

1           The Honorable Board of Lander County Commissioners met in  
2 regular session in the Commission Chambers of the Lander County  
3 Courthouse and Administration Building in Battle Mountain,  
4 Nevada, 50 State Route 305, on June 23, 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                  **LAKEN MARINE, COUNTY CLERK REPRESENTATIVE**  
14                  **THEODORE HERRERA, DISTRICT ATTORNEY**  
15                  **NAN ANCHO, FINANCE DIRECTOR**  
16                  **BECKY JOHNSON, HUMAN RESOURCES DIRECTOR**  
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19           (Let the record reflect the presence of a quorum of five  
20 commissioners. Let the record reflect the presence of Austin  
21 via teleconference.)  
22

23           CHAIRMAN BAKKER: I call this meeting to order, Lander  
24 County Commissioner meeting, Town Board of Battle Mountain, and  
25 Austin Board of County Highway Commissioners, June 23<sup>rd</sup>, 2016.

26           Patsy, will you lead us in the pledge?

27           COMMISSIONER WAITS: Thank you. Please join me.  
28

29           (Pledge of Allegiance)  
30

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

33           (Moment of silence)  
34

35           CHAIRMAN BAKKER: Lander County commissioners will break  
36 for lunch from 12:00 p.m. to 1:15 p.m.  
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1 COMMISSIONER REPORTS

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

5 Steve?

6 COMMISSIONER STIENMETZ: I had a LEPC meeting Tuesday. And  
7 that's the only meetings I had.

8 I have a Convention and Tourism meeting tonight.

9 CHAIRMAN BAKKER: Good deal.

10 COMMISSIONER STIENMETZ: Everything else is in here.

11 CHAIRMAN BAKKER: Okay.

12 Doug?

13 COMMISSIONER MILLS: I had -- we had a hospital board  
14 meeting. And Keith came to that and presented a -- a plan on  
15 EMS to see about having the hospital take the EMS for Austin  
16 back and be responsible for that again.

17 And the reason for that is because the -- Lander Coun- --  
18 or Austin doesn't have any people ready at this point to  
19 actually run the EMS down there.

20 So until they get people trained and actually put in place,  
21 our only real option is to have that go back to the hospital.

22 So we discussed that with the hospital. I think they're  
23 open to the idea. Their biggest concern was the amount we  
24 offered to pay them to continue to do that. And we were  
25 offering them twenty-five thous- -- \$2500 --

26 KEITH WESTENGARD: Per month.

27 COMMISSIONER MILLS: -- a month, which represents half of  
28 what we were paying them in the past. Because we were paying  
29 them \$25,000 a month in the past, 20,000 of which was supposed  
30 to be for the Battle Mountain side and 5,000 of that was  
31 supposed to be for the Austin side. So we offered them half  
32 that rate, which matches up with the new agreement we think we  
33 have with them now with the Battle Mountain side.

34 But they kind of balked at that a little bit. They want to  
35 look some more into some of those numbers before they agree to  
36 that. But once we get that worked out, I think that will work  
37 out fine. And then Austin will still have EMS service. And it  
38 gives them an opportunity to get those people put in place that  
39 they need to get in place so that they can do it on their own if  
40 they want to do that in the future.

1 Construction at the hospital's moving forward really well.  
2 If -- if you want to see it, you can go by and look at it. It's  
3 coming along great.

4 The long-term care site is getting walled in, getting a  
5 roof, getting all that stuff put in place.

6 And the -- the side with the clinic is also moving forward  
7 pretty rapidly. So things are going pretty well in that  
8 respect.

9 And then another piece of good news is the Kingston Clinic  
10 received their designation from the state, finally, which means we  
11 can now bill. And several of the companies that we need to bill  
12 have agreed to allow us to bill back to when the clinic opened.  
13 So that's good news.

14 So we'll be able to recoup all those monies that we've  
15 been -- we've been sitting on those bills for over a year waiting  
16 to -- waiting for all this stuff to take place. So that's  
17 finally -- finally going to happen.

18 And that's all I've got.

19 COMMISSIONER CLARK: You going to be able to explain that  
20 to the people that get these bills that --

21 COMMISSIONER MILLS: I hope so.

22 We can explain it. That's not an issue. If they understand  
23 it, that's the other.

24 CHAIRMAN BAKKER: Okay.

25 I had a livestock board meeting. Had the con crew out  
26 painting, cleaning up the place.

27 As far as the rec center goes, NV Energy's kind of the  
28 holdup right now. Well, we're over it. They should get going  
29 here shortly and get the plans for the power and everything  
30 drawn up.

31 So that's about it.

32 Patsy?

33 COMMISSIONER WAITS: Thank you. On the 13<sup>th</sup> of June, we  
34 had the Austin Airport Advisory Board meeting. Everybody is  
35 excited and looking forward to seeing when we can start on the  
36 project for the av fuel.

37 I see that was in the paper, actually, yesterday too.

38 Our fly-in is set for the 20<sup>th</sup> of August. And they actually  
39 did an invitation for the Naval Air Station in Fallon for them  
40 to bring their helicopter and demonstration team. They said they

1 would like to do that. And they're looking to see if -- if that  
2 day and time that we have for the fly-in might work out for them.

3 On June 15<sup>th</sup>, it was Kingston Town Board meeting that I  
4 attended.

5 Unfortunately, the fire trucks didn't work out when they came  
6 up to look at them. They said they're pretty much what they have  
7 and about the -- the same -- the same condition. They wouldn't be  
8 moving up. And that isn't exactly what they had hoped for. So  
9 they're -- they're still -- got their sites on -- on working for  
10 their brush truck or something that would be faster as a response  
11 vehicle -- vehicle.

12 They did receive their consumer confidence report for the  
13 Kingston Water Utility for 2015. And no violations were  
14 reported on that.

15 And they have their annual town fundraiser for the Kingston  
16 firefighters set for August 6<sup>th</sup>.

17 On June 17<sup>th</sup>, I attended the Central Nevada Regional Water  
18 Authority meeting. That's really getting fired up with our  
19 legislation that we have working around that.

20 Senator Pete Goicoechea actually chairs what they called the  
21 Nevada Legislative Commission Subcommittee to study water issues  
22 in Nevada. And they have started meeting.

23 Our -- our commission has been providing recommendations.  
24 They encourage that we actually (indiscernible), been to a  
25 couple of their -- their meetings doing that.

26 There's several things. The water engineer's been trying  
27 to change some statutes and wording in the last legislature that  
28 didn't go through. So they're really working hard on that.

29 And we have some real issues on some of those things that  
30 are going through. The definition of beneficial uses of water,  
31 for example, they're not defined in statute anywhere. So they  
32 want the water engineer to just make up his mind of what he  
33 considers beneficial. Don't necessarily think that's a good  
34 idea. So they're -- they're narrowing on several different  
35 things.

36 There's 236 water basins and most of those actually are  
37 closed.

38 So they're going to be taking some close looks at that.

39 We also had a presentation by the superintendent of Great  
40 Basin National Park, who is with the National Park Service

1 there.

2 And I think we're all familiar with the -- the hundredth  
3 anniversary that's going on with our national park services.  
4 That will be celebrated on August 25<sup>th</sup> of this year.

5 But the Great Basin park actually was -- was created and  
6 designated a national park under Ronald Reagan. So they are  
7 celebrating their 30<sup>th</sup> anniversary in October. And that  
8 actually comprises about 77,000 acres. It -- it truly is a real  
9 national treasure. And -- and I can remember when we were  
10 running around saying, Nevada has the latest national park.  
11 This is so exciting. And now we're not. And it's 30 years old.  
12 It's catching up with us.

13 On June 20<sup>th</sup>, I did attend the social meeting workshop  
14 for NACO. And that was very enlightening.

15 One of the first things that we do know that everyone needs,  
16 if they're going to be going social media for the county, is  
17 policies and regulations.

18 And we've been talking about policies set for our county  
19 employees. And we talked about that for some time. And, of  
20 course, POOL/PACT helped us with a lot of information on that.

21 So now we're looking to some of the other counties that  
22 actually have the social websites. And some of the -- the real  
23 hot subjects were if we were hijacked under social media and  
24 what they do.

25 Or people come on that really are using very unacceptable  
26 language or if they would be -- and they gave the example of  
27 recruiting ISIS. What can you do? Can you delete it? Can you  
28 block it? And the attorney general's office was there  
29 represented, Sarah Bradley. And she said, they're all public  
30 records. Your social media is public records. You cannot  
31 delete. Or if you end up in court, you're going to have to  
32 explain why.

33 Now if you deleted ISIS, you might have a really good --  
34 you know -- good defense. And they probably would agree.

35 So one of them that was on was actually the lady who  
36 handles Douglas County on their social media. And she said, I  
37 don't delete anything, but I do block it. And they don't always  
38 know they're being blocked. But it's there. So I didn't delete  
39 any public record.

40 So then the question that comes back is, okay, you have two

1 paragraphs and they swear like the dickens in the first  
2 paragraph, but then they give you something valid -- very valid  
3 in the second or even part of it, how can you delete and -- and  
4 recreate? And you can't.

5 So we know it's the wave of the future. We know it's  
6 something that will be coming down. And it was an excellent  
7 workshop. And -- and Keith actually attended by video, as he  
8 said.

9 So we're going to see what the pleasure is as it comes down  
10 in the next few years. It's nothing we're going to be putting  
11 on the next agenda, I'm sure, because of some of the pitfalls.  
12 But it's just like infrastructure. It's growth. It's vision.  
13 It's where everybody's at. So we need to be on top of that.

14 Thank you.

15 COMMISSIONER CLARK: I had no meetings since the last  
16 commissioners' meeting.

17 CHAIRMAN BAKKER: Thank you.

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20 **STAFF REPORTS**

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22 CHAIRMAN BAKKER: Staff reports on meetings, conferences,  
23 and seminars attended.

24 KEITH WESTENGARD: All right.

25 I continue to work with the six western states on the sage  
26 grouse issues. We've had a conference call last week. We have  
27 another one next week.

28 I met -- I did meet with Peggy Lindsey over the hospital  
29 stuff and attended the hospital board, as Commissioner Mills  
30 pointed out. And I'm hoping that -- to hear back from them to  
31 be on the next agenda to see what -- what they're thinking  
32 about, what the board's thinking about.

33 Bert and I attended the aquatic risk management training in  
34 Carson City, which was very interesting. With our -- with our  
35 rec center, where it's at right now, there are some things that  
36 I've suggested to Commissioner Mills and Commissioner Bakker  
37 that we look at for our rec center that had to -- have to deal  
38 with drowning. So that'll be probably be on an upcoming agenda  
39 to discuss some drowning prevention programs that we can use  
40 that are going to help prevent drownings in our pool, since they

1 can be very expensive, obviously, I mean.

2 One of the things that was brought out was the litigation  
3 that has to do with -- with drownings.

4 On average, a drowning costs the -- the pool holder a  
5 million dollars if the person passes away.

6 If the person actually lives, survives, it's \$25 million  
7 because you have costs associated with that as far as medical  
8 costs for the life of that patient or that -- that victim.

9 So that's something to think about. The system that we're --  
10 we're talking about is called a Poseidon system. And it's  
11 computer animated, and it detects drownings in the pool before  
12 even a lifeguard can pick it up.

13 And we'll get into that in a future agenda item.

14 We had a LEPC meeting. We're planning for the P.O.D. It  
15 will be in October. I'll have more on that in the future.

16 As Commissioner Waits pointed out, I did attend the social  
17 medi- -- media training via video conference. And it was very  
18 interesting. Talked about how social media can actually violate  
19 the open meeting law. So I wanted to bring that out to you guys  
20 too.

21 And then tonight is Convention and Tourism. So we'll see  
22 how that goes.

23 The av fuel project is moving forward in Austin. We should  
24 be awarding that shortly to have LA Perks do it.

25 That's it.

26 CHAIRMAN BAKKER: Okay. Thank you.

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29 **PUBLIC COMMENT**

30  
31 CHAIRMAN BAKKER: Public comment for non-agendized items  
32 only.

33 Persons are invited to submit comments in writing and/or  
34 attend and make comments on any non-agenda item at the board  
35 meeting, if any, and discussion of those comments at the  
36 discretion of the board. All public comment may be limited to  
37 three minutes per person, again at the discretion of the board.  
38 Reasonable restrictions may be placed on public comment based  
39 upon time, place, and manner. Public comment based upon  
40 viewpoint may not be restricted.

1 Any public comment?  
2 Okay.

3  
4  
5 **CONSENT AGENDA**

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

16 One, approval of agenda notice, June 23<sup>rd</sup>, 2016; two,  
17 May 26<sup>th</sup>, 2016, meeting minutes; three, June 9<sup>th</sup>, 2016, meeting  
18 minutes; four, payment of bills; five, payroll change requests.

19 I don't think we have June 9<sup>th</sup>. So we need to pull that.

20 COMMISSIONER WAITS: Also, I got a note on the payroll  
21 change request, that we need to pull number 77 and 78. So we'll  
22 pull out the payroll change request too on that.

23 CHAIRMAN BAKKER: Okay.

24 COMMISSIONER WAITS: I'll make a motion that we approve the  
25 balance of the consent agenda: the approval of agenda notice,  
26 June 23<sup>rd</sup>; the May 26<sup>th</sup>, 2016, minutes -- meeting minutes; and  
27 the payment of bills.

28 COMMISSIONER MILLS: Second.

29 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded. Any  
30 public comment?

31 (No comment.)

32 CHAIRMAN BAKKER: All in favor?

33 COMMISSIONER MILLS: Aye.

34 COMMISSIONER STIENMETZ: Aye.

35 CHAIRMAN BAKKER: Aye.

36 COMMISSIONER CLARK: Aye.

37 COMMISSIONER WAITS: Aye.

38 CHAIRMAN BAKKER: Okay.

39 Obviously we don't have June 9<sup>th</sup> meeting minutes. Okay.  
40 Payroll change requests, 77 and 78.

1 COMMISSIONER WAITS: I think that's all we had on the  
2 corrections. Just pull those two.

3 So I make a motion that we approve the balance of the  
4 payroll change requests, minus 77 and 78.

5 COMMISSIONER MILLS: Second.

6 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded. Any  
7 public comment?

8 (No comment.)

9 CHAIRMAN BAKKER: All in favor?

10 COMMISSIONER STIENMETZ: Aye.

11 COMMISSIONER MILLS AND CHAIRMAN BAKKER: Aye.

12 COMMISSIONER WAITS: Aye.

13 COMMISSIONER CLARK: Aye.

14 CHAIRMAN BAKKER: Okay.

15  
16  
17 **COMMISSIONERS**

- 18  
19 1) **Discussion for possible action regarding acceptance of**  
20 **renewal proposal from Nevada Public Agency Insurance Pool**  
21 **(POOL) and approval for payment from fiscal year 2016-2017**  
22 **fund, authorize the chairman or vice chairman to sign, and**  
23 **all other matters properly related thereto.**  
24

25 CHAIRMAN BAKKER: Number 1. Discussion for possible action  
26 regarding acceptance of renewal proposal from Nevada Public  
27 Agency Insurance Pool, POOL, and approval for payment from  
28 fiscal year 2016-2017 fund, authorize the chairman or vice  
29 chairman to sign, and all other matters properly related  
30 thereto.

31 KEITH WESTENGARD: This is our annual billing from -- oh,  
32 he's here. I didn't see him.

33 COMMISSIONER WAITS: Good morning.

34 WAYNE CARLSON: Good morning.

35 COMMISSIONER STIENMETZ: Hi.

36 UNIDENTIFIED PARTICIPANT: Good morning.

37 COMMISSIONER STIENMETZ: Thank you.

38 COMMISSIONER WAITS: Did you drive over this morning,  
39 Wayne?

40 WAYNE CARLSON: I got in last night.

1 COMMISSIONER WAITS: Ah. Good I hope?  
2 WAYNE CARLSON: Yeah.  
3 DISTRICT ATTORNEY HERRERA: Thank you, sir.  
4 KEITH WESTENGARD: Thank you.  
5 WAYNE CARLSON: For the record, Wayne Carlson. I'm the  
6 executive director of Nevada Public Agency Insurance Pool.  
7 I handed you a brochure that kind of describes -- that  
8 highlights some of the services that we continue to offer.  
9 While the most utilized and popular is the human resource  
10 management services, we do a lot of training.  
11 One that Keith just mentioned, the aquatics risk  
12 management. We do inspect the swimming pools and do that  
13 training class every year to certify the swimming pool operators  
14 as a -- as a matter of safety.  
15 So we do a lot of -- you know, classroom-type training. But  
16 we also have an online capability, extensive library of -- of  
17 courses on the e-learning platform.  
18 One of the things that we did -- I do an open meeting law,  
19 ethics law and governance training, which is one-to-one training  
20 for the members.  
21 But because the legislation changed on the ethics law to  
22 require all employees to have that training, as well as newly  
23 elected officials prior to their being sworn in, for one person to  
24 get around the state, even -- even two, if you add the ethics  
25 commission that does their training as well, would be too  
26 difficult. So we took the course that we developed and worked  
27 with the ethics commission subject matter expert and developed an  
28 e-learning module. So you can take that course at any time, and  
29 you can assign it to any employee to take.  
30 We did the same thing with the AG's office on the open  
31 meeting law course. So both of those are available as online  
32 resources for you.  
33 And that's an example of the kinds of stuff that we try to do  
34 in an online environment in order to reach more folks.  
35 Our risk management grant program continues. We've given a  
36 number of grants over the years to our members. And that's really  
37 driven by the members' needs. And if they can articulate a risk  
38 management need, then they can go to our website and apply for a  
39 grant.  
40 We just changed the percentage of contribution you make

1 toward the grant. And that's a -- so it's a 75 percent us,  
2 25 percent member match.

3 One of the things that we've initiated again this year is the  
4 Stryker grants, which are the ambulance power lift cots. A number  
5 of members took advantage of that when we offered it a couple of  
6 years ago, where we paid for 50 percent of the cost. And so we've  
7 opened that up again for those members that didn't get everything  
8 they needed then and -- and still would like to have it.

9 Now one thing that has -- it's on the way being delivered, so  
10 you may or may not have gotten them yet -- is the HILT, the Human  
11 Injury Lifting Tool. This is a canvas backboard.

12 And I had a wonderful couple of success stories that were  
13 reported to us. In one case, they had adequate number of EMTs  
14 to move a 350-pound person around tight corners and down stairs  
15 and none of the EMTs got a back injury as a result of that. So  
16 they were successful.

17 The second one was similarly sized individual. They only  
18 had two EMTs available, and so they recruited some neighbors.  
19 And they had to carry this individual over 75 yards. And again,  
20 nobody had a back injury. And so that's the value of that tool.

21 Depending on the terrain and the tight corners, it's better  
22 than a backboard.

23 So those are the kinds of things we like to do to reduce the  
24 risks that you might have.

25 A property and -- and asset management side, we -- the  
26 appraisals, we've done first-dollar appraisals for all of our  
27 members over the last three years. And now we're going to trend  
28 the ones under 200,000 and still do on-sites for those valued at  
29 200,000 or more.

30 So we feel pretty good about having adequate values in all  
31 of the locations identified. Is what we've learned over the  
32 years is that sometimes you forget that you got rid of a  
33 building or tore it down. And other times you forgot to add  
34 one.

35 We had one member a few years ago that built an entire  
36 building and never had anybody put construction insurance on it.  
37 So they got lucky it didn't burn down.

38 So we try to prevent that. The appraisals kind of help  
39 with that.

40 Again, we've -- we've maintained our financial strength to

1 handle the risks that -- that you ask us to take on on your  
2 behalf.

3 So with that, I'll turn to the proposal that you should  
4 have in your -- in your packet.

5 Presently you have a \$1,000 deductible. If you wish to  
6 change that, we can certainly accommodate giving you that option.

7 The property limits, it's a blanket limit for fire and wind  
8 and that sort of thing at 300 million. It's based on your actual  
9 property values. And this year, your property values went up by  
10 about \$20 million.

11 Last year, on the earthquake, we increased that limit to  
12 150 million aggregate limit. And we kept that again this year.

13 And we did the same thing with flood last year and retained  
14 that.

15 And then on the Flood Zone A, we increased that limit from  
16 10 million to 25 million. And we actually got a reduced rate on  
17 our property program because of our good experience with them.

18 The equipment breakdown is more the machinery, the HVAC  
19 equipment, pumps and wells and that sort of thing. We increased  
20 that liability limit from 60 million to 100 million, again, at a  
21 rate reduction.

22 On the next page, the liability limits remain at the  
23 10 million that the members selected a number of years ago. So  
24 each -- each member has a 10 million limit.

25 The cybersecurity event and privacy response. We first  
26 offered this about three years ago. And we didn't charge for it.  
27 We still don't charge for it. It's a 2 million limit. And the  
28 privacy response is a 500,000 limit.

29 Now, this year is a brand-new program called environmental  
30 liability coverage. We had had a program in place, we called a  
31 matrix program with a carrier. And members selected if they  
32 wanted to. It was an optional program. If they wanted it on  
33 their wastewater treatment or on their water treatment facility or  
34 on the swimming pool and so forth. And so they would pay  
35 additional cost for that. The carrier that was writing that  
36 program exited that market entirely. And we think it was a  
37 corporate move to avoid some sort of breakup or other  
38 cannibalization of the company. So they exited the entire line of  
39 business. They were a huge writer in that line of business and  
40 they exited it entirely across the country.

1           So we were searching for a replacement. And we found a  
2 carrier willing to write. But the one -- but the approach they  
3 were willing to give us was a blanket approach for all members.  
4 And the result was a 2-million-each-incident limit with a  
5 \$25,000 deductible. And this was a long- -- long-term effort.  
6 We've been trying to get this blanket thing done with that other  
7 carrier, but we just couldn't get it done with them. And we  
8 couldn't get it done anywhere else in the market. So the market  
9 has changed a little bit. And that gave us this opportunity.  
10 Now, why is it important?

11           Well, we had a school district that had a child bring in a  
12 saltshaker full of mercury and spill it -- a little bit of it.  
13 That cleanup cost a hundred thousand dollars.

14           Two weeks later, a citizen brought in a jar of mercury into  
15 the county administration building and said, Would you dispose  
16 of this for me?

17           It's not exactly the right place to bring it. But it  
18 didn't spill, fortunately. But it shows how much the exposure  
19 exists in all your operations and at any time.

20           So it was important. And the even greater news was that the  
21 board voted to provide this coverage at no charge for all of our  
22 members. So we're absorbing the cost out of the net assets of  
23 POOL, similar to what we did with the cyber liability.

24           And then your total cost this year is 361,748.32. And that's  
25 up, but it's driven by the \$20 million in property value increase  
26 and your fleet increase, primarily. You had a slight payroll  
27 change. But mostly in the property and the auto fleet size.

28           So that's -- that's why it's up.

29           So I'll stop and respond to questions.

30           COMMISSIONER CLARK: Yeah. I -- I have a question. How  
31 are we doing as far as claims and -- and so on?

32           WAYNE CARLSON: Yeah. Your claims experience has been  
33 pretty stable, actually improving.

34           COMMISSIONER CLARK: Okay.

35           WAYNE CARLSON: So that's good.

36           COMMISSIONER CLARK: Okay.

37           COMMISSIONER WAITS: I'll make a motion that Lander County  
38 accept the renewal proposal from Nevada Public Agency Insurance  
39 Pool, POOL, and approval for payment from the fiscal year  
40 2016-2017 fund and authorize the chair to sign.

1 COMMISSIONER STIENMETZ: I'll second the motion.  
2 CHAIRMAN BAKKER: Patsy made a motion. Steve seconded.  
3 Any public comment?  
4 (No comment.)  
5 CHAIRMAN BAKKER: All in favor?  
6 COMMISSIONER STIENMETZ: Aye.  
7 COMMISSIONER MILLS: Aye.  
8 CHAIRMAN BAKKER: Aye.  
9 COMMISSIONER WAITS: Aye.  
10 COMMISSIONER CLARK: Aye.  
11 WAYNE CARLSON: Thank --  
12 CHAIRMAN BAKKER: Okay.  
13 WAYNE CARLSON: -- you very much.  
14 CHAIRMAN BAKKER: Thank you, guys --  
15 COMMISSIONER STIENMETZ: Thank you.  
16 COMMISSIONER WAITS: Thank you --  
17 UNIDENTIFIED PARTICIPANT: Thank you.  
18 COMMISSIONER WAITS: -- for --  
19 COMMISSIONER MILLS: Thank you.  
20 COMMISSIONER WAITS: -- being here.  
21 CHAIRMAN BAKKER: -- and ladies.  
22 COMMISSIONER WAITS: We a- -- we appreciate all your extra  
23 efforts and your workshops. And -- and now we're going to need  
24 you more than ever. We've got new people and new training  
25 and...  
26 So thank you.  
27 WAYNE CARLSON: Yeah. And I was remiss in not mentioning  
28 the law enforcement training has always been ongoing. It's  
29 just -- so that continues. So thank you very much.  
30 CHAIRMAN BAKKER: Thank you.  
31 COMMISSIONER MILLS: Thank you.  
32 UNIDENTIFIED PARTICIPANT: Thanks.

33  
34 **2) Discussion and possible action regarding the Pershing County**  
35 **Economic Development and Conservation Act and joining**  
36 **Pershing County in a bill to declare part of Lander County as**  
37 **"Wilderness" or to leave the area as a "Wilderness Study**  
38 **Area," and all other matters properly related thereto.**  
39

40 CHAIRMAN BAKKER: Okay. Number 2. Discussion and possible

1 action regarding the Pershing County Economic Development and  
2 Conservation Act and joining Pershing County in a bill to  
3 declare part of Lander County as "Wilderness" or to leave the  
4 area as a "Wilderness Study Area," and all other matters  
5 properly related thereto.

6 BRYCE SHIELDS: Is this a microphone?

7 CHAIRMAN BAKKER: Yeah.

8 BRYCE SHIELDS: Do I need to turn it on? Or is it on?

9 CHAIRMAN BAKKER: No, it's on.

10 COMMISSIONER WAITS: It's on.

11 CHAIRMAN BAKKER: State your name, please.

12 BRYCE SHIELDS: Bryce Shields, for the record. I'm the  
13 district attorney of Pershing County.

14 Pat Irwin, our commissioner, he was originally scheduled to  
15 be here this morning. He sends his regrets that he couldn't  
16 make it. He asked me to fill in. So I'm pinch-hitting a little  
17 bit today.

18 So essentially, there's a bill that's scheduled to go in  
19 front of Congress later this month, Pershing County Lands Bill.

20 The language is in flux. The language is changing on a  
21 daily basis.

22 Yesterday, I think language changed and the map changed to  
23 where -- well, let me -- let me start all over.

24 As part of this lands bill, it's going to swap out wilderness  
25 study areas for wilderness areas. And it's going to allow  
26 Pershing County to have a little more say in putting certain lands  
27 available for sale.

28 As part of that process, the wilderness study areas in the  
29 Augusta Mountains that affect Pershing County, Lander County,  
30 and Churchill are going to be reduced. And a portion of that  
31 wilderness study area that affects Pershing, Lander, and  
32 Churchill, it's going to be made into a wilderness area, as  
33 opposed to a wilderness study area.

34 Now, I don't know if -- if in your packets you were given the  
35 maps of the wilderness study area that affects the Augusta  
36 Mountains. That area has changed. That's the information that I  
37 have.

38 And so what Pat has suggested to me is that I relay all -- I  
39 relay to you that we don't want to make any suggestions to  
40 Congress, we don't want to put any maps, we don't want to put any

1 language in this bill until we have the opportunity -- the  
2 Pershing County Commission and the Lander County Commission -- to  
3 sit down and discuss whether you guys want to be a part of the  
4 bill, so to speak, to give you guys the opportunity to insert  
5 language in that bill so that the maps that affect the Augusta  
6 portion of Lander County is favorable to your county.

7 So that's what Pat had asked me to relay to you all.

8 I think that the benefits between a wilderness study area and  
9 a wilderness area are -- are relatively clear. And we can have  
10 that discussion at a later time after we all have the appropriate  
11 maps.

12 But the bullet point, or what I would leave you with, is  
13 that these maps are changing constantly. The language is  
14 changing. And I apologize you don't have the most recent maps  
15 in front of you.

16 But like I said, I was actually pulling up to this building  
17 and I got a call from Pat and said, Hey, the maps that -- the  
18 Lander County Commission is not consistent with the maps that --  
19 well, the most recent version of those maps.

20 So questions?

21 COMMISSIONER WAITS: I know --

22 Counselor, I -- I think this is a very -- a very hot topic, a  
23 very confusing topic.

24 BRYCE SHIELDS: Sure.

25 COMMISSIONER WAITS: And -- and I know back in -- what was  
26 it? -- the 1980s when Congress appropriated the wilderness study  
27 areas in -- in the West especially, under the Battle Mountain  
28 BLM, there were 17 wilderness study areas that were identified.  
29 And I went back to look to see what was happening, because we  
30 kept looking at that throughout, you know, our -- our different  
31 years of living here and wondering, what was happening? Because  
32 most of them were not suitable.

33 BRYCE SHIELDS: Right.

34 COMMISSIONER WAITS: And out of the 17, it turns out that  
35 actually 11 are not suitable --

36 BRYCE SHIELDS: Correct.

37 COMMISSIONER WAITS: -- at all.

38 BRYCE SHIELDS: Right.

39 COMMISSIONER WAITS: And there's only six that they're even  
40 looking it. And of the six, there's a whole lot of acreage

1 that's still not suitable.  
2 BRYCE SHIELDS: Right.  
3 COMMISSIONER WAITS: So I guess what -- when I think I want  
4 to throw myself on the mercy of Congress again, I'm going, I was  
5 just hoping at some point they'd say, Okay, none of them are  
6 suitable and it's yours and --  
7 BRYCE SHIELDS: I know.  
8 COMMISSIONER WAITS: -- pull it out. And so, legally, I'm  
9 going to look at our counselor and say, What do you think?  
10 I mean, I -- I hate to jump into something. And I know, like  
11 I said, it's a very, very hot pot -- you know, hot topic. Because  
12 once it's a wilderness, we're --  
13 COMMISSIONER STIENMETZ: Can't pull --  
14 COMMISSIONER WAITS: -- done.  
15 COMMISSIONER STIENMETZ: -- out of it.  
16 BRYCE SHIELDS: Right.  
17 COMMISSIONER WAITS: Where if it's just a WSA, maybe we can  
18 still --  
19 BRYCE SHIELDS: Well, can -- can I speak to that briefly?  
20 And I -- I apologize. I didn't really explain that in a  
21 lot of detail. I kind of got flatfooted. When I came in here,  
22 I thought we had several minutes and I could read over things  
23 and collect my thoughts. And I saw Ted sitting over there. And  
24 I always love to talk to Ted. So I was going to go visit with  
25 him. And then you called our -- our name. So I would defer to  
26 Ted. If Ted wants to take that question on, I'll make some  
27 comments when he's done  
28 DISTRICT ATTORNEY HERRERA: The -- the proposed language in  
29 the bill first deals specifically with, basically, an agreement  
30 that's legislated between Pershing County and the secretary. It  
31 doesn't -- doesn't say anything about Lander County.  
32 And so based on the language here, Pershing County would get  
33 all the benefits. And it's uncertain if Lander County would get  
34 any benefits -- specific benefits.  
35 Now there's promises. But I don't see any language. This  
36 is an agreement between the secretary and Pershing County that's  
37 been legislated into an act.  
38 If BLM wants to negotiate with Lander County, they should  
39 come and negotiate with Lander County. They shouldn't negotiate  
40 with Pershing County.

1 And -- and, oh, yeah, we need some of Lander County's land  
2 too in this deal. I mean, I --

3 That's my -- that's my take on it with the limited  
4 information I have.

5 CHAIRMAN BAKKER: It's a bad idea.

6 COMMISSIONER WAITS: Thank you.

7 DISTRICT ATTORNEY HERRERA: Well, that's up to you. But --  
8 but legally --

9 CHAIRMAN BAKKER: No, I'm saying it's a bad idea.

10 DISTRICT ATTORNEY HERRERA: -- I don't see any benefits to  
11 Battle Mountain or to Lander County in this -- in -- in the  
12 terminology or in the words of this -- this bill.

13 I -- I just see -- detriments.

14 BRYCE SHIELDS: I --

15 DISTRICT ATTORNEY HERRERA: And --

16 BRYCE SHIELDS: -- I think -- I think that's a -- a fair  
17 initial position to take because that's something that our  
18 county grappled with a great deal as well.

19 You know, when you have this huge area that's a wilderness  
20 study area and you're talking about making that area suddenly a  
21 wilderness area.

22 But the difference that we're talking about is you have  
23 this vast area that's a wilderness study area where there's  
24 absolutely no access whatsoever and there hasn't been access for  
25 35 years, like you talked about, you know, back in the mid-'80s.

26 Now what the BLM is considering -- excuse me -- Congress is  
27 considering is reducing that footprint of wilderness study areas  
28 along the Augusta Range in all three counties and making a small  
29 portion a wilderness area.

30 Now, you're still not going to have a lot of access to the  
31 wilderness area. But you're going to have more access than you  
32 would to that area if it were a wilderness study area.

33 And so there's probably not an economic benefit to Lander  
34 County, but there's an -- there's a -- a benefit because you're  
35 actually reducing the amount of wilderness study areas in your  
36 county. And you're taking a little portion of land and you're  
37 making -- making it a wilderness area.

38 The big concern that I had, as my county's representative,  
39 is how it was going to affect our ranching interest, because we  
40 have a lot of ranchers as -- as Lander County does.

1           There's actually provisions in the bill that will allow  
2 ranchers to go in there and maintain their allotments, maintain  
3 their fences, maintain their -- their water sources.

4           And so, you know, I -- I -- I agree with Ted. There is --  
5 that is a fair initial impression. But when you really dig down  
6 and you think about what this bill is actually going to do, is  
7 it's going to reduce the footprint that the federal government has  
8 in Lander County by reducing the amount of wilderness study areas.

9           COMMISSIONER CLARK: Just --

10          BRYCE SHIELDS: And -- sure.

11          COMMISSIONER CLARK: Just as a matter of curiosity, why  
12 didn't Pershing County go through our public lands commission  
13 first with this?

14          BRYCE SHIELDS: With the Lander County?

15          COMMISSIONER CLARK: Yeah. I mean, wouldn't that be the  
16 logical procedure that you would present this to Public Lands  
17 and then Public Lands would digest it and make a recommendation  
18 to the commission?

19          BRYCE SHIELDS: Well, I don't know if Pershing County was  
20 aware that you had a public lands commission.

21          And let -- let me step back and just kind of explain the  
22 process of this.

23          Initially, the language of this bill was going to address  
24 sage grouse habitat. And what we were trying to do is we were  
25 trying to have the federal government designate some areas or do  
26 some land swaps so that we could control what lands were going  
27 to be designated as sage grouse habitat in Pershing County, as  
28 opposed to the federal government.

29          When that went through, then the bill language changed.

30          And it -- it kind of took on the character that it has now.

31          I -- I will say this, Commissioner Clark, and candidly  
32 speaking to you, probably 45 days ago, Pershing County, we  
33 looked at each other and we said, you know what, if this is  
34 going to go in front of Congress, we probably need to get the  
35 input of Churchill County and Lander County.

36          And so that's why -- if you did have a -- a public lands  
37 commission, that's why it didn't go through there.

38          COMMISSIONER CLARK: Forty-five days ago would have given  
39 you plenty of time --

40          BRYCE SHIELDS: Sure.

1 COMMISSIONER CLARK: -- to schedule it with -- with the  
2 planning.

3 BRYCE SHIELDS: Sure.

4 COMMISSIONER CLARK: This is a disen- -- a disenfranchising  
5 Lander County is how I see it. This is Pershing County --

6 CHAIRMAN BAKKER: Wheeling and dealing on Lander County's  
7 behalf.

8 COMMISSIONER CLARK: Right.

9 COMMISSIONER STIENMETZ: Yeah.

10 BRYCE SHIELDS: Well, you know, the issue is whether you  
11 want to -- whether you want to get involved with the bill so  
12 that you guys can control how much wilderness study area you  
13 have in your county or how much wilderness area you have in your  
14 county.

15 And it's not -- I think that there's a misunderstanding as to  
16 what Pershing County is trying to accomplish with Pershing County  
17 land. Okay.

18 Pershing County has no intention of putting a bill forward  
19 that suggests to Congress, Hey, please give Pershing County all  
20 the benefit. And let's have -- and let's allow Lander County  
21 not to get any benefit whatsoever.

22 This is a bill that, if it goes in front of Congress, what  
23 is in Pershing -- or excuse me -- Lander County as far as  
24 wilderness study area, it's going to stay wilderness study area.

25 The issue is whether Lander County wants to get on board  
26 with crafting some language in the bill to reduce how much  
27 wilderness study area is already in Lander County.

28 Now if there is going to be a reduction in the  
29 wilderness -- in the amount of wilderness study area, on the  
30 Augusta Mountains, there's going to have to be a trade-off. And  
31 that trade-off is you can reduce the amount of wilderness study  
32 area, but you're going have to make that area a wilderness area.

33 COMMISSIONER CLARK: So the trade-off could be we give up  
34 land, we get checkerboard, and that can go up for sale and  
35 development.

36 BRYCE SHIELDS: I think that would probably have to be a  
37 different -- that would have to be a Lander County bill. The  
38 language --

39 COMMISSIONER CLARK: That's what's going to happen in  
40 Pershing County, though; right?

1 BRYCE SHIELDS: Right.  
2 COMMISSIONER CLARK: Right.  
3 BRYCE SHIELDS: Yeah.  
4 COMMISSIONER CLARK: Okay.  
5 DISTRICT ATTORNEY HERRERA: And -- and he's right. That --  
6 that would have to be directly with Lander County.  
7 And --  
8 COMMISSIONER CLARK: Right.  
9 DISTRICT ATTORNEY HERRERA: -- and there's no proposal.  
10 I mean, my -- there's a number of concerns, particularly --  
11 particularly about those -- those ranchers and farmers that --  
12 that have grazing rights. And -- and it says, oh, yeah, they get  
13 to keep them subject to the reasonable -- reasonable conditions  
14 set by the secretary.  
15 Now I don't know the secretary's ever set any reasonable  
16 conditions. So I have a problem with the language also.  
17 COMMISSIONER MILLS: Is --  
18 BRYCE SHIELDS: Sure.  
19 COMMISSIONER MILLS: -- is there a time frame on this?  
20 Because we're -- I think we're dealing with some really low --  
21 BRYCE SHIELDS: Right.  
22 COMMISSIONER MILLS: -- low information here on what's  
23 going on with this.  
24 BRYCE SHIELDS: Well, --  
25 COMMISSIONER MILLS: And to make a decision today would be  
26 --  
27 BRYCE SHIELDS: You are. And I was a little hesitant to  
28 come up and address the commission --  
29 COMMISSIONER CLARK: Right.  
30 BRYCE SHIELDS: -- because I knew that you wouldn't have a  
31 lot of information.  
32 So the intention, based upon what Pat had relayed to me, is  
33 this was going to kind of be an initial foray, to kind of take a  
34 temperature of your board, so to speak.  
35 This bill is going to go in front of Congress in late June.  
36 DISTRICT ATTORNEY HERRERA: When?  
37 BRYCE SHIELDS: Late June.  
38 COMMISSIONER MILLS: Late June?  
39 BRYCE SHIELDS: Yeah. We don't expect it to pass until  
40 probably --

1 COMMISSIONER MILLS: It is late June.  
2 CHAIRMAN BAKKER: Next year.  
3 BRYCE SHIELDS: Like next week.  
4 CHAIRMAN BAKKER: Right. Okay.  
5 COMMISSIONER MILLS: And I don't -- I don't think this  
6 commission's ready to make a decision on that with the  
7 information we have to --  
8 BRYCE SHIELDS: Yeah. Fair enough.  
9 COMMISSIONER MILLS: -- to do that.  
10 BRYCE SHIELDS: And I'm not asking the commission to make  
11 any types of decision today.  
12 COMMISSIONER MILLS: Okay.  
13 BRYCE SHIELDS: Like I said. Commissioner Bakker?  
14 CHAIRMAN BAKKER: Bryce, we're going to let --  
15 DISTRICT ATTORNEY HERRERA: Commissioner, --  
16 CHAIRMAN BAKKER: -- Eddyann's been holding her --  
17 EDDYANN FILIPPINI: Just have a --  
18 CHAIRMAN BAKKER: -- hand up.  
19 DISTRICT ATTORNEY HERRERA: N- -- no, wait, wait, wait.  
20 Commissioners, you need to open it up for public comment if you  
21 --  
22 COMMISSIONER CLARK: Yeah, right.  
23 DISTRICT ATTORNEY HERRERA: -- if you want to let them  
24 talk.  
25 CHAIRMAN BAKKER: Okay.  
26 BRYCE SHIELDS: Well, there --  
27 COMMISSIONER MILLS: Yeah. Let's finish our --  
28 BRYCE SHIELDS: There have been some --  
29 EDDYANN FILIPPINI: Question.  
30 CHAIRMAN BAKKER: Okay. Hold on, Eddyann.  
31 BRYCE SHIELDS: So Mr. Herrera brought up some of the  
32 ranching interests, okay? Legitimate concerns. We have the  
33 same concerns in Pershing County.  
34 And it was interesting to see the process of this bill and  
35 how the language change and how support from the bill changed in  
36 Pershing County.  
37 In August, we sat down -- no, actually it was March we sat  
38 down. And the commission was ready to vote on this bill. And  
39 word hadn't got out -- gotten out in Pershing County about the  
40 bill.

1           So in our small commission chambers -- I don't know how  
2 many of you are familiar with those -- that chambers, but  
3 it's -- I don't know -- a quarter of the size of this room and  
4 it was standing room only, over a hundred people in there,  
5 miners and ranchers, upset that this bill was going to go  
6 forward. And they were upset because they didn't have all the  
7 information they needed to make a decision. And that's what you  
8 guys are faced with now.

9           As information was disseminated, as the bill language was  
10 crafted, the benefit -- mining and ranching interest -- the  
11 support changed.

12           And when the commissioners finally approved this bill, our  
13 ranchers stood up -- several ranchers stood up and they said  
14 that they were in favor of this bill. Because when they were  
15 looking at their allotments, it gave them the opportunity to see  
16 in their allotments, look, this is a wilderness study area. I  
17 can actually dictate to the federal government, through  
18 legislation, the lines of that wilderness study area. I can  
19 move the wilderness study area out of my allotment, or I can at  
20 least curtail some of the footprint of that wilderness study  
21 area out of my allotment.

22           Right now, the restrictions that are placed on wilderness  
23 study areas comp- -- compared to wilderness areas are the same  
24 thing. So if the bill doesn't go through or if Lander County  
25 doesn't want to become a part of the bill, those restrictions are  
26 still going to be there regardless of what happens.

27           CHAIRMAN BAKKER: Why wouldn't Lander County do their own  
28 bill and get their own benefits instead of joining Pershing  
29 County?

30           BRYCE SHIELDS: You know, and I would encourage Lander  
31 County to do that, to look into getting these land bills. I  
32 think that the lands bills -- and I don't want to speak for  
33 Ted -- but it's -- it's a compromise between com- -- competing  
34 interests. I mean, yeah, it's important to protect the  
35 wilderness area. I don't think anyone here would go against  
36 that. The issue is how much wilder- -- wilderness area do you  
37 need?

38           At the same time, in rural Nevada we don't want the federal  
39 government dictating to local interests how their land ought to be  
40 used.

1 And so that's what we're trying to -- trying to exchange.  
2 The benefits of the bill in Pershing County, we're going to open  
3 up a lot of covered land right now, land that's owned by the BLM,  
4 remove that from the federal mining permitting process and sell  
5 that to local mines. And so, suddenly, Pershing County, they're  
6 going to have this injection of mining dollars from the sale of  
7 lands. And then they're going to have property tax on those lands  
8 going forward. And it's going to reduce the permitting process  
9 for mining from probably 25 -- or excuse me -- 15 to 20 years down  
10 to state, maybe eight years.

11 And so Pershing County, I mean, we want to be the next Lander  
12 County.

13 Right?

14 CHAIRMAN BAKKER: Right.

15 BRYCE SHIELDS: So --

16 CHAIRMAN BAKKER: How -- how much of that land's getting  
17 sold to farmers and ranchers?

18 BRYCE SHIELDS: That's a very good question.

19 If you look at your maps, it has a checkerboard area. All  
20 of that land is available for sale by the checkerboard. The  
21 thing about that land, though, Commissioner Bakker, is that that  
22 land is available for sale right now.

23 The BLM through their -- through our local R&P has said,  
24 anyone can -- can buy this federal property on the checkerboard.  
25 But the problem is, from a practical standpoint, it takes 20 -- 20  
26 years to do that.

27 I talked to some of our permittees, Tim Duncan -- he's a  
28 good example -- and also the manager of the C pur- -- C Punch  
29 Ranch on the Blue Wing Allotment in Pershing County. They tried  
30 to b- -- they've tried to buy that federal property, and it's  
31 taken 20 years.

32 Okay.

33 C Punch, they're still involved in the process. And they're  
34 in -- actually they're over 20 years now.

35 This bill will allow Pershing County to have a say in the  
36 sale of that land, the disposal of that land.

37 And we're hoping it will occur -- it will shorten the  
38 process from 20 years to maybe one year. Okay. That's language  
39 in the bill.

40 Does that answer your question?

1           So essentially that land is available for anybody to buy --  
2           CHAIRMAN BAKKER: Right, but there's no --  
3           BRYCE SHIELDS: -- whether you --  
4           CHAIRMAN BAKKER: -- ranchers or farmers that have stood up  
5           and said they wanted to buy it yet.  
6           BRYCE SHIELDS: No, they have.  
7           CHAIRMAN BAKKER: Oh. Okay.  
8           BRYCE SHIELDS: Yeah. Yeah. C Punch on the Blue Wing  
9           Allotment, they're going to buy a lot of that land.  
10          Okay. I don't know if Tim Duncan -- I think -- well, you  
11          guys -- his ranch is more in Humboldt County than Pershing  
12          County. But he's expressed interest as well.  
13          The good thing about this bill is that it's subject to  
14          existing rights. So if you have a water right -- you're a  
15          permittee and you have a water right on land that somebody wants  
16          to acquire, they're going to acquire that property subject to  
17          your water rights, of course.  
18          It's also nice that the county, in working with the federal  
19          government to the extent that a county can, when they're  
20          designating or identifying these lands on the checkerboard that  
21          are for sale, the county can talk to a permittee. The county can  
22          talk to a mine. And they can say, Look, we've been approached.  
23          This specific individual or entity wants to purchase this public  
24          land. Do you think it's a good idea that we make it available?  
25          And if the permittee says, No, it's going to affect the way  
26          that I run my -- my cattle or operate my ranch, the county can  
27          say, No, BLM. We don't want that portion under the lands bill  
28          sold.  
29          CHAIRMAN BAKKER: Why wouldn't the county just give that  
30          permittee the first right of refusal?  
31          BRYCE SHIELDS: They do.  
32          CHAIRMAN BAKKER: Okay.  
33          BRYCE SHIELDS: They do. Yeah. That's language in the  
34          bill. And that's a good question.  
35          So the affected interest right now, on the -- if you have  
36          an allotment and your land -- you have checkerboard land that's  
37          going to be affected by the lands bill, they're going to have  
38          first right of refusal.  
39          CHAIRMAN BAKKER: Or the county just keep it and sell the  
40          permittee their rights to graze.

1 BRYCE SHIELDS: I'm sorry?  
2 CHAIRMAN BAKKER: Can the county keep it and sell the  
3 permittee the rights to graze?  
4 BRYCE SHIELDS: And -- and that's a good question. It  
5 doesn't become county land. It's still federal land. The  
6 county just gets a bigger role, a greater role, in designating  
7 who's going to buy that property and the ter- -- and the terms  
8 under which that property's going to be sold.  
9 COMMISSIONER WAITS: You know, it's an interesting point  
10 you brought up about the 20 years, because in all of our  
11 different summit lands workshops that our lieutenant governor  
12 has been hosting, it appears that the BLM simply doesn't have it  
13 together to sell and dispose timely.  
14 BRYCE SHIELDS: Right.  
15 COMMISSIONER WAITS: Where their office of -- in Clark  
16 County does. And they -- they're disposing and selling and  
17 making the money and -- and putting it to good use all over.  
18 And there's been a great deal of push now to centralize  
19 that and have them perhaps handle all of the state of Nevada,  
20 because they know how to do it and the other BLM offices do not.  
21 So maybe we can approach it from a different way and --  
22 BRYCE SHIELDS: Clark County had a --  
23 COMMISSIONER WAITS: -- and not have to go --  
24 BRYCE SHIELDS: -- lands bill (indiscernible) --  
25 COMMISSIONER WAITS: -- that route.  
26 BRYCE SHIELDS: -- and that's why they (indiscernible) --  
27 CHAIRMAN BAKKER: I'm going to open it --  
28 BRYCE SHIELDS: -- public process.  
29 CHAIRMAN BAKKER: -- up to public comment.  
30 BRYCE SHIELDS: And that's a good point, Commissioner  
31 Waits. Clark County was actually subject to a lands bill. And  
32 that's why they are able to make those transactions. They  
33 streamlined the process. Did you just lob me a big softball?  
34 COMMISSIONER WAITS: Is it what?  
35 BRYCE SHIELDS: Nothing.  
36 CHAIRMAN BAKKER: Okay. I'm going open it up. Public  
37 comment.  
38 EDDYANN FILIPPINI: My name is Eddyann Filippini. And I am  
39 a concerned Lander County citizen.  
40 I have two questions. Number one, you keep mentioning the

1 bill. What is the bill number for public -- for the --  
2 BRYCE SHIELDS: I don't know if it has been assigned a bill  
3 number on the floor, because right now it's still in the  
4 discussion draft stage with local interest, and Senator Reid and  
5 Senator Heller are the bill sponsors.  
6 EDDYANN FILIPPINI: So for a concerned citizen to look it  
7 up and --  
8 BRYCE SHIELDS: If you --  
9 EDDYANN FILIPPINI: -- get the language.  
10 BRYCE SHIELDS: If you go on Senator Heller's website, it  
11 has a -- a little information tab that you can click on. It has  
12 all of the maps and how those maps have kind of gradually  
13 changed.  
14 EDDYANN FILIPPINI: And they will show the changes?  
15 BRYCE SHIELDS: Right. Yes.  
16 EDDYANN FILIPPINI: They will show you --  
17 BRYCE SHIELDS: You'll -- you'll be able to see the  
18 progression of the changes. And also, you'll be able to see the  
19 most recent language.  
20 EDDYANN FILIPPINI: Thank you. And I have a comment for  
21 the commission.  
22 Being affected interest permittees and -- and business people  
23 in Lander County, the benefits of federal -- the federal  
24 government making this a wilderness study and demanding how and  
25 restrictions on the use of what we already use right now is not  
26 really user friendly for affected interests. But the federal  
27 government, in our dealings with the BLM and the Department of  
28 Interior, I really don't see what the benefit to Lander County  
29 would be to have a wilderness on the Augusta Mountain Range.  
30 So that's my public comment.  
31 CHAIRMAN BAKKER: Thank you, Eddyann.  
32 COMMISSIONER STIENMETZ: Thank you.  
33 COMMISSIONER WAITS: Thank you.  
34 CHAIRMAN BAKKER: Any other public comment?  
35 BERT PARIS: I'm -- I'm Bert Paris. And I have -- the  
36 grazing allotment that's in question here is in my grazing  
37 allotment so...  
38 I've been doing some research on this. And, as you say,  
39 it's a pretty complicated matter. There's a lot of thin- --  
40 ways you can go.

1 My first impulse is to release this Lander County portion as  
2 a wilderness area or study area.

3 And the wording, as mister -- as Bryce there mentioned, the  
4 wording's important, study area versus wilderness area.

5 And it's been my understanding that the study area has less  
6 restrictions than the full-blown wilderness area.

7 So I would like to see it released as a study area or a  
8 wilderness area, first choice. Okay.

9 Like the study area in question in my grazing allotment, the  
10 study area has water developments, roads, corrals. I mean, as  
11 Patsy mentioned, it shouldn't be a -- it shouldn't be a wilderness  
12 area. It -- it's crazy, you know.

13 This will -- it would really sur- -- you know, impact my  
14 ranching operation. We wouldn't be able to -- allowed to use --

15 BRYCE SHIELDS: Sure.

16 BERT PARIS: -- motorized vehicles, you know, to check your  
17 pipelines or even check on your cattle for that matter.  
18 Firefighting is limited. If it's a wilderness area, there's no  
19 motorized vehicles, period. If a wildfire goes out, they're  
20 very lim- -- BLM is very limited fighting that fire.

21 The study areas, they can go in and fight fires.

22 Now, maybe you have different information on that, but that's  
23 been my understanding. Because on -- in our study area that's  
24 been in place since 1992, that I know of, there's been several  
25 fires there. BLM fights them just like they do anywhere else on  
26 the study area.

27 BRYCE SHIELDS: Uh-huh.

28 BERT PARIS: But if it's full-blown wilderness, there's --  
29 it nothing -- nothing happening there.

30 So --

31 And as -- as we mentioned, it's not going to bring any  
32 value to Lander County that we can see.

33 You know, mining -- everything's going to be limited, if it's  
34 a full-blown wilderness area.

35 The other issue is the wild horses. The area in question  
36 is -- has out-of-control wild horse population. If it's going to  
37 be a wilderness area and they want to gather the horses, then  
38 maybe I'll talk to them.

39 BRYCE SHIELDS: Right.

40 BERT PARIS: Now we've got some interest.

1 BRYCE SHIELDS: No, I -- I hear you. (Indiscernible.)  
2 BERT PARIS: Like, how do you get horses out of control --  
3 BRYCE SHIELDS: Right.  
4 BERT PARIS: -- and let them run wild and say, "Oh, we've  
5 got this pristine wilderness area"?  
6 BRYCE SHIELDS: Right.  
7 BERT PARIS: That don't make sense at all.  
8 BRYCE SHIELDS: Well, I'd like to talk about that a little  
9 bit.  
10 We -- we just got out of a lawsuit with the BLM regarding the  
11 wild horse populations in Pershing County. And I -- I -- we -- we  
12 had to settle it based upon the federal judge's interpretation of  
13 our lawsuit. But I think we got some favorable terms on there.  
14 I'll talk about that in a minute. But I want to address  
15 the issues that you brought up regarding the wilderness study  
16 area and also the wilderness area.  
17 And with the commission's permission, I'd like to hand out  
18 some maps that I brought. And I don't know if they're different  
19 from the maps that you have. I have an extra copy  
20 for (indiscernible). I think you guys can share it.  
21 Can I approach?  
22 CHAIRMAN BAKKER: Yep.  
23 BRYCE SHIELDS: Pass those down.  
24 COMMISSIONER CLARK: Yeah. We have it.  
25 CHAIRMAN BAKKER: Is this new?  
26 BRYCE SHIELDS: Is that the same one you have?  
27 COMMISSIONER CLARK: We have it. Yeah. We have it.  
28 BRYCE SHIELDS: Okay.  
29 CHAIRMAN BAKKER: That's the new one.  
30 COMMISSIONER STIENMETZ: That's the new one.  
31 BRYCE SHIELDS: So right -- this is the -- the current  
32 language that -- that's proposed, and so there would be no  
33 impact whatsoever to Lander County.  
34 And that impact --  
35 COMMISSIONER CLARK: Yeah, we have it.  
36 BRYCE SHIELDS: -- means that you're not going to have  
37 any --  
38 COMMISSIONER WAITS: Is it the same one?  
39 BRYCE SHIELDS: -- wilderness study area removed. You're  
40 not going to have any wilder- -- or wilderness area added.

1 That's how the bill's language is comprised right now. That's  
2 what the map says right now.

3 CHAIRMAN BAKKER: The new map shows mining claims,  
4 potential covered mining claims.

5 BRYCE SHIELDS: That's --

6 CHAIRMAN BAKKER: Compared to the other --

7 BRYCE SHIELDS: -- Pershing County. But if we're looking  
8 down in the Augusta -- the Augusta area, --

9 CHAIRMAN BAKKER: Okay.

10 BRYCE SHIELDS: -- you have your Augusta Mountain WSA. And  
11 then you see in Pershing County the proposed wilderness area.  
12 And then that shaded brown area, that's the wilderness study  
13 area that's going to be removed, which would give the Pershing  
14 County permittees a lot more access, a lot more control over  
15 what goes on in their allotment.

16 What I'm proposing or what I'm suggesting is that the same  
17 thing could happen in Lander County. So Mr. Paris, he may have  
18 a wilderness study area on his allotment right now. That  
19 wilderness study area line could be moved back off of his  
20 allotment or maybe so -- to where it doesn't encompass so much  
21 --

22 BERT PARIS: That would be a good thing.

23 BRYCE SHIELDS: -- of --

24 BERT PARIS: Yeah.

25 BRYCE SHIELDS: -- his allotment.

26 BERT PARIS: And that's the trade-off you're talking --

27 BRYCE SHIELDS: Right.

28 BERT PARIS: -- about.

29 BRYCE SHIELDS: And that's why our --

30 BERT PARIS: Yeah.

31 BRYCE SHIELDS: -- ranchers, they got on board because on  
32 the Tobin Range, that whole area is almost a wilderness study  
33 area.

34 And so what we did is we -- we scaled that back. And we  
35 moved it closer to the top of the Tobin Range.

36 And so now the ranchers, they're going to have a lot more  
37 access to what they need to do.

38 If you look at the congressional grazing guidelines on  
39 wilderness areas -- and I know it's the federal government's  
40 guidelines, okay? We deal with the federal government as much

1 as you guys do. And it's hard to take what they say at face  
2 value. It's a guideline. And they don't always follow those  
3 guidelines.

4 But the guideline is, is that even in wilderness areas,  
5 they're still going to allow permittees to go into wilderness  
6 areas and manage their allotments the same way that they always  
7 have. That's what we've been promised.

8 Along with that, with -- we've been promised by Senator  
9 Reid and also Senator Heller. And when I say a promise by  
10 Senator Reid, I kind of smile.

11 CHAIRMAN BAKKER: Did you get it in writing?

12 BRYCE SHIELDS: Well, it doesn't matter, but --

13 COMMISSIONER MILLS: It --

14 BRYCE SHIELDS: Right.

15 COMMISSIONER MILLS: -- wouldn't be any difference.

16 BRYCE SHIELDS: Right. We have been promised that if the  
17 bill lang- -- if the bill's language changes to where it's not  
18 going to benefit Pershing County, to where it's not going to  
19 benefit the citizens of Pershing County, you know, the people  
20 who really -- our ranchers, our miners, the bread and butter of  
21 our county. Then if we withdraw our support, then they'll kill  
22 the bill.

23 And I think we could get the same type of promise from Lander  
24 County -- or excuse me -- on behalf of Lander County as well.

25 CHAIRMAN BAKKER: I still don't understand why we would --  
26 why we just don't do our own bill instead of --

27 BRYCE SHIELDS: Right.

28 CHAIRMAN BAKKER: -- hooking onto Pershing County's  
29 coattails.

30 BRYCE SHIELDS: And, again, I think you should do your own  
31 bill. But what -- what the intention of this meeting -- or  
32 excuse me -- of me appearing here today is to say, this is what  
33 the map looks like. Right now there's not going to be any  
34 change whatsoever to Lander County. You're still going to have  
35 your wilderness study area. We're getting our wilderness study  
36 area curtailed on the Augusta. But we're making part of it  
37 wilderness.

38 And I guess what Pershing County is interested in finding  
39 out is whether there's any appetite from Lander County to reduce  
40 the wilderness study area on the Augusta on your side of the

1 county line so that, you know, it can benefit some of the  
2 permittees and some of the interests --

3 CHAIRMAN BAKKER: But then you make a permanent wilderness  
4 area.

5 BRYCE SHIELDS: It is. It is. But right now what's to  
6 stop Congress from saying, You know what, Lander County? We're  
7 going to designate this area on the other side of your county a  
8 wilderness study area. Or we're going to designate this area,  
9 some other area, a wilderness area.

10 The reason why our county -- one reason why our county was so  
11 proactive on this is we want to play a hand in what the federal --  
12 federal government does with Pershing County land. And we believe  
13 that this is the way to do it.

14 And in looking at the history -- Commissioner Waits brought  
15 this up -- this wilderness study area has been there for 35 years.  
16 And it's actually been -- it should be removed; right? But BLM  
17 can't do it. The Department of the Interior can't do it. Only  
18 Congress can do it. And based upon their track record of 35 years  
19 of inaction, it doesn't look like they're going to do it.

20 And so this bill is a way to force their hand, so to speak,  
21 to curtail that wilderness study area. And there is that  
22 trade-off.

23 CHAIRMAN BAKKER: Well, why wouldn't you just write in  
24 there to just do away with it completely?

25 BRYCE SHIELDS: Do away with w- --

26 CHAIRMAN BAKKER: Yeah.

27 BRYCE SHIELDS: -- with wilderness completely?

28 CHAIRMAN BAKKER: On the Augustas Range? Would that be  
29 possible?

30 BRYCE SHIELDS: I think it's possible. I don't think it's  
31 probable. Like I -- like I said, there's a trade-off. And the  
32 federal government, unfortunately, they hold the cards. It's  
33 federal land. And so if we're going to ask them to surrender  
34 some of that control over federal land and give it to the county  
35 so that we can use it the way we think we need to, to benefit  
36 our communities, we have to cede some of that control to the  
37 federal government. There's got to be give and take.

38 Otherwise, we're just -- I mean, the federal government,  
39 they can dictate. And they can dictate. And they can dictate  
40 to us. And I think all the permittees in this -- in this room

1 would speak to that.

2 CHAIRMAN BAKKER: Shawn?

3 SHAWN MARILUCH: Shawn Mariluch.

4 I just have a question for you. What criterias on the

5 Augustas in that study area were met to make it -- make them

6 want to put it in a full-blown wilderness area?

7 BRYCE SHIELDS: None. None.

8 SHAWN MARILUCH: So there's nothing that you can't just

9 stand up and say, there was no criterias met?

10 BRYCE SHIELDS: Right.

11 SHAWN MARILUCH: I mean, we don't want the study area or

12 the wilderness area.

13 BRYCE SHIELDS: Right.

14 And, you know, we're dealing with the same thing in the

15 Selenites, the Limbo, the Blue Wing, the Sahwaves in Pershing

16 County. Those don't meet criteria for wilderness either.

17 But Congress hasn't done anything to move them. We haven't

18 had access to those areas for years and years and years.

19 And so what we're saying is take the wilderness study area

20 designation off. I mean, we'll designate it as -- as wilderness

21 in exchange for you giving us more control of more of the land

22 that we need.

23 And, you know, it's a valid concern.

24 EDDYANN FILIPPINI: It's blackmail.

25 SHAWN MARILUCH: It is. It's coercion.

26 COMMISSIONER STIENMETZ: Uh-huh.

27 EDDYANN FILIPPINI: It is.

28 BRYCE SHIELDS: It is. It is coercion --

29 EDDYANN FILIPPINI: For the record, it is blackmail.

30 COMMISSIONER STIENMETZ: Right.

31 CHAIRMAN BAKKER: State your name.

32 Okay. Guys?

33 What are you --

34 DEWAYNE FALLIN: I --

35 CHAIRMAN BAKKER: -- thinking?

36 Oh, go ahead.

37 DEWAYNE FALLIN: I'm Dewayne Fallin. I guess we've got --

38 don't forget the timing is important on this. Harry Reid's

39 going to introduce this bill next week. I don't know how much

40 time we have to do anything as far as Lander County's concerned.

1           BRYCE SHIELDS: Yeah. The bill's going to go in front next  
2 week. But like I said, it's not going to be passed. We don't  
3 anticipate that it's going to be passed until probably December  
4 or November.

5           And so we think that, you know, during -- from now until  
6 then, there's going to be changes in the maps. There's going to  
7 be changes in the wording of the bill.

8           And so I -- I think if Lander County is interested in playing  
9 a part in this, Lander County would have plenty of time, after you  
10 get more information and -- and further discussion, to write a  
11 letter of support for the bill.

12          CHAIRMAN BAKKER: So Bryce, come December, what's stopping  
13 it from you having more permanent wilderness area than study  
14 area?

15          BRYCE SHIELDS: I'm not un- -- sure -- I'm not sure I  
16 understand your question.

17          CHAIRMAN BAKKER: Come December, how do you know the bill's  
18 not going to say you're going to have twice as much permanent  
19 wilderness area as you do study area?

20          BRYCE SHIELDS: Yeah. And that's where we have to rely on  
21 the -- the promises that we've been made by Senator Reid and  
22 Senator Heller.

23          And -- and listen, I mean, it was a big -- when you mention  
24 Senator Reid in Pershing County, people start laughing, okay? I  
25 mean, Senator --

26          Say what you will about Senator Reid. I don't want to offend  
27 anybody in this room, but he doesn't have a lot of support in --  
28 in Pershing County. No one trusts what he says.

29          The information that we have is that he wants to go out --  
30 this is his -- his last term. He wants to go out leaving an  
31 impact in rural Nevada that's going to benefit rural Nevada.  
32 And if you look at what he's done in southern -- in the  
33 communities in southern Nevada, depending on your perspective --  
34 okay -- he has brought more commerce into those areas. He has  
35 helped their economy.

36          And he wants to do the same thing to northern Nevada. And I  
37 think this is the way to do it.

38          So we are relying on his word that if the bill changes in a  
39 way to where it doesn't affect -- it doesn't benefit Pershing  
40 County, Pershing County could pick up the phone and they can

1 say, We don't support this bill anymore. It doesn't help our  
2 constituents. And they'll take the b- -- the bill off the  
3 floor. Does that --

4 CHAIRMAN BAKKER: Yeah, but Lander --

5 BRYCE SHIELDS: -- answer your question?

6 CHAIRMAN BAKKER: -- County doesn't have the same  
7 authority.

8 COMMISSIONER CLARK: I --

9 BRYCE SHIELDS: Well, and that -- that's what I said.  
10 Lander County could.

11 So let's say that you guys -- you guys want to get in on the  
12 mapping process. And you guys want some language in the bill  
13 affecting the Augustas. And that language changes to where it  
14 doesn't affect -- it doesn't help Lander County. Well, then that  
15 part of the bill just gets removed.

16 COMMISSIONER WAITS: It's certainly true the unknowns  
17 are -- are extremely scary.

18 And based on Senator Reid's track record, I think he'd be  
19 happy if the whole state of Nevada was wilderness area. I mean,  
20 he just loves going in. And look what he has done. That is his  
21 track record.

22 BRYCE SHIELDS: Uh-huh.

23 COMMISSIONER WAITS: So that -- that doesn't give me any  
24 comfort.

25 COMMISSIONER CLARK: No.

26 BRYCE SHIELDS: You're prob- --

27 CHAIRMAN BAKKER: I would say at this time, there's just  
28 not enough information.

29 BRYCE SHIELDS: Sure.

30 CHAIRMAN BAKKER: We would have to get with --

31 COMMISSIONER MILLS: Uh-huh.

32 CHAIRMAN BAKKER: -- the permittees and see what would  
33 benefit them --

34 BRYCE SHIELDS: Right.

35 CHAIRMAN BAKKER: -- or do our own Lander County bill.

36 COMMISSIONER MILLS: If -- if we look into this more and  
37 need more information on that and decide it's a good idea, can  
38 we attach on later? Or do we have to be in by this deadline, by  
39 next week?

40 BRYCE SHIELDS: No, I -- no, of course not. Of course not.

1 COMMISSIONER CLARK: Oh, okay.  
2 BRYCE SHIELDS: Like I said, I -- I wouldn't come up here a  
3 week before the bill was going to go or two weeks before the  
4 bill was going to go and try to get you guys on board, okay?  
5 This was more a realization. And I -- I let Commissioner  
6 Clark know -- this was a realization that Pershing Coun- -- by  
7 Pershing County that we need to get input from our neighbors. So  
8 --  
9 COMMISSIONER MILLS: Okay.  
10 BRYCE SHIELDS: -- apologies that that wasn't done sooner.  
11 COMMISSIONER WAITS: Well, thank --  
12 COMMISSIONER CLARK: Where --  
13 COMMISSIONER WAITS: -- you s- --  
14 COMMISSIONER CLARK: -- where's Churchill on this?  
15 BRYCE SHIELDS: Commissioner Irwin met with Churchill last  
16 week. And when I was speaking to him, as I walked into the  
17 courthouse, he told me that they were kind of in the same boat  
18 as you guys are.  
19 COMMISSIONER CLARK: Okay.  
20 BRYCE SHIELDS: His impression was that it was -- they saw  
21 it as favorable. But they weren't ready to make a decision  
22 until they had more information.  
23 COMMISSIONER WAITS: Well, Counselor, we appreciate you --  
24 you bringing us up to date on it and for stepping in at the last  
25 minute for Commissioner Irwin.  
26 BRYCE SHIELDS: Well, I --  
27 COMMISSIONER WAITS: We truly do. Thank you.  
28 BRYCE SHIELDS: Thank you. It's a pleasure being here. I  
29 apologize that it was kind of a haphazard presentation. But  
30 if -- if -- if there is interest, I'd like to have a continuing  
31 dialogue. And I look forward to that.  
32 CHAIRMAN BAKKER: Thank you, Bryce.  
33 BRYCE SHIELDS: Okay. Thank you.  
34 COMMISSIONER CLARK: Thank you.  
35 COMMISSIONER MILLS: Thank you.  
36 CHAIRMAN BAKKER: Oh, hold on. Shawn? One more public  
37 comment.  
38 SHAWN MARILUCH: I'd just like to see the commission get  
39 ahold of Jack and get as much information compiled and -- and  
40 Parises and whoever else and -- and to move forward as quickly

1 as possible, because if we can start attaching stuff, then we --  
2 and need to, we better start doing it.

3 COMMISSIONER MILLS: Right.

4 CHAIRMAN BAKKER: Okay. Thank you, Shawn.

5 All right. Thank you, Bryce.

6 BRYCE SHIELDS: Thanks, guys.

7 COMMISSIONER MILLS: Thank you.

8 CHAIRMAN BAKKER: Okay.

9 COMMISSIONER CLARK: Sean.

10 CHAIRMAN BAKKER: We're going to take a five-minute break.  
11 Austin?

12  
13 (Break taken from 10:08 a.m. to 10:24 a.m.)

14  
15 CHAIRMAN BAKKER: Call this meeting back to order.  
16  
17

18 **AIRPORT**

- 19  
20 3) **Discussion and possible action to approve an addendum to the**  
21 **Airport Management Agreement between Walt Wardwell, Fallon**  
22 **Airmotive, Inc., and Lander County, authorize the chair or**  
23 **vice chair to sign, and all other matters properly related**  
24 **thereto.**  
25

26 CHAIRMAN BAKKER: Agenda Item Number 3. Discussion and  
27 possible action to approve an addendum to the Airport Management  
28 Agreement between Walt Wardwell, Fallon Air- -- Airmotive,  
29 Incorporated, Lander County, authorize the chair or vice chair  
30 to sign, and all other matters properly related thereto.

31 KEITH WESTENGARD: Commissioner, I'm going to ask that we  
32 table this. In discussions with the district attorney, we have  
33 some problems with the titles that we need to work out.

34 CHAIRMAN BAKKER: Okay. Need a motion to table it.

35 COMMISSIONER STIENMETZ: I make a motion to table Item 3 on  
36 the airport --

37 COMMISSIONER MILLS: Second.

38 COMMISSIONER STIENMETZ: -- management.

39 CHAIRMAN BAKKER: Steve made a motion. Doug seconded. Any  
40 public comment?

1 (No comment.)  
2 CHAIRMAN BAKKER: All in favor?  
3 COMMISSIONER MILLS: Aye.  
4 COMMISSIONER STIENMETZ: Aye.  
5 CHAIRMAN BAKKER: Aye.  
6 COMMISSIONER WAITS: Aye.  
7 COMMISSIONER CLARK: Aye.  
8 CHAIRMAN BAKKER: Okay. Number 4.  
9 SHAWN MARILUCH: I've got a question. What -- are we  
10 not -- are you not going to take any action, right?  
11 CHAIRMAN BAKKER: No. Not on that. Not yet.  
12 You mean, Number 2?  
13 SHAWN MARILUCH: Two.  
14 CHAIRMAN BAKKER: I better op- -- you want me to open that  
15 back up?  
16 SHAWN MARILUCH: Well, I just w- -- yeah. I mean, I don't  
17 want to -- if you're going to do it at this meeting, I'd like to  
18 do it.  
19 CHAIRMAN BAKKER: Okay. Hold on. Let's open up Agenda  
20 Item Number 2 again.  
21  
22

23 **COMMISSIONERS**  
24

25 2) **Discussion and possible action regarding the Pershing County**  
26 **Economic Development and Conservation Act and joining**  
27 **Pershing County in a bill to declare part of Lander County as**  
28 **"Wilderness" or to leave the area as a "Wilderness Study**  
29 **Area," and all other matters properly related thereto.**  
30

31 CHAIRMAN BAKKER: Discussion and possible action regarding  
32 the Pershing County Economic Development and Conservation Act  
33 and joining Pershing County in a bill to declare part of Lander  
34 County as "Wilderness" or to leave the area as a "Wilderness  
35 Study Area," and all other matters properly related thereto.

36 Come up here, Shawn.

37 SHAWN MARILUCH: Well, you probably ought to have Bert.

38 CHAIRMAN BAKKER: Bert, come up here. Bert and Shawn.

39 BERT PARIS: What are we doing?

40 CHAIRMAN BAKKER: Discussing what we need to do.

1 SHAWN MARILUCH: What their action should be.  
2 BERT PARIS: I thought we did that.  
3 COMMISSIONER MILLS: Well, currently we've taken --  
4 SHAWN MARILUCH: Shawn Mariluch.  
5 COMMISSIONER MILLS: -- no action. So...  
6 SHAWN MARILUCH: Sean Mariluch, for the record.  
7 BERT PARIS: Bert Paris.  
8 SHAWN MARILUCH: I'd like -- best-case scenario, in my  
9 opinion -- and you'd have to ask Bert because it is his  
10 allotment. The map they gave you -- and if they want the  
11 wilderness area, it's on their side of the county line -- is to  
12 make our own proposal to take -- since they're going to voting  
13 on it anyway -- to take the rest of it out of the wilderness  
14 study area.  
15 Now whether you could pull that off or not, I don't know. So  
16 we need to have some backup alternatives.  
17 CHAIRMAN BAKKER: I think I would like to see Lander County  
18 propose their own bill --  
19 SHAWN MARILUCH: Yeah.  
20 CHAIRMAN BAKKER: -- for the permittees.  
21 COMMISSIONER STIENMETZ: Yeah.  
22 SHAWN MARILUCH: But I'd like to see it done sooner rather  
23 than later.  
24 COMMISSIONER CLARK: Absolutely.  
25 COMMISSIONER MILLS: Right.  
26 COMMISSIONER CLARK: I'm just say- --  
27 COMMISSIONER MILLS: I did ask and they said they're --  
28 they're 13 years into this process.  
29 CHAIRMAN BAKKER: Really?  
30 COMMISSIONER MILLS: Yeah.  
31 SHAWN MARILUCH: Bert's got a lot of information. And I  
32 know Jack would be --  
33 COMMISSIONER CLARK: Jack Ale- --  
34 SHAWN MARILUCH: -- helpful on --  
35 COMMISSIONER CLARK: Jack Alexander?  
36 SHAWN MARILUCH: -- this.  
37 Right.  
38 BERT PARIS: Uh-huh.  
39 SHAWN MARILUCH: So I think we could probably get moving  
40 pretty fast on it.

1 CHAIRMAN BAKKER: You think it's going to take 13 years?  
2 COMMISSIONER MILLS: I would hope -- well, that's the  
3 thing. I'm -- I'm kind of wondering if we join in on this, if  
4 we can eliminate that 13-year process on this allotment.  
5 I don't know.  
6 But I -- what I think maybe what we need to do is get our  
7 public lands commission to help us out with this and maybe find  
8 out if it's -- because we -- we really have no information.  
9 CHAIRMAN BAKKER: Bert, on your allotment, would you rather  
10 us shrink the wilderness area and make it permanent? Or just  
11 leave it as a study area?  
12 BERT PARIS: Well, it goes -- it goes -- again, it goes to  
13 trust. I -- you know. Best-case scenario would be take it  
14 totally out of Lander County, no wilderness and no study area.  
15 Best case --  
16 COMMISSIONER STIENMETZ: Right.  
17 BERT PARIS: -- scenario. Number two is -- not going to  
18 happen. Right.  
19 COMMISSIONER WAITS: Yeah.  
20 BERT PARIS: Number two is -- and I've showed some of you  
21 the maps.  
22 Number two is make the wilderness area the top of the  
23 mountain, the very top of the mountain where there's no access  
24 to anything. If you could trade off -- have that trade-off  
25 as -- as the Pershing County guy was talking about. Trade that  
26 and take the study area off permanently. If it was a guarantee  
27 for that, I would be for that.  
28 CHAIRMAN BAKKER: So what -- Keith?  
29 KEITH WESTENGARD: Yes. Jack?  
30 CHAIRMAN BAKKER: Yeah. Well, no.  
31 COMMISSIONER STIENMETZ: Yeah.  
32 CHAIRMAN BAKKER: Probably get with the district attorney  
33 in Pershing County or the -- the commissioner who's in charge of  
34 this and seeing if they can write into the bill about shrinking  
35 the wilderness area to the very top of that mountain. Augustas  
36 Range.  
37 BERT PARIS: And I have maps and I have coordinates of  
38 where my springs are and everything. So we'd make sure those  
39 lines are well above --  
40 COMMISSIONER STIENMETZ: Right.

1 BERT PARIS: -- everything.  
2 CHAIRMAN BAKKER: And then after we get --  
3 SHAWN MARILUCH: Well, and if the county wants to write  
4 their own bill, I can't -- I can't see it taking 13 years by  
5 just going to Pershing County, reading theirs, and -- and -- and  
6 help -- having --  
7 CHAIRMAN BAKKER: Changing that.  
8 SHAWN MARILUCH: -- that help us --  
9 COMMISSIONER STIENMETZ: Right.  
10 SHAWN MARILUCH: You know.  
11 CHAIRMAN BAKKER: I mean, if we can benefit all of Lander  
12 County.  
13 COMMISSIONER STIENMETZ: Yeah.  
14 SHAWN MARILUCH: Right.  
15 CHAIRMAN BAKKER: Every --  
16 SHAWN MARILUCH: And I think --  
17 CHAIRMAN BAKKER: -- allotment.  
18 SHAWN MARILUCH: -- it should be of benefit --  
19 BERT PARIS: Uh-huh.  
20 SHAWN MARILUCH: -- to all of Lander County. It just needs  
21 to be quick enough to take care of the Augusta.  
22 CHAIRMAN BAKKER: Well, if we can do this one now and start  
23 our own bill, to take care of the rest of --  
24 BERT PARIS: Right.  
25 CHAIRMAN BAKKER: -- Lander County.  
26 BERT PARIS: And then you could attach it to Harry's  
27 bill.  
28 That would work. Yeah.  
29 CHAIRMAN BAKKER: Yeah.  
30 Okay.  
31 COMMISSIONER WAITS: I just can't see them paying that kind  
32 of attention. If that bill ever does come up and pass, for them  
33 to say, Wait a minute. They're just going to take the top.  
34 I don't -- I mean, I -- you know how Congress operates and  
35 what they think and I'm going...  
36 SHAWN MARILUCH: Well, I see theirs is only at the top.  
37 Their proposed --  
38 BERT PARIS: Yeah.  
39 SHAWN MARILUCH: -- area.  
40 BERT PARIS: That's what they did in Pershing County.

1 SHAWN MARILUCH: It's only --  
2 COMMISSIONER WAITS: Yeah.  
3 SHAWN MARILUCH: -- at the top, --  
4 BERT PARIS: And I've been --  
5 SHAWN MARILUCH: -- where there's no access.  
6 BERT PARIS: And I've been in touch with the Wilderness  
7 Soc- -- Wilderness Society president in Washington. And he --  
8 for -- he called. He contacted me, which was very good of him.  
9 I don't know why, but -- and from the impression I got from him  
10 is they want a wilderness area. They want to check it off the  
11 list, okay?  
12 COMMISSIONER WAITS: I see.  
13 BERT PARIS: And move on. And that's what I would like to  
14 see done too is check it off and get -- go away.  
15 CHAIRMAN BAKKER: We --  
16 BERT PARIS: Maybe that --  
17 CHAIRMAN BAKKER: -- also need to make sure, though,  
18 there's language in there that states that if it's not favorable  
19 come December for Lander County that we can pull out our -- or  
20 stop that wilderness area from happening on your allotment.  
21 BERT PARIS: Correct.  
22 COMMISSIONER WAITS: So we want to go back to Pershing and  
23 see if they would rewrite that enough before it goes forward.  
24 BERT PARIS: Uh-huh.  
25 COMMISSIONER WAITS: Is that it?  
26 CHAIRMAN BAKKER: Uh-huh.  
27 SHAWN MARILUCH: Add the top of -- yeah, add the top of --  
28 BERT PARIS: Well, I have a map here. I've shown -- I  
29 think I've shown --  
30 COMMISSIONER WAITS: Uh-huh.  
31 COMMISSIONER STIENMETZ: Yeah.  
32 BERT PARIS: -- you guys. I don't think I showed Patsy  
33 and -- and Steven any -- the map. But there's --  
34 And -- and as Bryce said, from Pershing County, there --  
35 that map changes daily too. But the one I have that I showed  
36 you explains it, you know, takes in --  
37 COMMISSIONER WAITS: But --  
38 BERT PARIS: -- pretty much the top of that mountain.  
39 COMMISSIONER WAITS: But you also want to include that the  
40 WSA on the other side of Lander be pulled out.

1 SHAWN MARILUCH: Right.  
2 COMMISSIONER STIENMETZ: Right.  
3 COMMISSIONER WAITS: And they --  
4 SHAWN MARILUCH: Well, all the benefits --  
5 COMMISSIONER WAITS: -- haven't pulled out any WSAs.  
6 Nothing.  
7 SHAWN MARILUCH: All the benefits that Pershing County  
8 gets, if you're -- if you're going to go the route of -- of  
9 letting them have the top of the Augusta Mountains, you should  
10 get all the benefits --  
11 COMMISSIONER WAITS: Trade.  
12 SHAWN MARILUCH: -- that Lander County gets -- or, I mean,  
13 that Pershing County gets.  
14 COMMISSIONER STIENMETZ: Right.  
15 SHAWN MARILUCH: With the land swaps and the -- taking the  
16 study area completely out up to the actual wilderness area.  
17 COMMISSIONER MILLS: Right up to the wilderness area.  
18 CHAIRMAN BAKKER: So Keith, look into it and stay in touch  
19 with Bert. Keep him in loop. It is his allotment.  
20 BERT PARIS: Okay.  
21 COMMISSIONER WAITS: Do you want to pass this now? Is that  
22 what they're saying?  
23 CHAIRMAN BAKKER: Well, let's --  
24 COMMISSIONER WAITS: Before --  
25 CHAIRMAN BAKKER: -- find out --  
26 COMMISSIONER WAITS: -- if we're --  
27 CHAIRMAN BAKKER: -- to make sure --  
28 COMMISSIONER WAITS: -- comfortable --  
29 CHAIRMAN BAKKER: -- we can --  
30 COMMISSIONER WAITS: -- with that?  
31 CHAIRMAN BAKKER: -- do it before we --  
32 COMMISSIONER MILLS: We still need more information before  
33 we jump on board --  
34 COMMISSIONER STIENMETZ: But that's --  
35 COMMISSIONER MILLS: -- with it.  
36 COMMISSIONER STIENMETZ: -- the way you should go forth.  
37 COMMISSIONER MILLS: We need to find out some more --  
38 COMMISSIONER CLARK: Maybe we should get in touch with Jack  
39 Alexander.  
40 COMMISSIONER WAITS: Well, that's what we decided, you

1 know, before we went on break and now --  
2 COMMISSIONER MILLS: Kind of --  
3 COMMISSIONER WAITS: -- now --  
4 COMMISSIONER MILLS: It's not a lot different.  
5 COMMISSIONER WAITS: Yeah, now Bert and Shawn are saying,  
6 You're going to take action? What are you going to do? You  
7 know our thoughts. Are we going to take action or just going to  
8 wait?  
9 CHAIRMAN BAKKER: I think we can have a motion that says  
10 that if it's in favorable that we can proceed on the bill.  
11 BERT PARIS: I don't know.  
12 SHAWN MARILUCH: Yeah, I -- I just -- when we left or when  
13 you guys went out on break, I didn't know where we were -- if we  
14 were headed anywhere yet.  
15 COMMISSIONER WAITS: We didn't. We just didn't take any  
16 action.  
17 SHAWN MARILUCH: I -- I understand that.  
18 COMMISSIONER MILLS: So --  
19 SHAWN MARILUCH: We'd like to see a little action because  
20 the time frame's --  
21 COMMISSIONER MILLS: Right.  
22 COMMISSIONER STIENMETZ: Right.  
23 SHAWN MARILUCH: -- not real far away.  
24 COMMISSIONER CLARK: Okay. Let me try --  
25 COMMISSIONER MILLS: Well, --  
26 COMMISSIONER CLARK: -- this.  
27 CHAIRMAN BAKKER: Well, we're in a p- --  
28 COMMISSIONER MILLS: We're -- according to what was said,  
29 we don't have to decide today.  
30 SHAWN MARILUCH: I know you don't have to decide today.  
31 COMMISSIONER STIENMETZ: We do.  
32 SHAWN MARILUCH: I'd like to --  
33 COMMISSIONER STIENMETZ: But it'd be --  
34 SHAWN MARILUCH: -- decide --  
35 COMMISSIONER STIENMETZ: -- be nice to.  
36 SHAWN MARILUCH: I'd like you to decide today that we're  
37 going to act some way or another.  
38 We're going to --  
39 COMMISSIONER CLARK: Okay.  
40 SHAWN MARILUCH: -- move forward with this in a timely

1 manner.

2 CHAIRMAN BAKKER: So make a --

3 COMMISSIONER MILLS: Well, what I'd --

4 CHAIRMAN BAKKER: -- motion directing the executive --

5 COMMISSIONER MILLS: Yeah.

6 CHAIRMAN BAKKER: -- director.

7 BERT PARIS: Make a motion to make a motion.

8 CHAIRMAN BAKKER: Yeah.

9 COMMISSIONER MILLS: I'd -- I'd just like us -- I'd like us

10 to gather some more information first and be more comfortable

11 with what's really going on with this than -- because we --

12 I'm -- you know, we could make a motion to join in with Pershing

13 County because we can pull --

14 COMMISSIONER STIENMETZ: No.

15 COMMISSIONER MILLS: -- out later, and I don't know if

16 that's --

17 CHAIRMAN BAKKER: That's not what they're saying. They

18 just want to see --

19 COMMISSIONER MILLS: -- a -- yeah.

20 CHAIRMAN BAKKER: -- that we -- we're proactive on

21 gathering the information.

22 COMMISSIONER STIENMETZ: Right.

23 COMMISSIONER MILLS: And that's -- that's what I want to

24 do, get -- get more information and bring it before -- and --

25 and get it into another commission --

26 CHAIRMAN BAKKER: But he can clar- --

27 COMMISSIONER MILLS: -- meeting.

28 CHAIRMAN BAKKER: There's a commission meeting at the end

29 of the month, Shawn. Twenty-ninth?

30 DISTRICT ATTORNEY HERRERA: Pardon me?

31 COMMISSIONER MILLS: Twenty-ninth?

32 CHAIRMAN BAKKER: I opened back Number 2.

33 DISTRICT ATTORNEY HERRERA: I see that.

34 COMMISSIONER CLARK: Okay. I --

35 CHAIRMAN BAKKER: I directed Keith to get with Pershing

36 County on making the wilderness area at the very top of that

37 mountain in the Augustas Range and seeing if Lander County can

38 tie on to that and have the authority, if something doesn't work

39 out in December, that we're allowed to back out of it.

40 DISTRICT ATTORNEY HERRERA: Well, you better get PLUAC

1 involved too.

2 COMMISSIONER WAITS: And swapping the WSA part --

3 DISTRICT ATTORNEY HERRERA: Yeah.

4 COMMISSIONER WAITS: -- and taking that out.

5 DISTRICT ATTORNEY HERRERA: We need some -- we need some

6 absolute language before we --

7 COMMISSIONER MILLS: Right.

8 SHAWN MARILUCH: Right.

9 DISTRICT ATTORNEY HERRERA: -- before we attach ourselves

10 onto a Pershing County bill.

11 CHAIRMAN BAKKER: Uh-huh.

12 DISTRICT ATTORNEY HERRERA: Because I would say absolutely

13 not, under any circumstances, would Lander County attach itself

14 to a Pershing County bill when Pershing County's going to get

15 all the benefits.

16 COMMISSIONER CLARK: Right.

17 CHAIRMAN BAKKER: Right. That's what I said. He needs to

18 look into it.

19 COMMISSIONER MILLS: Right.

20 DISTRICT ATTORNEY HERRERA: But, yeah, it does need to be

21 looked into.

22 COMMISSIONER MILLS: And I'd -- I'd really like to get a

23 recommendation from PLUAC on this too and --

24 DISTRICT ATTORNEY HERRERA: Absolutely.

25 COMMISSIONER MILLS: -- have them involved.

26 DISTRICT ATTORNEY HERRERA: Absolutely.

27 KEITH WESTENGARD: I did give you guys a copy of an e-mail

28 from Frank Whitman so you'll have that too. So that's part of

29 it.

30 COMMISSIONER MILLS: So --

31 CHAIRMAN BAKKER: Does that make you any more comfortable?

32 SHAWN MARILUCH: I don't know --

33 BERT PARIS: I'm --

34 SHAWN MARILUCH: -- I don't what happened.

35 BERT PARIS: I'm good. Yeah. He's comfortable.

36 COMMISSIONER CLARK: We're not going to do anything until

37 you guys are involved, is the way --

38 BERT PARIS: Sure.

39 COMMISSIONER CLARK: -- I understand it.

40 CHAIRMAN BAKKER: There's not going to be a motion until he

1 gathers the information and gets with Bert to make sure it's  
2 favorable.

3 BERT PARIS: That's fine.

4 CHAIRMAN BAKKER: And then we can put it on the 29<sup>th</sup>  
5 meeting.

6 SHAWN MARILUCH: Put it on the next agenda.

7 CHAIRMAN BAKKER: Yep.

8 COMMISSIONER CLARK: We'll get it --

9 DISTRICT ATTORNEY HERRERA: We're not --

10 COMMISSIONER CLARK: -- to PLUAC.

11 DISTRICT ATTORNEY HERRERA: -- going to be able to put it  
12 on the next -- the 29<sup>th</sup> meeting.

13 CHAIRMAN BAKKER: Why?

14 COMMISSIONER STIENMETZ: You don't have time.

15 DISTRICT ATTORNEY HERRERA: Because it has to be posted by  
16 tomorrow morning --

17 CHAIRMAN BAKKER: Oh.

18 DISTRICT ATTORNEY HERRERA: -- at 8:00 o'clock.

19 CHAIRMAN BAKKER: What's the date?

20 COMMISSIONER CLARK: And we need to have a bill written.

21 CHAIRMAN BAKKER: Okay. The 14<sup>th</sup>. July 14<sup>th</sup>.

22 DISTRICT ATTORNEY HERRERA: We can put it on -- we can put  
23 it on --

24 KEITH WESTENGARD: That's better.

25 COMMISSIONER STIENMETZ: I didn't know we were having a  
26 meeting on the 29<sup>th</sup>.

27 KEITH WESTENGARD: July 14<sup>th</sup> is a little bit --

28 COMMISSIONER MILLS: Special meeting for treasurer.

29 CHAIRMAN BAKKER: That gives you plenty of time to gather  
30 everything.

31 KEITH WESTENGARD: When is the next PLUAC meeting?

32 COMMISSIONER CLARK: It'll be the beginning of next month.

33 DISTRICT ATTORNEY HERRERA: And -- and he's --

34 COMMISSIONER CLARK: July.

35 COMMISSIONER WAITS: First Monday. Uh-huh.

36 KEITH WESTENGARD: Yeah. Frank Whitman's on holiday as  
37 well.

38 DISTRICT ATTORNEY HERRERA: But there's other members.

39 CHAIRMAN BAKKER: We don't -- get with Pershing County.  
40 That's what we need to do.

1 KEITH WESTENGARD: Okay. All right.  
 2 DISTRICT ATTORNEY HERRERA: Probably should talk to the  
 3 senator -- the senator's office.  
 4 KEITH WESTENGARD: Okay.  
 5 COMMISSIONER MILLS: Maybe that too.  
 6 CHAIRMAN BAKKER: Yes.  
 7 KEITH WESTENGARD: Both offices.  
 8 DISTRICT ATTORNEY HERRERA: Well.  
 9 CHAIRMAN BAKKER: Senator Heller.  
 10 DISTRICT ATTORNEY HERRERA: Heller. I would suggest you  
 11 talk to Senator Heller's office.  
 12 KEITH WESTENGARD: All right.  
 13 CHAIRMAN BAKKER: Okay.  
 14 KEITH WESTENGARD: All right.  
 15 CHAIRMAN BAKKER: Any more public comment?  
 16 (No comment.)  
 17 JEANNE FALZONE: Table this. We should --  
 18 CHAIRMAN BAKKER: Okay. Thank you. Now we're going to  
 19 jump to --  
 20 No, we're jumping --  
 21 COMMISSIONER STIENMETZ: Four.  
 22 CHAIRMAN BAKKER: No.

23  
 24 **23) Discussion and possible action regarding an increase to the**  
 25 **Eleventh Judicial District Court FY '16/'17 budget in the**  
 26 **amount of \$5,279.80, and all other matters properly related**  
 27 **thereto.**  
 28

29 CHAIRMAN BAKKER: Twenty-three. Discussion and possible  
 30 action regarding an increase to the Eleventh Judicial District  
 31 Court fiscal year '16/'17 budget in the amount of \$5,279.80, and  
 32 all other matters properly related thereto.  
 33 Thank you, guys.  
 34 COMMISSIONER STIENMETZ: Thank you.  
 35 COMMISSIONER WAITS: Good morning, Judge.  
 36 JUDGE JIM SHIRLEY: Good morning.  
 37 NAN ANCHO: Good morning. Nan Ancho, --  
 38 COMMISSIONER WAITS: Good morning, --  
 39 NAN ANCHO: -- Finance.  
 40 COMMISSIONER WAITS: -- Nan.

1 JUDGE JIM SHIRLEY: Jim Shirley, district court judge.  
2 NAN ANCHO: We put this on the agenda because the Eleventh  
3 Judicial District Court, there is an increase to their budget  
4 due to an increase in their health insurance and an employee who  
5 had enrolled as a split employee/employer instead of a regular,  
6 so it increased their budget.  
7 So they're asking for 5,279.80 increase to -- because that's  
8 what -- for the year, for next year's --  
9 CHAIRMAN BAKKER: Okay.  
10 NAN ANCHO: -- district court.  
11 JUDGE JIM SHIRLEY: It's for all three budgets.  
12 NAN ANCHO: All three.  
13 CHAIRMAN BAKKER: Jim, can you find that in your budget?  
14 In the current budget that was created?  
15 JUDGE JIM SHIRLEY: Probably the way we'd find it is we --  
16 it would have to be something with the employees.  
17 CHAIRMAN BAKKER: Have to what?  
18 JUDGE JIM SHIRLEY: We'd have to cut the pay or have the  
19 pay -- the employees pay some of their insurance. That's about  
20 the only way we could do it.  
21 So...  
22 CHAIRMAN BAKKER: I don't -- no one's in favor of  
23 augmenting the budget. Well, --  
24 JUDGE JIM SHIRLEY: Okay.  
25 CHAIRMAN BAKKER: -- I don't know if no one's in the favor.  
26 I'm not in favor of augmenting the budget.  
27 JUDGE JIM SHIRLEY: I guess -- I guess the question is: Is  
28 it -- is it a reasonable request? And if you talk to taxation,  
29 most counties have to deal with insurance at -- at a later point  
30 in time. Often they have to augment budgets based upon health  
31 insurance, based upon collective bargaining agreements and such.  
32 So the question you have to deal with is whether it's a  
33 reasonable expense or not. And the fact is, I don't have any  
34 control over that. And by federal law, we're required to  
35 provide insurance. So...  
36 DISTRICT ATTORNEY HERRERA: Commission -- Commissioners, if  
37 I may, what the judge is delicately -- very delicately telling  
38 the commission is that if it's -- if it's a reasonable request,  
39 then he can do it by court order.  
40 So he's coming to you and asking you to please do it because

1 he considers it a reasonable request because -- because insurance  
2 is a -- is a -- not only necessary, but it -- but it's mandatory.  
3 COMMISSIONER WAITS: So you budgeted for an increase,  
4 apparently, but not a big enough increase?  
5 Is -- is that where we are?  
6 JUDGE JIM SHIRLEY: No, the -- the increase was just based  
7 upon insurance. That's all the increase is.  
8 COMMISSIONER WAITS: That --  
9 JUDGE JIM SHIRLEY: It was --  
10 COMMISSIONER WAITS: -- that's what I'm talking. You  
11 budgeted for an increase of your insurance? I mean, you  
12 expected --  
13 JUDGE JIM SHIRLEY: Yeah, we --  
14 COMMISSIONER WAITS: -- one; right?  
15 JUDGE JIM SHIRLEY: We budgeted for a slight increase. We  
16 didn't budget for a big enough one.  
17 COMMISSIONER WAITS: But you didn't budget enough and it  
18 came in much higher than you expected.  
19 JUDGE JIM SHIRLEY: Yes.  
20 COMMISSIONER CLARK: Yeah.  
21 JUDGE JIM SHIRLEY: Well, --  
22 CHAIRMAN BAKKER: Nan?  
23 JUDGE JIM SHIRLEY: -- because the negotiations don't take  
24 place until almost a month --  
25 COMMISSIONER WAITS: I know.  
26 JUDGE JIM SHIRLEY: -- after we do --  
27 COMMISSIONER WAITS: After the --  
28 JUDGE JIM SHIRLEY: -- our budgets.  
29 COMMISSIONER CLARK: Yeah.  
30 JUDGE JIM SHIRLEY: So...  
31 COMMISSIONER WAITS: I understand. It's the trends that we  
32 look at. We're in the same boat. I mean, it's just that our  
33 finance department budgeted enough so that we're covered. So  
34 I'm saying...  
35 JUDGE JIM SHIRLEY: Well, I would have probably put more  
36 on, but I really didn't anticipate such --  
37 COMMISSIONER WAITS: Okay.  
38 JUDGE JIM SHIRLEY: -- a big increase. Lesson learned.  
39 COMMISSIONER WAITS: It is what it is.  
40 CHAIRMAN BAKKER: Can --

1 COMMISSIONER WAITS: Yeah.  
2 CHAIRMAN BAKKER: -- we do this without augmenting?  
3 NAN ANCHO: You could. If you wanted to, there is an  
4 emergency line item that you could transfer the funds from that  
5 emer- -- in the General Fund, if you don't have to augment the  
6 budget next year.  
7 If you have to augment, you just as well do an augment to  
8 this fund also.  
9 You'll know closer to the end of next year what funds will  
10 have to be augmented. If not, just do a transfer from the  
11 emergency line item.  
12 CHAIRMAN BAKKER: Okay.  
13 COMMISSIONER CLARK: So we can -- we have the money  
14 somewhere?  
15 NAN ANCHO: Yes.  
16 CHAIRMAN BAKKER: Can I get a motion, then?  
17 DISTRICT ATTORNEY HERRERA: What are you recommending, Nan?  
18 NAN ANCHO: What I recommend?  
19 DISTRICT ATTORNEY HERRERA: What would you recommend?  
20 NAN ANCHO: Well, I recommend that you wait, as you get  
21 closer to the end of next year, to see where your budget is. If  
22 you need to just do a transfer to cover f- -- because this is  
23 not a large amount to add to their budget, just do a transfer  
24 from the emergency line item.  
25 COMMISSIONER CLARK: Okay.  
26 DISTRICT ATTORNEY HERRERA: But -- but later on in the  
27 year.  
28 NAN ANCHO: Later on in the year, you -- because you'll  
29 know what other funds you're going to have to augment, if you  
30 have to. And you do it all at once.  
31 COMMISSIONER MILLS: Well, we already know we're going to  
32 augment the Austin Airport Fund for that fuel tank.  
33 NAN ANCHO: There again you watch that one because you --  
34 there may be projects that you don't do next year that it gets  
35 too late to even look at it. You have the money set aside for  
36 that fund, but you may not get all of them completed.  
37 COMMISSIONER MILLS: Okay.  
38 NAN ANCHO: So just do an evaluation of your funds and see  
39 where you're at.  
40 Don't let it go in the negative.

1 CHAIRMAN BAKKER: Okay.  
2 COMMISSIONER WAITS: I'll make a motion that we authorize  
3 the additional amount of \$5,279.80 for the Eleventh Judicial  
4 District Court fiscal year '16/'17 for their increase in  
5 insurance.  
6 COMMISSIONER CLARK: I'll second it.  
7 CHAIRMAN BAKKER: Patsy made a motion. Art seconded it.  
8 Any public comment?  
9 (No comment.)  
10 CHAIRMAN BAKKER: All in favor?  
11 COMMISSIONER STIENMETZ: Aye.  
12 COMMISSIONER MILLS AND CHAIRMAN BAKKER: Aye.  
13 COMMISSIONER WAITS: Aye.  
14 COMMISSIONER CLARK: Aye.  
15 CHAIRMAN BAKKER: Thank you, Judge.  
16 JUDGE JIM SHIRLEY: Thank you.  
17 Sorry. I wish I had anticipated that one.  
18 COMMISSIONER MILLS: Okay.  
19 CHAIRMAN BAKKER: You're good.  
20 Thank you, Nan.  
21 COMMISSIONER WAITS: Next -- next time you come before us,  
22 please bring good news.  
23 JUDGE JIM SHIRLEY: Okay.  
24 CHAIRMAN BAKKER: Like giving money back. That's always  
25 good news.  
26 JUDGE JIM SHIRLEY: All right. I'll make sure I do that.  
27 CHAIRMAN BAKKER: Okay.

28  
29  
30 **ASSESSOR**

- 31  
32 4) **Discussion and possible action to accept the early**  
33 **termination of the Interlocal Agreement for Parcel**  
34 **Maintenance between Carson City and Lander County, which**  
35 **commenced on July 1, 2015, and is due to terminate on June**  
36 **30, 2017, and all other matters properly related thereto.**  
37

38 CHAIRMAN BAKKER: Agenda Item Number 4. Discussion and  
39 possible action to accept the early termination of the  
40 Interlocal Agreement for Parcel Maintenance between Carson City

1 and Lander County, which commenced on July 1<sup>st</sup>, 2015, and is due  
2 to terminate on July 31<sup>st</sup>, 2017, [verbatim] and all other  
3 matters properly related thereto.  
4 COMMISSIONER WAITS: I had --  
5 LURA DUVALL: Lura --  
6 COMMISSIONER WAITS: -- a correction --  
7 LURA DUVALL: -- Duvall, assessor.  
8 COMMISSIONER WAITS: -- on that, Mr. Chairman. Excuse me.  
9 LURA DUVALL: Go ahead.  
10 CHAIRMAN BAKKER: Go ahead.  
11 COMMISSIONER WAITS: The actual paperwork says, terminate  
12 July 31<sup>st</sup>, 2016.  
13 DISTRICT ATTORNEY HERRERA: No, the actual contract,  
14 Commissioner, is 2017. The letter that he wrote was -- was not  
15 accurate.  
16 COMMISSIONER WAITS: So this -- the 2017 is correct. And  
17 the note is incorrect?  
18 DISTRICT ATTORNEY HERRERA: Yes.  
19 COMMISSIONER WAITS: Oh, okay.  
20 CHAIRMAN BAKKER: So it's --  
21 COMMISSIONER WAITS: Okay.  
22 LURA DUVALL: No.  
23 CHAIRMAN BAKKER: So we're good?  
24 COMMISSIONER WAITS: So we live -- we leave it stand on the  
25 agenda?  
26 CHAIRMAN BAKKER: It's this July --  
27 COMMISSIONER WAITS: Okay.  
28 CHAIRMAN BAKKER: -- 2016.  
29 LURA DUVALL: Okay. Lura Duvall, assessor, for the record.  
30 That is correct. The contract that was drafted is due to  
31 terminate on June 30<sup>th</sup>, 2017. But they have given us notice  
32 that they are terminating July 15<sup>th</sup> of 2016.  
33 DISTRICT ATTORNEY HERRERA: Yes.  
34 LURA DUVALL: So they are --  
35 CHAIRMAN BAKKER: Oh.  
36 LURA DUVALL: -- terminating the contract.  
37 CHAIRMAN BAKKER: So it's right?  
38 LURA DUVALL: Yes.  
39 DISTRICT ATTORNEY HERRERA: Right.  
40 LURA DUVALL: Uh-huh. It's correct.

1 CHAIRMAN BAKKER: Okay.  
2 LURA DUVALL: Uh-huh.  
3 Thi- -- this language is what is in the current contract.  
4 And they are requesting -- they have sent a letter notifying us  
5 that they are terminating basically a year early.  
6 CHAIRMAN BAKKER: The agenda item --  
7 DISTRICT ATTORNEY HERRERA: They actually thought it was --  
8 I -- I don't know. The -- the letter was ambiguous. But the  
9 contract, just like Lura points out, terminates --  
10 COMMISSIONER WAITS: Okay.  
11 DISTRICT ATTORNEY HERRERA: -- 2017.  
12 CHAIRMAN BAKKER: Okay.  
13 COMMISSIONER WAITS: Due to terminate 2017. And they are  
14 terminating 2016?  
15 DISTRICT ATTORNEY HERRERA: Yes.  
16 CHAIRMAN BAKKER: Yep.  
17 COMMISSIONER WAITS: Got it.  
18 LURA DUVALL: That is correct.  
19 CHAIRMAN BAKKER: Okay.  
20 LURA DUVALL: Yeah.  
21 COMMISSIONER WAITS: Thank you.  
22 LURA DUVALL: Yes.  
23 CHAIRMAN BAKKER: Lura?  
24 LURA DUVALL: And so I a- -- I have a meeting with a new  
25 mapper on July the 12<sup>th</sup> to negotiate a new mapping contract. He  
26 is flying in from Texas to meet with me and go over the terms.  
27 And so I will be coming forward with a new proposal for a new  
28 contract sometime towards the latter part of July.  
29 According to Dave Dolly, Carson City Assessor's Office,  
30 they will complete the maps they have in possession. So we'll  
31 see if that happens.  
32 And then they'll send us our entire database on an external  
33 hard drive so that we will have that in place for the new mapper.  
34 COMMISSIONER WAITS: Okay. So we had the 30-day  
35 termination in the contract, and we're okay and you're okay  
36 and --  
37 LURA DUVALL: No, I think --  
38 COMMISSIONER WAITS: -- we're moving on?  
39 LURA DUVALL: Yeah, I'm fine.  
40 COMMISSIONER WAITS: Okay.

1 LURA DUVALL: Not like I have a choice. Yeah. So.  
2 CHAIRMAN BAKKER: Okay.  
3 LURA DUVALL: Okay.  
4 CHAIRMAN BAKKER: Thank you.  
5 With that...  
6 I need a motion.  
7 COMMISSIONER STIENMETZ: I'll --  
8 COMMISSIONER WAITS: I'll make --  
9 COMMISSIONER STIENMETZ: -- make a motion we accept the  
10 early termination of the Interlocal Agreement for Parcel  
11 Maintenance between Carson City and Lander County with  
12 commencement on July 1<sup>st</sup>, 2015, and due to terminate on  
13 June 30<sup>th</sup>, 2017, and all other matters.  
14 COMMISSIONER CLARK: Second.  
15 CHAIRMAN BAKKER: Steve made a motion. Doug seconded. Any  
16 public comment?  
17 (No comment.)  
18 CHAIRMAN BAKKER: All in favor?  
19 COMMISSIONER STIENMETZ: Aye.  
20 COMMISSIONER MILLS AND CHAIRMAN BAKKER: Aye.  
21 COMMISSIONER WAITS: Aye.  
22 COMMISSIONER CLARK: Aye.  
23 CHAIRMAN BAKKER: Okay.  
24  
25

26 **COMMISSIONERS**

- 27  
28 5) **Discussion and possible action to approve the contract**  
29 **between Gardner Mechanical Services, Inc., and Lander County**  
30 **in the amount of \$27,123.92, authorize the chair or vice**  
31 **chair to sign, and all other matters properly related**  
32 **thereto.**  
33

34 CHAIRMAN BAKKER: Number 5. Discussion and possible  
35 action to approve contract between Gardner Mechanical Services,  
36 Incorporated, and Lander County in the amount of \$27,123.92,  
37 authorize the chair or vice chair to sign, all other matters  
38 properly related thereto.

39 ANNA PENOLA: Good morning. Anna Penola with the Building  
40 Department.

1 CHAIRMAN BAKKER: Good morning, Anna.  
2 ANNA PENOLA: You guys already approved this. It's just --  
3 COMMISSIONER WAITS: In the budget.  
4 ANNA PENOLA: -- formalities now.  
5 DISTRICT ATTORNEY HERRERA: Well, the formality is we  
6 didn't have a dollar amount. Now we do. So that's not really a  
7 formality. That's -- that's a very important term. But you did  
8 approve it. And we're just putting in a dollar amount now.  
9 CHAIRMAN BAKKER: Did we budget it? That -- that amount  
10 enough?  
11 NAN ANCHO: For Gardner Engineering?  
12 CHAIRMAN BAKKER: Uh-huh.  
13 NAN ANCHO: It's -- it's in her maintenance budget.  
14 ANNA PENOLA: Yeah. Yeah.  
15 CHAIRMAN BAKKER: Okay.  
16 COMMISSIONER WAITS: Yeah.  
17 ANNA PENOLA: We're good.  
18 COMMISSIONER WAITS: Yeah.  
19 CHAIRMAN BAKKER: Okay.  
20 Then...  
21 COMMISSIONER MILLS: I'll make --  
22 COMMISSIONER STIENMETZ: I'll make --  
23 COMMISSIONER MILLS: -- I'll make a motion --  
24 COMMISSIONER STIENMETZ: Go ahead.  
25 COMMISSIONER MILLS: -- to approve the maintenance contract  
26 between Gardner Mechanical Services, Inc., and Lander County in  
27 the amount of \$27,123.92.  
28 COMMISSIONER STIENMETZ: And authorize the chair to sign.  
29 COMMISSIONER MILLS: And authorize the chair to sign.  
30 COMMISSIONER WAITS: I'll second motion.  
31 CHAIRMAN BAKKER: Doug made a motion. Patsy seconded. Any  
32 public comment?  
33 (No comment.)  
34 CHAIRMAN BAKKER: All in favor?  
35 COMMISSIONER STIENMETZ: Aye.  
36 COMMISSIONER MILLS: Aye.  
37 CHAIRMAN BAKKER: Aye.  
38 COMMISSIONER WAITS: Aye.  
39 COMMISSIONER CLARK: Aye.  
40 ANNA PENOLA: Thank you.

1 COMMISSIONER WAITS: Thank you, Anna.

2 CHAIRMAN BAKKER: Thank you, Anna.

3  
4 **6) Update from Rick Bell regarding the Lander County EMS**  
5 **program, and all other matters properly related thereto.**  
6

7 CHAIRMAN BAKKER: Six, update from Rick Bell regarding the  
8 Lander County EMS program and all other matters properly related  
9 thereto.

10 RICHARD BELL: For the record, Rick Bell, Lander County  
11 EMS. Good morning, Commissioners.

12 CHAIRMAN BAKKER: Good morning, Rick.

13 COMMISSIONER MILLS: Good morning.

14 COMMISSIONER STIENMETZ: Good morning.

15 RICK BELL: Should have the expense reports in front of  
16 you.

17 Generated potentially \$63,709 this month on 53 -- excuse  
18 me -- 59 runs in which 25 were billable of the --

19 Contractual adjustments were \$6,715.

20 Amounts sent to collections, 15,903.

21 Actually received payments of 23,450. And total expenses  
22 for the month through operating were 37,361.

23 I think you commissioners got this in your packet too?

24 COMMISSIONER WAITS: Yes.

25 RICK BELL: Okay. Kind of shows where we're trending and  
26 making headway, kind of proud to say a little bit.

27 COMMISSIONER MILLS: I think that's a nice addition. I  
28 like that.

29 RICK BELL: Sir?

30 COMMISSIONER MILLS: I think that chart's a nice addition.  
31 I like seeing historical trend information.

32 RICK BELL: Yeah.

33 COMMISSIONER MILLS: It's always --

34 RICK BELL: It helps put it in --

35 COMMISSIONER MILLS: -- information.

36 RICK BELL: -- perspective.

37 Unless the commission has any questions, I'll --

38 CHAIRMAN BAKKER: Rick?

39 RICK BELL: -- get out of your hair. Yes, sir.

40 CHAIRMAN BAKKER: You have 59 runs and 25 are billable.

1 Why aren't the other ones billable? What runs are they?  
2 RICK BELL: A fire standby isn't billable.  
3 A long time ago, the -- another commissioner had us put our  
4 first outrig at things like the racetrack. And we responded from  
5 there.  
6 It's still -- I count that as our --  
7 CHAIRMAN BAKKER: Community service.  
8 RICK BELL: -- just a run. Yeah.  
9 CHAIRMAN BAKKER: Okay.  
10 RICHARD BELL: So everything like that I count.  
11 CHAIRMAN BAKKER: Okay.  
12 RICHARD BELL: So I can track it.  
13 CHAIRMAN BAKKER: Okay. Just curious. Thank you.  
14 RICK BELL: Thank you.  
15 COMMISSIONER STIENMETZ: Thank you, Rick.  
16 COMMISSIONER WAITS: Thank you, Rick.  
17 CHAIRMAN BAKKER: Hey, Sean, can we take a short break  
18 because he's got -- he has a PowerPoint presentation?  
19 COMMISSIONER STIENMETZ: Yeah.  
20 Can we jump to the next one and come back?  
21 LAKEN MARINE: If you want. I'm just letting you know. He  
22 has --  
23 CHAIRMAN BAKKER: Is he going to interrupt your whatever?  
24 LAKEN MARINE: Well, I have to check things.  
25 COMMISSIONER WAITS: He wants to set up, I think.  
26 CHAIRMAN BAKKER: Okay. Well, let's take a two-minute  
27 break. Austin?  
28  
29 (Break taken between 10:49 a.m. and 10:51 a.m.)  
30  
31 CHAIRMAN BAKKER: Call this meeting back to order.  
32

33 **7) Discussion and possible action for the adoption of the State**  
34 **of Nevada NDOT Bicycle Plan for Lander County and all other**  
35 **matters properly related thereto.**  
36

37 CHAIRMAN BAKKER: Oh. Agenda Item Number 7. Discussion  
38 and possible action for the adoption of the State of Nevada NDOT  
39 or N-D-O-T Bicycle Plan for Lander County and all other matters  
40 properly related thereto.

1 BILL STORY: Good morning. My name is Bill Story. I'm  
2 manager of bicycle and pedestrian programs at the planning --  
3 within the planning division at NDOT out of Carson City.

4 I wanted to come before you today and present our -- you --  
5 what we've come up with for a Lander County bicycle plan.

6 And there's a little bit of history in here. And it'll  
7 explain where this plan came from.

8 We are mandated, both under federal law and under state  
9 statute, to a- -- to develop a statewide bicycle plan and  
10 annually update it.

11 Last time we did that was in 2011, 2013 -- 2011 to 2013. It  
12 was fully adopted the beginning of 2013.

13 And out of that, that plan covers mainly the rural areas,  
14 the areas that are outside the metropolitan planning areas, like  
15 Clark, Washoe, Tahoe, and Carson.

16 So it essentially is a rural plan.

17 Out of that plan, many of the comments we got from the  
18 local counties was, we would like a plan that actually shows our  
19 specific communities and, you know, plans out the bicycle  
20 infrastructure within those communities.

21 So we went back to the front office and they authorized us  
22 to extend that contract and put more money in to developing  
23 specific county bicycle plans for all 14 rural counties that are  
24 not covered under a metropolitan planning area.

25 So the way the process works, we went into all the areas. We  
26 held workshops, gathered public input. We ha- -- we hired  
27 consultants Kimley-Horn and Associates out of Las Vegas as the  
28 prime. And they hired a subconsultant, Toole Des- -- Toole Design  
29 Group out of Seattle, Washington. They're -- they are a specialty  
30 consulting firm specializing in only pedestrian/bicycle planning.  
31 And we went out and visited all the pla- -- the counties. We  
32 drove as many of the possible roads as -- as we could, talked to  
33 the community, and came up with a plan that would work specific  
34 for that community.

35 Now we're in final draft with that plan. So we're coming  
36 in front of the county commission for approval here at the local  
37 level.

38 If approved here, it will be agendized next -- next month  
39 for the Nevada Bicycle Pedestrian Advisory Board, which is the  
40 state board for bicycle/pedestrian issues.

1 Everyone on that board is appointed by the governor. And  
2 for their recommendation -- with a positive recommendation from  
3 them, it will go to Rudy Malfabon, our director at NDOT, for his  
4 approval and his o- -- the front office review and approval.

5 And then, once approved by him, it becomes included as part  
6 of our statewide plan.

7 So currently, the status of these -- these rural bike --  
8 bicycle plans, we've been to all the counties on the left. They  
9 have all approved their county plans. I have four left. I'm  
10 getting close to the end here to -- to seek county approval. And  
11 there are four that are fully approved and up on the website.  
12 They've been through the bicycle board. They've been through  
13 front office review.

14 CHAIRMAN BAKKER: Are those the ones with stars?

15 BILL STORY: The stars mean they're fully approved. So  
16 they -- they are actually part of the state plan. They've made  
17 it through the whole process.

18 I have another four or five going to Rudy tomorrow for his  
19 review -- I'm sorry -- we have two going to the front office  
20 review. We have five so far scheduled for the  
21 bicycle/pedestrian board meeting on the -- I think it's the 21<sup>st</sup>  
22 or the 19<sup>th</sup> of July -- will be when they review those.

23 So get the question of: Why are we doing these bicycle  
24 plans? Besides the -- the mandates both in -- in state and  
25 federal law.

26 And -- and so this is a graph that we've stolen that pretty  
27 much looks at travel surveys throughout the United States and --  
28 and shows the types of bicyclists.

29 On the very far right, we have about 30 percent of the  
30 population or more that is -- they're just not ever going to be  
31 on a bike. And that's not one of their issues.

32 Then on the far left, we have those folks, the spandex  
33 crowd. They're strong and fearless. They're enthused and  
34 confident, you know. And they're less than about 8 percent.  
35 They really don't need facilities. They're comfortable riding  
36 in traffic. Doesn't bother them. They're going to be out there  
37 anyway.

38 The group that we really want to target is the over  
39 60 percent that say they would like to go and ride a bike to the  
40 little league park or their kid ride a bike to school, but the

1 road is too dangerous. The crossing is a concern. They would  
2 have all these different reasons.

3 That is really where we focus our planning efforts on. Can  
4 we -- can we mitigate those safety concerns? Can we make it a  
5 safer environment -- so that some of those people, should they  
6 want to, would be able to pull a bike down off a hook in the  
7 garage and ride to their kid's little league game.

8 So --

9 So these plans included the public involvement, an analysis  
10 of existing conditions, driving the roads. We set up visions,  
11 goals, and objectives in each plan, recommended infrastructure  
12 to be implemented. And it does-- actually it can be  
13 non-infrastructure too. It can be education programs, more law  
14 enforcement training. This -- this plan really covers the whole  
15 gamut of -- of the bicycle world. And then how that plan will  
16 be implemented.

17 We were out in September of 2012 when we developed the  
18 statewide plan. We were also out in April of 2014, specifically  
19 working on this county-level plan.

20 And so gathering that community input, looking at those  
21 conditions, looking at possible improvements and whether or not  
22 they would work with the existing infrastructure, looking at all  
23 the policies and programs that may or may not be in place. Is  
24 there any new laws that need to be passed? Any legislation?

25 And one thing we heard very loud from the local -- from a  
26 lot of the local counties is how big bike tourism is to them,  
27 especially on the 50 corridor, which is our national  
28 transcontinental site and corridor.

29 So some of the things we found desirable here in Lander  
30 County. We did see drivers being fairly cautious within the  
31 community areas. School zones seemed to be well enforced. You  
32 do have bike events already, using the state routes and US-50  
33 within the county. County support for cycling infrastructure.  
34 We can see right out front here, we've got cycling  
35 infrastructure here in Battle Mountain already.

36 And you are on, like I say, the Western Express Route,  
37 which is one of the four main transcontinental bike routes for  
38 bike touring in the United States. That would be on US-50.

39 The challenges. Very similar to most of the rural  
40 counties: narrow shoulders in a lot of places, pinch points,

1 large distances between communities. And that really could --  
2 you could add to almost any of our rural counties.

3 So the vision that became -- that we're proposing for Lander  
4 County is for Lander County residents and visitors of all ages and  
5 abilities to experience a convenient, pleasant, and safe bicycling  
6 environment.

7 Two major goals that I'll highlight out of that would be to  
8 in- -- to create that safer environment so that we -- the mode  
9 share. People -- people could go out and ride if they wanted  
10 to, both -- both visitors and residents here. And to, as  
11 always, reduce crashes towards our zero fatalities initiatives.

12 So in -- the objectives of that would be to increase local  
13 support of the bicycling, increase bicycle tourism in any way we  
14 can, accommodate appropriate facilities on all roadways -- and our  
15 appropriate facilities on some roadways may be nothing. It might  
16 just be the way it is now, which is fine. Increased motorists'  
17 and bicyclists' compliance with the laws associated with  
18 bicycling.

19 And so looking at Lander County, we mainly focused on  
20 Battle Mountain and Austin areas. The -- this is the proposed  
21 network in Battle Mountain. Some of it you already have in  
22 place.

23 The red are shared-use paths, separated bike paths. The blue  
24 are bicycle lanes.

25 And then in Austin, not really very constrained with the  
26 buildings there, although it is a very low-speed environment. So  
27 we're just proposing in Austin on -- on US-50 to put in  
28 sharrows, which are shared lane markings. Those are starting to  
29 show up. Reno is using them. Las Vegas is now using them. Elko  
30 has used them extensively around their schools. And these are --  
31 these are markings that go in the middle of the travel lane,  
32 just -- it's a symbol of a bicycle with two arrows and two  
33 chevrons on top. And it just lets the drivers know that the  
34 bicycle may be in that lane and can use that lane.

35 CHAIRMAN BAKKER: So there's no plans to go over the  
36 summit?

37 BILL STORY: I think that goes up -- it may go all the way  
38 to the summit, but not -- not over the other side.

39 CHAIRMAN BAKKER: There ought to be a separate lane.

40 COMMISSIONER CLARK: I -- I have a --

1 CHAIRMAN BAKKER: They get a little dangerous.  
2 COMMISSIONER CLARK: Yeah. I have a question along the  
3 same lines. Who has the right-of-way? I mean, you get a bunch  
4 of people on bicycles, they're going down 305 or they're going  
5 on up the Austin Summit, and they take up the lane, then what?  
6 There's no shoulder there. Do they just --  
7 BILL STORY: There's no requirement for a bicycle to ride  
8 in a shoulder, under state law. Bicycles, specifically, have  
9 the same rights and responsibilities as drivers of motor  
10 vehicles. That being said, if there's five or more vehicles  
11 piling up behind them, they, per law, have to look for a place  
12 to -- to pull off and allow those vehicles to pass, just like a  
13 backhoe would or a tractor.  
14 COMMISSIONER CLARK: Okay.  
15 CHAIRMAN BAKKER: Have you seen that summit?  
16 BILL STORY: Yes.  
17 CHAIRMAN BAKKER: Okay.  
18 BILL STORY: Drove it Monday.  
19 Yes. Been over it many times.  
20 And -- and there are a lot of areas that are constrained.  
21 Under our new passing laws that were adopted six, eight years ago,  
22 three or four sessions ago, you know, you have to -- you can only  
23 pass a bicycle if you can do it safely.  
24 And once again, they have that o- -- that requirement  
25 that they -- if there's five or more vehicles behind, they  
26 need to -- to move -- find a place to move over.  
27 CHAIRMAN BAKKER: One thing, if the bicycle's in the way  
28 and a semi comes over the hill and he's not stopping in time.  
29 BILL STORY: Well, that's why -- that's why the shared lane  
30 markers, to alert them that they're going to be there. And --  
31 and additional signage.  
32 One other thing and I'll go and -- and here -- here's a  
33 picture of in Elko of one of the shared lane markings that  
34 they've been using. They only go on roads on low-speed  
35 facilities and are used for that.  
36 So the high-priority improvements was bike -- bicycle lanes  
37 on Eighth Street, bicycle lanes on Front Road, buffered bicycle  
38 lanes on Ranch Road, and the non-motorized bridge that you guys  
39 have been trying to work on, try to get through some of the issues  
40 with that and get another way over the freeway.

1           Also shared-use path. Two of them. One bro- -- on the  
2 Broad Street overpass. That is -- well, actually that is the  
3 one to connect the high school to the -- the roadway and  
4 facilities.  
5           You know, we see a lot of social trails there. And there  
6 needs to be something done to actually make that formalized and  
7 safer than them just scrambling up the side of the embankment.  
8           And then the other one is out here on the east side of  
9 town. It was brought forward that along the levee there was  
10 another place people would like to ride so...  
11           COMMISSIONER WAITS: Mr. Story?  
12           BILL STORY: -- to connect those neighborhoods.  
13           COMMISSIONER WAITS: Would -- would you go back on that  
14 last one? That -- the one previous to this. You were talking  
15 about the X's.  
16           So right now, the bicycles are prohibited from 229 to 233.  
17           BILL STORY: 229?  
18           COMMISSIONER WAITS: In Lander County. That's what --  
19           BILL STORY: Um.  
20           COMMISSIONER WAITS: -- that's what it says. They are  
21 prohibited.  
22           BILL STORY: Oh, are there --  
23           Yeah, we're going to be looking at that. We may be removing  
24 the prohibitions throughout eastern Nevada.  
25           COMMISSIONER WAITS: Well, that -- that's what I'm asking.  
26 So it looks like you --  
27           BILL STORY: You know, the freeway.  
28           COMMISSIONER WAITS: -- want to put a bicycle lane so they  
29 wouldn't be prohibited --  
30           BILL STORY: Right.  
31           COMMISSIONER WAITS: -- on that. Is that where we are?  
32 Okay.  
33           BILL STORY: Well, none of this is on the freeway. Is that  
34 what you're saying? Or --  
35           You're just saying to put the bike lanes in for the --  
36           COMMISSIONER WAITS: I -- I don't know. It just -- it just  
37 says in the paperwork it's prohibited from 229 to 233,  
38 bicyclists.  
39           COMMISSIONER CLARK: Yeah.  
40           CHAIRMAN BAKKER: I-80.

1 COMMISSIONER WAITS: Yeah. On --  
2 COMMISSIONER CLARK: And --  
3 COMMISSIONER WAITS: -- I-80. So now you're saying, you  
4 may relieve that prohibition and you're putting in --  
5 BILL STORY: No. None of this would go on I-80. None of  
6 this is for I-80. These are all on the local streets.  
7 COMMISSIONER WAITS: But it says high priority, bicycle  
8 lane.  
9 BILL STORY: Yes. A bicycle lane.  
10 COMMISSIONER MILLS: That's talking about --  
11 BILL STORY: On the -- on the local network.  
12 COMMISSIONER MILLS: That's talking about on --  
13 COMMISSIONER WAITS: Okay.  
14 COMMISSIONER MILLS: -- Front Street.  
15 COMMISSIONER WAITS: So we're going to take them --  
16 CHAIRMAN BAKKER: Yeah, that's --  
17 COMMISSIONER WAITS: -- off --  
18 CHAIRMAN BAKKER: -- Front Street.  
19 COMMISSIONER WAITS: -- 229 to 233 and give them a bicycle  
20 lane --  
21 BILL STORY: We'll they're not -- they're not prohibited --  
22 COMMISSIONER MILLS: Patsy.  
23 BILL STORY: -- on 229, 215. The only prohibition, if one  
24 exists, is on I-80.  
25 Federal law and state law only allows us to prohibit on a  
26 freeway.  
27 DISTRICT ATTORNEY HERRERA: So --  
28 COMMISSIONER WAITS: Right.  
29 DISTRICT ATTORNEY HERRERA: So, Commissioner, the -- the  
30 bicyclist would get off at the first exit, --  
31 BILL STORY: Uh-huh.  
32 DISTRICT ATTORNEY HERRERA: -- go through town, and then --  
33 COMMISSIONER CLARK: Right.  
34 DISTRICT ATTORNEY HERRERA: -- get back on.  
35 COMMISSIONER WAITS: That's what I'm saying. And then  
36 you're going to do the bicycle lane when they come off so they  
37 have a --  
38 BILL STORY: Yes.  
39 DISTRICT ATTORNEY HERRERA: Yes.  
40 COMMISSIONER WAITS: -- bicycle lane --

1 BILL STORY: Correct.  
2 COMMISSIONER WAITS: -- to 233.  
3 BILL STORY: Correct. I'm sorry --  
4 COMMISSIONER WAITS: That's -- that's what --  
5 BILL STORY: -- if I --  
6 COMMISSIONER WAITS: -- I was --  
7 BILL STORY: -- wasn't catching --  
8 COMMISSIONER WAITS: -- getting at.  
9 BILL STORY: -- (indiscernible).  
10 COMMISSIONER WAITS: That was your --  
11 COMMISSIONER CLARK: Okay.  
12 COMMISSIONER WAITS: -- improvement.  
13 BILL STORY: Exactly.  
14 COMMISSIONER WAITS: Okay.  
15 COMMISSIONER CLARK: Now, I have a question on the  
16 non-motorized bridge over --  
17 BILL STORY: Yes.  
18 COMMISSIONER CLARK: -- I-80 near Humboldt Street. You're  
19 going to build a bridge?  
20 BILL STORY: Well, this is the one that was proposed. It  
21 was actually proposed by the county.  
22 COMMISSIONER WAITS: The pedestrian bridge.  
23 BILL STORY: The pedestrian bridge.  
24 COMMISSIONER CLARK: You're going to build it now?  
25 BILL STORY: Well, no, this is -- we're -- this -- this is  
26 a plan. This is a visioning plan. So --  
27 COMMISSIONER MILLS: This was the -- this was the  
28 pedestrian bridge that --  
29 BILL STORY: This was the --  
30 COMMISSIONER MILLS: -- Lander County --  
31 BILL STORY: -- bridge that --  
32 COMMISSIONER MILLS: -- was going to build.  
33 BILL STORY: -- the community said they wanted put in. It  
34 doesn't mean -- we still have the factors of money and  
35 right-of-way and all those things --  
36 COMMISSIONER CLARK: Okay.  
37 BILL STORY: -- that still have to be figured out.  
38 Right.  
39 COMMISSIONER CLARK: You're not going to impose this on the  
40 county?

1 COMMISSIONER WAITS: No.  
2 BILL STORY: No. None of this --  
3 COMMISSIONER WAITS: No, but --  
4 BILL STORY: -- gets imposed --  
5 COMMISSIONER CLARK: Okay.  
6 BILL STORY: -- on NDOT or the county.  
7 COMMISSIONER WAITS: But the --  
8 BILL STORY: What this does is provide a guideline so when  
9 NDOT is doing a project or the county is doing a project on  
10 their local roads, they can see that, oh, you know, this is  
11 supposed to have a shared lane marking or a bicycle lane. When  
12 they -- when you have a project go through and you have the  
13 funding and you're able to accommodate it. None of this is  
14 fiscally constrained.  
15 COMMISSIONER CLARK: Okay. No fiscal --  
16 BILL STORY: No fiscal --  
17 COMMISSIONER CLARK: No fiscal --  
18 BILL STORY: -- strain.  
19 COMMISSIONER CLARK: -- strain on Lander --  
20 BILL STORY: No.  
21 COMMISSIONER CLARK: -- County.  
22 BILL STORY: This is that vision. This is your plan. And  
23 it can be changed by you guys and -- and by the county in any  
24 way they wish.  
25 This is a -- a -- a plan that enables your road network, your  
26 road people, your public works to be able to know where facilities  
27 would go if we could put them in.  
28 COMMISSIONER CLARK: Okay. Go to the next slide.  
29 I have a question on the next slide.  
30 Okay. Shared-use path, Broad Street overpass to the high  
31 school.  
32 Right now there is a bicycle path next to the travel lane.  
33 BILL STORY: Right. There's a sidewalk there. Right.  
34 COMMISSIONER CLARK: No. No. There -- there's -- there's  
35 an area between the --  
36 BILL STORY: Barrier wall and the --  
37 COMMISSIONER CLARK: Yeah.  
38 BILL STORY: -- fence? Yeah.  
39 COMMISSIONER CLARK: Yeah.  
40 BILL STORY: Right.

1 COMMISSIONER CLARK: So where do they travel? Do they --  
2 BILL STORY: This --  
3 COMMISSIONER CLARK: -- travel on the sidewalk?  
4 BILL STORY: This is a connection between that and the high  
5 school. Because when you go out there and you look right now,  
6 there is a social path that has developed because everybody's  
7 cutting that corner. So what we're saying is a facility needs  
8 to go in to connect that sidewalk, that roadway to the high  
9 school. Because right now they're u- -- they're -- everybody's  
10 walking there and pushing their bikes across there.  
11 That's what we en- -- that's what we saw when we talked to  
12 the local planners here. That's what we -- that was one of the  
13 concerns they brought up is that connection.  
14 And you'll see -- I can go back here to the back.  
15 COMMISSIONER CLARK: Well, when you go over the --  
16 BILL STORY: You see? It's just a very short, short  
17 segment in red coming off the overpass, connecting into the area  
18 with the schools, --  
19 COMMISSIONER CLARK: Yeah, well --  
20 BILL STORY: -- providing that connection from the  
21 roadway -- from that walking area behind the wall to the  
22 schools.  
23 CHAIRMAN BAKKER: Huh.  
24 COMMISSIONER CLARK: Okay. I only worked at the high  
25 school for 25 years and never had a problem getting a bicycle  
26 there.  
27 BILL STORY: These are just the things that were brought up  
28 in our data collection.  
29 And so that's pretty much it.  
30 I'll answer any other questions you have.  
31 COMMISSIONER MILLS: I have a question.  
32 BILL STORY: Sure.  
33 COMMISSIONER MILLS: Because I was reading through this.  
34 It talked about Complete Streets.  
35 BILL STORY: Uh-huh.  
36 COMMISSIONER MILLS: Can you -- can you give me a little  
37 more definition of what that means?  
38 BILL STORY: In the funding section?  
39 COMMISSIONER MILLS: Yeah.  
40 BILL STORY: Yes. There was a bill passed last session to

1 allow for voluntary contributions that would go to the local  
2 counties wherever a car was registered.

3 COMMISSIONER MILLS: Okay.

4 BILL STORY: It's a voluntary contribution through the DMV.  
5 So the DMV has set up that system. It's really a D- -- a  
6 program that they put upon the DMV.

7 So if you -- if your registration comes up for your car --  
8 and it -- it only works on their electronic kiosks right now and  
9 the website.

10 COMMISSIONER MILLS: Okay.

11 BILL STORY: So you have to do it -- if you're doing it  
12 electronically like that -- you can opt to donate two dollars to  
13 a Complete Streets fund for your county.

14 Now the counties have to notify DMV that they would like to  
15 receive those funds.

16 COMMISSIONER WAITS: We have not notified DMV --

17 BILL STORY: Right.

18 COMMISSIONER WAITS: -- of that. And we have had people  
19 mark the -- the two dollars to do that in the Complete Street.  
20 Whenever you register, look down and it will say Complete  
21 Streets --

22 COMMISSIONER MILLS: Right.

23 COMMISSIONER WAITS: -- right on your registration. Yeah.

24 COMMISSIONER MILLS: Okay.

25 CHAIRMAN BAKKER: So people have donated?

26 COMMISSIONER WAITS: Yeah. We did have some. I -- I  
27 donated a couple years -- several years ago, and they said, no,  
28 Lander --

29 BILL STORY: So it's something that --

30 COMMISSIONER WAITS: -- County --

31 BILL STORY: -- you can set up.

32 COMMISSIONER WAITS: -- isn't part of --

33 BILL STORY: I know that Clark, Washoe, Carson City, --

34 COMMISSIONER WAITS: Uh-huh.

35 BILL STORY: -- and Douglas have all activated theirs. I  
36 think what the law says is that you have to let them know that  
37 you have a Complete Streets pol- --I don't even know if it says  
38 policy. But that you -- you are for Complete Streets.

39 And then the money can be used for this. You can use it  
40 for sidewalks, ADA improvements, bike improvements. You can use

1 it for -- well -- lots of improvements, even ve- -- things with  
2 vehicles on it.

3 CHAIRMAN BAKKER: So if we approve this plan, we also need  
4 to include in the motion to have Keith --

5 COMMISSIONER WAITS: We could. We could be --

6 CHAIRMAN BAKKER: -- activate the Complete --

7 COMMISSIONER WAITS: -- part of it, --

8 CHAIRMAN BAKKER: -- Streets.

9 COMMISSIONER WAITS: -- to see what we need to -- to  
10 actually --

11 COMMISSIONER MILLS: Yeah, look --

12 COMMISSIONER WAITS: -- do that.

13 COMMISSIONER MILLS: -- into it.

14 COMMISSIONER WAITS: Uh-huh.

15 BILL STORY: And I think all they need is a statement, even  
16 an e-mail, last time I --

17 COMMISSIONER WAITS: I don't know --

18 BILL STORY: -- talked to --

19 COMMISSIONER WAITS: -- if it's a resolution --

20 BILL STORY: -- DMV, that you --

21 COMMISSIONER WAITS: -- or what.

22 BILL STORY: -- have that in place and that you would like  
23 to receive those funds. And they just, you know, trim -- trim  
24 the switch on their website.

25 COMMISSIONER WAITS: Pass them on.

26 COMMISSIONER CLARK: With this -- with this plan, does it  
27 have any effect on law enforcement enforcing bicycle rules?

28 BILL STORY: Well, it wouldn't change their authority for  
29 that. But you already, currently in town, have bicycle lanes,  
30 and there's certain rules with that, that go with that.

31 COMMISSIONER CLARK: Does this plan -- it doesn't restrict  
32 people from riding bicycles wherever they want?

33 BILL STORY: No.

34 COMMISSIONER CLARK: Okay. There's no --

35 BILL STORY: There is no state law that says, if a bike  
36 facility is there --

37 COMMISSIONER CLARK: Okay.

38 BILL STORY: -- you have to use it.

39 COMMISSIONER CLARK: It's not a designated bike path and  
40 you have to --

1 BILL STORY: Bicycles always can use just a -- a plain  
2 street. There's -- there's no state law that prohibits bicycles  
3 on sidewalks, from the state level. Those are u- -- any  
4 prohibitions --

5 COMMISSIONER CLARK: Correct.

6 BILL STORY: -- are usually done at the local level.

7 COMMISSIONER CLARK: Okay.

8 BILL STORY: So that's all over there. The thing that some  
9 of these facilities do -- and you guys already have some bike  
10 lanes -- is that a bicycle lane, when it's put on a street, you  
11 know, pedestrians are not allowed to walk in it. You know, if  
12 you go by the letter of the law, drivers are not allowed to  
13 drive in it or park in it, things like that. So...

14 COMMISSIONER CLARK: Okay.

15 BILL STORY: There are some laws that come into effect when  
16 you have a bicycle lane. It is actually a travel lane.

17 COMMISSIONER CLARK: So if we have a bicycle lane on Broad  
18 Street, residents aren't allowed to park in front of their --

19 BILL STORY: No. I mean, you wouldn't put a -- you  
20 wouldn't take away parking. You would -- it would be adjacent  
21 to the parking lane.

22 It may be narrowing of travel lanes, which is commonly how  
23 it's done.

24 Typically, most of our state routes through communities  
25 right now are 12-foot lanes.

26 We are going -- we are currently now looking at most of the  
27 rural communities and -- well, and Vegas and Reno -- and we're  
28 narrowing those lanes in the lower speed environments because  
29 that helps slow the cars down to the -- to the speed --

30 COMMISSIONER CLARK: Yeah.

31 BILL STORY: -- limit that's in place, things like that.

32 COMMISSIONER CLARK: Well, I can see --

33 BILL STORY: You can't do it on the freeway where you need  
34 that extra couple of feet, you know, to keep your car in the  
35 lane.

36 COMMISSIONER CLARK: Okay. So you're going to go outside  
37 the parking?

38 You pull up to the curb, you'd have your car here, you're  
39 going to build the --

40 BILL STORY: Yes.

1 COMMISSIONER CLARK: -- bicycle lane in the --  
2 BILL STORY: Right.  
3 COMMISSIONER CLARK: -- travel lane.  
4 BILL STORY: Well, a bicycle lane is a travel lane. You  
5 may re- --  
6 COMMISSIONER CLARK: No. No, the --  
7 BILL STORY: -- -configure the vehicular --  
8 COMMISSIONER CLARK: -- car travel lane.  
9 BILL STORY: -- lanes.  
10 COMMISSIONER CLARK: The car --  
11 BILL STORY: You're going to reconfigure the -- the  
12 vehicular lanes and then add bicycle lanes, similar to what you  
13 got on what -- what's on the street here.  
14 COMMISSIONER MILLS: When we repave a road, is there  
15 anything -- do we need to contact NDOT if it's a bac- -- a bike  
16 lane-designated road?  
17 BILL STORY: No.  
18 COMMISSIONER MILLS: Do we --  
19 COMMISSIONER CLARK: yeah.  
20 COMMISSIONER MILLS: Is there anything different we need to  
21 do when we repave --  
22 BILL STORY: Well, --  
23 COMMISSIONER MILLS: -- or anything like that?  
24 BILL STORY: -- hopefully, in your process, you would look  
25 at the plan and say, oh, we're going to do, you know, A Street  
26 or whatever it is.  
27 COMMISSIONER MILLS: Right.  
28 BILL STORY: And -- and, oh, look, this is supposed to have  
29 a -- a bike lane on it. And then look at that and see if you  
30 can -- it's a matter of reconfiguring striping, --  
31 COMMISSIONER MILLS: Okay.  
32 BILL STORY: -- most of these. Very -- we tried not to put  
33 things in that were just --  
34 COMMISSIONER MILLS: So we don't necessarily have to  
35 widen --  
36 BILL STORY: -- huge.  
37 COMMISSIONER MILLS: -- roads or --  
38 BILL STORY: Yeah. Widen roads and things like that.  
39 COMMISSIONER MILLS: (Indiscernible.)  
40 BILL STORY: Because -- and --

1 COMMISSIONER MILLS: So it's -- we're just going to --  
2 BILL STORY: -- we're in the same boat. We're not going  
3 to be able to do that.  
4 COMMISSIONER MILLS: Right.  
5 BILL STORY: You know. So --  
6 It's where can we take advantage of existing width that is  
7 there and adequate enough that when we come through with a  
8 repave or reseal, we can maybe change the striping --  
9 COMMISSIONER MILLS: Okay.  
10 BILL STORY: -- and accommodate.  
11 COMMISSIONER MILLS: And you'll help us out -- NDOT will  
12 help us out with ma- -- getting those measurements for where  
13 those stripes need to go --  
14 BILL STORY: Sure. Absolutely.  
15 COMMISSIONER MILLS: -- and things? Okay.  
16 BILL STORY: And what the standards are for that.  
17 CHAIRMAN BAKKER: Okay.  
18 Any public comment before we take a vote?  
19 Okay.  
20 COMMISSIONER CLARK: You have any concerns, Ron? Robert?  
21 UNDERSHERIFF ROBERT QUICK: We haven't had yet. We haven't  
22 had --  
23 COMMISSIONER CLARK: Okay.  
24 UNDERSHERIFF ROBERT QUICK: -- any issues.  
25 COMMISSIONER WAITS: I'll make a motion that Lander County  
26 adopt the State of Nevada NDOT Bicycle Plan for our county.  
27 COMMISSIONER STIENMETZ: I'll second the motion.  
28 CHAIRMAN BAKKER: Patsy made a motion. Steve seconded it.  
29 Any public comment?  
30 GRACE KEMP: Grace Kemp, for the record. Taxpayer.  
31 I travel that Austin Summit every week. And when you get  
32 the diesels up there and you get campers, there's no room for  
33 bicycles. And there's bicycles on that every week.  
34 It is an accident waiting to happen already.  
35 So until you figure out how to build that canyon and make  
36 that road wider, I would definitely not encourage bicycles. As  
37 far as Lander County, I would put them out there on their own  
38 risk. Because they are definitely -- they're just waiting to  
39 get hit.  
40 There's 45 curves between Austin and Kingston turnoff.

1 Forty-five. And it's bad.

2 So before you put a bicycle on there and tell me, as a  
3 motorist, to move over or slow down, look at the diesels trying to  
4 pass each other on those curves. It's a really bad area.

5 COMMISSIONER CLARK: But that's already in place, Grace.

6 GRACE KEMP: Well, it's happening. But I don't know if  
7 we're encouraging that. I don't know where this is going.

8 COMMISSIONER WAITS: Actually, in the bicycle plan, it is  
9 identified. And that was done in the workshops, that it is a  
10 major area --

11 GRACE KEMP: Okay.

12 COMMISSIONER WAITS: -- that is a --

13 GRACE KEMP: I just --

14 COMMISSIONER WAITS: -- real problem.

15 GRACE KEMP: -- want to put it on the record how scary that  
16 is for --

17 COMMISSIONER WAITS: Yeah.

18 GRACE KEMP: -- a motorist --

19 COMMISSIONER WAITS: No, it isn't any --

20 COMMISSIONER CLARK: Yeah.

21 GRACE KEMP: -- to pass --

22 COMMISSIONER CLARK: It is.

23 GRACE KEMP: -- a bicyclist.

24 COMMISSIONER WAITS: I mean, --

25 COMMISSIONER CLARK: It is scary.

26 GRACE KEMP: It is very scary. So if you don't live that  
27 and you don't drive it, you're not going to realize it.

28 Now, in town, I think it's a wonderful thing. You know,  
29 get them off the highway, maneuver them back, get them back on  
30 the highway, whatever.

31 But that summit is a tough thing to deal with. So just  
32 before the commissioners go forward, make them really, really  
33 look at that strongly. Because it's tough being a motorist on  
34 that summit, more or less a bicyclist.

35 DISTRICT ATTORNEY HERRERA: Grace, that -- the -- the  
36 summit is not included in the bicycle plan.

37 GRACE KEMP: Well, I thought they were talking about Austin  
38 Summit.

39 DISTRICT ATTORNEY HERRERA: They were talking about it, but  
40 it's not included in the bicycle plan.

1 GRACE KEMP: Okay. I just --  
2 DISTRICT ATTORNEY HERRERA: State law covers that.  
3 Bicycles certainly can drive in the driving lane.  
4 GRACE KEMP: Okay.  
5 DISTRICT ATTORNEY HERRERA: And they have -- they have the  
6 right-of-way.  
7 GRACE KEMP: Okay.  
8 COMMISSIONER STIENMETZ: Right.  
9 CHAIRMAN BAKKER: I did bring that up that that was  
10 something they need to look at.  
11 GRACE KEMP: Okay. I just -- from -- from out here, I  
12 didn't understand that.  
13 COMMISSIONER CLARK: But what NDOT wants to do is put signs  
14 on -- on the travel lanes that you could possibly -- there could  
15 possibly be bicycles in front of you, so --  
16 GRACE KEMP: Yeah.  
17 COMMISSIONER CLARK: -- that -- that's what that was about.  
18 GRACE KEMP: Okay. Thank you.  
19 COMMISSIONER CLARK: But this is my --  
20 CHAIRMAN BAKKER: Thanks.  
21 COMMISSIONER CLARK: -- concern too, Grace.  
22 GRACE KEMP: Thank you.  
23 CHAIRMAN BAKKER: Patsy made a motion. Steve seconded it.  
24 Any more public comment?  
25 (No comment.)  
26 CHAIRMAN BAKKER: All in favor?  
27 COMMISSIONER STIENMETZ: Aye.  
28 COMMISSIONER MILLS: Aye.  
29 CHAIRMAN BAKKER: Aye.  
30 COMMISSIONER WAITS: Aye.  
31 COMMISSIONER CLARK: Aye.  
32 COMMISSIONER STIENMETZ: Thank you.  
33 BILL STORY: Thank you very much.  
34 CHAIRMAN BAKKER: Thank you.  
35  
36  
37  
38  
39  
40

1 CLERK

2  
3 8) Discussion and possible action to develop the ballot question  
4 required by Nevada Assembly Bill 191 (AB191) -- Fuel Tax  
5 Ballot Question. The language for the ballot question to be  
6 developed by the Board of County Commissioners with the  
7 assistance of the County Clerk, District Attorney, and  
8 Secretary of State. Lander County Clerk to make  
9 recommendations on individuals to appoint to the committees  
10 that will write the pro and con arguments for the ballot  
11 question along with rebuttal for each, and all other matters  
12 properly related thereto.  
13

14 CHAIRMAN BAKKER: Agenda Item Number 8. Discussion and  
15 possible action to develop the ballot question required by  
16 Nevada Assembly Bill 19- -- 191, AB191 -- Fuel Tax Ballot  
17 Question. The language for the ballot question to be developed  
18 by the Board of County Commissioners, assistance of the County  
19 Clerk, District Attorney, and Secretary of State. Lander County  
20 Clerk to make recommendations on individuals to appoint to the  
21 committees that will write the pro and con arguments for the  
22 ballot question along with rebuttal for each, and all other  
23 matters properly related thereto.

24 DISTRICT ATTORNEY HERRERA: Commissioners, Sadie's not  
25 here. And -- and so -- it's on the agenda to possibly appoint  
26 two committees: one pro on this question and one to draw up the  
27 con.

28 Now, it was in front of the com- -- it was in front of you  
29 before. Judie brought it up. But at that point in time, I  
30 pointed out that the statute's pretty clear that the county clerk  
31 must make recommendations to the Board of Commissioners for  
32 members of committee to write the pro and con arguments.

33 So when we put this on, I went to Sadie -- and I thought she  
34 was going to be here -- and she did include a list that she has of  
35 interested parties for the fuel tax ballot question AB 191 for the  
36 2016 general election. That's attached in your packets. It's the  
37 last page on -- on this. And there's only two people. And it's  
38 Judie A. Allen and Doug Mills.

39 So the statute allows you to appoint one-person committees.

40 So if a committee's not appointed, the statute states that

1 the -- the district attorney and the county clerk will do up these  
2 questions.

3 The problem with that -- and it's not really a problem -- but  
4 the DA and the county clerk can't do rebuttals. Rebuttals have to  
5 be done by the committees.

6 So I would suggest that you appoint one-person committee:  
7 one for and one against. That way they can include the rebuttals.

8 But we put in the packet all the information that's needed  
9 for -- for anybody on the committee, in- -- including sample --  
10 sample questions.

11 CHAIRMAN BAKKER: I have a question. Who introduced this  
12 bill?

13 COMMISSIONER CLARK: Some democrat.

14 CHAIRMAN BAKKER: Some assemblyman.

15 DISTRICT ATTORNEY HERRERA: Yes.

16 CHAIRMAN BAKKER: That's all we know?

17 DISTRICT ATTORNEY HERRERA: It's an assembly- -- I don't  
18 know who did it. I know that it has to be on the ballot and  
19 that questions have to be presented to the Secretary of State.  
20 And it's J- -- I think July 18<sup>th</sup>?

21 LAKEN MARINE: Yeah.

22 I think (indiscernible).

23 DISTRICT ATTORNEY HERRERA: And that you have two people  
24 that are interested. They're both here today.

25 And if they're willing to each take one side of this, then we  
26 can go on. Only two people went to the clerk and put their names  
27 in.

28 COMMISSIONER CLARK: How do we decide which one gets which?

29 CHAIRMAN BAKKER: Whichever one you --

30 DISTRICT ATTORNEY HERRERA: You can --

31 CHAIRMAN BAKKER: want --

32 DISTRICT ATTORNEY HERRERA: -- ask them.

33 CHAIRMAN BAKKER: -- to pick.

34 COMMISSIONER MILLS: What side do you want?

35 DISTRICT ATTORNEY HERRERA: You can ask them, I guess.

36 CHAIRMAN BAKKER: Do you want the pro side?

37 COMMISSIONER WAITS: Well, when the RTC board met, that was  
38 our recommendation that perhaps they would like to assist with  
39 this because nobody else might step forward to do it.

40 And, I mean, whether you're passionate about for or against

1 was immaterial. It was, you can still write it either way.  
2 There's two sides.

3 DISTRICT ATTORNEY HERRERA: Absolutely.

4 COMMISSIONER WAITS: And so that was why Judie, as chair --  
5 and Doug said he would. And --

6 DISTRICT ATTORNEY HERRERA: And I didn't have a problem  
7 with them putting it on.

8 COMMISSIONER WAITS: No, no, no. I understand. I --

9 DISTRICT ATTORNEY HERRERA: We had to follow --

10 COMMISSIONER WAITS: I --

11 DISTRICT ATTORNEY HERRERA: -- the statute.

12 COMMISSIONER WAITS: -- read all the minutes. I  
13 understand.

14 DISTRICT ATTORNEY HERRERA: Okay.

15 COMMISSIONER WAITS: It was a bit --

16 DISTRICT ATTORNEY HERRERA: Okay.

17 COMMISSIONER WAITS: -- premature because it didn't go  
18 through Sadie.

19 DISTRICT ATTORNEY HERRERA: Right.

20 COMMISSIONER MILLS: (Indiscernible) for it.

21 COMMISSIONER WAITS: But when we did that and made the  
22 motion, we --

23 COMMISSIONER MILLS: Call it.

24 COMMISSIONER WAITS: -- we had -- they were taking the  
25 minutes. We did think that would go back and come around.  
26 So --

27 COMMISSIONER MILLS: So what does that mean?

28 COMMISSIONER WAITS: -- they jumped the gun a little bit.  
29 But that was the whole point of --

30 DISTRICT ATTORNEY HERRERA: No, I understand.

31 COMMISSIONER WAITS: -- of stepping up to help the county  
32 with this.

33 DISTRICT ATTORNEY HERRERA: And --

34 COMMISSIONER WAITS: But as far as the ballot question, and  
35 yes, it's a good one from Elko. And there was another one I  
36 sent in from Douglas County --

37 DISTRICT ATTORNEY HERRERA: Right.

38 COMMISSIONER WAITS: -- that I thought was excellent.  
39 So we do need to put that on, if we can have that on right  
40 away while they're busy doing the other two, --

1 DISTRICT ATTORNEY HERRERA: Right. And like --  
2 COMMISSIONER WAITS: -- for future --  
3 DISTRICT ATTORNEY HERRERA: And again -- again, I point  
4 out, I'm -- I'll be happy to give any -- any help that's  
5 necessary.  
6 COMMISSIONER WAITS: Because the ballot question is our  
7 responsibility --  
8 DISTRICT ATTORNEY HERRERA: But --  
9 COMMISSIONER WAITS: -- so that needs to --  
10 DISTRICT ATTORNEY HERRERA: -- if I do it --  
11 COMMISSIONER WAITS: Yeah.  
12 DISTRICT ATTORNEY HERRERA: -- if I do it, I can't do  
13 rebuttal.  
14 COMMISSIONER WAITS: No, no. I'm not talking about pro and  
15 con. I'm talking about the ballot question, not the  
16 information. The question that -- that has to be approved by --  
17 DISTRICT ATTORNEY HERRERA: Yeah.  
18 COMMISSIONER WAITS: -- the commissioners.  
19 DISTRICT ATTORNEY HERRERA: Yeah. That's pretty --  
20 COMMISSIONER WAITS: Okay.  
21 DISTRICT ATTORNEY HERRERA: -- simple.  
22 COMMISSIONER WAITS: The pro and con argument --  
23 DISTRICT ATTORNEY HERRERA: Yes.  
24 COMMISSIONER WAITS: -- can be done by the committees.  
25 DISTRICT ATTORNEY HERRERA: By the committee. Yes.  
26 COMMISSIONER WAITS: But we have to do --  
27 DISTRICT ATTORNEY HERRERA: And rebuttal.  
28 COMMISSIONER WAITS: But we have to do the question.  
29 DISTRICT ATTORNEY HERRERA: Yes.  
30 COMMISSIONER WAITS: And that should be on one of our  
31 future agendas --  
32 DISTRICT ATTORNEY HERRERA: Yes.  
33 COMMISSIONER WAITS: -- coming up. So I'm okay with that,  
34 if they want do that, or if they want -- if they want to bring  
35 it up before the RTC board and -- and, you know, have them  
36 appoint the RTC board to do it instead of the two.  
37 DISTRICT ATTORNEY HERRERA: Yeah, but they --  
38 CHAIRMAN BAKKER: How --  
39 DISTRICT ATTORNEY HERRERA: -- have to go through the  
40 clerk. I mean, that's the only two of the --

1 COMMISSIONER WAITS: But she's not here.  
2 DISTRICT ATTORNEY HERRERA: Only -- yes.  
3 COMMISSIONER WAITS: Okay. That's --  
4 DISTRICT ATTORNEY HERRERA: I don't know --  
5 COMMISSIONER WAITS: -- fine.  
6 DISTRICT ATTORNEY HERRERA: Commissioner Waits, I'd love  
7 that idea, but --  
8 COMMISSIONER WAITS: I'm fine with that.  
9 DISTRICT ATTORNEY HERRERA: -- but --  
10 CHAIRMAN BAKKER: So can we appoint someone today or no?  
11 COMMISSIONER WAITS: Yeah.  
12 CHAIRMAN BAKKER: We can make a --  
13 COMMISSIONER WAITS: Sure we can.  
14 CHAIRMAN BAKKER: -- one-person --  
15 COMMISSIONER CLARK: Yeah.  
16 CHAIRMAN BAKKER: -- committee. Okay.  
17 COMMISSIONER WAITS: There's two people --  
18 CHAIRMAN BAKKER: They already --  
19 COMMISSIONER WAITS: -- there.  
20 CHAIRMAN BAKKER: -- flipped a coin. Doug, what are you  
21 going to be?  
22 COMMISSIONER MILLS: I'll take -- I'll take the pro side.  
23 Judie said she'd do the con side.  
24 CHAIRMAN BAKKER: Will you come up here, Judie, and state  
25 your name and --  
26 COMMISSIONER WAITS: There's enough model information that  
27 it won't be that difficult with the other counties that have  
28 done that.  
29 JUDIE ALLEN: Judie Allen. And I will certainly go ahead  
30 for the con side.  
31 CHAIRMAN BAKKER: Okay.  
32 Thank you.  
33 So with that...  
34 I need a motion.  
35 COMMISSIONER MILLS: Yep.  
36 I want one of you guys to --  
37 CHAIRMAN BAKKER: Yeah, --  
38 COMMISSIONER MILLS: -- make a motion.  
39 CHAIRMAN BAKKER: -- I know.  
40 COMMISSIONER MILLS: I don't know if --

1 CHAIRMAN BAKKER: Patsy's --  
2 COMMISSIONER MILLS: -- I should be making a motion to --  
3 CHAIRMAN BAKKER: -- thinking about it.  
4 COMMISSIONER MILLS: -- appoint myself to a --  
5 CHAIRMAN BAKKER: I need --  
6 COMMISSIONER MILLS: -- committee.  
7 CHAIRMAN BAKKER: -- a motion.  
8 COMMISSIONER CLARK: Well, I'd make a motion, but I don't  
9 agree with taxes so...  
10 COMMISSIONER WAITS: On what?  
11 DISTRICT ATTORNEY HERRERA: Well, --  
12 CHAIRMAN BAKKER: This has nothing to do with --  
13 COMMISSIONER WAITS: What don't you agree with me on?  
14 CHAIRMAN BAKKER: No, no. He said taxes.  
15 COMMISSIONER CLARK: Taxes.  
16 COMMISSIONER WAITS: Oh, I thought you said "Patsy."  
17 DISTRICT ATTORNEY HERRERA: No.  
18 COMMISSIONER MILLS: It's going on the ballot anyway.  
19 CHAIRMAN BAKKER: Yeah.  
20 COMMISSIONER WAITS: Okay. Well, it's still something  
21 that's mandated by the legislature. So regardless of your  
22 thought, you might want to give your input to Judie on the con.  
23 I'll make a motion that we appoint Judie Allen for the con and  
24 Doug Mills for the pro for the AB 191 fuel tax  
25 ballot...arguments.  
26 DISTRICT ATTORNEY HERRERA: Arguments.  
27 COMMISSIONER WAITS: Arguments.  
28 DISTRICT ATTORNEY HERRERA: For and against.  
29 COMMISSIONER WAITS: Okay.  
30 CHAIRMAN BAKKER: Okay.  
31 DISTRICT ATTORNEY HERRERA: They were just arguments is  
32 fine.  
33 COMMISSIONER WAITS: And most certainly they can work with  
34 you on that; right?  
35 DISTRICT ATTORNEY HERRERA: Yes, absolutely.  
36 CHAIRMAN BAKKER: Patsy made a motion.  
37 COMMISSIONER STIENMETZ: I'll second the motion.  
38 CHAIRMAN BAKKER: Steve seconded it. Any public comment?  
39 (No comment.)  
40 CHAIRMAN BAKKER: All in favor?

1 COMMISSIONER STIENMETZ: Aye.  
2 CHAIRMAN BAKKER: Aye.  
3 COMMISSIONER WAITS: Aye.  
4 COMMISSIONER CLARK: Only because we have to. Aye.  
5 COMMISSIONER MILLS: Do I need to abstain?  
6 COMMISSIONER WAITS: Yes.  
7 DISTRICT ATTORNEY HERRERA: Yeah.  
8 CHAIRMAN BAKKER: Probably be a good --  
9 DISTRICT ATTORNEY HERRERA: You probably --  
10 CHAIRMAN BAKKER: -- idea.  
11 COMMISSIONER MILLS: Okay.  
12 DISTRICT ATTORNEY HERRERA: -- should abstain.  
13 COMMISSIONER MILLS: I abstain.  
14

15 9) Discussion for possible action regarding the canvass of the  
16 votes for the June 14, 2016, primary election, and other  
17 matters properly related thereto.  
18

19 CHAIRMAN BAKKER: Okay. Number 9. Discussion for possible  
20 action regarding the canvass of votes for the June 14<sup>th</sup>, 2016,  
21 primary election, and other matters properly related thereto.

22 DISTRICT ATTORNEY HERRERA: This is self-explanatory.  
23 Again, Sadie's not here, but you do have a copy of the --

24 CHAIRMAN BAKKER: They do it after every --

25 DISTRICT ATTORNEY HERRERA: Yeah.

26 COMMISSIONER STIENMETZ: Yes.

27 CHAIRMAN BAKKER: Yeah.

28 DISTRICT ATTORNEY HERRERA: So...

29 CHAIRMAN BAKKER: So with that --

30 COMMISSIONER WAITS: Every election.

31 CHAIRMAN BAKKER: Anyone want to make a motion?

32 COMMISSIONER STIENMETZ: I'll make a motion that we approve  
33 the canvass of the votes for the June 14<sup>th</sup>, 2016, primary  
34 election.

35 CHAIRMAN BAKKER: Steve --

36 COMMISSIONER MILLS: Second.

37 CHAIRMAN BAKKER: Steve made a motion. Doug seconded. Any  
38 public comment?

39 (No comment.)

40 CHAIRMAN BAKKER: All in favor?

1 COMMISSIONER STIENMETZ AND CHAIRMAN BAKKER: Aye.  
2 COMMISSIONER MILLS: Aye.  
3 COMMISSIONER WAITS: Aye.  
4 COMMISSIONER CLARK: Aye.  
5  
6

7 **SHERIFF'S DEPARTMENT**  
8

9 10) **Discussion and possible action regarding the amended payroll**  
10 **change request originally dated 06/01/2015 for Employee #278,**  
11 **amending the "requested change" wage from \$22.96 to \$23.88,**  
12 **and all other matters properly related thereto.**  
13

14 CHAIRMAN BAKKER: Okay. I'm going to open up 10, 11, and  
15 12.

16 All has to do with the sheriff's department.

17 Number 10. Discussion and possible action regarding the  
18 amended payroll change request originally dated 06/01/2015 for  
19 Employee #278, amending the "requested change" wages from \$22.96  
20 to \$23.88, and all other matters properly related thereto.  
21

22 11) **Discussion and possible action regarding the inaccurate pay**  
23 **scale level for Employee #278, and to correct the employee's**  
24 **pay scale and reimburse the employee retroactively for lost**  
25 **wages and benefits, and all other matters properly related**  
26 **thereto.**  
27

28 CHAIRMAN BAKKER: Number 11. Discussion and possible  
29 action regarding the inaccurate pay scale level for Employee  
30 #278, and to correct employee's pay scale and reimburse the  
31 employee retroactively for lost wages and benefits, and all  
32 other matters properly related thereto.  
33

34 12) **Discussion and possible action regarding the amended payroll**  
35 **change request originally dated 07/15/2014 for Employee #278,**  
36 **amending the "requested change" wage from \$21.87 to \$22.96,**  
37 **and all other matters properly related thereto.**  
38

39 CHAIRMAN BAKKER: Number 12. Discussion and possible  
40 action regarding the amended payroll change request originally

1 dated 07/15/2014 for Employee #278, amending the "requested  
2 change" wage from \$21.87 to \$22.96, and all other matters  
3 properly related thereto.

4 UNDERSHERIFF ROBERT QUICK: Good morning. Robert Quick  
5 from the Sheriff's Office.

6 CHAIRMAN BAKKER: Robert.

7 BECKY JOHNSON: Becky Johnson, HR.

8 CHAIRMAN BAKKER: Becky.

9 UNDERSHERIFF ROBERT QUICK: So in -- in your packet, the  
10 sheriff included a letter to try to explain the process. But  
11 I'll try to give you the reader's digest version and then answer  
12 all the questions you have, I hope.

13 So we were reviewing the payroll change requests based on the  
14 contractual negotiated pay increases that were going to be coming  
15 up. And so the -- the HR department does those payroll change  
16 requests, sends them over for us to review so that we can make  
17 sure that we're -- that we have everybody included and so forth.

18 In one of those payroll change requests that we were  
19 reviewing for that particular employee, 278, we saw a  
20 discrepancy between what they should be making and what the  
21 payroll change request said they were making now.

22 So we pulled previous payroll change requests and  
23 discovered an error that had occurred back in July 7<sup>th</sup> of 2014  
24 on this employee. And it kind of snowballed from there with  
25 the -- with the following payroll change requests.

26 So back in July 7<sup>th</sup> of 2014, this employee was given the  
27 contractual increase correctly to a '14/'15 fiscal year based on  
28 the contract of 21.87.

29 Shortly thereafter, in July, that person qualified for a  
30 level-change increase as well.

31 That's where the problem came.

32 When -- when they looked at the scales, they looked at a  
33 '13/'14 year level 2, not a '14/'15 year level 2.

34 So the employee was given a payroll change request under  
35 the previous year's scale instead of the current year's scale.  
36 And it was right in the transition time frame of July when --  
37 when the new scales take effect.

38 So the next payroll change request that was done, based on  
39 the contractual increases, when that was done, instead of the  
40 payroll change request -- looking at the scale itself -- they just

1 took the employee's current wage and added the percentage increase  
2 to it. So the employee was still behind from where they should  
3 be. And that's why we didn't catch it at that point.

4 COMMISSIONER WAITS: But they're only behind one year from  
5 July? So we're still in the right fiscal year that -- that we  
6 missed; is that correct?

7 UNDERSHERIFF ROBERT QUICK: No. Where the current -- the  
8 current level the employee should be right now is 23.88 at a  
9 level 2 for '15/'16. They're actually at a level 2 for '14 and  
10 '15 at 22.96.

11 COMMISSIONER WAITS: Right. No, --

12 UNDERSHERIFF ROBERT QUICK: So they've been --

13 COMMISSIONER WAITS: -- that I understand. What I'm asking  
14 is: Is it just from July 2015 to July 2016?

15 UNDERSHERIFF ROBERT QUICK: No.

16 The original error occurred in July of '14. So it was  
17 '14/'15.

18 COMMISSIONER WAITS: So we have two years we're --

19 UNDERSHERIFF ROBERT QUICK: Correct.

20 COMMISSIONER WAITS: -- making up?

21 UNDERSHERIFF ROBERT QUICK: Two years.

22 COMMISSIONER WAITS: So two years. And we can still get it  
23 corrected under this fiscal year in this budget?

24 UNDERSHERIFF ROBERT QUICK: Yes. That's our intent.

25 COMMISSIONER WAITS: Okay. And that's -- that's fine.  
26 We're okay with -- with doing that. Okay.

27 BECKY JOHNSON: Commissioner Bakker, earlier I had told you  
28 I could not find the minutes for the payroll change request.  
29 Going back through, it was actually included in the negotiated  
30 motion with all 95 of the payroll change requests. So it was  
31 actually approved, both of them.

32 CHAIRMAN BAKKER: It was in the minutes.

33 BECKY JOHNSON: Yes.

34 CHAIRMAN BAKKER: Okay.

35 BECKY JOHNSON: It was just under a blanket --

36 COMMISSIONER MILLS: So a --

37 BECKY JOHNSON: -- approval.

38 COMMISSIONER MILLS: -- consent agenda item, then?

39 BECKY JOHNSON: Right.

40 DISTRICT ATTORNEY HERRERA: And -- and Becky gave me copies

1 of all the minutes. And it seems like that they were all given  
2 with authority of the county commission.  
3 CHAIRMAN BAKKER: Okay.  
4 I just wanted to double-check.  
5 DISTRICT ATTORNEY HERRERA: So -- so probably ask Nan if --  
6 CHAIRMAN BAKKER: Well, are you doing --  
7 UNDERSHERIFF ROBERT QUICK: Well --  
8 CHAIRMAN BAKKER: -- are you doing it with this year's --  
9 COMMISSIONER MILLS: Well, it's a --  
10 CHAIRMAN BAKKER: -- budget; right?  
11 UNDERSHERIFF ROBERT QUICK: I've already discussed this  
12 with the Finance Department. They've already calculated out  
13 what needs to be done and what's owed to the employee and the  
14 additional benefits and PERS and so forth.  
15 So they have that information, which we included, the  
16 printouts.  
17 CHAIRMAN BAKKER: What's that total? Oh. What's the total  
18 amount overall?  
19 UNDERSHERIFF ROBERT QUICK: I can't read it on this copy.  
20 CHAIRMAN BAKKER: Okay.  
21 Nan, do we have that money?  
22 NAN ANCHO: He'll -- he'll be able to cover it in this  
23 year's budget.  
24 CHAIRMAN BAKKER: The whole thing?  
25 NAN ANCHO: Yes.  
26 COMMISSIONER MILLS: So it's -- this is coming out of the  
27 Sheriff's Office budget?  
28 UNDERSHERIFF ROBERT QUICK: Yes, sir.  
29 COMMISSIONER MILLS: All right.  
30 CHAIRMAN BAKKER: Okay. So then...  
31 COMMISSIONER CLARK: That's got to be a mathematical  
32 nightmare going back and figuring out taxes and PERS and --  
33 CHAIRMAN BAKKER: Thank you, Nan.  
34 UNDERSHERIFF ROBERT QUICK: That's why I called the finance  
35 director.  
36 COMMISSIONER MILLS: Okay. So in making this motion, is  
37 there any particular way it has to be presented?  
38 CHAIRMAN BAKKER: It's paid out of this year's budget.  
39 DISTRICT ATTORNEY HERRERA: Uh.  
40 UNDERSHERIFF ROBERT QUICK: What we did is -- and I wasn't

1 sure how the commission wanted do it. I did do two separate  
2 payroll change requests that corrected the previous ones that  
3 were approved by the commission and -- and retroactively dated  
4 those for the effective dates so that that would be in the  
5 records as well.

6 DISTRICT ATTORNEY HERRERA: Basically, what you're doing,  
7 Commissioners, is giving permission. Since the payroll change  
8 requests have already been authorized, --

9 COMMISSIONER MILLS: Uh-huh.

10 DISTRICT ATTORNEY HERRERA: -- you're giving permission to  
11 pay retroactively for the missed. So that's what the motion has  
12 to be.

13 COMMISSIONER MILLS: Right.

14 CHAIRMAN BAKKER: Okay.

15 DISTRICT ATTORNEY HERRERA: Because you don't have to make  
16 motion on -- on the --

17 CHAIRMAN BAKKER: Payroll change.

18 DISTRICT ATTORNEY HERRERA: -- the change --

19 CHAIRMAN BAKKER: Because it's already approved by the  
20 previous --

21 DISTRICT ATTORNEY HERRERA: -- itself because it's --

22 CHAIRMAN BAKKER: -- commission.

23 DISTRICT ATTORNEY HERRERA: -- already been authorized.  
24 But just the retroactive payment.

25 COMMISSIONER MILLS: Okay. So I'll make a motion that we  
26 approve the payroll change request for Employee 278 to correct  
27 the errors that were made with the previously approved actions  
28 and do a retroactive payment on those corrections.

29 COMMISSIONER STIENMETZ: I --

30 UNDERSHERIFF ROBERT QUICK: Commission, if I could request  
31 the employee's asked for a separate check not to be included --  
32 included in their normal payroll. The Finance, when they do the  
33 next special run, do a separate check for the retro pay.

34 COMMISSIONER MILLS: Does that have to be a motion?

35 COMMISSIONER WAITS: Wouldn't you have the authority to do  
36 that?

37 DISTRICT ATTORNEY HERRERA: Nan?

38 COMMISSIONER WAITS: If we authorized the payment, couldn't  
39 you do it the way you --

40 UNDERSHERIFF ROBERT QUICK: That would be up to --

1 NAN ANCHO: Does --  
2 COMMISSIONER WAITS: I mean, --  
3 UNDERSHERIFF ROBERT QUICK: -- Finance.  
4 COMMISSIONER WAITS: -- if you did fifteen checks, would we  
5 --  
6 NAN ANCHO: Doesn't have to be a motion.  
7 DISTRICT ATTORNEY HERRERA: Yeah, I don't believe it has to  
8 be a motion.  
9 COMMISSIONER WAITS: No.  
10 DISTRICT ATTORNEY HERRERA: Nan doesn't believe it has to  
11 be a motion.  
12 COMMISSIONER CLARK: Okay.  
13 COMMISSIONER WAITS: Yeah.  
14 CHAIRMAN BAKKER: Okay. Doug made --  
15 UNDERSHERIFF ROBERT QUICK: Okay.  
16 CHAIRMAN BAKKER: -- a motion.  
17 COMMISSIONER STIENMETZ: I'll second the motion.  
18 CHAIRMAN BAKKER: Steve seconded. Any public comment?  
19 (No comment.)  
20 CHAIRMAN BAKKER: All in favor?  
21 COMMISSIONER STIENMETZ: Aye.  
22 COMMISSIONER MILLS: Aye.  
23 CHAIRMAN BAKKER: Aye.  
24 COMMISSIONER WAITS: Aye.  
25 COMMISSIONER CLARK: Aye.  
26 CHAIRMAN BAKKER: Okay.  
27 I think you're next still, Robert.  
28 UNDERSHERIFF ROBERT QUICK: I do.  
29

30 **13) Discussion and possible action regarding a funding source,**  
31 **purchasing, and installation of microwave equipment in Austin**  
32 **to provide internet service to the Road and Bridge yard, the**  
33 **Austin Ambulance Service building, and the Austin Senior**  
34 **Center, and all other matters properly related thereto.**  
35

36 CHAIRMAN BAKKER: Thirteen. Discussion and possible action  
37 regarding a funding source, purchasing, and installation of  
38 microwave equipment in Austin to provide internet service to the  
39 Road and Bridge yard, the Austin Ambulance Service building, and  
40 the Austin Senior Center, and all other matters properly related

1 thereto.

2       UNDERSHERIFF ROBERT QUICK: Robert Quick, for the record.

3       What we have is, as you know, Austin sheriff's office has got  
4 a fiber internet line into it, which we are currently almost ready  
5 to provide that -- that high-speed internet to the courthouse via  
6 the direct connection.

7       Because we house the internet service, I've taken it upon  
8 myself to help the other departments in southern Lander County  
9 obtain this internet service. So there's various ones using  
10 satellite service and dial-up still and things like that.

11       What this is for is I've -- I contacted two companies.  
12 Because the easiest way to provide internet service to the other  
13 departments in Lander County in the south is through wireless.  
14 It's the most economical way.

15       There's an initial equipment cost, an install cost. But we  
16 don't have a recurring cost on a monthly basis as you would with  
17 either purchasing a service from a current vendor down there or  
18 from doing satellite, things like that.

19       So the first one I got was from a current radio vendor that  
20 we have. And it was pretty high. But it was for a licensed  
21 frequency that we already hold a license for in a public safety  
22 band. And we were going to use some of our existing microwave  
23 equipment as well.

24       I then contacted a current vendor for the county that's  
25 actually contracted to provide civilian internet service down  
26 there. And I got a much better pricing for some different type of  
27 equipment that we could still license.

28       That vendor also, through a previous agreement with the  
29 county, had agreed to install up to three county buildings and  
30 provide the labor at no cost.

31       So with his, I'm able -- although the agenda item --  
32 because all I had was the initial one -- requested up to 15,000.  
33 At this point, I could get the three buildings, which include  
34 the road -- the new Road and Bridge, the senior center, and the  
35 ambulance barn down there, hooked up to the high-speed internet  
36 with the equipment installed for under \$6,000.

37       COMMISSIONER WAITS: So the Road and Bridge, is this the --  
38 the new one on the other side of 305? Or the one in town? Or  
39 --

40       UNDERSHERIFF ROBERT QUICK: It's the new one on the other

1 side of 305.  
2 COMMISSIONER WAITS: 305?  
3 UNDERSHERIFF ROBERT QUICK: Where their new -- where their  
4 office moved to.  
5 COMMISSIONER WAITS: Uh-huh.  
6 UNDERSHERIFF ROBERT QUICK: That -- if you -- if you  
7 approve up to \$6,000 in cost, that would include the radio  
8 equipment that we need. The vendor would install the three  
9 buildings at no cost to -- to Lander County. It would also  
10 include some miscellaneous costs for battery backups and  
11 cabling, and so forth, shipping costs for the radios and so  
12 forth. That's also built in that I could do perhaps one or two  
13 other county buildings down there, if they came up in time,  
14 since this has been on the agenda. And if not, then that money  
15 would come back to the county.  
16 I have discussed it with -- with the finance director to  
17 see if there is a funding source for it and it would be out of  
18 the '16/'17 budget because there's no way we could do it before  
19 then.  
20 CHAIRMAN BAKKER: He's -- PC Computing's already set up  
21 down there?  
22 UNDERSHERIFF ROBERT QUICK: Yes.  
23 CHAIRMAN BAKKER: Okay. So why is it going to cost six  
24 grand to set -- for them just to attach to the other buildings?  
25 UNDERSHERIFF ROBERT QUICK: The -- the equipment costs.  
26 Because you've got to buy radios for each side because  
27 it's -- it's shot by radio -- point-to-point radio -- antennas,  
28 cabling, to set it up initially.  
29 You're -- the other alternative for the county is to  
30 commercially purchase internet service from that same vendor,  
31 which is, I believe, \$60 a month.  
32 CHAIRMAN BAKKER: Okay, that's what I was -- so -- okay --  
33 so we're cutting --  
34 DISTRICT ATTORNEY HERRERA: Per building.  
35 CHAIRMAN BAKKER: -- that out?  
36 DISTRICT ATTORNEY HERRERA: Per building.  
37 CHAIRMAN BAKKER: Yeah.  
38 UNDERSHERIFF ROBERT QUICK: Per building.  
39 CHAIRMAN BAKKER: Yeah.  
40 COMMISSIONER WAITS: Yeah.

1           UNDERSHERIFF ROBERT QUICK: Yes.  
2           COMMISSIONER WAITS: No monthly --  
3           UNDERSHERIFF ROBERT QUICK: No, this --  
4           COMMISSIONER WAITS: -- at all.  
5           UNDERSHERIFF ROBERT QUICK: -- would -- this would be --  
6           COMMISSIONER WAITS: This is ours --  
7           UNDERSHERIFF ROBERT QUICK: -- no monthly --  
8           COMMISSIONER WAITS: -- and we own it.  
9           UNDERSHERIFF ROBERT QUICK: -- costs. We're al- -- the  
10 county's already paying for it.  
11           And -- the r- -- one of the reasons behind this is, if the  
12 county chooses in the future to move forward with a voice over IP  
13 phone system to include the southern offices in, this should  
14 accommodate that as well.  
15           CHAIRMAN BAKKER: Finance?  
16           NAN ANCHO: You all are killing me today.  
17           CHAIRMAN BAKKER: Does he have it in his current budget?  
18           NAN ANCHO: No, this -- this could come out of the Capital  
19 Acquisition Fund for -- that can be used for either Battle  
20 Mountain or Austin. And that's Fund 031 under the Repair and  
21 Maintenance because it's not considered a fixed asset, because  
22 none of the parts are over 5,000. So you could take it out of  
23 the Capital Acquisition, Repair and Maintenance.  
24           CHAIRMAN BAKKER: Without augmenting or --  
25           NAN ANCHO: Yes.  
26           CHAIRMAN BAKKER: Okay.  
27           COMMISSIONER WAITS: Actually, each individual budget has  
28 something built in for that internet monthly cost too if we  
29 had --  
30           NAN ANCHO: That's for the --  
31           COMMISSIONER WAITS: -- to.  
32           NAN ANCHO: -- services.  
33           COMMISSIONER WAITS: But it's easier to just come out of  
34 this.  
35           NAN ANCHO: For the -- it's -- that's just for the service.  
36           COMMISSIONER WAITS: Right.  
37           NAN ANCHO: This is for equipment that needs to be  
38 placed -- put in place so they can get --  
39           COMMISSIONER WAITS: No, I understand --  
40           NAN ANCHO: the service.

1 COMMISSIONER WAITS: -- that. But I'm saying we'll be  
2 saving the money on that -- that side, if we had to take it  
3 from --  
4 CHAIRMAN BAKKER: What if you just --  
5 COMMISSIONER WAITS: -- each --  
6 CHAIRMAN BAKKER: -- paid monthly?  
7 COMMISSIONER WAITS: -- budget.  
8 No, we're okay. It's capital fund. Capital asset.  
9 NAN ANCHO: You'll be fine to take out of the 031, Capital  
10 Acquisition Fund.  
11 CHAIRMAN BAKKER: Well, Robert. Guys?  
12 COMMISSIONER MILLS: And you're recom- -- you're  
13 recommending the --  
14 COMMISSIONER STIENMETZ: Yeah.  
15 CHAIRMAN BAKKER: Well, the other one's --  
16 COMMISSIONER MILLS: -- \$6,000 one.  
17 CHAIRMAN BAKKER: -- 16,000 --  
18 UNDERSHERIFF ROBERT QUICK: Absolutely.  
19 CHAIRMAN BAKKER: -- so...  
20 COMMISSIONER MILLS: Okay.  
21 UNDERSHERIFF ROBERT QUICK: That's the current vendor for  
22 the county. They already service that area. So if there's any  
23 issues with that equipment, they could -- they could service it.  
24 COMMISSIONER MILLS: Sounds good.  
25 COMMISSIONER WAITS: So you said we can't get it done this  
26 fiscal year, of course. But we still don't have internet  
27 service to our ambulance down there either. So what would be  
28 the earliest that we could get it.  
29 UNDERSHERIFF ROBERT QUICK: I haven't asked the vendor that  
30 because that wasn't a decision made by the commission yet so...  
31 I imagine it could be fairly quickly after July 1<sup>st</sup>.  
32 CHAIRMAN BAKKER: Okay.  
33 I need a motion.  
34 COMMISSIONER WAITS: I'll make a motion that Lander County  
35 pay for the installation of a microwave equipment in Austin to  
36 provide internet service.  
37 CHAIRMAN BAKKER: Using PC Computing.  
38 COMMISSIONER WAITS: Do you want the three named?  
39 NAN ANCHO: Did you have an amount that you were --  
40 UNDERSHERIFF ROBERT QUICK: I -- I -- if you could just

1 say, not to exceed 6,000.  
2 COMMISSIONER WAITS: Okay.  
3 UNDERSHERIFF ROBERT QUICK: That way if we have an  
4 additional department come in, we could do that at the --  
5 COMMISSIONER WAITS: Okay.  
6 UNDERSHERIFF ROBERT QUICK: -- same time.  
7 COMMISSIONER WAITS: Not to exceed \$6,000 and to currently  
8 provide the service to Road and Bridge yard, Austin Ambulance  
9 Service building, and the Austin Senior Center.  
10 DISTRICT ATTORNEY HERRERA: Add PC Service on that.  
11 COMMISSIONER WAITS: I said just currently so -- and any  
12 others that may come on after.  
13 CHAIRMAN BAKKER: No, no. Using PC Computing.  
14 COMMISSIONER WAITS: Oh. Is that what --  
15 DISTRICT ATTORNEY HERRERA: PC Computer.  
16 COMMISSIONER WAITS: -- we're going to use? PC Computer?  
17 CHAIRMAN BAKKER: Yeah.  
18 COMMISSIONER WAITS: The ones --  
19 CHAIRMAN BAKKER: Thank you.  
20 COMMISSIONER WAITS: -- that are currently.  
21 CHAIRMAN BAKKER: Yeah.  
22 COMMISSIONER WAITS: Yeah. Okay.  
23 CHAIRMAN BAKKER: Patsy made a motion.  
24 COMMISSIONER STIENMETZ: I'll second the motion.  
25 CHAIRMAN BAKKER: Steve seconded. Any public comment?  
26 (No comment.)  
27 CHAIRMAN BAKKER: All in favor?  
28 COMMISSIONER STIENMETZ: Aye.  
29 COMMISSIONER MILLS: Aye.  
30 CHAIRMAN BAKKER: Aye.  
31 COMMISSIONER WAITS: Aye.  
32 COMMISSIONER CLARK: Aye.  
33 UNDERSHERIFF ROBERT QUICK: Thank you.  
34 CHAIRMAN BAKKER: Thanks, Robert.  
35 KEITH WESTENGARD: Commissioner Bakker?  
36 I have a request to see if we could jump to 21. The  
37 applicant is here but has a commitment.  
38 CHAIRMAN BAKKER: Yep.  
39  
40

1 COMMISSIONERS

2  
3 21) Discussion and possible action to hire a finance director for  
4 Lander County from the applicants who were interviewed for  
5 the job by the Finance Director Search Committee to include:  
6 1) Elizabeth Dias, 720 Gold Creek Avenue, Battle Mountain,  
7 Nevada; 2) Linda Hopper, MPA, 790 Eastlake Drive, Spring  
8 Creek, Nevada; to either hire one of the two applicants or to  
9 resume the search for more applicants, and all other matters  
10 properly related thereto.  
11

12 CHAIRMAN BAKKER: Discussion and possible action to hire a  
13 finance director for Lander County from the applicants who were  
14 interviewed for the job by the Finance Director Search Committee  
15 to include: Elizabeth Dias, 720 Gold Creek Avenue, Battle  
16 Mountain, Nevada; Linda Hopper, MPA, 790 Eastlake Drive, Spring  
17 Creek, Nevada; and either hire one of the two applicants or to  
18 resume the search for more applicants, and all other matters  
19 properly related thereto.

20 BECKY JOHNSON: Good morning. Becky Johnson, HR.

21 LIZ DIAS: Good morning. Liz Dias.

22 CHAIRMAN BAKKER: Good morning.

23 BECKY JOHNSON: So you have all of their information in  
24 your packets. Miss Hopper, unfortunately, could not be here. I  
25 did give you her e-mail. And she has stated if you have any  
26 questions, she would be available on her cell phone.

27 CHAIRMAN BAKKER: Okay.

28 BECKY JOHNSON: So...

29 CHAIRMAN BAKKER: Thank you.

30 KEITH WESTENGARD: I did want to point out just as -- as  
31 part of the committee, we did have five applicants total. Two  
32 weren't able to come to the interview. And one was late in  
33 turning in the application. So we did interview two applicants.

34 CHAIRMAN BAKKER: Okay.

35 COMMISSIONER CLARK: Liz?

36 LIZ DIAS: Art?

37 COMMISSIONER CLARK: Are you nervous?

38 CHAIRMAN BAKKER: It's a little intimidating.

39 LIZ DIAS: I'm good.

40 COMMISSIONER WAITS: Not fair.

1 COMMISSIONER CLARK: You ready for a --  
2 COMMISSIONER WAITS: Thank you.  
3 COMMISSIONER CLARK: -- big challenge?  
4 LIZ DIAS: Absolutely.  
5 COMMISSIONER CLARK: Okay.  
6 CHAIRMAN BAKKER: Any questions?  
7 COMMISSIONER MILLS: I'd like to make a clarification.  
8 I understand the applicant -- applicant you're saying was  
9 late was actually on time. We just didn't --  
10 Is that changed, the status on that? Or what's -- what's  
11 happening with that?  
12 KEITH WESTENGARD: I discussed it with the -- with the DA  
13 and HR.  
14 And what -- what happened was the way it was advertised, it  
15 had no closing date. We did a first review on -- on the Friday.  
16 And then that came in late Friday afternoon. That's how we  
17 based our interviews was on the first review.  
18 So technically, the -- it's still out for advertisement right  
19 now unless you guys -- if you decide not to hire or have our --  
20 have us continue the search.  
21 So we have -- that applicant was late for the first review  
22 based on the applica- -- applicants that we with interviewed  
23 last -- last week, I believe.  
24 COMMISSIONER MILLS: So we're open at this point to either  
25 accept an applicant or go and interview this other applicant if  
26 we want to.  
27 DISTRICT ATTORNEY HERRERA: Or -- or --  
28 COMMISSIONER MILLS: We can choose between those two  
29 options.  
30 KEITH WESTENGARD: Or just hire.  
31 DISTRICT ATTORNEY HERRERA: It's my understanding there  
32 were a total of five applicants and that two were interviewed.  
33 The last applicant wasn't late in the sense that it's still open  
34 but was late for the interview by the search committee. That's  
35 all.  
36 So you can try to set up more interviews. You can -- you  
37 can interview the two applicants who are here. You can -- you  
38 can decide to hire one of them. You can do whatever you want.  
39 COMMISSIONER MILLS: Okay. See, now that's different than  
40 the last time I discussed with this -- with --

1 COMMISSIONER WAITS: Okay.  
2 COMMISSIONER MILLS: -- anyone so...  
3 COMMISSIONER WAITS: Okay.  
4 COMMISSIONER MILLS: Little change of information that I'm  
5 receiving here.  
6 DISTRICT ATTORNEY HERRERA: Right.  
7 COMMISSIONER MILLS: Okay.  
8 COMMISSIONER WAITS: You know, I -- I read through the  
9 information too. And I -- and even with -- with one of them who  
10 has been a bookkeeper for some time and -- and her degree and  
11 such. And -- and I know that -- that the knowledge of the  
12 accepted accounting procedures, systems, and controls, and  
13 everything are -- are probably something that -- that she would  
14 adhere to and perhaps Liz knows those too.  
15 But this is such a critical office of where we are with the  
16 county. And -- and the coordination. I mean, it's not a single  
17 accounting system. It's very complicated.  
18 And -- and I'm wondering off the bat whether they're familiar  
19 with the preferred standards established by our financial  
20 accounting. There's a standards board. There's government  
21 boards. There's -- there's so much that Nan does. And I -- I  
22 guess that we could always have Nan come up and say, these are all  
23 the things I do. But I tried to research on so much of it. And,  
24 as I said, it's so complex. Besides interpreting the county's  
25 fiscal procedures and -- and policies, she, like today, provides  
26 information to us on the propriety of our expenditures and all  
27 these things that need to be done so quickly. Government  
28 accounting is so different with working with the Department of  
29 Taxation and all and all of our guidelines that we have to follow  
30 for federal, state, and county, that I -- I would feel better  
31 keeping this out and -- and seeing if there's somebody that comes  
32 back with those backgrounds first. Because to take somebody plain  
33 and teach them all of these things is going to be so much more  
34 difficult.  
35 We know that we've had -- what? -- six months of training  
36 with our last one. And it was even longer with the one before  
37 that. It was almost a year. And -- and here we're expecting  
38 somebody brand new to come in and say, We'll help you. But if  
39 they don't have the background in some of these government  
40 agencies and things that they need to have, I just think it's

1 going to be difficult for everyone to put our -- our county in a  
2 real world of hurt.

3 BECKY JOHNSON: Commissioner Waits, --

4 COMMISSIONER WAITS: I would feel much more --

5 BECKY JOHNSON: -- if I might.

6 COMMISSIONER WAITS: -- comfortable in keeping that out  
7 there.

8 BECKY JOHNSON: Becky Johnson. Of all the applicants we  
9 received, in all fairness, we would have to send -- if we chose  
10 from any five of those, we would have to send them to training.

11 COMMISSIONER WAITS: I --

12 BECKY JOHNSON: The -- the people that -- that know what  
13 you're talking about have strong ties that they're not going  
14 leave their companies.

15 COMMISSIONER WAITS: I understand the training. And almost  
16 everybody we hire for every position goes on for training.  
17 That's just part of what we do.

18 BECKY JOHNSON: Correct.

19 COMMISSIONER WAITS: But if they don't come in with some of  
20 it, like if they're just familiar with a single accounting  
21 system and not something a bit more complex and they don't have  
22 some of these, I -- I can't see -- I mean, you -- they're going  
23 to be under fire to begin with. And they've got to have some of  
24 these things coming in.

25 Yes, we're going to train for some more. But there's just  
26 too much. We can't train them for everything. It would take  
27 years to get everything.

28 And I'm just real uncomfortable with it. I'd like to keep it  
29 open and advertise a few more places and see what we can do.

30 I --

31 CHAIRMAN BAKKER: Keith, what -- do you have a plan put in  
32 place?

33 KEITH WESTENGARD: Over the last several weeks, because of  
34 the importance of this position, and when the -- when Nan  
35 submitted her resignation letter, I -- I knew we had a -- I had  
36 a lot to do in order to get this position filled.

37 So, yes, I've met with Taxation. I've met with POOL/PACT.  
38 I've met with the surrounding -- one of the surround- --  
39 neighboring counties' chief financial officer to discuss our  
40 options.

1 To answer your question, I -- I feel I have a plan. If --  
2 if the commission does go ahead with this, I'm going to need  
3 some -- some authorization from the commission to move ahead  
4 with the plan to -- to get a director -- a finance director put  
5 in place.

6 As you said, Commissioner Waits, it's a very important  
7 position. It carries a lot of responsibility with state, federal  
8 guidelines, with county guidelines and policies.

9 I -- I feel that we can't leave the position open.

10 Our -- the -- the search committee, I felt, did a pretty  
11 thorough interview.

12 I -- I have a plan that I think will work. I'm -- I'm fairly  
13 confident will work.

14 And I believe she -- that she would -- Liz would fit in to  
15 the plan and be amenable to learn what needs to be done to -- to  
16 be successful in the position.

17 Now I'm not saying there's not going to be bumps in the  
18 road. There's going to be bumps in road that -- that's going to  
19 be a learning experience for -- for her, for myself, for  
20 everybody.

21 DISTRICT ATTORNEY HERRERA: So...

22 COMMISSIONER CLARK: It's been m- --

23 DISTRICT ATTORNEY HERRERA: That was your recommendation?  
24 Liz? The com- -- the search committee.

25 KEITH WESTENGARD: Yes.

26 DISTRICT ATTORNEY HERRERA: That's all I'm asking.

27 COMMISSIONER CLARK: Okay. In my experience in Lander  
28 County, we've had a lot of people come in that look real good on  
29 this.

30 (Whereupon, Commissioner Clark lifted up a piece of paper.)

31 COMMISSIONER CLARK: But their performance is something  
32 different.

33 Now, Liz is on the school board. She's a resident here. She  
34 has banking experience. And I think that the passion that Liz has  
35 for this community will drive her to learn what she needs to learn  
36 for her position.

37 So I'm in favor of moving on this today. Because I agree we  
38 can't -- we just can't leave the position vacant.

39 And I think that we have a -- a person who will work on  
40 learning everything that they need to learn so that they can do

1 their job.  
2 So that's what I have to say.  
3 CHAIRMAN BAKKER: Thank you, Art.  
4 COMMISSIONER WAITS: I appreciate the -- the good things  
5 that you're saying. And I think that's true as far as Liz being  
6 an active member of our community.  
7 I don't believe that you can possibly train in the next two  
8 years to learn all the things that we need coming in on this  
9 position now.  
10 I -- I don't want to see us jump into something that quickly.  
11 If we can still wait and interview and put it on the agenda  
12 for two more weeks and hope that maybe somebody that has some of  
13 these -- some of this information that they're acquainted with.  
14 It's just -- it's too difficult.  
15 I mean, I -- I wouldn't wish it on -- on somebody that comes  
16 in with -- with this kind of a background. I really wouldn't.  
17 And I just think we've got to look at somebody that's a bit  
18 more qualified.  
19 COMMISSIONER MILLS: I'm kind of curious about what the  
20 prospects are of even getting any more applications.  
21 COMMISSIONER WAITS: There might be none. That's very  
22 possible. But I just feel I have to give it a try. I think  
23 this county is too important. I think our critical position. We  
24 rely on this position for practically every single thing we do.  
25 She works with every single department we have.  
26 I just -- I mean, they've got to know the rules and  
27 regulations for, you know, government accounting and financing.  
28 And if you're not -- you can learn some, but --  
29 COMMISSIONER MILLS: Becky, is this still being advertised?  
30 BECKY JOHNSON: At this point after the first review, no.  
31 I can put it back out. I did have it in Reno.  
32 COMMISSIONER WAITS: Did you put it on the NACO website?  
33 BECKY JOHNSON: I did not put it on NACO. I did put it on  
34 the -- the monster.com, which goes out to everybody. I got one  
35 from Alabama. He was asking for 150 just to come to work for  
36 our county.  
37 Word of mouth is still out there.  
38 I've not received anything else.  
39 COMMISSIONER STIENMETZ: I --  
40 BECKY JOHNSON: We had one applicant from Lovelock with no

1 experience whatsoever.

2 COMMISSIONER CLARK: I'm ready to make a motion.

3 COMMISSIONER STIENMETZ: I -- I have a question. What are  
4 we going to do in meanwhile, I mean, if you hire somebody, to  
5 get them trained?

6 You know, we've always -- you worked with -- you know, when  
7 --

8 CHAIRMAN BAKKER: Rogene?

9 COMMISSIONER STIENMETZ: -- Rogene left, the other one  
10 worked with her for almost a year and then she left. And then  
11 we brought you in, Nan.

12 I mean, am I just -- how is she going to get trained?

13 BECKY JOHNSON: There are some -- Becky Johnson -- there  
14 are some government accounting classes that whoever we hire I  
15 would like to send to.

16 And I do believe that Mr. Westengard spoke with someone in  
17 Elko and they had some suggestions for training.

18 So we are currently working on that to make sure whoever we  
19 put in this position, we start their training right away.

20 COMMISSIONER STIENMETZ: I know, but, I mean, in the  
21 meantime, who's going to be -- I mean, you can't expect her to  
22 drop right into the slot and take over business like Nan.

23 BECKY JOHNSON: Correct. And I -- I do believe that  
24 Mr. Westengard has --

25 COMMISSIONER STIENMETZ: Do we have a plan --

26 BECKY JOHNSON: -- something.

27 COMMISSIONER STIENMETZ: -- in place to help us in the  
28 short term?

29 KEITH WESTENGARD: If you -- if I get the authority, we'll  
30 -- I'll start looking into a private contractor or an outside  
31 contractor to come in and --

32 COMMISSIONER STIENMETZ: That's what I was wanting to know.

33 KEITH WESTENGARD: -- either our auditors. But they're  
34 limited in what they can do.

35 COMMISSIONER STIENMETZ: Right.

36 KEITH WESTENGARD: Everything's limited in what it can do.  
37 Private contractors, CPAs. I spoke with POOL/PACT about private  
38 contractors to come in and -- and sit with whoever's in the  
39 position and -- and guiding them through things.

40 So once I get that authority, I'll move forward on that.

1 If that's the direction that the commission goes.  
2 COMMISSIONER CLARK: I'll make a motion.  
3 I make a motion that we hire Liz Dias as the finance  
4 director for Lander County.  
5 CHAIRMAN BAKKER: Art made a motion.  
6 COMMISSIONER MILLS: I'll second.  
7 CHAIRMAN BAKKER: Doug seconded. Any public comment?  
8 DISTRICT ATTORNEY HERRERA: I would ask that -- I don't  
9 know if this motion is going to pass or fail, but I would like  
10 attached to it to give authorization to -- to Becky Johnson  
11 and -- and Keith Westengard to -- to --  
12 COMMISSIONER MILLS: Secure training?  
13 DISTRICT ATTORNEY HERRERA: -- secure --  
14 CHAIRMAN BAKKER: Training --  
15 DISTRICT ATTORNEY HERRERA: -- training --  
16 CHAIRMAN BAKKER: -- and --  
17 COMMISSIONER STIENMETZ: Training and --  
18 CHAIRMAN BAKKER: -- outside.  
19 DISTRICT ATTORNEY HERRERA: -- and --  
20 COMMISSIONER STIENMETZ: -- to handle the --  
21 CHAIRMAN BAKKER: Yep.  
22 COMMISSIONER STIENMETZ: Get somebody in here to handle the  
23 --  
24 DISTRICT ATTORNEY HERRERA: Yes.  
25 COMMISSIONER STIENMETZ: -- day-to-day stuff or things  
26 until Liz has --  
27 DISTRICT ATTORNEY HERRERA: In --  
28 COMMISSIONER STIENMETZ: -- training.  
29 DISTRICT ATTORNEY HERRERA: -- case it passes, we -- we --  
30 COMMISSIONER STIENMETZ: Right.  
31 DISTRICT ATTORNEY HERRERA: -- need -- we would like to  
32 have the authority --  
33 COMMISSIONER STIENMETZ: Right.  
34 DISTRICT ATTORNEY HERRERA: -- to -- to both of them.  
35 CHAIRMAN BAKKER: Art?  
36 COMMISSIONER CLARK: Oh.  
37 Okay. So I'll amend my motion to hire Liz and to give  
38 authority to Becky Johnson and Keith Westengard so that we have a  
39 short-term plan and training for Liz.  
40 COMMISSIONER STIENMETZ: (Indiscernible.)

1 CHAIRMAN BAKKER: And to hire the contractor.  
2 COMMISSIONER CLARK: Right. Hire the contractor.  
3 CHAIRMAN BAKKER: Okay.  
4 KEITH WESTENGARD: May I ask --  
5 DISTRICT ATTORNEY HERRERA: Do you have a starting salary  
6 in mind?  
7 COMMISSIONER CLARK: That wasn't posted?  
8 DISTRICT ATTORNEY HERRERA: It was posted, but that was  
9 somebody with the experience.  
10 COMMISSIONER STIENMETZ: Right.  
11 DISTRICT ATTORNEY HERRERA: So it's my understanding that  
12 the search committee and -- and -- and Keith and Becky came up  
13 with -- with a plan. Maybe Becky could --  
14 BECKY JOHNSON: Becky Johnson, HR.  
15 We discussed it. And we felt that 55- was a -- a fair  
16 offer --  
17 COMMISSIONER STIENMETZ: So do I.  
18 BECKY JOHNSON: -- while she was in training. Raises were  
19 dependent on the evaluation and the retention of training.  
20 Seventy-five, in my opinion, is very high for someone that's  
21 just coming into this position.  
22 COMMISSIONER STIENMETZ: Right. And then that way, --  
23 CHAIRMAN BAKKER: Art?  
24 COMMISSIONER STIENMETZ: -- we -- as she trains in it and  
25 becomes proficient in the different parts of her job, she can  
26 get her salary increased.  
27 BECKY JOHNSON: Correct.  
28 DISTRICT ATTORNEY HERRERA: So Art, if you could, --  
29 BECKY JOHNSON: With her evaluations.  
30 DISTRICT ATTORNEY HERRERA: -- pass that through your  
31 motion.  
32 CHAIRMAN BAKKER: Starting pay 55- --  
33 COMMISSIONER CLARK: Okay.  
34 CHAIRMAN BAKKER: -- thousand.  
35 COMMISSIONER CLARK: I -- do -- in the job description, do  
36 we have advancement?  
37 Is there advancement -- I mean, how does -- how does she  
38 advance in her salary?  
39 BECKY JOHNSON: That's going to depend on you guys.  
40 COMMISSIONER CLARK: Okay.

1 KEITH WESTENGARD: The -- the job description showed the --  
2 the base requirements, which were -- which is where we started.  
3 So if she excels in those, --  
4 COMMISSIONER CLARK: Okay.  
5 Okay.  
6 CHAIRMAN BAKKER: Starting pay to be --  
7 COMMISSIONER CLARK: And I'll add to my motion for the  
8 annual salary of \$55,000.  
9 CHAIRMAN BAKKER: Got to amend your second.  
10 COMMISSIONER MILLS: I will second Art's amendments.  
11 COMMISSIONER CLARK: Okay.  
12 CHAIRMAN BAKKER: Okay. Any public comment?  
13 (No comment.)  
14 CHAIRMAN BAKKER: All in favor?  
15 COMMISSIONER STIENMETZ: Aye.  
16 COMMISSIONER MILLS: Aye.  
17 CHAIRMAN BAKKER: Aye.  
18 COMMISSIONER CLARK: Aye.  
19 CHAIRMAN BAKKER: All opposed?  
20 COMMISSIONER WAITS: Nay.  
21 CHAIRMAN BAKKER: Okay. Motion carries.  
22 Thank you.  
23 BECKY JOHNSON: Thank you.  
24 CHAIRMAN BAKKER: Thank you, --  
25 DISTRICT ATTORNEY HERRERA: Did that --  
26 CHAIRMAN BAKKER: -- guys.  
27 LIZ DIAS: Thank you.  
28 DISTRICT ATTORNEY HERRERA: -- did that motion include the  
29 authority to give Keith --  
30 CHAIRMAN BAKKER: Yes.  
31 COMMISSIONER CLARK: Yes. Yes, to Becky and Keith --  
32 DISTRICT ATTORNEY HERRERA: Yes.  
33 CHAIRMAN BAKKER: We're on 16?  
34 COMMISSIONER CLARK: -- for a short-term --  
35 DISTRICT ATTORNEY HERRERA: Right.  
36 COMMISSIONER CLARK: -- plan.  
37 DISTRICT ATTORNEY HERRERA: Yes.  
38 CHAIRMAN BAKKER: Fourteen.  
39 COMMISSIONER CLARK: And to continue tra- --  
40 CHAIRMAN BAKKER: We keep jumping --

1 COMMISSIONER CLARK: -- training --  
2 CHAIRMAN BAKKER: -- around here.  
3 COMMISSIONER CLARK: -- with the contractor.  
4 COMMISSIONER MILLS: I don't know where we're at.  
5 LAKEN MARINE: No. You're on 22, Sean.  
6 COMMISSIONER STIENMETZ: Fourteen.  
7 CHAIRMAN BAKKER: No, we're only on 14.  
8 LAKEN MARINE: Oh, (indiscernible).  
9 COMMISSIONER MILLS: Yeah. We're -- we're hopping around.  
10 COMMISSIONER STIENMETZ: We've got to take a break --  
11 COMMISSIONER WAITS: Are you --  
12 COMMISSIONER STIENMETZ: -- for lunch.  
13 CHAIRMAN BAKKER: I think we've got to take lunch.  
14 COMMISSIONER CLARK: Yeah.  
15 COMMISSIONER WAITS: Yeah.  
16 COMMISSIONER CLARK: It is lunchtime.  
17 COMMISSIONER STIENMETZ: And then we'll come back --  
18 COMMISSIONER MILLS: Oh.  
19 COMMISSIONER STIENMETZ: -- after lunch.  
20 COMMISSIONER MILLS: Time flies when you're having fun.  
21 CHAIRMAN BAKKER: Yeah. Okay. Austin?  
22 MITESHELL LANHAM: Yes.  
23 CHAIRMAN BAKKER: We'll call you back at 1:15.  
24 MITESHELL LANHAM: Okay.  
25 CHAIRMAN BAKKER: Thank you. Bye.

26  
27 (Break taken between 11:58 a.m. and 1:14 p.m)  
28

29 CHAIRMAN BAKKER: Okay. Call this meeting back to order.  
30  
31

32 **PLANNING**  
33

- 34 14) Discussion for possible action regarding approval of a merger  
35 and resubdivision parcel map for Grace and Danny Kemp,  
36 located at 213 Toiyabe Street, 8 Cason Court, 7 Cason Court,  
37 6 Cason Court, and 5 Cason Court, Kingston, Lander County,  
38 Nevada, Lander County Assessor Parcel Numbers 003-63-01, -02,  
39 -38, -39, and -04; to combine five parcels into one (1)  
40 parcel, and all other matters properly related thereto.

1 CHAIRMAN BAKKER: We are on Number 14. Discussion for  
2 possible action regarding approval of a merger and resubdivision  
3 parcel map for Grace and Danny Kemp, located at 213 Toiyabe  
4 Street, 8 Cason Court, 7 Cason Court, 6 Cason Court, and 5 Cason  
5 Court, Kingston, Lander County, Nevada, Lander County Assessor  
6 Parcel Numbers 003-63-01, -02, -38, -39, and -04; to combine  
7 five parcels into one parcel, and all other matters properly  
8 related thereto.

9 Oh. Mrs. Kemp, you're up.

10 GRACE KEMP: I -- I heard the thing.

11 JAN MORRISON: Is this item up?

12 CHAIRMAN BAKKER: Yep.

13 GRACE KEMP: We are. Yes.

14 JAN MORRISON: I apologize.

15 GRACE KEMP: Any questions?

16 JAN MORRISON: I'm so sorry. Did you read the item?

17 CHAIRMAN BAKKER: Yeah.

18 JAN MORRISON: I so apologize.

19 CHAIRMAN BAKKER: You're good. You're good.

20 JAN MORRISON: I got trapped by the new programmer on the  
21 way in.

22 CHAIRMAN BAKKER: I understand.

23 JAN MORRISON: Yes. This -- this map, again, this in the  
24 Kingston area. These are great parcel maps where they're doing  
25 merger and resubdivisions.

26 And I think you know the applicant really well. She can  
27 answer any questions too.

28 But these are combining several smaller lots into large  
29 ones, which is great for everything from septic to density out  
30 there.

31 So you've got a couple here today, I think. It seems every  
32 time I come up with you with parcel maps there are a lot of these  
33 merger and resubdivisions. So again, it's gone through our county  
34 surveyor. It's gone through all the departments. And it's good  
35 to go. It's a good one.

36 CHAIRMAN BAKKER: Okay.

37 COMMISSIONER WAITS: Her little corner of the world.

38 GRACE KEMP: Yes. Little paradise.

39 COMMISSIONER WAITS: I'll make a motion that we approve the  
40 merger and resubdivision parcel map for Grace and Danny Kemp,

1 located at 213 Toiyabe Street, Parcel Number 003-063-01, -02,  
2 -38, -39, and -04, to combine the five parcels into one parcel,  
3 and authorize the chair to sign the mylar.

4 COMMISSIONER STIENMETZ: I'll second the motion.

5 CHAIRMAN BAKKER: Patsy made a motion. Steve seconded.

6 Any public comment?

7 (No comment.)

8 CHAIRMAN BAKKER: All in favor?

9 COMMISSIONER STIENMETZ: Aye.

10 COMMISSIONER MILLS AND CHAIRMAN BAKKER: Aye.

11 COMMISSIONER WAITS: Aye.

12 COMMISSIONER CLARK: Aye.

13 CHAIRMAN BAKKER: Motion carries.

14 GRACE KEMP: Thank you.

15 Grace Kemp, for the record.

16 I know I didn't say that earlier. So for you.

17 LAKEN MARINE: Okay.

- 18  
19 **15) Discussion for possible action regarding approval of a merger**  
20 **and resubdivision parcel map for Vernon Lee Hancock, located**  
21 **at 183 Jefferson Drive and 235 Kingston Road, Kingston,**  
22 **Nevada, Lander County Assessor Parcel Numbers 003-071-02 and**  
23 **-03, to combine two (2) parcels into one (1) parcel, and all**  
24 **other matters properly related thereto.**  
25

26 CHAIRMAN BAKKER: Fifteen. Discussion for possible action  
27 regarding approval of a merger re- -- and resubdivision parcel  
28 map for Vernon Lee Hancock, located at 183 Jefferson Drive, 235  
29 Kingston Road, Kingston, Nevada, Lander County Assessor Parcel  
30 Numbers 003-071-02 and -03, to combine two parcels into one  
31 parcels, and all other matters properly related thereto.

32 JAN MORRISON: Jan Morrison, community services officer.

33 This is a similar map. It's combining several lots in  
34 Kingston, the same thing, smaller lots into a larger one.

35 The applicant is not present. Grace knows the applicant  
36 and could speak also if you wish. The surveyor can be brought  
37 by phone.

38 But it's pretty routine. And it's -- it's encouraged out  
39 there so...

40 CHAIRMAN BAKKER: Okay.

1 Okay. Do you just want me to put this over there?  
2 JAN MORRISON: Yep. Might as well.  
3 COMMISSIONER WAITS: I'll make a motion that we approve the  
4 merger and resubdivision parcel map for Vernon Lee Hancock,  
5 located at 183 Jefferson Drive, Assessor Parcel Number  
6 003-071-02 and -03, to combine two parcels into one parcel, and  
7 authorize the chair to sign the mylar.  
8 COMMISSIONER STIENMETZ: I'll second the motion.  
9 CHAIRMAN BAKKER: Patsy made a motion. Steve seconded.  
10 Any public comment?  
11 (No comment.)  
12 CHAIRMAN BAKKER: All in favor?  
13 COMMISSIONER STIENMETZ: Aye.  
14 COMMISSIONER MILLS AND CHAIRMAN BAKKER: Aye.  
15 COMMISSIONER WAITS: Aye.  
16 COMMISSIONER CLARK: Aye.  
17 GRACE KEMP: Thank you.  
18 CHAIRMAN BAKKER: Thank you.  
19 GRACE KEMP: Thanks, (indiscernible).

20  
21 **16) Discussion and possible action regarding a zone change**  
22 **request by Jay Wintle for APNs 010-280-08, 010-280-09,**  
23 **010-280-12, 010-280-13, located in the E 1/2 of Section 14,**  
24 **Range 44 East, Township 32 North, Battle Mountain, Nevada,**  
25 **from Farm and Ranch District (A-3) to One-Acre Agriculture**  
26 **District (A-2), and all other matters properly related**  
27 **thereto.**

28  
29 CHAIRMAN BAKKER: Agenda Item Number 16. Discussion and  
30 possible action regarding a zone change request by Jay Wintle  
31 for APNS 010-280-08, 010-280-09, 010-280-12, 010-280-13, located  
32 in the east half of Section 14, Range 44 East, Township 32  
33 North, Battle Mountain, Nevada, from Farm Ranch District, A-3,  
34 to One-Acre Agriculture District, A-2, and all other matters  
35 properly related thereto.

36 JAN MORRISON: Jan Morrison, com- -- community services  
37 officer.

38 This is a no -- new zone change request you have. The next  
39 item is a previous one that's been before you. This is actually  
40 for a five-acre. It's -- A-2 is five-acre. That is a typo in

1 there.

2 You've got the full package on it. And the applicant will  
3 speak.

4 I did draw up a larger map, if anybody needs it to see. It  
5 helps seeing the distance. I realize that sometimes those  
6 smaller ones they copy better, but they -- they don't always  
7 show. So that's available.

8 Other than that, I'll say an aside. The planning  
9 commission, of course, approved it, which is why I'm here  
10 representing the planning commission. Thank you.

11 JAY WINTLE: Jay Wintle, applicant.

12 Have --

13 CHAIRMAN BAKKER: Thank you, --

14 JAY WINTLE: -- any questions?

15 CHAIRMAN BAKKER: -- Jay. Can I see that map, Jan.

16 JAN MORRISON: Yeah.

17 So here's the one he's at. These -- this is the four.  
18 This is the one that was previous. This is hard zoned. That's  
19 the other developer with the 12,000-square-foot lots. And then  
20 these are all A-3.

21 CHAIRMAN BAKKER: So this is in existence today?

22 JAN MORRISON: This is in existence. This is your next  
23 item.

24 CHAIRMAN BAKKER: Oh. Okay.

25 JAN MORRISON: This is in existence, master plan, 12,000  
26 square feet. Everything over here -- and by the way, this is  
27 Allen Road. North of Allen Road is all A-3 also.

28 So you're kind of looking at A-1, -2, and -3, except it's  
29 not really A-1. It's two and a half.

30 CHAIRMAN BAKKER: And so we're proposing to go from --  
31 what? -- twenty to fives? Is that what we're --

32 JAN MORRISON: Yes.

33 CHAIRMAN BAKKER: Okay.

34 JAN MORRISON: Yeah. That would be A-3 zoning, which is a  
35 minimum 20-acre lot to A-2 zoning, which is a five-acre lot. We  
36 have no zoning classific- -- classification between. We have  
37 A-1, -2, and -3.

38 CHAIRMAN BAKKER: Okay. So this says one. That's not  
39 accurate?

40 JAN MORRISON: Right.

1 CHAIRMAN BAKKER: Okay.  
2 JAN MORRISON: That's a typo on there.  
3 CHAIRMAN BAKKER: Okay.  
4 JAN MORRISON: And --  
5 COMMISSIONER WAITS: The master plan is the minimum of the  
6 12,000?  
7 JAN MORRISON: Master plan is 12,000 over here.  
8 Transitionally over here.  
9 This is where the master plan doesn't actually set things.  
10 But it says the transitional.  
11 And the protest letter that you had before, on this  
12 previous one, came from this group. And they brought the master  
13 plan where they wanted to see the transitional, the five acres.  
14 And so I'll let the applicant speak. But this is the five  
15 acres.  
16 CHAIRMAN BAKKER: And -- okay.  
17 Okay.  
18 JAN MORRISON: So yeah.  
19 KEITH WESTENGARD: Mr. Bakker?  
20 CHAIRMAN BAKKER: Yeah.  
21 KEITH WESTENGARD: May I?  
22 I have a question real quick on the clarification of the  
23 A-2 of what exactly. Is that five acres or five acres and up?  
24 JAN MORRISON: It --  
25 COMMISSIONER WAITS: The A-2 is the five acres?  
26 KEITH WESTENGARD: Yes.  
27 CHAIRMAN BAKKER: It's five acres and up.  
28 KEITH WESTENGARD: Five and up.  
29 JAN MORRISON: Yeah, minimum. And it's in your package.  
30 KEITH WESTENGARD: Right.  
31 JAN MORRISON: The codes so...  
32 So it's a minimum.  
33 DISTRICT ATTORNEY HERRERA: The -- the question is: With  
34 the typo, can we still hear this?  
35 And it does say A-2. So if A-2, people can say, oh,  
36 they're asking for five acres. Then we can go forward better.  
37 But if -- if it's -- that's --  
38 JAY WINTLE: Yeah, we're asking for five. Applicant -- my  
39 application had five acres.  
40 DISTRICT ATTORNEY HERRERA: No, I know. But the agenda

1 doesn't --  
2 JAN MORRISON: Right.  
3 DISTRICT ATTORNEY HERRERA: -- didn't give notice of --  
4 COMMISSIONER STIENMETZ: Yeah.  
5 DISTRICT ATTORNEY HERRERA: -- five acres. It gave --  
6 JAN MORRISON: It's --  
7 DISTRICT ATTORNEY HERRERA: -- notice of one acre.  
8 JAN MORRISON: Yeah. And that's a very -- that's a very  
9 high density. No, it's the lower density. A-2 is five acres.  
10 DISTRICT ATTORNEY HERRERA: Okay.  
11 JAN MORRISON: And so it's in the package.  
12 DISTRICT ATTORNEY HERRERA: Well, that -- yeah, but we're  
13 talking about agendized for open meeting law purposes. Doesn't  
14 matter if it's in the packet. But if A-2 is a minimum of five  
15 acres, we're okay.  
16 JAN MORRISON: Okay.  
17 DISTRICT ATTORNEY HERRERA: That's --  
18 CHAIRMAN BAKKER: So we're okay --  
19 DISTRICT ATTORNEY HERRERA: -- that's where the question --  
20 CHAIRMAN BAKKER: -- is what he's saying.  
21 DISTRICT ATTORNEY HERRERA: -- comes from.  
22 CHAIRMAN BAKKER: Okay.  
23 Any questions?  
24 COMMISSIONER WAITS: I'll make a motion that we approve --  
25 COMMISSIONER CLARK: No public comment?  
26 COMMISSIONER STIENMETZ: We've got to make the --  
27 COMMISSIONER MILLS: After the --  
28 COMMISSIONER STIENMETZ: -- motion.  
29 COMMISSIONER MILLS: -- motion.  
30 COMMISSIONER STIENMETZ: -- first.  
31 COMMISSIONER WAITS: -- the zone change request by Jay  
32 Wintle for the Parcel Numbers 010-280-08, 010-280-09,  
33 010-280-12, 010-280-13, located at the east one-half Section 14,  
34 Range 44 East, Township 32 North in Battle Mountain from Farm  
35 and Ranch District A-3 to Agriculture District A-2, and  
36 authorize the chair to sign the mylar.  
37 CHAIRMAN BAKKER: Okay.  
38 JAY WINTLE: There ain't no mylar.  
39 COMMISSIONER WAITS: No mylar?  
40 JAY WINTLE: No. It's just a zone --

1 COMMISSIONER WAITS: Just a --  
2 JAY WINTLE: -- change.  
3 COMMISSIONER WAITS: -- zone change.  
4 CHAIRMAN BAKKER: Oh.  
5 COMMISSIONER WAITS: Thank you. Scratch that.  
6 JAY WINTLE: Scratch that.  
7 CHAIRMAN BAKKER: Okay.  
8 COMMISSIONER MILLS: Okay. I'll second that motion.  
9 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded. Any  
10 public comment?  
11 GARY CAMPBELL: This is Gary Campbell.  
12 CHAIRMAN BAKKER: Come up here, Gary.  
13 GARY CAMPBELL: I live directly out in the area that these  
14 lots are going to be zoned through the zoning board.  
15 I don't want the commission to kid themselves. It's not  
16 being rezoned for the better purpose of this community. It's  
17 being rezoned for financial purposes to pop a packet book.  
18 Okay.  
19 Instead of selling one parcel, 25 to 26 acres, you're going  
20 to sell five parcels of five acres. That's five wells, five  
21 septics slamming each parcel behind the property.  
22 Now there are several reports from Nye County of septic  
23 poisoning where you have too many septics in one spot. And  
24 several reports in Ely where we have people sharing wells  
25 because we have too many straws pulling from the same cup.  
26 It's -- it's absolutely ridiculous. This is an  
27 agricultural-zoned land. And people that have purchased this  
28 area have vested and invested in agricultural land. If we  
29 wanted to live in a subdivision or someone sublet it out, we  
30 would have done that later as well.  
31 I mean, this is where it's at. And to rezone, it opens the  
32 door to rezone it.  
33 Now, Mr. Wintle doesn't just own those properties. He owns  
34 properties beside me. And he owns properties across from me.  
35 To open up rezoning for this leaves you really opposition to not  
36 rezone anything else later on down the road. And I think that's  
37 a big issue. The future of that depends on this decision.  
38 So I ask the county commissioners to really take a look at  
39 this and see where it's going and see the potential future.  
40 I don't think there's enough research in the wells and the

1 septic areas and the issues, not to mention the abundance of  
2 traffic that are going to be coming down the road, as they're  
3 going to pave the road right down my fence line and take over an  
4 acre of my property.

5 Okay. Miss Waits, this was brought to you last time and you  
6 said something that I thought was absolutely some of the reckless  
7 thing I've ever heard in my life, where your comment was, if it --  
8 I'm under the notion that if it doesn't affect me, I don't have a  
9 problem with it. And you voted yes. But you represent Lander  
10 County, not just Mr. Wintle and his realtor. You represent all of  
11 us. And I ask that you really think about this as a county  
12 taxpayer that lives directly in the area.

13 I'd also like to put it out there that I did file an ethics  
14 complaint on the planning commission. I think there's too many --  
15 wheeling and dealing and too many personal relationships in all of  
16 this where everybody knows somebody or has done business with  
17 somebody. And I think that the county commission might want to  
18 hold off until the complaint is thorough and done with. Thank  
19 you.

20 CHAIRMAN BAKKER: Thank you, Gary.

21 COMMISSIONER CLARK: Thank you, Gary.

22 COMMISSIONER WAITS: Thank you.

23 JAN MORRISON: I'd like to say part of my job that was  
24 defined by some of these questions was to keep track of the  
25 septic tanks in the area.

26 And so after a couple -- couple of weeks of -- of  
27 discovery in it -- and I brought Mr. Westengard up to date -- I  
28 now keep a book. And I -- and every septic tank permit that goes  
29 through. And I went back. I've got every one done. And so I  
30 have extensive communication back and forth with the state. And  
31 generally, it's your county engineer that keeps track of it. We  
32 don't necessarily have one. So I have a book. I keep track of  
33 it. I can go get the book.

34 The saturation for this area: 99 are allowed unless you  
35 have an engineer's letter, and then 198 are allowed. And you  
36 can go further on if you're doing a subdivision.

37 But at any rate, I think our saturation rate was something  
38 like either 7 or 9 in this area.

39 And then I did a count also. If everything that was built  
40 out and we're still underneath the allowable area.

1 But there'd be many opportunities if you have some  
2 developments. I think there might be some developments within  
3 this area a little bit to the east that might be having septic.  
4 And when those come in, they all have to come in front of you for  
5 the same issue, to make sure that there's enough.

6 COMMISSIONER CLARK: But that's 99 septic per 640 acres.  
7 So if you disproportionately spread those septic and you have  
8 70 percent in one area of the 640 acres, that leaves no  
9 development for the other people.

10 JAN MORRISON: According to the state, it's on a  
11 first-come, first-served basis so whomever goes out there.

12 However, given the zoning out there, even with this zoning  
13 and -- there's no chance of them being clustered.

14 So I appreciate that.

15 I -- I was very careful following what the state mandates  
16 on it.

17 COMMISSIONER CLARK: Uh-huh.

18 JAN MORRISON: And they were very patient with me to go  
19 through it all.

20 So...

21 COMMISSIONER CLARK: And you also have a -- a density of  
22 wells drawing from the water table. And you have agricultural  
23 out there. And you have people that moved out there for  
24 agriculture. And now you're going to tap into their water.

25 Do you have all the water rights for this area?

26 JAN MORRISON: That's all by state. We're not -- we don't  
27 really have a say in that -- that I'm aware of.

28 I did check with them also. And they just referred to  
29 whatever procedure they have for domestic wells.

30 And, again, if somebody goes and appl- -- you have to have  
31 a permit for a domestic well. I'm going to assume if there's a  
32 saturation point, the state isn't going to grant a permit.

33 I haven't gone through that, but it's state-controlled, not  
34 us.

35 I can only tell you the sewer, the septic. Because of the  
36 conversations here, I was directed to find that out and so I did  
37 find it out.

38 COMMISSIONER CLARK: And there's also something in the  
39 master plan about property shouldn't be developed until county  
40 utilities are out in that area.

1           JAN MORRISON: Well, the lower density ones, which could  
2 be -- I mean, a higher density -- which could be some properties  
3 that --

4           COMMISSIONER CLARK: Uh.

5           JAN MORRISON: -- might be coming up, definitely.

6           So you want to watch those as they come up. That area is  
7 master-planned for 12,000-square-foot lots, which is three to an  
8 acre.

9           But, again, if you look at map there, it's -- it's  
10 transitional. So you have the three to an acre. You have t- --  
11 the A-1, which is one acre, although now it's 2 1/2 acres. Then  
12 you have five. And then you have the twenty.

13           And those are all the -- those are your classifications the  
14 county has: A-1, -2, and -3.

15           COMMISSIONER CLARK: And so Gary Campbell just loses  
16 property as this is developed?

17           CHAIRMAN BAKKER: Is there --

18           JAY WINTLE: No, we --

19           CHAIRMAN BAKKER: My other question. What -- did we ever  
20 fix the easement?

21           JAY WINTLE: What?

22           CHAIRMAN BAKKER: We talked about the easement going  
23 through Gary's --

24           JAY WINTLE: The easement's in place. The easement was in  
25 place in 1975 on a parcel map for Ashcroft. There's a --  
26 there's a 40-foot easement on Gary's side of the prop- --  
27 section line. And there's a 40-foot easement on the other  
28 property line going down the section line where his fence is.

29           On the other side of Gary's property, there's a 50-foot  
30 easement. And there's a 50-foot -- -foot easement on the other  
31 side of the center -- or the corner section line. And these  
32 were all put in place on an Ashcroft map that there's dedicated  
33 road easements.

34           JAN MORRISON: And --

35           COMMISSIONER CLARK: Are --

36           JAN MORRISON: -- so I'll address it. Because they -- I've  
37 got the minutes from our last meeting.

38           We all acknowledge that. When Mr. Campbell bought the  
39 property, it was subject to the cur- -- the map that was done  
40 years before he did. So he bought it with the hundred-foot

1 dedication. None of us did that. That was done a long time  
2 ago.

3 As I explained, I don't agree with that. We had meetings  
4 with the DA. There's no reason to have a hundred-foot roadway  
5 just about any place, let alone in an agricultural area.

6 And so as parcels are coming up, parcel maps, dedications,  
7 we're dropping them down to 60 feet.

8 So for something that's existing, we need to -- to either  
9 as a county maybe do it for all the property owners and reduce  
10 it, which would -- I'd like -- I'd like that to happen for them.  
11 Otherwise, each individual property owner can apply to have --  
12 is it a vacation or an abandonment --

13 DISTRICT ATTORNEY HERRERA: I think it's --  
14 JAN MORRISON: -- of a portion --  
15 DISTRICT ATTORNEY HERRERA: -- a vacation.  
16 JAN MORRISON: -- of the right-of-way?  
17 DISTRICT ATTORNEY HERRERA: It might be a vacation.  
18 JAN MORRISON: One or the other, they can apply  
19 individually. It's probably not my place right now. I'd say  
20 there's good reason why we'd want to do it as an action for  
21 several property owners along in there and have the county do  
22 it. That --

23 I mean, it is. He's absolutely right. There's no reason  
24 to have a hundred-foot roadway there. But -- but road  
25 department, Bert, we're -- well, we all agree 60 feet is fine.

26 COMMISSIONER CLARK: So all the surveyors -- all the survey  
27 work is down out there and it's accurate?  
28 JAY WINTLE: Yeah, all the pins are in place.  
29 COMMISSIONER CLARK: Okay.  
30 JAN MORRISON: Mr. Clark, are you talking about up on Allen  
31 or --  
32 COMMISSIONER CLARK: I'm talking out in that area. All --  
33 on Allen Road in that area.  
34 JAY WINTLE: I -- failed to find a -- well, I haven't  
35 looked on the other side. Everything on, section we're on, all  
36 the --  
37 COMMISSIONER CLARK: Okay.  
38 JAY WINTLE: -- rebar pins and T-posts --  
39 COMMISSIONER CLARK: No, I --  
40 JAY WINTLE: There's a monument running right in front of

1 Gary's gate. It's --  
2 COMMISSIONER CLARK: Right.  
3 JAY WINTLE: -- sitting --  
4 COMMISSIONER CLARK: And it should --  
5 JAY WINTLE: -- in a --  
6 COMMISSIONER CLARK: -- be in the --  
7 JAY WINTLE: -- well.  
8 COMMISSIONER CLARK: -- middle of the road.  
9 JAY WINTLE: What?  
10 COMMISSIONER CLARK: It's supposed to be in the middle of  
11 the road.  
12 JAY WINTLE: Well, the road actually is -- that monument's  
13 the corner of my property. If -- saying the same thing as  
14 Gary's saying. All of Allen Road is on my property.  
15 It was dedicated as a road. It's county property. But it's  
16 on my -- I'm paying taxes on it. It's on my property. A 50-foot  
17 easement of my property is Allen Road.  
18 COMMISSIONER CLARK: On which side? The west side or the  
19 east side?  
20 JAY WINTLE: It goes in front of Gary's road. I'll --  
21 there's a monument right in front of Gary's gate, is my property  
22 corner, which is on the south side of the road.  
23 But there's a 50-foot easement that covers the road over to  
24 the corner of the Indian colony where their fence is. So the road  
25 is on legal county easements, the same way when the road -- there  
26 was a hundred-foot easement there too. And the road's built on  
27 basically 50 feet of the first easement because it was probably  
28 the existing easement when they first went out there.  
29 CHAIRMAN BAKKER: Gary, how big is your lot?  
30 GARY CAMPBELL: It's seven -- my lot is 27.6 acres.  
31 CHAIRMAN BAKKER: Can you show me on this map where it's  
32 at?  
33 GARY CAMPBELL: Yes, sir.  
34 DISTRICT ATTORNEY HERRERA: Jan, it's a vacation easement.  
35 JAN MORRISON: It's a vacation. Okay.  
36 CHAIRMAN BAKKER: And then the property owner can claim  
37 some of that ease- -- easement that's been abandoned? Theodore?  
38 DISTRICT ATTORNEY HERRERA: You need to -- pardon me?  
39 CHAIRMAN BAKKER: The property owner can claim some of that  
40 easement that's been abandoned?

1 DISTRICT ATTORNEY HERRERA: The property owner can ask for  
2 a vacation of easement.  
3 JAY WINTLE: Yeah, there's a form, --  
4 GARY CAMPBELL: This is my --  
5 JAY WINTLE: -- I think, right.  
6 JAN MORRISON: Yeah.  
7 JAY WINTLE: To the --  
8 GARY CAMPBELL: -- allotment --  
9 JAY WINTLE: Planning commission.  
10 GARY CAMPBELL: -- 27.6 acres.  
11 DISTRICT ATTORNEY HERRERA: To the planning commission then  
12 --  
13 GARY CAMPBELL: So we're looking at (indiscernible) right  
14 here.  
15 JAY WINTLE: It has to go through the utilities, make sure  
16 there's no utilities on there.  
17 DISTRICT ATTORNEY HERRERA: If that's what --  
18 JAY WINTLE: County don't get a road.  
19 GARY CAMPBELL: (Indiscernible.)  
20 DISTRICT ATTORNEY HERRERA: You're asking a vacation --  
21 GARY CAMPBELL: (Indiscernible.)  
22 DISTRICT ATTORNEY HERRERA: -- of public -- for --  
23 GARY CAMPBELL: (Indiscernible.)  
24 JAY WINTLE: Yeah.  
25 GARY CAMPBELL: (Indiscernible.)  
26 DISTRICT ATTORNEY HERRERA: -- public purposes.  
27 JAN MORRISON: Right.  
28 GARY CAMPBELL: (Indiscernible.)  
29 JAN MORRISON: And -- and what I'm suggesting, although  
30 each individual property owner has the right to do it  
31 themselves, --  
32 DISTRICT ATTORNEY HERRERA: We should do it as a county.  
33 JAN MORRISON: -- they would each have to do the survey  
34 work and the cost involved.  
35 JAY WINTLE: (Non-verbal utterance.)  
36 JAN MORRISON: And it would certainly be worthwhile for the  
37 county to do it jointly. So with several property owners.  
38 CHAIRMAN BAKKER: So he can claim 40 feet of that easement?  
39 JAY WINTLE: No. He should only claim --  
40 DISTRICT ATTORNEY HERRERA: (Indiscernible.)

1 JAY WINTLE: -- ten feet because the road's already  
2 existing down farther.

3 JAN MORRISON: Yeah, you have to --

4 JAY WINTLE: Road --

5 JAN MORRISON: -- have a 60-foot roadway.

6 JAY WINTLE: Road should --

7 JAN MORRISON: So...

8 JAY WINTLE: -- stay in the center of the section line.  
9 And you should -- out of the 80-foot easement there on that  
10 side, he should claim ten and other people will be given the  
11 right to claim ten.

12 JAN MORRISON: It's a significant amount of property, but  
13 --

14 JAY WINTLE: And then on the other side, there's a 50-foot  
15 easement on both sides. So they both should be able to claim  
16 ten and twenty and keep the road in the center of the --

17 CHAIRMAN BAKKER: Does he have to go through the  
18 planning commission to do that?

19 JAY WINTLE: Yes. It would fall under --

20 JAN MORRISON: Yes. Yes. And that's why I would suggest  
21 if the county wants to entertain -- I'd be more than happy to  
22 work with the DA -- is to do it jointly. Because you don't want  
23 to have a narrow road and then a wide road and a narrow road.  
24 And -- and it's the same cost, almost, whether you're going to  
25 do one property or seven properties.

26 It would be at the county's appetite if they want to --

27 DISTRICT ATTORNEY HERRERA: Is that the only road in the  
28 county that has this problem?

29 JAN MORRISON: I'd like to look and see if there's some --

30 JAY WINTLE: No, it's --

31 JAN MORRISON: -- other --

32 JAY WINTLE: -- not.

33 JAN MORRISON: -- hundred-foot right-of-ways.

34 DISTRICT ATTORNEY HERRERA: (Indiscernible.)

35 JAY WINTLE: Sheep Creek's done that way where I built them  
36 other houses. There's an extra ten feet. Them lots are set  
37 back ten feet. It's still county property.

38 DISTRICT ATTORNEY HERRERA: Okay.

39 JAY WINTLE: There was four -- well that was basically --  
40 goes back to '75. Ashcroft put a -- developed a lot of

1 property. And he put -- he's the one that put 40 on both sides.  
2 And we came back for some reason with this subdivision, it's  
3 75 -- I mean, in '95 he put 50 down. I don't know why he come  
4 up with 50 other than I think they thought it was going to be a  
5 looping road or some -- a main -- a main looping road that, you  
6 know...

7 JAN MORRISON: Uh-huh.

8 DISTRICT ATTORNEY HERRERA: Okay.

9 JAN MORRISON: So it would be -- and I don't know how that  
10 goes. But there is an appetite, definitely, from my department  
11 and I think from the road department to get these uniformed to  
12 get rid of those hundred-foot roadways.

13 And I think you'd make a lot of people happy.

14 COMMISSIONER CLARK: Well, I have a lot of concern that  
15 there's been a complaint filed.

16 JAY WINTLE: Well, there's two support letters here that  
17 you folks have. Do you have these?

18 You read them?

19 COMMISSIONER MILLS: Yep.

20 JAY WINTLE: That are adjoining properties that support  
21 what I'm doing.

22 DISTRICT ATTORNEY HERRERA: The complaint was an ethical  
23 complaint. So it's -- it's -- it's --

24 COMMISSIONER CLARK: Uh-huh.

25 DISTRICT ATTORNEY HERRERA: -- in the proper hands. Not  
26 mine. I don't do that.

27 COMMISSIONER CLARK: Okay.

28 DISTRICT ATTORNEY HERRERA: And it's my understanding that  
29 it's being investigated right now.

30 Is that right?

31 KEITH WESTENGARD: That's correct.

32 DISTRICT ATTORNEY HERRERA: Okay. That -- that's all I --

33 KEITH WESTENGARD: About two-third -- two-thirds done.

34 CHAIRMAN BAKKER: Okay.

35 Steve, what do you think?

36 COMMISSIONER STIENMETZ: I don't know. I'm thinking.

37 That's --

38 My -- I -- I -- what I -- I thought it was one-acre  
39 parcels, but going to five-acre parcels makes a big difference.

40 JAY WINTLE: Well, it meets the master plan to go

1 against -- the master plan calls anywhere you abut current  
2 agriculture-use property you have to go to five. It's the  
3 reason we went to five.

4 The other reason we went to five is septic tank density. I  
5 plan on -- whole development out there is going to involve about  
6 42 lots in that half of the section, which is way under.

7 And then there will be probably four or five 20-acre lots  
8 left. And they -- gives them room. They can develop, taking it  
9 off some, you know, as -- as you shift around, if there's a  
10 first use for -- but I don't plan on using a heavy -- I don't  
11 plan on developing it to the -- every bit I can get, you know,  
12 with the 2 1/2 acres or the 5 acres. I'll go from 2 1/2 acres  
13 to probably 9-acre lots out there.

14 COMMISSIONER MILLS: (Indiscernible) had a question.

15 CHAIRMAN BAKKER: Uh-huh. Oh. Kim? Sorry.

16 KIMBERLY BUFFINGTON: Thank you. Kimberly Buffington.

17 Just to clarify. There were two letters of support. One,  
18 two, three, four. Four other were -- was there no protest on --  
19 on the other notices?

20 CHAIRMAN BAKKER: Weren't the protests have gone before the  
21 planning commission first?

22 JAN MORRISON: Pardon me?

23 KIMBERLY BUFFINGTON: I was just clarifying for purpose  
24 because we talked about there were two letters and s- --

25 CHAIRMAN BAKKER: Hey, Kim -- Kim, --

26 KIMBERLY BUFFINGTON: There were --

27 CHAIRMAN BAKKER: -- will you come up here?

28 KIMBERLY BUFFINGTON: -- two letters. Sure.

29 CHAIRMAN BAKKER: Or the clerk's going to yell at me.

30 KIMBERLY BUFFINGTON: No, we don't want that.

31 CHAIRMAN BAKKER: No.

32 KIMBERLY BUFFINGTON: So Kimberly Buffington.

33 I just wanted to clarify, based on the total numbers of  
34 persons or entities noticed, there were two letters of support.  
35 I'm clarifying this for my own benefit. Four no protests or  
36 no -- no action, no response.

37 And then the owner to the -- to the west actually signed the  
38 application. So that would be in favor. So there were three in  
39 favor and four no protests? Is that a true statement?

40 JAY WINTLE: Yes.

1 CHAIRMAN BAKKER: Jan?  
2 DISTRICT ATTORNEY HERRERA: I don't know. Jan -- Jan would  
3 know.  
4 JAN MORRISON: Yeah. Yeah.  
5 KIMBERLY BUFFINGTON: I was just wondering in the whole  
6 scheme of things how that came down --  
7 CHAIRMAN BAKKER: Of the letters that were sent out, is  
8 what --  
9 KIMBERLY BUFFINGTON: Yes.  
10 CHAIRMAN BAKKER: -- what you're getting at?  
11 KIMBERLY BUFFINGTON: Right, so --  
12 CHAIRMAN BAKKER: Right.  
13 KIMBERLY BUFFINGTON: -- three in favor, four no contest,  
14 no protest.  
15 And those were all the adjoining landowners.  
16 CHAIRMAN BAKKER: Thank you.  
17 KIMBERLY BUFFINGTON: Thank you.  
18 CHAIRMAN BAKKER: It -- well, I was going to say when it  
19 was one acre, five acres from twenty actually follows our master  
20 plan.  
21 JAN MORRISON: Yeah. Because A-1, -2, and -3.  
22 CHAIRMAN BAKKER: And sensing I was the biggest one to push  
23 that we have to follow the master plan...  
24 COMMISSIONER MILLS: We have a motion and a second.  
25 CHAIRMAN BAKKER: Yes, we do.  
26 Any other public comment?  
27 (No comment.)  
28 CHAIRMAN BAKKER: All in favor?  
29 COMMISSIONER MILLS: Aye.  
30 COMMISSIONER STIENMETZ: Aye.  
31 CHAIRMAN BAKKER AND COMMISSIONER WAITS: Aye.  
32 COMMISSIONER CLARK: Nay.  
33 CHAIRMAN BAKKER: All opposed, --  
34 COMMISSIONER CLARK: Nay.  
35 CHAIRMAN BAKKER: -- nay.  
36 Okay.  
37 And the other one follows the master plan too.  
38  
39  
40

1 17) Discussion and possible action regarding a zone change  
2 request by Jay Wintle for APN 010-280-16 located in the S 1/2  
3 of the N 1/2 of the W 1/2 of the SE 1/4 of Section 14, Range  
4 44 East, Township 32 North, from Farm and Ranch District  
5 (A-3) to One-Acre Agriculture District (A-1), with a deed  
6 restriction requiring a minimum of 2.5 acres for any  
7 subsequent parceling, and all other matters properly related  
8 thereto.  
9

10 CHAIRMAN BAKKER: Okay. Agenda Item Number 17.

11 Discussion and possible action regarding a zone change  
12 request by Jay Wintle for APN 010-280-16 located south half of  
13 the north half of the west half of the southeast quarter of  
14 Section 14, Range 44 East, Township 32 North, Farm and Ranch  
15 District, A-3, to One-Acre Agriculture District, A-1, with deed  
16 restrictions requiring a minimum of 2 1/2 acres for any  
17 subsequent parceling, and all other matters properly related  
18 thereto.

19 JAN MORRISON: I've presented this a couple times. And  
20 I'll let the applicant speak again.

21 This is -- although it says A-1, there is a deed  
22 restriction.

23 The -- Mr. Wintle, the owner, has agreed to have a minimum of  
24 2 1/2-acre parcels, just to remind you as we go through the master  
25 plan, there will be an opportunity to perhaps work on some of our  
26 zoning codes.

27 CHAIRMAN BAKKER: Jan, and back to this other one and this  
28 one. When Jay sells these five acres, there's got to be a deed  
29 restriction they can't go lower than five acres to follow the  
30 master plan, though?

31 JAN MORRISON: Right.

32 JAY WINTLE: Well, that will be with the zoning. Unless  
33 the zoning's changed out there, --

34 CHAIRMAN BAKKER: Okay.

35 JAY WINTLE: -- you won't be able to go. I mean, it will  
36 held to five acres until the zoning's up.

37 CHAIRMAN BAKKER: Yeah, because if it goes below and these  
38 are still twenties, it doesn't follow the master plan.

39 JAY WINTLE: No.

40 COMMISSIONER STIENMETZ: Right.

1 JAN MORRISON: Those -- and that all gets recorded.  
2 CHAIRMAN BAKKER: Okay. Just --  
3 JAN MORRISON: So --  
4 CHAIRMAN BAKKER: -- making sure.  
5 JAN MORRISON: -- those are all the --  
6 JAY WINTLE: I'd like to have another zone change as it  
7 develops. And it'll already be developed. It'll be --  
8 basically it'll probably be a bumper zone between the twenties  
9 and however the town grows. Like she said, it can grow all the  
10 way to residential, all the way to the --  
11 CHAIRMAN BAKKER: Right.  
12 JAY WINTLE: -- that section line.  
13 CHAIRMAN BAKKER: Okay. Sorry. I was just making sure.  
14 JAN MORRISON: No. And the point is well taken.  
15 And -- and the 2 1/2 acres, when we do come from our master  
16 plan revision, I'd love to see something that is less intense  
17 than A-1, so go up to the 2 1/2 acres I think would be --  
18 benefit the county a lot and that.  
19 But at any rate, that has nothing to do with this at  
20 this -- this is A-1 deed restriction of 2.5 acres.  
21 COMMISSIONER STIENMETZ: Because that's on existing, not  
22 future.  
23 JAY WINTLE: What?  
24 COMMISSIONER STIENMETZ: Anything that goes out there has  
25 to be at least 2 1/2 acres of this.  
26 JAY WINTLE: Yeah, it has to meet --  
27 CHAIRMAN BAKKER: Well, --  
28 JAY WINTLE: -- the septic and --  
29 COMMISSIONER STIENMETZ: But if --  
30 JAY WINTLE: -- well --  
31 COMMISSIONER STIENMETZ: -- it --  
32 JAY WINTLE: -- requirements.  
33 COMMISSIONER STIENMETZ: What it says is to one-acre  
34 districts with a deed restriction requiring a minimum of 2 1/2  
35 acres for any subsequent parceling.  
36 So to me, that says that this parceling can go to one acre,  
37 but --  
38 JAY WINTLE: Well, --  
39 JAN MORRISON: N- --  
40 JAY WINTLE: -- the first -- first parceling map comes

1 across with a -- your approval on the maps. It'll have a deed  
2 restriction right on the parcel map --

3 COMMISSIONER STIENMETZ: All right.

4 JAY WINTLE: -- this can't be parceled.

5 And there's als- -- also I got CC&Rs recorded on this  
6 because they can't be parceled smaller -- 2 1/2 acres.

7 COMMISSIONER STIENMETZ: Right.

8 JAN MORRISON: But beyond his CC&Rs, which are great, but  
9 the county does have -- have the control. Because he couldn't  
10 subdivide -- he couldn't break up any of those parcels less  
11 without a parcel map. And so that deed restriction is in there,  
12 won't allow him or, by the way, if he sells it to somebody else,  
13 --

14 COMMISSIONER STIENMETZ: Yeah.

15 JAN MORRISON: -- they have to maintain it at the 2 1/2  
16 acres.

17 JAY WINTLE: Yeah. Follow the first parcel map, and it's  
18 written right on the parcel map. There's a footnote on the  
19 parcel map that --

20 CHAIRMAN BAKKER: Right.

21 Okay.

22 The other thing I'd like to see is that we reduce the  
23 easements down and give the property owner ten feet of each side,  
24 if we can work on that. The -- reduce the easements down from a  
25 hundred feet to 60 feet.

26 JAN MORRISON: These are.

27 CHAIRMAN BAKKER: Okay.

28 JAN MORRISON: These are. And so we'll --

29 Yeah. We'd love to see that. Absolutely.

30 Thank you.

31 DISTRICT ATTORNEY HERRERA: More like 80 feet.

32 JAN MORRISON: It would end a lot of -- a lot of angst in  
33 the future for -- for people to -- to do that. Thank you.

34 DISTRICT ATTORNEY HERRERA: It's more like a hundred to  
35 eighty, I believe.

36 CHAIRMAN BAKKER: Sixty.

37 JAN MORRISON: Sixty.

38 JAY WINTLE: Yeah, 100 to 60. Like I said, that's -- the  
39 quarter section, what we're calling Faded Sage, is actually a  
40 hundred-foot easement. The other one that they're calling 28<sup>th</sup>

1 Street's --  
2 DISTRICT ATTORNEY HERRERA: Okay.  
3 JAY WINTLE: -- an 80-foot easement. Like I say, down  
4 around on Sheep Creek there's at least an extra -- because it  
5 was of that same Ashcroft thing. There's an extra 40 feet down  
6 there.  
7 DISTRICT ATTORNEY HERRERA: Right.  
8 JAY WINTLE: I've got thir- -- I dedicated 30 on one side.  
9 And there was 40 on the other side to Leiden (phonetic) Road out  
10 --  
11 DISTRICT ATTORNEY HERRERA: Okay.  
12 JAY WINTLE: -- already existing.  
13 DISTRICT ATTORNEY HERRERA: Yeah.  
14 JAY WINTLE: I mean, there's quite a -- quite a few of  
15 them.  
16 DISTRICT ATTORNEY HERRERA: There probably is. Yeah.  
17 We -- we do need to do something about that.  
18 CHAIRMAN BAKKER: Did we ever figure out when they -- when  
19 they develop the roads and stuff, you're solely responsible for  
20 paying for the paving and the development; right?  
21 JAY WINTLE: Depends on how you develop it. Five acres you  
22 just have to put a --  
23 DISTRICT ATTORNEY HERRERA: Right.  
24 JAY WINTLE: -- a county minimum, which is ten inches --  
25 JAN MORRISON: But you --  
26 JAY WINTLE: -- sub base --  
27 JAN MORRISON: -- you have to --  
28 JAY WINTLE: -- of --  
29 JAN MORRISON: -- do it.  
30 CHAIRMAN BAKKER: Yeah, you --  
31 JAY WINTLE: Yeah.  
32 JAN MORRISON: He has to do it.  
33 JAY WINTLE: It's all the requirement --  
34 CHAIRMAN BAKKER: It's a hundred percent --  
35 JAY WINTLE: Hundred percent on the developer to de- --  
36 before you sign off on the parcel map.  
37 CHAIRMAN BAKKER: Okay.  
38 COMMISSIONER CLARK: To bring it up to standard.  
39 JAY WINTLE: Bring it up to standards before you either  
40 have to do that or bond it or s- -- some -- some way it has to

1 be guaranteed that the developer do it.  
2 JAN MORRISON: And -- and the Public Works Department  
3 certifies it. They go out and inspect it. And they do their  
4 tests and they certify it.  
5 So it doesn- -- parcel map doesn't get recorded until they  
6 satisfy --  
7 CHAIRMAN BAKKER: Okay.  
8 JAN MORRISON: -- the Public Works.  
9 CHAIRMAN BAKKER: Any questions?  
10 Art? Patsy?  
11 COMMISSIONER WAITS: I'll make a motion we approve the zone  
12 change request by Jay Wintle for APN 010-280-16, located in the  
13 south -- am I on the right one?  
14 COMMISSIONER STIENMETZ: Uh-huh.  
15 DISTRICT ATTORNEY HERRERA: Yeah.  
16 COMMISSIONER WAITS: Oh. Looks -- it sounded the same --  
17 south of the north one-half of the west one-half of the  
18 southeast one quarter Section 14, Range 44 East, Township 32  
19 North, from Farm and Ranch District from A-3 to A-1 with a deed  
20 restriction requiring the minimum of 2.5 acres for any  
21 subsequent parcel.  
22 COMMISSIONER MILLS: I'll second.  
23 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded. Any  
24 public comment? Kim.  
25 KIMBERLY BUFFINGTON: Kimberly Buffington. I would like to  
26 go on record --  
27 CHAIRMAN BAKKER: Will you come up here, please.  
28 KIMBERLY BUFFINGTON: Sure. Sorry. Don't -- want you to  
29 get yelled at.  
30 I want to just go on the record. The last time this agenda  
31 item was heard was on April 28<sup>th</sup>.  
32 Sorry. I didn't bring my cheaters.  
33 My name was brought up on multiple occasions having said  
34 comments --  
35 COMMISSIONER CLARK: This doesn't have --  
36 KIMBERLY BUFFINGTON: -- et cetera.  
37 COMMISSIONER CLARK: -- anything to do with the agenda  
38 item; does it?  
39 KIMBERLY BUFFINGTON: It does. It was this item and it's  
40 entered testimony prior. And I would like to clarify testimony

1 made on my behalf as it relates to this agenda item that's  
2 already been presented for consideration.

3 So it's a correction.

4 It was noted that I entered a complaint regarding the feed  
5 store road. Please know, on the record, I did not submit a  
6 complaint. I actually submitted a letter of support. It was in  
7 regard to the dirt portion of Allen Road. And it was used in  
8 prior testimony for this zone change. And I would like that  
9 clarified.

10 In fact, it was a letter of support.

11 It was noted on page 19 starting on line 35; page 20, line  
12 27.

13 These are all instances my name was saying I was protesting.  
14 Page 21, line starting on line 20.

15 Those are the three major instances. There was no opposition  
16 on my part. And there was no protest entered for this agenda item  
17 on my behalf.

18 That's all.

19 COMMISSIONER STIENMETZ: Thank you.

20 CHAIRMAN BAKKER: Will you give that to Laken?

21 KIMBERLY BUFFINGTON: I will.

22 CHAIRMAN BAKKER: Okay. Thank you.

23 KIMBERLY BUFFINGTON: Uh-huh. Thank you.

24 LAKEN MARINE: What do you want me to do with it?

25 DISTRICT ATTORNEY HERRERA: Yeah.

26 CHAIRMAN BAKKER: Hold on to it. Okay, but we can't change

27 --

28 LAKEN MARINE: We can't change the minutes --

29 DISTRICT ATTORNEY HERRERA: No. No. No. She's --

30 LAKEN MARINE: -- because that's what was said.

31 COMMISSIONER CLARK: No. No.

32 DISTRICT ATTORNEY HERRERA: She's protesting somebody's --

33 CHAIRMAN BAKKER: Oh, okay.

34 DISTRICT ATTORNEY HERRERA: -- testimony.

35 CHAIRMAN BAKKER: Okay. Sorry. No, Kim, --

36 DISTRICT ATTORNEY HERRERA: So --

37 CHAIRMAN BAKKER: -- you're good.

38 DISTRICT ATTORNEY HERRERA: She -- she should go to the  
39 person --

40 CHAIRMAN BAKKER: I --

1 DISTRICT ATTORNEY HERRERA: -- who testified --  
2 CHAIRMAN BAKKER: -- was --  
3 DISTRICT ATTORNEY HERRERA: -- and correct them. Because  
4 we can't -- the record --  
5 CHAIRMAN BAKKER: Right.  
6 DISTRICT ATTORNEY HERRERA: -- is what the record is.  
7 COMMISSIONER STIENMETZ: Right.  
8 COMMISSIONER CLARK: Yeah.  
9 DISTRICT ATTORNEY HERRERA: We can't change the record.  
10 CHAIRMAN BAKKER: Okay.  
11 KIMBERLY BUFFINGTON: Correct, but it was said on my  
12 behalf. So I would like to enter into this --  
13 COMMISSIONER STIENMETZ: Yeah.  
14 KIMBERLY BUFFINGTON: -- agenda item --  
15 CHAIRMAN BAKKER: I got you.  
16 KIMBERLY BUFFINGTON: -- as it pertained --  
17 DISTRICT ATTORNEY HERRERA: Right.  
18 KIMBERLY BUFFINGTON: -- I was in support and did not  
19 protest --  
20 DISTRICT ATTORNEY HERRERA: Right.  
21 KIMBERLY BUFFINGTON: -- this item.  
22 CHAIRMAN BAKKER: I get what you're saying.  
23 DISTRICT ATTORNEY HERRERA: Yeah.  
24 CHAIRMAN BAKKER: Okay.  
25 KIMBERLY BUFFINGTON: Thank you.  
26 CHAIRMAN BAKKER: Thanks, Kim.  
27 Any other public comment?  
28 (No comment.)  
29 COMMISSIONER CLARK: All in favor?  
30 COMMISSIONER MILLS: Aye.  
31 COMMISSIONER STIENMETZ: Aye.  
32 CHAIRMAN BAKKER: Aye.  
33 COMMISSIONER WAITS: Aye.  
34 COMMISSIONER CLARK: Nay.  
35 CHAIRMAN BAKKER: Opposed, nay.  
36 Okay. Thank you, guys.  
37 JAY WINTLE: Thank you very much.  
38 JAN MORRISON: Thank you.  
39  
40

1 FINANCE

2  
3 18) Discussion for possible action to approve Resolution 2016-06,  
4 directing apportionment of net proceeds received in the month  
5 of May 2016, and all other matters properly related thereto.  
6

7 CHAIRMAN BAKKER: Eighteen. Discussion for possible action  
8 to approve Resolution 2016-06, directing apportionment of net  
9 proceeds received in the month of May 2016, and all other  
10 matters properly related thereto.

11 You want me to read all that in?

12 NAN ANCHO: I can --

13 CHAIRMAN BAKKER: Or you --

14 NAN ANCHO: -- read --

15 CHAIRMAN BAKKER: -- got it?

16 NAN ANCHO: I'll read it because I'll just distribute it.

17 CHAIRMAN BAKKER: Okay.

18 NAN ANCHO: Nan Ancho, Finance.

19 And this is the last distribution for the projected net  
20 proceeds.

21 This will be the last you receive for a couple of years at  
22 least. Because in 2017, if -- you might get very minute because  
23 they're going back to actual and you won't see anything until  
24 2018.

25 So spend it wisely.

26 COMMISSIONER MILLS: So does this one still fall under the  
27 old rules where we might have to send some of it back?

28 NAN ANCHO: Yes. And next year, in 2017, they're going to  
29 do the final recalculation and see where it stands.

30 So hang on to it.

31 Okay. So as I said, we received \$16,504,135.68. And we have  
32 to fund our mandated first.

33 So \$495,124.07 went into Commission Fees in the General Fund;  
34 \$330,082.71 went into Assessor Tech Fees; \$14,508.22 to China  
35 Springs; \$339,388.70 is State Medical Indigent; \$77,722.60 into  
36 State Indigent NACO; \$155,445.21 went to Capital Acquisition;  
37 \$259,075.34 went into Landfill; \$2,514,870.27 went to the  
38 hospital; \$3,691,823.65 went to the school district.

39 So the total mandated was \$7,878,040.77.

40 The Discretionary: Building and Equipment, 750,000; CCP

1 Fund -- that's our Capital Construction Fund -- 7,626,094.92; and  
2 the Airport Capital, \$250,000, for a total Discretionary,  
3 \$8,626,094.92.

4 If you accept that.

5 COMMISSIONER WAITS: I do have a correction on the  
6 resolution, and that's with the date.

7 Because you brought this for us and then we had to defer it.  
8 So at the very bottom, it says, passed and adopted. And the one  
9 that our chair will be signing has been corrected to the 23<sup>rd</sup> of  
10 June 2016.

11 NAN ANCHO: Yep.

12 CHAIRMAN BAKKER: Okay.

13 Okay.

14 COMMISSIONER WAITS: With that, I'll make a motion that we  
15 pass the Resolution 2016-06, the Board of Lander County  
16 Commissioners, directing the apportionment of net proceeds  
17 received in the month of May 2016 to the Mandated and  
18 Discretionary Funds as read into the record by our finance  
19 director.

20 COMMISSIONER STIENMETZ: I'll second the motion.

21 CHAIRMAN BAKKER: Patsy made a motion. Steve seconded.  
22 Any public --

23 COMMISSIONER WAITS: Ooh, wait. I have to put and  
24 authorize him to sign too --

25 CHAIRMAN BAKKER: Oh.

26 COMMISSIONER WAITS: -- right? If -- no, we all do.

27 LAKEN MARINE: No, just the chair.

28 COMMISSIONER WAITS: We're okay?

29 UNIDENTIFIED PARTICIPANT: Sure.

30 COMMISSIONER WAITS: Great. Okay.

31 CHAIRMAN BAKKER: Okay. Patsy made a motion. Doug  
32 seconded it.

33 Public --

34 COMMISSIONER MILLS: Steve --

35 CHAIRMAN BAKKER: -- comment?

36 COMMISSIONER MILLS: -- seconded.

37 CHAIRMAN BAKKER: Oh, Steve seconded it? Sorry, Doug.  
38 Public comment?

39 (No comment.)

40 CHAIRMAN BAKKER: All in favor?

1 COMMISSIONER STIENMETZ: Aye.  
2 CHAIRMAN BAKKER AND COMMISSIONER MILLS: Aye.  
3 COMMISSIONER WAITS: Aye.  
4 COMMISSIONER CLARK: Aye.  
5

6 **19) Update on budget review, contracts, financial update, and all**  
7 **other matters properly related thereto.**  
8

9 CHAIRMAN BAKKER: Okay.

10 Nineteen. Yep.

11 Nineteen. Update on budget review, contracts, financial  
12 update, and all other matters properly related thereto.

13 Okay, I didn't --

14 It didn't get put into your packets the accounts --  
15 Outstanding Accounts Receivable, so I'm going to go ahead and read  
16 that in for the month of May.

17 Water is at \$22,242; Sewer, 21,072; Miscellaneous  
18 Water/Sewer, 1,915; Landfill, \$12,768, for a total of \$59,997.

19 I have completed the annual fiscal report. It has been  
20 published -- completed and published in the newspaper. And I also  
21 put a copy in each one of your boxes as well.

22 And as far as updates, that's about all I have.

23 Do you have any questions?

24 I'm done.

25 CHAIRMAN BAKKER: Okay.

26 COMMISSIONER MILLS: Okay.

27 NAN ANCHO: Thank you.

28 COMMISSIONER MILLS: Thank you.

29 CHAIRMAN BAKKER: Thank you, Nan.

30 COMMISSIONER STIENMETZ: Thank you.

31 COMMISSIONER WAITS: Thank you, Nan.  
32  
33

34 **COMMISSIONERS**  
35

36 **20) Update and information from Public Works director, Bert**  
37 **Ramos, and all other matters properly related thereto.**  
38

39 CHAIRMAN BAKKER: Twenty. Not here.

40 KEITH WESTENGARD: No. I request that we table Number 20.

1 Bert will do a update next meeting.

2 CHAIRMAN BAKKER: Okay.

3 We already did 21.

4  
5 **22) Discussion and possible action to perform the annual**  
6 **performance evaluation of the Lander County executive**  
7 **director, and all other matters properly related thereto.**  
8

9 CHAIRMAN BAKKER: Twenty-two.

10 Discussion and possible action to perform the annual  
11 performance evaluation of the Lander County executive director,  
12 and all other matters properly related thereto.

13 COMMISSIONER WAITS: I have a couple comments before we  
14 start on this.

15 And I know when we had asked about it before. And it wasn't  
16 the pleasure of the commissioners. But I'm going to ask again.

17 I do think that we should be doing more timely evaluations.  
18 And I think they should be written.

19 I do think we should do ratings, perhaps even have HR put  
20 together something that would be relevant with the skill levels  
21 and such that our executive director is doing and that we actually  
22 do those ahead of time, forward them on, and perhaps summarize.

23 There's several reasons. And -- and I think it's -- it's  
24 pretty lax not to give the guidance and the information back in  
25 writing so it's in -- in our executive director's file.

26 There's a lot of resources that we can certainly use. I know  
27 major corporations, large businesses, counties, states, federal  
28 employees, they all do written evaluations.

29 And for us just to say, "Well, good job on this" or "I was  
30 really unhappy about the way you handled this," is not  
31 circumferencing everything that our executive director really  
32 does.

33 And I -- I would like to see us do it properly. I would  
34 like to see us do it more timely. And I think -- I think it's  
35 important he gets our feedback.

36 CHAIRMAN BAKKER: Becky?

37 BECKY JOHNSON: I have a form.

38 CHAIRMAN BAKKER: Okay.

39 COMMISSIONER STIENMETZ: I agree, --

40 CHAIRMAN BAKKER: I --

1 COMMISSIONER STIENMETZ: -- Patsy.  
2 CHAIRMAN BAKKER: Yeah, I -- I'm fine with that.  
3 DISTRICT ATTORNEY HERRERA: I would agree. I would agree,  
4 Commissioner Waits.  
5 COMMISSIONER STIENMETZ: Yeah, because if we had  
6 something --  
7 DISTRICT ATTORNEY HERRERA: It's the professional way --  
8 COMMISSIONER STIENMETZ: -- where it's filled out, --  
9 DISTRICT ATTORNEY HERRERA: -- to do it.  
10 COMMISSIONER STIENMETZ: -- then we know exactly what we  
11 should be grading him against.  
12 BECKY JOHNSON: Awesome.  
13 CHAIRMAN BAKKER: Well, we could table this until next  
14 time. Whatever you want to do.  
15 COMMISSIONER WAITS: I don't know whether you can get that  
16 together that quickly. If you can, then that's wonderful. If  
17 not, hopefully not longer than the one after the next meeting.  
18 Because Keith deserves this. He's --  
19 BECKY JOHNSON: I should --  
20 COMMISSIONER WAITS: -- he's worked --  
21 BECKY JOHNSON: -- be able to have it --  
22 COMMISSIONER WAITS: -- hard.  
23 BECKY JOHNSON: -- to you by --  
24 COMMISSIONER WAITS: And --  
25 BECKY JOHNSON: -- next week.  
26 COMMISSIONER WAITS: And -- and we need to follow up. So  
27 --  
28 CHAIRMAN BAKKER: Okay.  
29 COMMISSIONER STIENMETZ: Thank you.  
30 COMMISSIONER WAITS: -- it's more professional. Thank you.  
31 CHAIRMAN BAKKER: June 14<sup>th</sup>. Or July 14<sup>th</sup>.  
32 Is that what we're getting at?  
33 DISTRICT ATTORNEY HERRERA: Yeah, we're not going to be  
34 able to put it on for the special.  
35 COMMISSIONER WAITS: If you can. I mean, if she -- she  
36 needs to research --  
37 CHAIRMAN BAKKER: Yeah, no --  
38 COMMISSIONER WAITS: -- to put it together. And then we  
39 need to -- to fill it in.  
40 COMMISSIONER STIENMETZ: Right.

1 COMMISSIONER WAITS: But we could probably do that by  
2 computer or whatever and then --  
3 KEITH WESTENGARD: How about July sometime, one of the July  
4 meetings?  
5 COMMISSIONER WAITS: Yeah.  
6 KEITH WESTENGARD: Does that work for --  
7 COMMISSIONER WAITS: Yeah.  
8 KEITH WESTENGARD: -- you guys?  
9 COMMISSIONER STIENMETZ: Yeah.  
10 COMMISSIONER CLARK: So you don't want to evaluate him?  
11 CHAIRMAN BAKKER: We're going to --  
12 COMMISSIONER WAITS: I -- I would like to see us do a  
13 written. If -- if --  
14 COMMISSIONER STIENMETZ: I'd like to see us --  
15 COMMISSIONER WAITS: If there's --  
16 COMMISSIONER STIENMETZ: -- have it so that --  
17 COMMISSIONER WAITS: -- something that --  
18 COMMISSIONER STIENMETZ: -- we're all --  
19 COMMISSIONER WAITS: -- you want to share --  
20 CHAIRMAN BAKKER: -- looking at the same --  
21 COMMISSIONER WAITS: If you want to --  
22 CHAIRMAN BAKKER: -- items.  
23 COMMISSIONER WAITS: -- share something.  
24 COMMISSIONER CLARK: Now, you've known that we were going  
25 to do this for how many months and you didn't bring it up until  
26 today? Come on, man.  
27 COMMISSIONER WAITS: No, I brought it up last year and --  
28 COMMISSIONER CLARK: And so did I.  
29 COMMISSIONER WAITS: -- we circumvented it.  
30 COMMISSIONER CLARK: And so did I. And it -- it just fell  
31 flat on its face.  
32 So this is what we're left with. We're over a year.  
33 COMMISSIONER WAITS: Well, Art, we can't discuss it  
34 individually so we -- we actually have to discuss it with all of  
35 us here.  
36 And this is the time to discuss it.  
37 It's on the agenda.  
38 COMMISSIONER CLARK: So let's do the evaluation.  
39 CHAIRMAN BAKKER: They want to -- they all are in agreeance  
40 to do a written form.

1           So with that, I need a motion to table this.  
2           COMMISSIONER STIENMETZ: I make a motion we postpone this  
3 until we receive a written form to use to evaluate our executive  
4 director.  
5           CHAIRMAN BAKKER: Steve made a motion.  
6           COMMISSIONER WAITS: I'll second that motion.  
7           CHAIRMAN BAKKER: Patsy seconded.  
8           Any public comment?  
9           (No comment.)  
10          CHAIRMAN BAKKER: All in favor?  
11          COMMISSIONER STIENMETZ: Aye.  
12          CHAIRMAN BAKKER AND COMMISSIONER MILLS: Aye.  
13          COMMISSIONER WAITS: Aye.  
14          COMMISSIONER CLARK: Aye.  
15          CHAIRMAN BAKKER: Okay.  
16          Twenty-three? Did that.  
17

18   **24) Correspondence, reports, potential upcoming agenda items.**  
19

20          CHAIRMAN BAKKER: Twenty-four. Correspondence, reports,  
21 potential upcoming agenda items.  
22

23          (The following correspondence was received:

24           1. United States Department of the Interior, Bureau of  
25 Land Management, Mount Lewis Field Office, to Interested Public,  
26 regarding Environmental Assessment of Tonkin Summit  
27 Communications Site Project.

28           2. United States Department of the Interior, Bureau of  
29 Land Management, Tonopah Field Office, to Interested Public  
30 regarding Decision of Record for Environmental Assessment.)  
31

32          CHAIRMAN BAKKER: Guys?

33          COMMISSIONER STIENMETZ: Well, if we get the forms in time,  
34 we need to evaluate the executive director.

35          CHAIRMAN BAKKER: What other ones? We postponed another  
36 one, I think. Oh, Bert's update. Never mind.

37          COMMISSIONER STIENMETZ: Yeah, Bert's update.

38          COMMISSIONER WAITS: And the provider of last resort. We  
39 need to discuss that.

40          CHAIRMAN BAKKER: For --

1 COMMISSIONER WAITS: AT&T.  
2 CHAIRMAN BAKKER: Okay.  
3 KEITH WESTENGARD: I've got that down, Commissioner Waits,  
4 --  
5 CHAIRMAN BAKKER: Oh, good.  
6 KEITH WESTENGARD: -- for the next meeting, the first  
7 meeting in July, not your special.  
8 COMMISSIONER WAITS: On the -- on the EMS, what do we do as  
9 far as the coordinator? Does that need to come back on and  
10 who's going to hire for the --  
11 KEITH WESTENGARD: Right now --  
12 COMMISSIONER WAITS: -- Austin --  
13 KEITH WESTENGARD: Right --  
14 COMMISSIONER WAITS: -- coordinator?  
15 KEITH WESTENGARD: -- now -- right now my plan is to -- to  
16 hire her. To hire --  
17 COMMISSIONER WAITS: It doesn't have to be back on the  
18 agenda, is what I'm asking.  
19 COMMISSIONER MILLS: I -- no, I don't think --  
20 COMMISSIONER WAITS: Okay.  
21 COMMISSIONER MILLS: -- it does.  
22 COMMISSIONER WAITS: Okay.  
23 COMMISSIONER MILLS: There's been some discussion about  
24 whether that coordinator should be a hospital employee or a  
25 county employee.  
26 COMMISSIONER WAITS: Right. And I'm --  
27 COMMISSIONER MILLS: So we're still --  
28 COMMISSIONER WAITS: -- wondering if that --  
29 COMMISSIONER MILLS: -- going to work --  
30 COMMISSIONER WAITS: -- should be --  
31 COMMISSIONER MILLS: that up.  
32 COMMISSIONER WAITS: -- back on the --  
33 COMMISSIONER MILLS: Yeah.  
34 COMMISSIONER WAITS: -- agenda.  
35 KEITH WESTENGARD: My -- my discussion with Peggy was that,  
36 until we figure out where we're at, they're going to keep  
37 running it.  
38 I would like to get a coordinator in place down there to  
39 start working.  
40 If they take it over, then -- and I did mention this at the

1 last meeting -- that the hospital board would -- would -- I  
2 would hope the hospital board would hire that person as the  
3 coordinator --

4 COMMISSIONER WAITS: I see.

5 KEITH WESTENGARD: -- in the south. Because they -- they  
6 did have it in their budget in the past when the --

7 COMMISSIONER WAITS: Okay. So we don't need to place that  
8 on the agenda again, is what -- is my question.

9 COMMISSIONER STIENMETZ: Yeah, because --

10 COMMISSIONER WAITS: Okay.

11 COMMISSIONER MILLS: One thing we may need to look at is  
12 the non-county employees driving county vehicles specifically  
13 related to EMS.

14 KEITH WESTENGARD: And, yes, and that's --

15 COMMISSIONER MILLS: So that, we need to --

16 KEITH WESTENGARD: That will be a --

17 COMMISSIONER MILLS: -- look into.

18 KEITH WESTENGARD: -- policy change that hopefully we'll  
19 get the policy in place here.

20 CHAIRMAN BAKKER: We need to have --

21 KEITH WESTENGARD: So --

22 CHAIRMAN BAKKER: -- Bert Paris' allotment and the Pershing  
23 County --

24 KEITH WESTENGARD: Got that.

25 CHAIRMAN BAKKER: -- wilderness act.

26 DISTRICT ATTORNEY HERRERA: And the fuel tax.

27 KEITH WESTENGARD: Got that.

28 CHAIRMAN BAKKER: Fuel tax.

29 DISTRICT ATTORNEY HERRERA: Fuel tax question.

30 You got that?

31 KEITH WESTENGARD: Oh, you're working --

32 DISTRICT ATTORNEY HERRERA: Yeah, I've got --

33 KEITH WESTENGARD: Yeah.

34 DISTRICT ATTORNEY HERRERA: You've got to put it down.

35 CHAIRMAN BAKKER: Wilderness area.

36 KEITH WESTENGARD: Yeah, I've got it. I've got it on my --

37 COMMISSIONER CLARK: The -- the letters of interest for the  
38 various committees and commissions, where are we at with that?

39 KEITH WESTENGARD: Right now, within the District  
40 Attorney's Office, Jeanne's been researching it. She's gone

1 clear back to the inception of some of the boards to -- of the  
2 boards to see h- -- exactly how they --

3 COMMISSIONER CLARK: Okay.

4 KEITH WESTENGARD: -- were created, how many people were on  
5 the boards, how long the terms were.

6 And I've got some information for you on that too.

7 DISTRICT ATTORNEY HERRERA: Yeah, we need to find out what  
8 seats are open.

9 COMMISSIONER CLARK: Right. Right, because I -- I was  
10 asked last night by some people that have applied for boards --

11 KEITH WESTENGARD: Okay.

12 COMMISSIONER CLARK: -- and they wanted to know.

13 And also we need to know, can people be installed prior to  
14 having ethics training? Because that was something that Wayne  
15 had said today that, before you can take your seat, you have to  
16 have ethics training. So does that -- does that go down to the  
17 committees and commission people that we select?

18 Do they have to have --

19 COMMISSIONER WAITS: Elected officials.

20 KEITH WESTENGARD: Right. Yeah. Okay. Yes, that is  
21 correct, just the elected officials.

22 COMMISSIONER CLARK: Just the elected?

23 KEITH WESTENGARD: Yes.

24 COMMISSIONER CLARK: So that people on committees and  
25 commissioners are never apprised of their ethic- -- ethical  
26 responsibilities?

27 COMMISSIONER WAITS: It's not mandated.

28 DISTRICT ATTORNEY HERRERA: It's not mandated.

29 KEITH WESTENGARD: They can ask for it. We'll def- -- and  
30 I can definitely set it up. But they -- or it's been offered to  
31 them.

32 COMMISSIONER CLARK: I mean, obviously we have an issue  
33 with ethics with this complaint that came forward. So I'm  
34 concerned about that.

35 CHAIRMAN BAKKER: So let's follow up on it.

36 I have one last thing.

37 Nan, put you on the spotlight.

38 This is presented to you for your dedication, loyalty,  
39 everything you've ever done for us, do for us, and we appreciate  
40 you.

1 NAN ANCHO: Oh, thank you.  
2  
3

4 **PUBLIC COMMENT**  
5

6 CHAIRMAN BAKKER: Okay. With that...public comment for  
7 non-agendized items only.

8 Persons are invited to submit comments in writing and/or  
9 attend and make comments on any non-agenda item at the board  
10 meeting, if any, and discussion of those comments at the  
11 discretion of the board. All public comment may be limited to  
12 three minutes per person, again at the discretion of the board.  
13 Reasonable restrictions may be placed on public comment based  
14 upon time, place, and manner. But public comment based upon  
15 viewpoint may not be restricted.

16 Any public comment?

17 (No comment.)

18 CHAIRMAN BAKKER: Okay.

19 With that...  
20  
21

22 **ADJOURNMENT**  
23

24 COMMISSIONER MILLS: Motion to adjourn.

25 COMMISSIONER STIENMETZ: I'll second.

26 CHAIRMAN BAKKER: Doug made a motion. Steve seconded. Any  
27 public comment?

28 (No comment.)

29 CHAIRMAN BAKKER: Nope. Thank you. Meeting adjourned.

30 COMMISSIONER WAITS: Aye.

31 CHAIRMAN BAKKER: Oh, all in favor?

32 COMMISSIONER MILLS: Aye.

33 CHAIRMAN BAKKER: Aye.

34 COMMISSIONER CLARK: Aye.

35 CHAIRMAN BAKKER: Sorry.  
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*Dean Bakke Chair*

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

**ATTEST:** *Sadie 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.*