unless  
33 otherwise directed by the resolution of the board of county  
34 commissioners.

35 So the way it works today is I work with the family, the  
36 funeral home. We -- we have the family come into the office.  
37 We keep charts, make sure everyth- -- all the ownership and  
38 everything of the -- of the plots and stuff are taken care of.

39 The public works is my right-hand person. I call them as  
40 soon as it's confirmed that we're having a grave or that

1 something's wrong over there. And then their -- their  
2 department takes care of that.

3 So I don't -- I don't know if we just need to have it put  
4 on record. It also needs to be looked at in Austin and Kingston  
5 because Shannon Thiss is acting as the administrator there,  
6 which would have been at the same time. We would have had a  
7 different name, possibly.

8 Tammy Mancini used to be the one in Austin. And now Mites-  
9 -- well Joy Brandt had been. And now -- now Miteshell is doing  
10 the same thing.

11 So it has been more of a -- not going to say I do it out of  
12 the kindness of my heart. But it is something that has always  
13 been a part of taking that position. And it's been in the  
14 courthouse so we're always open 8:00 to 5:00, Monday through  
15 Friday, unless it's a holiday. It's very comforting for the  
16 family to be able to come in and take care of business.

17 COMMISSIONER WAITS: Well, Kingston's a little bit  
18 different because they have their own board.

19 GRACE POWRIE: Right.

20 COMMISSIONER WAITS: So they don't really -- they don't  
21 even follow the regulations and the -- the fee schedules --

22 GRACE POWRIE: True.

23 COMMISSIONER WAITS: -- that --

24 GRACE POWRIE: They try to -- they try to mirror it to a  
25 degree. But you're correct. They are different.

26 COMMISSIONER WAITS: Right. But -- but Austin has always  
27 come to you as -- as the cemetery guru, with any -- anything  
28 that we can do to comply. But we follow the fee schedule  
29 because it was set by the -- the board in, like you said, 2008.

30 GRACE POWRIE: In respect to Miteshell and Joy and people  
31 in that position at the commissioner chambers, they've always  
32 acted as me in that end of the county. Because Austin cemetery  
33 records are kept in Austin, not in Battle Mountain. Battle  
34 Mountain cemetery records are kept in Battle Mountain, not in  
35 Austin. The records are kept separately. So that person  
36 maintaining that record should have recognition and the -- the  
37 right to do what -- basically what I'm doing here, they should  
38 be able to do there.

39 CHAIRMAN BAKKER: Well, and the public works covers Battle  
40 Mountain and Austin too.

1 GRACE POWRIE: As far as the digging and stuff, they do.  
2 Yes, they do. All the -- all the maintenance and all that kind  
3 of stuff, yeah, absolutely, they do. But they don't handle --  
4 they don't handle any of the moneys or the records of the graves  
5 and that kind of stuff.

6 CHAIRMAN BAKKER: Right.

7 COMMISSIONER WAITS: The people go directly to the offices.  
8 They don't go to Road and Bridge.

9 CHAIRMAN BAKKER: I'm saying if you set up fee scheduling  
10 with Public Works, it would cover Austin and Battle Mountain, --

11 GRACE POWRIE: Correct.

12 CHAIRMAN BAKKER: -- if we were to change it by resolution  
13 or anything.

14 GRACE POWRIE: You're talking the fees now?

15 CHAIRMAN BAKKER: Yeah.

16 GRACE POWRIE: Yes, it would -- it would --

17 COMMISSIONER WAITS: Oh. Are you thinking about changing  
18 the fees or just the names?

19 CHAIRMAN BAKKER: Well, Bert?

20 BERT RAMOS: I would like to see the fees changed.

21 COMMISSIONER WAITS: Higher or lower?

22 BERT RAMOS: Lower. You know, there's -- there's enough.  
23 I've been -- I've been arguing this since I was in Austin.  
24 Because there's -- the families already have enough hardship as  
25 is. And then I don't mind the 800 that buys the plot and -- and  
26 pays for their -- their section of ground. But then if they  
27 come in on a weekend -- they want a burial on the weekend, it's  
28 an additional 800, which I don't think is fair to the family.

29 Our overtime budget is built into our -- into our program.  
30 So it's just an addi- -- you know, and other thing that needs to  
31 be considered is we don't get transients into -- into our  
32 cemeteries. So we don't take people that haven't resided in our  
33 county. And so we're -- we're essentially just punishing  
34 those -- the people of our county. And I don't like that.

35 COMMISSIONER WAITS: Well, I think it would be great to do  
36 away with the weekend ones. I know it's been very, very  
37 difficult having a funeral on a Monday or a Tuesday for the  
38 family because they didn't want to pay the extra cost for that  
39 Saturday. I'm -- that would be great.

40 GRACE POWRIE: And just a little history. Where that came

1 about is when we had the scheduling for, I guess, it's the man  
2 on call on the weekends. They just kind of covered the  
3 weekends. It wasn't really a seven-day schedule for the -- the  
4 workday.

5 So back in 2008, also in the ordinance, it states that, the  
6 customary workweek, it's code 8.32.080, the opening and closing  
7 of the funeral times. It states in there that the Public Works  
8 division shall perform all opening and closing of burial plots  
9 in the Battle Mountain and Austin cemeteries, unless alternative  
10 arrangements are made with the Public Works division, all  
11 funeral services in the Battle Mountain and Austin cemeteries  
12 shall be held on a Monday through Friday during the customary  
13 work hours of the Public Works division.

14 With what said, as long as there's alternative arrangements  
15 made with the public works, we can still have them on Saturday and  
16 Sundays. In addition, before -- because this is going to have to  
17 be changed eventually in the ordinance, I imagine, to make all  
18 this where we want it to go. But for today's world, we can still  
19 make this happen. The public works shall charge additional fees  
20 to open and close burial plots not done during its customary work  
21 hours.

22 I, again, I can make that happen. I can charge a dollar.  
23 I mean, we can get around it a little bit. But it needs to be  
24 made right. But right now we're stated that -- we can make  
25 alternative arrangements that he has to, he shall charge more  
26 money. So at the end of the day, we're only as good as our  
27 ordinance and our fee schedule in place, our resolution.

28 I do believe also it needs to be changed.

29 In the last year, I've had two Saturday funerals. I've had  
30 to charge two families, --

31 DISTRICT ATTORNEY HERRERA: Commissioners, --

32 GRACE POWRIE: -- \$850.

33 DISTRICT ATTORNEY HERRERA: Excuse me, Grace. We're  
34 getting off the agenda item.

35 GRACE POWRIE: Oh, I'm sorry.

36 DISTRICT ATTORNEY HERRERA: No, that's -- what I suggest is  
37 that you appoint a cemetery administrator because it's never  
38 been done. Grace, again, has been working in that capacity.

39 And the ordinance contemplates these two: public works  
40 director and/or the -- the cemetery administrator. Now, your

1 choice is to make Grace the cemetery administrator or Bert the  
2 cemetery administrator or make them both a cemetery board and make  
3 them co-administrators.

4 But we have to appoint a cemetery administrator.

5 CHAIRMAN BAKKER: And then the public works --

6 DISTRICT ATTORNEY HERRERA: And then -- then the cemetery  
7 administrator and the board that you appoint can, on their own,  
8 look at the fee schedule and bring any modifications or changes  
9 in front of your board for approval.

10 COMMISSIONER WAITS: So question is then: If we can  
11 continue like we have without the proper titles but still have  
12 been working together and Grace has been our temporary one, can  
13 we still go with something like that? Or do you think we need  
14 to name Austin also?

15 GRACE POWRIE: I don't know that the agenda reads and that  
16 it actually states both -- I think --

17 COMMISSIONER WAITS: It didn't name Battle Mountain or  
18 Austin.

19 GRACE POWRIE: I believe it would --

20 DISTRICT ATTORNEY HERRERA: That's true.

21 GRACE POWRIE: -- be. And that's the legal counsel. I --  
22 I think it would be best to name whoever's sitting in that  
23 responsibility role --

24 COMMISSIONER WAITS: The commission office?

25 GRACE POWRIE: -- to be -- I mean, continue things as they  
26 are. Everything works really good. But it's up to legally, I  
27 guess, is how it should be done.

28 DISTRICT ATTORNEY HERRERA: Public Works runs the whole  
29 county in that capacity.

30 So that's why Bert's here right now. Again, it seems to me  
31 the most efficient way is to have Bert, or Bert and Grace, be on  
32 the cemetery board for the whole county.

33 GRACE POWRIE: Okay.

34 COMMISSIONER WAITS: So my question is then: Bert does the  
35 whole county, but shouldn't he be working with Grace and  
36 Miteshell? Or the commission office in Austin, whoever that is?

37 DISTRICT ATTORNEY HERRERA: It's how --

38 COMMISSIONER WAITS: Because locally, they're the ones that  
39 need to contact him and do everything anyway.

40 DISTRICT ATTORNEY HERRERA: But Public Works runs Austin.

1 He has -- he's in charge of Austin.  
2 COMMISSIONER WAITS: No. No. My question was: Should we  
3 name Austin to work with him?  
4 DISTRICT ATTORNEY HERRERA: Well, there's no -- you have to  
5 name a cemetery administrator, if you want to do a separate one  
6 to Austin. There's no -- not one in existence in the county.  
7 COMMISSIONER WAITS: I understand that but I'm --  
8 COMMISSIONER MILLS: Right.  
9 COMMISSIONER WAITS: -- trying to get the feedback of what  
10 they would like to do.  
11 COMMISSIONER MILLS: And I agree with what you're saying  
12 because it's a combination of three people, not just two.  
13 COMMISSIONER WAITS: Yes.  
14 COMMISSIONER MILLS: Because you've got to cover Austin.  
15 So it's -- it's a coordination between Bert and Grace and --  
16 did you say, Miteshell, down in Austin?  
17 DISTRICT ATTORNEY HERRERA: Then --  
18 COMMISSIONER WAITS: Yeah.  
19 DISTRICT ATTORNEY HERRERA: -- put all three of --  
20 COMMISSIONER WAITS: Just --  
21 DISTRICT ATTORNEY HERRERA: -- them on --  
22 COMMISSIONER MILLS: Shouldn't we --  
23 DISTRICT ATTORNEY HERRERA: -- as the --  
24 COMMISSIONER MILLS: -- put all three --  
25 DISTRICT ATTORNEY HERRERA: -- cemetery --  
26 COMMISSIONER MILLS: -- of them?  
27 DISTRICT ATTORNEY HERRERA: -- board for the -- for the --  
28 COMMISSIONER WAITS: Yeah.  
29 DISTRICT ATTORNEY HERRERA: -- county.  
30 COMMISSIONER MILLS: Put them all three as the cemetery --  
31 CHAIRMAN BAKKER: Why don't you --  
32 COMMISSIONER MILLS: -- board.  
33 COMMISSIONER WAITS: Commission --  
34 GRACE POWRIE: Okay.  
35 COMMISSIONER WAITS: -- office. I have a question. I  
36 don't see where it says a cemetery board.  
37 And it's telling me if I'm missing on any of this that I've  
38 read. I have only seen where it says, cemetery administrator or  
39 public works director to help do the -- the money part of it.  
40 I don't know if there has to be a board.

1 DISTRICT ATTORNEY HERRERA: There doesn't have to be.  
2 GRACE POWRIE: There does have to be a board.  
3 DISTRICT ATTORNEY HERRERA: No, there doesn't --  
4 COMMISSIONER WAITS: We can still --  
5 DISTRICT ATTORNEY HERRERA: -- have to be.  
6 COMMISSIONER WAITS: -- name the three of them and it  
7 doesn't have to be called a board.  
8 DISTRICT ATTORNEY HERRERA: No, no. You can name a board.  
9 CHAIRMAN BAKKER: We can create a board.  
10 DISTRICT ATTORNEY HERRERA: You can create a cemetery --  
11 GRACE POWRIE: I --  
12 DISTRICT ATTORNEY HERRERA: -- board.  
13 GRACE POWRIE: I'm going to recommend, from me, just from  
14 being where I'm sitting, it works well that I'm the  
15 administrator of Battle Mountain Cemetery. It works well that  
16 Bert is public works director for the whole county. And it  
17 works well that Miteshell is the administrator for Austin.  
18 And if that doesn't work -- because in my office, the --  
19 the checking accounts and stuff for the moneys go in for the  
20 plots. That's a double signature within my office. Two people  
21 in my office sign the checks. Because I have to have someone  
22 take my place if I'm not there that day at work to be able to  
23 continue to do the banking part of it. So I don't know if that  
24 works, but that's how it works today.  
25 So help me understand too because it still needs to  
26 function tomorrow.  
27 DISTRICT ATTORNEY HERRERA: I'll help you understand.  
28 You haven't been authorized to do it. You've been kind  
29 enough to do it. And you've been doing it for ten years.  
30 GRACE POWRIE: Yes, yes.  
31 DISTRICT ATTORNEY HERRERA: We need authorization.  
32 GRACE POWRIE: Okay.  
33 DISTRICT ATTORNEY HERRERA: And I've given the  
34 commissioners a number of options. But the reason it's on  
35 today's agenda is so we can do things legal in this county.  
36 GRACE POWRIE: Okay.  
37 DISTRICT ATTORNEY HERRERA: And to do that, the county  
38 commissioners has to authorize either one cemetery administrator  
39 or one cemetery board for the whole county.  
40 Now, it talks about Public Works. Public Works is an

1 integral part of this.

2 So you can either authorize Bert; or Bert and Grace; or Bert,  
3 Grace, and Miteshell as one board to run the county.

4 COMMISSIONER WAITS: Okay. So my question is: If I -- if  
5 I do the board, we have to do a resolution?

6 DISTRICT ATTORNEY HERRERA: We have to do a resolution no  
7 matter what.

8 COMMISSIONER WAITS: Even if we just name them?

9 DISTRICT ATTORNEY HERRERA: Yes, ma'am.

10 COMMISSIONER WAITS: Okay. I will make a motion that we  
11 start the process to create a resolution for a cemetery board to  
12 consist of the cemetery administrator in the north, Grace --

13 DISTRICT ATTORNEY HERRERA: Excuse me. Commissioner, there  
14 is no cemetery administrator.

15 COMMISSIONER CLARK: Right.

16 DISTRICT ATTORNEY HERRERA: You can't make that motion.  
17 That's why we're here. There is --

18 COMMISSIONER WAITS: I can't name her? I can just --

19 DISTRICT ATTORNEY HERRERA: You can name her, but you --

20 COMMISSIONER WAITS: -- say the board.

21 DISTRICT ATTORNEY HERRERA: -- can't call her -- you can't  
22 call her --

23 COMMISSIONER WAITS: Okay.

24 DISTRICT ATTORNEY HERRERA: -- you can't call her a  
25 cemetery administrator when she's not.

26 COMMISSIONER WAITS: Oh.

27 CHAIRMAN BAKKER: Hey, Patsy. I'm going to make a -- why  
28 don't you name Public Works and the treasurer because ten years  
29 down the road, Grace may not be here.

30 COMMISSIONER WAITS: Right. No. Absolutely we have to do  
31 that. But I'm saying, I didn't know we were still going to do  
32 it.

33 All right. I -- let me rephrase that.

34 I will make a motion that we start the process to create a  
35 resolution for the creation of a cemetery board to consist of  
36 Public Works, the treasurer's office in Battle Mountain, and the  
37 commissioners' office in Austin.

38 COMMISSIONER CLARK: There you go.

39 COMMISSIONER STIENMETZ: I'll second the motion.

40 CHAIRMAN BAKKER: Okay. Motion made and seconded. Any

1 public comment?  
2 FRANK WHITMAN: Public comment.  
3 UNIDENTIFIED PARTICIPANT: I do have one.  
4 FRANK WHITMAN: Public comment.  
5 CHAIRMAN BAKKER: Hold on. Is it -- who is that?  
6 KEITH WESTENGARD: Frank.  
7 FRANK WHITMAN: Frank Whitman.  
8 CHAIRMAN BAKKER: Frank, go ahead.  
9 FRANK WHITMAN: Frank Whitman in Austin.  
10 (Indiscernible) -- if you're considering --(indiscernible).  
11 CHAIRMAN BAKKER: Hold on, Frank.  
12 FRANK WHITMAN: I'm sorry; can you hear me now?  
13 COMMISSIONER MILLS: It's a little better.  
14 FRANK WHITMAN: Yeah. I think you ought to -- I think  
15 there's a -- (indiscernible) -- hoping that -- (indiscernible)  
16 -- including --  
17 CHAIRMAN BAKKER: Hold on, Frank. There's got to be a bad  
18 connection.  
19 COMMISSIONER MILLS: We're losing you.  
20 COMMISSIONER WAITS: You're cutting out terribly. Can you  
21 hear us okay? Or are we cutting out?  
22 FRANK WHITMAN: I can hear you -- there's just a lot of --  
23 try again.  
24 -- (indiscernible) -- in on this, --  
25 So it's Shannon.  
26 BERT RAMOS: Maybe call somebody's cell phone and put it in  
27 on speaker.  
28 COMMISSIONER WAITS: Okay, Frank, try it again.  
29 FRANK WHITMAN: All right. Shannon -- (indiscernible) --  
30 should be on that list.  
31 BERT RAMOS: Oh, he's trying to say, I think should Shannon  
32 This be included on that list?  
33 COMMISSIONER WAITS: Should Shannon -- should Kingston be  
34 included on that?  
35 FRANK WHITMAN: Yes.  
36 CHAIRMAN BAKKER: No, they have their own separate --  
37 COMMISSIONER WAITS: I don't think so because they come  
38 under another whole separate board.  
39 FRANK WHITMAN: Okay.  
40 COMMISSIONER WAITS: Thank you.

1 FRANK WHITMAN: That's run by the --  
2 COMMISSIONER WAITS: Yeah.  
3 FRANK WHITMAN: Okay.  
4 COMMISSIONER WAITS: Just Austin and Battle Mountain.  
5 FRANK WHITMAN: Got it. Okay.  
6 CHAIRMAN BAKKER: Thanks, --  
7 FRANK WHITMAN: Thank you.  
8 CHAIRMAN BAKKER: -- Frank.  
9 FRANK WHITMAN: (Indiscernible.) Austin out.  
10 RITA ROGERS: Okay. Rita Rogers.  
11 CHAIRMAN BAKKER: Rita, come on up here so they can hear  
12 you in Austin, please. Sorry. New technology.  
13 RITA ROGERS: New technology. You can hear me anywhere I  
14 go, but -- anyway, I'm one of those that was charged the \$800  
15 for a Saturday funeral. And I'm sorry, but funerals are 24/7.  
16 Okay. They're not Monday through Friday. They don't know when  
17 they're dying. They don't know when they're going to be buried.  
18 And you don't know when you've got family coming in. Now I had  
19 family coming in from Texas and California. I know Sean had a  
20 bunch of family coming in at the same time. Okay.  
21 Now, this is keeping it from Monday through Friday because  
22 that's what we work is garbage. Not for funerals.  
23 Okay. The \$800 -- and I elected to pay it because Grace told  
24 me that it was going to cost me an extra \$800 so I could pay the  
25 county boys to do the funeral. Okay.  
26 Where that come from, I hear now Roger Sutton set that back  
27 when he was in there.  
28 I'm sorry, but I worked for the funeral. I dug graves. I  
29 cleaned them. And I closed them for almost five years. Okay.  
30 And I did it on Saturdays. And I've done it on Sundays here  
31 in Battle Mountain. So I know what it takes. And it darn sure  
32 didn't take \$800 for two men to take and do that. Okay. That's  
33 wrong.  
34 Now, I hope things get changed in this community because it  
35 is garbage.  
36 And if you're wanting to set it Monday through Friday, you  
37 better be thinking it again because that's wrong. That is dead  
38 wrong. Okay.  
39 And like I said, I elected to pay it because I needed it on  
40 Saturday to bring my family in.

1 And Bert, he was gracious here. He even said, that was  
2 wrong. I couldn't get ahold of -- and when I got ahold of Grace,  
3 it was because my son was turned down the day before. And he was  
4 told that we could not have a funeral on --

5 LARRY ROGERS: They could not bury him on Saturday.

6 RITA ROGERS: -- on a Saturday. And --

7 LARRY ROGERS: Grace was on vacation. No one else knew and  
8 we're all --

9 CHAIRMAN BAKKER: Larry, state your name.

10 LARRY ROGERS: Larry Rogers, for the record.

11 And I was told I was not burying my father on Saturday.

12 COMMISSIONER WAITS: I'm so sorry.

13 RITA ROGERS: But I called Grace because I've got Grace --  
14 and Grace and I go back many, many years. And I knew she would  
15 talk to me and explain to me why we couldn't. And she said,  
16 I'll be in my office tomorrow. Come in and we'll talk about it.  
17 And I did.

18 And as I said, when she said it was going to cost an extra  
19 800, what are you going to do? Say, well, no, I can't pay that  
20 and tell everybody they can't come because we're not having a  
21 funeral on a Saturday? That's wrong. And I hope nobody in here  
22 has to go through what we've just gone through. Okay.

23 I know Sean's gone through it. And it's hell. Okay.

24 So I hope when you guys all decide to do this and what you  
25 decide to do about it, I do believe there needs to be a board.  
26 I -- I don't think it needs to be on Grace's shoulders by herself.  
27 And I don't think it needs to be on Bert's shoulder by himself.  
28 Okay. They've got a big county to operate. So I -- I hope you  
29 guys all come together on the right decision of this.

30 COMMISSIONER WAITS: Thank you.

31 RITA ROGERS: Okay.

32 CHAIRMAN BAKKER: Thank you, Rita.

33 GRACE POWRIE: Thank you.

34 LARRY ROGERS: That would be my recommendation too as  
35 public comment for Larry Rogers is -- I mean, if she's on  
36 vacation, she shouldn't have to deal with something that goes on  
37 and no one else to be able to make a decision.

38 And at that time we understand that the county was probably  
39 going through some changes. But there still should have been  
40 someone here to tell us how to go through this process.

1           So I mean, on the recommendation of the board or what you  
2 guys are going to do, there needs to be some equal -- that when  
3 Grace is gone, Bert can handle it. You know what I mean? He's  
4 capable to handling every ounce of it.  
5           GRACE POWRIE: Yes.  
6           COMMISSIONER WAITS: Absolutely.  
7           LARRY ROGERS: You know what I mean? Versus one or the  
8 other.  
9           COMMISSIONER WAITS: Thank you.  
10          LARRY ROGERS: So...  
11          CHAIRMAN BAKKER: Thank you, Larry.  
12          COMMISSIONER WAITS: Unfortunately, that has happened in  
13 more occasions than -- than we're -- we're addressing today.  
14 But it is a concern. And I'm -- I'm glad we're taking steps to  
15 do something about it.  
16          CHAIRMAN BAKKER: I think, Bert, you guys got direction  
17 too.  
18          BERT RAMOS: Hey, in all fairness, I'll dig a grave any --  
19 any day of the week. So...  
20          And like I say, it's -- that's a shame. I'm kind of  
21 disgusted to hear that somebody was told that they couldn't.  
22          GRACE POWRIE: Yeah, and on the record, I'm going to -- I'm  
23 going to defend exactly what they said.  
24          Oh, Grace -- Grace for the record.  
25          COMMISSIONER CLARK: We're way off.  
26          DISTRICT ATTORNEY HERRERA: This is way off agenda.  
27          COMMISSIONER STIENMETZ: Yes.  
28          GRACE POWRIE: Oh, okay.  
29          DISTRICT ATTORNEY HERRERA: Way off agenda.  
30          CHAIRMAN BAKKER: Any more public comment?  
31          (No comment.)  
32          CHAIRMAN BAKKER: All those in favor?  
33          COMMISSIONER STIENMETZ: Aye.  
34          COMMISSIONER MILLS: Aye.  
35          COMMISSIONER CLARK: Aye.  
36          COMMISSIONER WAITS: Aye.  
37          CHAIRMAN BAKKER: Aye.  
38          Thank you, guys.  
39          GRACE POWRIE: Thanks.  
40          COMMISSIONER STIENMETZ: Thanks.

1 CHAIRMAN BAKKER: Ted, do you want to go back to your item?

2 DISTRICT ATTORNEY HERRERA: Yes.

3 COMMISSIONER WAITS: Ten?

4 CHAIRMAN BAKKER: Number 10? Was it 10?

5 COMMISSIONER MILLS: Ten, yeah.

6 DISTRICT ATTORNEY HERRERA: Commissioners, have you --  
7 Mr. Chairman, have you opened this one up yet?

8 CHAIRMAN BAKKER: Yeah. Well, didn't we open it up before  
9 --

10 COUNTY CLERK SULLIVAN: You have to reopen.

11 CHAIRMAN BAKKER: It was just discussed.

12 DISTRICT ATTORNEY HERRERA: Have you reopened it?

13 CHAIRMAN BAKKER: Oh. Do I need to reopen Agenda Number  
14 10? Do I need to read that back in?

15 DISTRICT ATTORNEY HERRERA: It would be better for the  
16 record.

17

18 10) Discussion and possible action to approve the official bonds  
19 of all county and township officers so they can be filed and  
20 recorded with the county clerk, pursuant to NRS 282.080(2),  
21 and all other matters properly related thereto.

22

23 CHAIRMAN BAKKER: Okay. Discussion and possible action to  
24 approve the official bonds of all county, township officers so  
25 they can be filed and recorded with the county clerk, pursuant  
26 to NRS 282.080(2), and all other matters properly related  
27 thereto.

28 DISTRICT ATTORNEY HERRERA: Okay. Commissioners, as you  
29 can see, you now have a copy of -- called the Nevada Public  
30 Agency Insurance Pool. And this is kind of like POOL/PACT.  
31 It's -- it's an insurance thing. And most of the counties --  
32 most of the townships, most of the cities, are on this. So  
33 everybody in our county that needs a bond is covered by this,  
34 including the august body itself.

35 And the problem -- not that it's a problem because as soon  
36 as you're elected you're covered by the bond. But I guess the  
37 problem lies in the fact that the statute contemplates that it  
38 has to be approved by the county commissioners. And then the  
39 county commissioners have the clerk record and file it.

40 So I'm asking for you to authorize, ratify, or approve the

1 public bonds and that -- direct the county clerk to file and  
2 record this bond.

3 CHAIRMAN BAKKER: Ted, this bond says we're covered for a  
4 hundred thousand? Is that what this is?

5 Or any elected official?

6 COMMISSIONER WAITS: First paragraph.

7 CHAIRMAN BAKKER: Yeah.

8 DISTRICT ATTORNEY HERRERA: Yes.

9 CHAIRMAN BAKKER: Okay.

10 COMMISSIONER MILLS: Is that enough?

11 DISTRICT ATTORNEY HERRERA: Yes.

12 CHAIRMAN BAKKER: Inflation.

13 COMMISSIONER WAITS: I'll make a motion that we approve  
14 the -- the official bonds of our county and township offices and  
15 direct our clerk to record them.

16 DISTRICT ATTORNEY HERRERA: And file.

17 COMMISSIONER WAITS: And file.

18 COMMISSIONER STIENMETZ: I'll second the motion.

19 CHAIRMAN BAKKER: Okay. Motion made and seconded. Any  
20 public comment?

21 No public comment?

22 All those in favor?

23 COMMISSIONER STIENMETZ: Aye.

24 COMMISSIONER MILLS: Aye.

25 COMMISSIONER WAITS: Aye.

26 COMMISSIONER CLARK: Aye.

27 CHAIRMAN BAKKER: Okay. Motion carries. Thirteen.

28 COMMISSIONER MILLS: Well, Ted, I have a question on this  
29 --

30 DISTRICT ATTORNEY HERRERA: Okay.

31 COMMISSIONER MILLS: -- because it -- it's asking about  
32 that sum. It says, liability shall not exceed the penal sum  
33 established by the member at the time of the position was  
34 created or a hundred thousand dollars, whichever's less. What  
35 is the penal sum established?

36 DISTRICT ATTORNEY HERRERA: Well, could be different for  
37 each -- each person that's elected.

38 The elected officials have their own statutes and their own  
39 amounts.

40 But this contemplates covering all the officials for the

1 statutory amounts.

2 COMMISSIONER MILLS: Okay.

3 Thank you.

4  
5  
6 **Treasurer**

7  
8 13) Discussion for possible action regarding the Nevada Division  
9 of Water Resources FY 2016-17 groundwater basin budgets and  
10 adjustments for the a) Boulder Flat Groundwater Basin in the  
11 amount of \$985.19, b) Kingston Creek (Big Smoky Creek)  
12 Groundwater Basin in the amount of \$2,246.08, c) Clovers Area  
13 Groundwater Basin in the amount of \$16,270.52, d) Humboldt  
14 River Groundwater Basin in the amount of \$12,628.76, e) Lower  
15 Reese River Valley Groundwater Basin in the amount of  
16 \$13,612.39, f) Crescent Valley Groundwater Basin in the  
17 amount of \$36,760.44, g) Antelope Valley Groundwater Basin in  
18 the amount of \$15,575.53, h) Kobeh Valley Groundwater Basin  
19 in the amount of \$3,274.42, i) Middle Reese River Valley  
20 Groundwater Basin in the amount of \$23,813.07, j) Whirlwind  
21 Valley Groundwater Basin in the amount of \$14,572.60, k)  
22 Upper Reese River Valley Groundwater Basin in the amount of  
23 \$3,009.57, l) Carico Lake Valley Groundwater Basin in the  
24 amount of \$1,997.14, m) Rock Creek Groundwater Basin in the  
25 amount of \$0 (zero), n) Big Smoky Valley Groundwater Basin in  
26 the amount of \$561.50, and all other matters properly related  
27 thereto.

28  
29 CHAIRMAN BAKKER: Okay. Agenda Item Number 13.

30 Discussion for possible action regarding the Nevada Division  
31 of Water Resources FY 2016-17 groundwater basin budgets and  
32 adjustments for the a) Boulder Flat Groundwater Basin in the  
33 amount of \$985.19, b) Kingston Creek (Big Smoky Creek) Groundwater  
34 Basin in the amount of \$2,246.08, c) Clovers Area Groundwater  
35 Basin in the amount of \$16,270.52, d) Humboldt River Groundwater  
36 Basin in the amount of \$12,628.76, e) Lower Reese River Valley  
37 Groundwater Basin in the amount of \$13,612.39, f) Crescent Valley  
38 Groundwater Basin in the amount of \$36,760.44, g) Antelope Valley  
39 Groundwater Basin in the amount of \$15,575.53, h) Kobeh Valley  
40 Groundwater Basin in the amount of \$3,274.42, i) Middle Reese

1 River Valley Groundwater Basin in the amount of \$23,813.07, j)  
2 Whirlwind Valley Groundwater Basin in the amount of \$14,572.60, k)  
3 Upper Reese River Valley Groundwater Basin in the amount of  
4 \$3,009.57, l) Carico Lake Valley Groundwater Basin in the amount  
5 of \$1,997.14, m) Rock Creek Groundwater Basin in the amount of \$0,  
6 n) Big Smoky Valley Groundwater Basin in the amount of \$561.50,  
7 and all other matters properly related thereto.

8 Hope I got that all right.

9 This is Grace's?

10 UNIDENTIFIED PARTICIPANT: Yes.

11 COMMISSIONER WAITS: She skipped out. This is one that we  
12 have to do every year. The whole question would be whether I  
13 have to repeat every single thing you just said or whether I can  
14 make a motion that we --

15 COMMISSIONER MILLS: Make a motion.

16 COMMISSIONER WAITS: -- approve Agenda Item number --

17 CHAIRMAN BAKKER: Motion as --

18 COMMISSIONER WAITS: -- 13 as read into the record.

19 COMMISSIONER MILLS: Right.

20 CHAIRMAN BAKKER: Just do that.

21 COMMISSIONER CLARK: Accept the item.

22 CHAIRMAN BAKKER: Do we need to hear from Grace or no?

23 KEITH WESTENGARD: No, it's as Commissioner Waits said,  
24 it's an annual --

25 COMMISSIONER STIENMETZ: It's an annual thing we do.

26 KEITH WESTENGARD: -- annual item.

27 CHAIRMAN BAKKER: Okay.

28 COMMISSIONER WAITS: Okay. I will make a motion that we  
29 approve the Nevada Division of Water Resources fiscal year  
30 groundwater basin budgets and adjustments for Item Number 13  
31 that was read into the record.

32 COMMISSIONER STIENMETZ: I will second that motion.

33 DISTRICT ATTORNEY HERRERA: That'll work.

34 CHAIRMAN BAKKER: Any public comment?

35 UNIDENTIFIED PARTICIPANT: Unless you want it again.

36 (No further comment.)

37 CHAIRMAN BAKKER: All those in favor?

38 COMMISSIONER STIENMETZ: Aye.

39 COMMISSIONER CLARK: Aye.

40 COMMISSIONER MILLS: Aye.

1 COMMISSIONER WAITS: Aye. I hope that doesn't have to come  
2 back on.

3 COMMISSIONER MILLS: Good enough.  
4  
5

6 **FINANCE**  
7

8 **14) Update on budget review, contracts, financial update, and all**  
9 **other matters properly related thereto.**  
10

11 CHAIRMAN BAKKER: Agenda Item Number 14. Update on budget  
12 review, contracts, financial update, and all other matters  
13 properly related thereto.

14 NAN ANCHO: Good morning. Nan, --

15 COMMISSIONER STIENMETZ: Good morning.

16 NAN ANCHO: -- Finance.

17 CHAIRMAN BAKKER: Good morning, Nan.

18 NAN ANCHO: How are you?

19 CHAIRMAN BAKKER: Good.

20 NAN ANCHO: Getting to the end of the week here; huh?

21 All right. So for our Accounts Receivable for the month of  
22 December, we had Water -- Outstanding, I should say. Not Accounts  
23 Receivable. It's Outstanding -- Water is \$15,373; Sewer is  
24 \$15,913; Miscellaneous Water Sewer is at zero; and landfill is  
25 \$11,784, for a total outstanding of \$43,070.

26 And in your packet, also, I gave you our revenues and  
27 expenditures for the second quarter.

28 And if you want to go to the quarterly fund balance report,  
29 for the second quarter, we had revenues at \$3,604,015. And our  
30 expenses were \$6,716,607.

31 We are currently within our allotted budget. We're doing  
32 fine. We're holding steady.

33 So -- but you will -- I do want to explain though too the  
34 revenues usually run about two months behind. So the State  
35 usually lags a couple of months. So that's why it's looking a  
36 little less than it should.

37 So -- but everything's looking fine. We're holding steady.  
38 I don't have any major upsets right at the moment.

39 COMMISSIONER CLARK: I have a question for you.

40 NAN ANCHO: Sure.

1 COMMISSIONER CLARK: On fuel tax, is it a percentage or is  
2 it a set amount?  
3 NAN ANCHO: On the fuel tax, I believe it is a --  
4 COMMISSIONER CLARK: It's percentage of the price?  
5 NAN ANCHO: It's based on a percentage.  
6 COMMISSIONER CLARK: Of the price?  
7 NAN ANCHO: There's a calculation that -- that we get from  
8 the State that I have to factor in.  
9 COMMISSIONER CLARK: Does it -- does it fluctuate when the  
10 price of fuel goes down?  
11 Do we get less revenue?  
12 COMMISSIONER WAITS: Is it per gallon or the price is what  
13 you're asking; right?  
14 COMMISSIONER CLARK: Per gallon would be the price per  
15 gallon.  
16 COMMISSIONER WAITS: Not necessarily. It could be a set  
17 amount per gallon regardless of the price.  
18 COMMISSIONER CLARK: That's what I'm asking.  
19 COMMISSIONER MILLS: That's what he's asking.  
20 COMMISSIONER WAITS: Yeah.  
21 COMMISSIONER CLARK: Is it a percentage or is it a set --  
22 CHAIRMAN BAKKER: I think it's five cents a gallon.  
23 COMMISSIONER CLARK: Is it five cents a gallon? There's  
24 different taxes --  
25 COMMISSIONER MILLS: Well, there's different --  
26 COMMISSIONER CLARK: -- too.  
27 COMMISSIONER MILLS: -- taxes. Probably it depends on  
28 which tax you're talking about.  
29 CHAIRMAN BAKKER: So it goes into the RTC Fund.  
30 NAN ANCHO: I'll bring that to you -- back to the meeting.  
31 COMMISSIONER CLARK: Okay.  
32 CHAIRMAN BAKKER: Thanks Nan. So Patsy, on the -- the tax  
33 revenue you get off the fuel taxes that go into the RTC Fund,  
34 what's the percentage?  
35 COMMISSIONER WAITS: Fifty percent?  
36 COMMISSIONER MILLS: Is that a percentage or a flat rate?  
37 COMMISSIONER WAITS: That's what we're asking. And I was  
38 just clarifying his question. Was it per gallon or was it  
39 percentage? I don't know. I've only seen the amounts.  
40 CHAIRMAN BAKKER: Oh, okay.

1 NAN ANCHO: I'll bring you the details at the next --  
2 CHAIRMAN BAKKER: Okay.  
3 NAN ANCHO: -- meeting.  
4 COMMISSIONER WAITS: We will look at that.  
5 CHAIRMAN BAKKER: I understand what he's saying. Yeah.  
6 COMMISSIONER WAITS: Because if the new one is coming in as  
7 indexing and that will make a difference.  
8 CHAIRMAN BAKKER: Right. Right. Okay.  
9 COMMISSIONER WAITS: It's --  
10 NAN ANCHO: And that's all I have this time.  
11 COMMISSIONER STIENMETZ: Thanks, Nan.  
12 NAN ANCHO: Do you have any questions --  
13 COMMISSIONER CLARK: That's all?  
14 NAN ANCHO: -- about the quarterly or --  
15 CHAIRMAN BAKKER: No, we're going into budgets.  
16 NAN ANCHO: We're going into budgets. I have been  
17 receiving -- I've got a few budgets in. The majority of them  
18 are still out there. They have until the first. It's going to  
19 get busy.  
20 So --  
21 CHAIRMAN BAKKER: Good deal.  
22 NAN ANCHO: Brace yourselves.  
23 COMMISSIONER MILLS: Yes.  
24 CHAIRMAN BAKKER: Thank you, Nan.  
25 NAN ANCHO: Thank you.  
26 COMMISSIONER WAITS: You know, Sean, I really want to say  
27 it's a set amount because I remember them saying we haven't had  
28 an increase for years.  
29 CHAIRMAN BAKKER: I remember the five cents.  
30 COMMISSIONER WAITS: I just remember they said not per  
31 years.  
32 COMMISSIONER MILLS: It could be a percentage increase  
33 also. So...  
34 COMMISSIONER WAITS: Well, there -- there was a discussion  
35 that the federal government wanted to raise the fuel tax and now  
36 with the price going down.  
37 CHAIRMAN BAKKER: Oh. Hey.  
38 COMMISSIONER MILLS: Yeah.  
39 CHAIRMAN BAKKER: Okay.  
40 LIZ HEIMBIGNER: I'm Liz Heimbigner. And I just have a

1 couple of questions at a meeting on December the 16<sup>th</sup>, the  
2 informal one with Ted about the excess furniture and your  
3 buildings.

4 CHAIRMAN BAKKER: It's a different --

5 LIZ HEIMBIGNER: He's --

6 CHAIRMAN BAKKER: -- line item.

7 Liz, we'll have to talk about that, like, public comment.

8 LIZ HEIMBIGNER: It's public comment. That's what I wanted  
9 to talk about.

10 CHAIRMAN BAKKER: Okay. We're not just there yet.

11 LIZ HEIMBIGNER: Oh, you're not there. Oh.

12 COMMISSIONER WAITS: You can have a seat, Liz. It's okay.  
13 we're --

14 COMMISSIONER CLARK: Don't go.

15 COMMISSIONER WAITS: -- almost there.

16 COMMISSIONER MILLS: We'll be there.

17 COMMISSIONER CLARK: Just stay there, Liz.

18 COMMISSIONER MILLS: We'll be there in a minute.

19 COMMISSIONER CLARK: Just stay there.

20 CHAIRMAN BAKKER: Yeah. We'll be right there. Sorry, Liz.

21 LIZ HEIMBIGNER: Oh, I'm (indiscernible) that confuse you.  
22  
23

#### 24 COMMISSIONERS

#### 25 26 **15) Correspondence, reports, and potential upcoming agenda items.** 27

28 COMMISSIONER WAITS: Okay. We're on 15. I think we're  
29 done. Well, almost done.

30 Fifteen. Correspondence, reports, and potential upcoming  
31 agenda items.

32 COMMISSIONER WAITS: For an upcoming agenda item, I would  
33 like to have on the agenda that we might possibly move our  
34 commissioners' meeting in March from the 24<sup>th</sup> to the 31<sup>st</sup>. And  
35 we will discuss that.

36 The biggest reason is because of the aviation, FAA annual  
37 meeting for airports. And many of our folks would like to  
38 attend. And they encourage that. So...

39 And we still -- if we move it to the 31<sup>st</sup>, we still have two  
40 weeks until the next one. So I'd like to put it on the agenda,

1 and we'll discuss it.

2 CHAIRMAN BAKKER: Okay. Anybody else?  
3 Anybody?  
4 Art?

5 COMMISSIONER CLARK: I've got a -- I've got a meeting  
6 tomorrow with the state lands. And that's the only  
7 correspondence I have.  
8  
9

10 **PUBLIC COMMENT**

11  
12 CHAIRMAN BAKKER: Okay.

13 Public comment. Public comment for nonagendized items only.  
14 Persons are invited to submit comments in writing and/or  
15 attend to make comments on a -- any non-agenda item at the board  
16 meeting, if any. And discussion of those comments at the  
17 discretion of the board. All public comment may be limited to  
18 three minutes per person, again, at the discretion of the board.  
19 Reasonable restrictions may be placed on public comment based  
20 upon time, place, and manner. Public comment based upon  
21 viewpoint may not be restricted.

22 COMMISSIONER CLARK: Come on down, Liz.

23 COMMISSIONER WAITS: Come on up, Liz.

24 LIZ HEIMBIGNER: Hi. I just have a couple of -- I'm just  
25 curious about something. Ted had made a remark.

26 CHAIRMAN BAKKER: Liz, I need you to state your name.

27 LIZ HEIMBIGNER: Pardon me.

28 CHAIRMAN BAKKER: Want to state your name, please.

29 LIZ HEIMBIGNER: Liz Heimbigner.

30 Okay. Anyhow, this meeting that was an informal one in  
31 December 16<sup>th</sup> about the buildings and the excess furniture. Ted  
32 said that Lander County needed to tighten their belts a bit.

33 And then at the old courthouse subcommittee meeting,  
34 January the 18<sup>th</sup>, Sean said there was a \$3 million shortfall in  
35 our budget. And I was just curious about where those remarks  
36 were coming from and what they pertain to.

37 That was all.

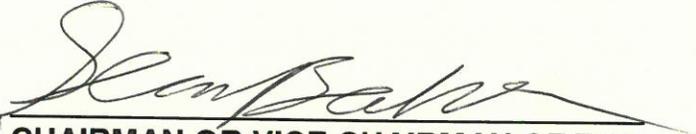
38 CHAIRMAN BAKKER: We can't answer on public comment; can  
39 we?

40 COMMISSIONER STIENMETZ: No.

1 CHAIRMAN BAKKER: No.  
2 COMMISSIONER WAITS: No.  
3 CHAIRMAN BAKKER: Liz, we'll get together here shortly.  
4 LIZ HEIMBIGNER: There's a problem?  
5 COMMISSIONER WAITS: No, we can't discuss --  
6 COMMISSIONER CLARK: No, you can't --  
7 COMMISSIONER WAITS: -- it on public --  
8 LIZ HEIMBIGNER: Oh, --  
9 COMMISSIONER WAITS: -- comment.  
10 LIZ HEIMBIGNER: -- you can't.  
11 COMMISSIONER WAITS: It's not an agenda item for us to  
12 discuss.  
13 LIZ HEIMBIGNER: Oh, I just was -- oh. Okay.  
14 COMMISSIONER WAITS: Thank you.  
15 COMMISSIONER CLARK: Now we have --  
16 COMMISSIONER WAITS: We want to answer you individually.  
17 COMMISSIONER CLARK: Yeah. Now we have thoughts for  
18 consideration.  
19 SADY TINGEY: Are you ready for me?  
20 I'm Sady Tingey. I'm the executive director of the Battle  
21 Mountain Chamber of Commerce.  
22 And I just wanted to step up today and tell you guys that  
23 whoever attended the annual installation banquet on January  
24 14<sup>th</sup>, it was a great success. And I just really appreciate all  
25 your support from Lander County. So thank you.  
26 CHAIRMAN BAKKER: Thank you, Sady.  
27 COMMISSIONER MILLS: Thank you.  
28 CHAIRMAN BAKKER: You did a good job.  
29 COMMISSIONER WAITS: Thank you so much.  
30 CHAIRMAN BAKKER: Any other public comment?  
31 Well, with that?  
32 COMMISSIONER STIENMETZ: I make a --  
33 COMMISSIONER CLARK: I make a --  
34 COMMISSIONER STIENMETZ: -- motion to adjourn.  
35 COMMISSIONER CLARK: -- motion to adjourn.  
36 Second.  
37 CHAIRMAN BAKKER: Made by Steve, seconded by Art.  
38 COMMISSIONER CLARK: All in favor?  
39 CHAIRMAN BAKKER: Public comment?  
40 (No comment.)

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CHAIRMAN BAKKER: All those in favor?  
COMMISSIONER STIENMETZ: Aye.  
COMMISSIONER MILLS: Aye.  
CHAIRMAN BAKKER: Aye.  
COMMISSIONER WAITS: Aye.  
COMMISSIONER CLARK: Aye, aye. Aye.

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

**ATTEST:** Yadie Sullivan  
**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 AUDIO/VIDEO DIGITAL RECORDING OF A MEETING WHICH TOOK PLACE  
12  
13 THE 28TH DAY OF JANUARY 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 RECORDING ALLOWED.  
20

21  
22 DATED AT KAYSVILLE, UTAH,  
23 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_.  
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27 \_\_\_\_\_  
28 TIFFANY ELKINGTON, NV-CCR #930  
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ABBY BURKHART: [16] 11/34 11/37 11/39 12/19 12/24 12/26 12/29 12/31 12/33 12/36 12/40 13/3 13/5 13/8 13/13 13/16	\$100 [1] 46/2
ANNA PENOLA: [15] 35/5 35/7 35/9 35/24 35/27 35/32 35/36 36/2 36/4 36/31 37/5 37/11 37/38 39/34 40/26	\$11,784 [1] 62/25
BERT RAMOS: [6] 44/18 48/19 48/21 54/25 54/30 57/17	\$12,628.76 [2] 60/14 60/36
CHAIRMAN BAKKER: [198]	\$13,612.39 [2] 60/16 60/37
COMMISSIONER CLARK: [50] 7/14 9/29 9/33 11/17 23/31 29/16 30/11 31/33 31/35 32/22 32/25 32/27 34/30 36/29	\$14,572.60 [2] 60/21 61/2
39/33 40/23 42/13 42/18 42/20 53/14 53/37 57/24 57/34	\$15,373 [1] 62/23
59/25 61/20 61/38 62/38 62/40 63/3 63/5 63/8 63/13 63/17	\$15,575.53 [2] 60/18 60/39
63/20 63/22 63/25 63/30 64/12 65/13 65/16 65/18 66/4 66/21	\$15,913 [1] 62/24
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29/8 29/13 30/38 31/19 31/22 31/31 32/28 32/37 33/8 33/21	\$3 [2] 8/1 66/34
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19/15 19/18 20/32 20/35 20/38 20/40 21/2 21/5 21/7 21/10	\$350 [3] 15/21 22/3 45/35
21/12 21/16 21/18 21/21 21/23 21/25 21/30 21/37 21/39	\$350 million [2] 15/21 22/3
22/18 22/23 22/26 22/28	\$36,760.44 [2] 60/17 60/38
DISTRICT ATTORNEY HERRERA: [102]	\$43,070 [1] 62/25
FRANK WHITMAN: [15] 54/1 54/3 54/6 54/8 54/11 54/13 54/21 54/28 54/34 54/38 54/40 55/2 55/4 55/6 55/8	\$500 [1] 45/14
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48/39 49/31 49/34 50/14 50/18 50/20 50/24 50/32 51/33 52/1	\$6,716,607 [1] 62/30
52/10 52/12 52/29 52/31 52/35 56/32 57/4 57/21 57/27 57/38	\$67,051 [1] 24/21
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1	80 [1] 4/14 800 [3] 48/25 48/28 56/19 89820 [7] 27/6 27/12 29/23 29/30 32/4 32/14 42/26 8:00 o'clock [1] 8/18 8:00 to [1] 47/14
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