

1 The Honorable Board of Lander County Commissioners met in
2 regular session in the Commission Chambers of the Lander County
3 Courthouse in Battle Mountain, Nevada, on September 25, 2014, at
4 9:00 a.m.

5
6 **PRESENT:** **DEAN BULLOCK, COMMISSIONER**
7 **STEVEN STIENMETZ, COMMISSIONER**
8 **BRIAN GARNER, COMMISSIONER**
9 **DAVID MASON, COMMISSIONER**
10 **PATSY WAITS, COMMISSIONER**
11 **SADIE SULLIVAN, COUNTY CLERK**
12 **ANGIE ELQUIST, DISTRICT ATTORNEY**
13 **NAN ANCHO, FINANCE DIRECTOR**
14 **JOY SWEENEY, HUMAN RESOURCES DIRECTOR**
15

16 Let the record reflect the presence of a quorum of five
17 commissioners.

18
19 Let the record reflect the presence of Austin via telephone
20 conference.

21
22 [Meeting commenced on September 25, 2014, at 9:00 a.m.]
23

24
25 CHAIRMAN GARNER: Call the meeting of the Lander County
26 Commission meeting, Town Board of Battle Mountain and Austin's
27 Town Board of County Highway Commissioners to order.

28 Sadie, will you lead us in the pledge.
29

30 (Pledge of Allegiance.)
31
32

33 **APPROVAL OF AGENDA NOTICE**
34

35 CHAIRMAN GARNER: Discussion for possible action regarding
36 approval of agenda notice.

37 COMMISSIONER STIENMETZ: I'll make a motion to approve the
38 agenda notice.

39 COMMISSIONER WAITS: I'll second that motion.

40 CHAIRMAN GARNER: Any public comment?

1 (No comment.)
2 CHAIRMAN GARNER: All those in favor?
3 COMMISSIONER MASON: Aye.
4 CHAIRMAN GARNER: Aye.
5 COMMISSIONER WAITS: Aye.
6 COMMISSIONER STIENMETZ: Aye.
7 COMMISSIONER BULLOCK: Aye.

8
9
10 **APPROVAL & ACCEPTANCE OF MINUTES**

11
12 CHAIRMAN GARNER: Discussion for possible action regarding
13 approval and acceptance of minutes of August 28, 2014, regular
14 session.

15 COMMISSIONER WAITS: I'll make a motion we approve the
16 minutes of August 28th regular session.

17 COMMISSIONER STIENMETZ: I'll second the motion.

18 CHAIRMAN GARNER: Any public comment?

19 (No comment.)

20 CHAIRMAN GARNER: All those in favor?

21 COMMISSIONER MASON: Aye.

22 COMMISSIONER WAITS: Aye.

23 CHAIRMAN GARNER: Aye.

24 COMMISSIONER STIENMETZ: Aye.

25 COMMISSIONER BULLOCK: Aye.

26 CHAIRMAN GARNER: There are none for 11th.

27

28

29 **COMMISSIONER REPORTS**

30

31 CHAIRMAN GARNER: Commissioner reports on meetings,
32 conferences, and seminars attended.

33 COMMISSIONER MASON: Just went to the one meeting, the
34 Newmont breakfast on the 17th. There were fourteen people
35 there. And most of it was just how the -- how Newmont is doing.
36 And it's maintaining roughly 500 employees. Its -- its workload
37 is leveling off with both the copper and the gold.

38 And -- let me see -- 74 days without accident and 800 days
39 at the Phoenix Mine without accident.

40 Seventy thousand ounces -- 1.8 million annually in gold.

1 Copper -- copper plant is still being fine-tuned. And we have a
2 200 million annual budget. They spend about \$580,000 per day.
3 Forty-seven percent of that is on labor.

4 And I would encourage anybody -- it's a free breakfast. So
5 it's not just the fact that it's free. But it's very
6 informative at 7:30 in the morning to sit down and actually have
7 head-to-head with the mine representatives and -- and ask any
8 questions that you want. They're there to answer the questions.
9 And I just think it's a -- it's one of the most informative
10 meetings you'll attend. That's all I have.

11 COMMISSIONER WAITS: Thank you. I have a couple of
12 meetings to report on. On September 17th, I attended the
13 Kingston Town Board meeting. We had advised you a couple of
14 weeks ago that they did have a vacancy. Their chair actually
15 resigned. So there is some information in our correspondence on
16 that. And they did advise they have received one letter of
17 intent so far. So we'll be hearing further on that.

18 They're having a real concern with the CDBG grants because
19 they are falling under the required income levels to actually
20 apply. And they've been very, very heavily dependent upon these
21 CDBG grants for their water systems and their tanks. So they've
22 decided to do a special survey to all of the folks and -- and
23 get an exact criteria for what the income level is.
24 Unfortunately, not everybody has returned those. And there's
25 such a small amount that they fall under the -- the grouping
26 that they have to have a hundred percent participation. So
27 they're real concerned right now of whether they can even meet
28 that to apply for any further CDBG grants.

29 The fire department is always an interesting, volatile
30 department as we go on. There's been some -- some work on that
31 with our workman's compensation because they need to have
32 physicals. And they have not had the physicals yet. So they
33 declared a state of emergency to actually handle some of the
34 fire calls and fire department calls as a volunteer basis only
35 and not being covered under any type of workman's comp. So
36 that's certainly very temporary. And I'm sure that Keith
37 Westengard, our -- can fill us in on anything extra on that.

38 They will be having a candidates' night. That's coming up
39 on October 4th. Austin has theirs at 1:00 in the afternoon.
40 And Kingston will have theirs at -- at 5:00 o'clock in the

1 evening, and that's on Saturday, October 4th.

2 On the 19th, I had a NACO meeting. Besides the meeting,
3 they also did some celebration of the 150th and planted a tree
4 and had some workshops and some extra events going on at the
5 legislature. So it was -- it was a full weekend. We also had
6 strategic planning on the 20th. A couple of things I wanted
7 to bring forward on those meetings.

8 The U.S. Forest Service has proposed run water resource
9 management directive, which means they can apply for water
10 rights. And if we look at the BL- -- look at forest service
11 having water rights, we expect the BLM to be shortly behind
12 that. And we have not always been in favor of that. So NACO is
13 supporting the state water engineer's position that they will
14 not be able to apply for water rights at this point.

15 On the PILT, that's still in jeopardy. And we thought we
16 were doing okay for a while, that payment in lieu of taxes, but
17 according to the appropriations funding now that they're looking
18 at in all the process, PI- -- PILT wasn't even mentioned let alone
19 the support for the full funding to actually have it a done deal
20 and not have to go through this every year.

21 They had a big fly-in last week on this. And NACO sent one
22 of our past presidents -- some of you may know him, Roger
23 Mancebo -- to represent us along with the other NACO folks. But
24 what they have said, this is a critical juncture right now. And
25 they have asked all of the counties to respond. I said please
26 take advantage of our resources to effectively communicate the
27 message to the members of commerce -- of Congress. So they feel
28 it's important all county leaders contact their members of
29 Congress to urge support for full funding of the PILT. We don't
30 really have time to agendize, but that's always been a --
31 certainly we've all been in favor of. So we encourage anybody
32 individually and any of my fellow commissioners and executive
33 director that can -- can pass that on while they're in the
34 appropriations process.

35 On the proposed rule on the definition of waters of the
36 U.S -- and this is under the Clean Water Act. We've talked about
37 this several times. In fact, at one of our meetings, I know we
38 asked our executive director to write a letter on that with our
39 comments because it will make such a difference in the counties
40 and the state with what we consider clean waters now. And they

1 say gravel pits will be affected and probably any kind of standing
2 water for what it's going to cost us to look at.

3 They did actually have a model letter that was sent out.
4 And at this point, I think we might want to look at that, either
5 putting it on the agenda again or directing our executive
6 director to look at that. But I do have a model letter that we
7 can use to handle that and -- and certainly make our comments.

8 I had given a report the last time of -- of our NACO meeting
9 that we were putting forth five bill drafts. And I highlighted
10 those. I think what I'd like to do is put it on the agenda for
11 next time and so we can at least discuss the five bills. I think
12 it's important. And NACO wants the comments, not to take any
13 action, but the comments from our commissioners to take a look at
14 that and any of the public. So if we can put that on the agenda,
15 we'll go over those five bill drafts on the next one.

16 And the last part is we do have a NACO conference coming
17 up. The registration is open now. And the conference in Ely
18 November 18th to 20th, which is for many of our department
19 heads and commissioners and new commissioners. And you can
20 access that by NVNACO -- NVNACO.org and need to take a look at
21 our registrations on those.

22 And they did have the Central Nevada Regional Water Authority
23 meeting on September 12th. Steve and I sit on that, and Ray
24 Williams. And I was unable to attend. And I think Steve was,
25 too, unable to attend. Ray Williams did attend. But I will say
26 there's an excellent article in the Bugle on the Central Nevada
27 Regional Water Authority and what they did. And it just came out
28 yesterday -- excellent article. So I encourage you all to take a
29 look at that. Thank you.

30 COMMISSIONER STIENMETZ: On September 12th, I couldn't
31 attend the Central Nevada water thing because I had a SLUPAC
32 meeting in Ely. We went over, and we talked with -- to BLM on
33 different things. The Ely commissioner gave us a presentation
34 on -- is it hydroponics [sic], where you grow the stuff in
35 water? They're -- they're pushing that. They've got grant --
36 or they have a grant they're trying to do it, and looking at --
37 so you take big warehouses and they can produce so much more.
38 And they get the plants to -- one plant will produce about
39 three, four, five seedings, I mean, or harvests and that. So it
40 was pretty interesting. And they were looking for other places

1 that might be interested in having built big open buildings
2 where they'd be interested in doing something like that. And
3 this guy's daughter was one working on it. And she's actually
4 looking at putting watermelons in boxes to grow so that they're
5 square. And some of them she wants to do without light so
6 they'll be white, which was kind of interesting.

7 I did attend the -- the day before the Newmont breakfast, I
8 went on a tour with the assessors. They had their conference here
9 that week. And we went out and toured Phoenix. It was a very
10 good tour. They actually arranged it so we got to see a blast.
11 And then we went and toured the main mill on the -- for the gold.

12 And then they took us over to the copper. We got to see
13 their copper process. And at that time, they had three million
14 pounds of copper on the ground. Just -- man, it was stacked
15 everywhere. And they don't like to have that much. But that's
16 -- I was talking with them at the breakfast. And they said they
17 would like to reduce that. But it's just that's -- every five
18 days they scrape their plates that they electrowin it on. So it
19 was -- it was pretty interesting, very nice tour. They're very
20 -- like I said, also on breakfast, it's also a good way --
21 Newmont likes to have the breakfast not only to feed us
22 information but for us to feed them information also. So they
23 encourage it. That's all I have.

24 COMMISSIONER BULLOCK: I have nothing.

25 CHAIRMAN GARNER: Convention and Tourism. Chukar
26 tournament's coming up. Buy your tickets. Everything's good
27 there. That's all I have.

28
29
30 **STAFF REPORTS**

31
32 CHAIRMAN GARNER: Staff reports on meetings, conferences,
33 and seminars attended.

34 Keith? Staff report?

35 KEITH WESTENGARD: We had a meeting yesterday dealing with
36 our aquatic center. We're moving forward with that and waiting
37 for a letter from the school district to confirm the land swap.

38 I've been in contact with our airport -- our airport
39 engineer. We're continuing to work on federal grants to get the
40 runways cleaned -- cleaned up and repaired and rebuilt if

1 necessary.
2 Just getting caught up on a lot of things that was unaware of
3 in the past and putting in a lot of hours. So --
4 COMMISSIONER STIENMETZ: Thank you.
5
6

7 **PAYMENT OF THE BILLS**
8

9 CHAIRMAN GARNER: Discussion for possible action regarding
10 payment of bills.

11 VICKI PETERS: Vicki, Finance.

12 This time we have checks numbers 49466 through 49544, the
13 amount of 386,242.50.

14 CHAIRMAN GARNER: I'll be abstaining from check #49472 for
15 towing.

16 COMMISSIONER WAITS: And I'll be abstaining from check
17 #49540 for travel expenses.

18 VICKI PETERS: We have ratify checks. First one is for
19 Business Card. It's check #49407 in the amount of 633.86.

20 Chase Business Card Service, check #49408 for 110.19.

21 David Cormany for check #49412 for 1,601.33.

22 Hunewill Construction Company, check #49416, \$316,068.47.

23 COMMISSIONER MASON: Well #9.

24 VICKI PETERS: Napa Auto Parts, check #49422, \$3,493.11.

25 Suburban Propane, check #49438, \$3,332.14.

26 Valley T.V. and Communication, 2500, check #49441.

27 Wells Fargo, check #49443, \$940.91.

28 The last one is State of Nevada, check #49460 for
29 \$5,063.28.
30

31 (Commissioners reviewing payment of the bills.)
32

33 COMMISSIONER MASON: You had a lot of travel?

34 COMMISSIONER STIENMETZ: When?

35 COMMISSIONER MASON: This last two weeks?

36 COMMISSIONER STIENMETZ: I turned in one, but it didn't get
37 in that check run. I think that they paid for the motel up
38 front. They must've just put the meals on my --

39 COMMISSIONER MASON: How far is it to Ely?

40 COMMISSIONER STIENMETZ: Two hundred and -- about like

1 Reno.
2 COMMISSIONER MASON: Yeah.
3 COMMISSIONER STIENMETZ: Two hundred. A little bit more
4 than that.
5
6 (Commissioners reviewing payment of the bills.)
7

8 **Business Card**

9
10 COMMISSIONER BULLOCK: I make a motion to ratify check
11 #49407 to Business Card in the amount of \$633.86.
12 COMMISSIONER STIENMETZ: I'll second the motion.
13 CHAIRMAN GARNER: Any public comment?
14 (No comment.)
15 CHAIRMAN GARNER: All those in favor?
16 COMMISSIONER MASON: Aye.
17 CHAIRMAN GARNER: Aye.
18 COMMISSIONER WAITS: Aye.
19 COMMISSIONER STIENMETZ: Aye.
20 COMMISSIONER BULLOCK: Aye.
21

22 **Chase Card Services**

23
24 COMMISSIONER BULLOCK: I'll make a motion to ratify check
25 #49408 to Chase Card Service in the amount of \$110.19.
26 COMMISSIONER STIENMETZ: I'll second the motion.
27 CHAIRMAN GARNER: Any public comment?
28 (No comment.)
29 CHAIRMAN GARNER: All those in favor?
30 COMMISSIONER MASON: Aye.
31 CHAIRMAN GARNER: Aye.
32 COMMISSIONER WAITS: Aye.
33 COMMISSIONER STIENMETZ: Aye.
34 COMMISSIONER BULLOCK: Aye.
35

36 **David J. Cormany**

37
38 COMMISSIONER BULLOCK: I'll make a motion to ratify check
39 #49412 to David G. Cormany in the amount of \$1,601.33.
40 COMMISSIONER STIENMETZ: I will second the motion.

1 CHAIRMAN GARNER: Any public comment?
2 (No comment.)
3 CHAIRMAN GARNER: All those in favor? Aye.
4 COMMISSIONER WAITS: Aye.
5 COMMISSIONER MASON: Aye.
6 COMMISSIONER STIENMETZ: Aye.
7 COMMISSIONER BULLOCK: Aye.

8
9

Hunewill Construction

10

11 COMMISSIONER BULLOCK: I'll make a motion to ratify check
12 #49416 to Hunewill Construction in the amount of \$316,068.47.

13 COMMISSIONER STIENMETZ: I will second the motion.

14 CHAIRMAN GARNER: Any public comment?

15 (No comment.)

16 CHAIRMAN GARNER: All those in favor?

17 COMMISSIONER MASON: Aye.

18 COMMISSIONER WAITS: Aye.

19 CHAIRMAN GARNER: Aye.

20 COMMISSIONER STIENMETZ: Aye.

21 COMMISSIONER BULLOCK: Aye.

22

23 **Bianchi's Auto and Truck Parts**

24 **NAPA Auto Parts of Battle Mountain**

25

26 COMMISSIONER BULLOCK: I'll make a motion to ratify check
27 #49422 to Bianchi's Auto and Truck Parts in the amount of
28 \$3,493.11.

29 COMMISSIONER STIENMETZ: I will second the motion.

30 CHAIRMAN GARNER: Any public comment?

31 (No comment.)

32 CHAIRMAN GARNER: All those in favor?

33 COMMISSIONER MASON: Aye.

34 CHAIRMAN GARNER: Aye.

35 COMMISSIONER WAITS: Aye.

36 COMMISSIONER STIENMETZ: Aye.

37 COMMISSIONER BULLOCK: Aye.

38

39

40

1 **Suburban Propane**

2

3 COMMISSIONER BULLOCK: I'll make a motion to ratify check
4 #49438 to Suburban Propane in amount of \$3,332.14.

5 COMMISSIONER STIENMETZ: I will second the motion.

6 CHAIRMAN GARNER: Any public comment?

7 (No comment.)

8 CHAIRMAN GARNER: All those in favor?

9 COMMISSIONER MASON: Aye.

10 COMMISSIONER WAITS: Aye.

11 CHAIRMAN GARNER: Aye.

12 COMMISSIONER STIENMETZ: Aye.

13 COMMISSIONER BULLOCK: Aye.

14

15 **Valley T.V. and Communication**

16

17 COMMISSIONER BULLOCK: I'll make a motion to ratify check
18 #49441 to Valley T.V. and Communication in the amount of \$2,500.

19 COMMISSIONER STIENMETZ: I will second the motion.

20 CHAIRMAN GARNER: Any public comment?

21 (No comment.)

22 CHAIRMAN GARNER: All those in favor?

23 COMMISSIONER MASON: Aye.

24 CHAIRMAN GARNER: Aye.

25 COMMISSIONER STIENMETZ: Aye.

26 COMMISSIONER WAITS: Aye.

27 COMMISSIONER BULLOCK: Aye.

28

29 **Wells Fargo Remittance**

30

31 CHAIRMAN GARNER: I'll make a motion to ratify check #49443
32 to Wells Fargo's Remittance in the amount of \$940.91.

33 COMMISSIONER STIENMETZ: I will second the motion.

34 CHAIRMAN GARNER: Any public comment?

35 (No comment.)

36 CHAIRMAN GARNER: All those in favor?

37 COMMISSIONER MASON: Aye.

38 CHAIRMAN GARNER: Aye.

39 COMMISSIONER WAITS: Aye.

40 COMMISSIONER STIENMETZ: Aye.

1 COMMISSIONER BULLOCK: Aye.

2

3 **State of Nevada**

4

5 COMMISSIONER BULLOCK: I'll make a motion to ratify check
6 #49460 to the State of Nevada in the amount of \$5,063.28.

7 COMMISSIONER STIENMETZ: I will second the motion.

8 CHAIRMAN GARNER: Any public comment?

9 (No comment.)

10 CHAIRMAN GARNER: All those in favor?

11 COMMISSIONER MASON: Aye.

12 CHAIRMAN GARNER: Aye.

13 COMMISSIONER WAITS: Aye.

14 COMMISSIONER STIENMETZ: Aye.

15 COMMISSIONER BULLOCK: Aye.

16

17 **Submitted Expenditures**

18

19 COMMISSIONER BULLOCK: Okay, if there's no more questions
20 on the submitted expenditures, I'll make a motion to approve the
21 submitted expenditures in the amount of \$386,242.50 from check
22 #49466 through check #49544.

23 COMMISSIONER STIENMETZ: I will second the motion.

24 CHAIRMAN GARNER: Any public comment?

25 (No comment.)

26 CHAIRMAN GARNER: All those in favor?

27 COMMISSIONER MASON: Aye.

28 CHAIRMAN GARNER: Aye.

29 COMMISSIONER WAITS: Aye.

30 COMMISSIONER STIENMETZ: Aye.

31 COMMISSIONER BULLOCK: Aye.

32

33

34 **PAYROLL CHANGE REQUESTS**

35

36 CHAIRMAN GARNER: Discussion for possible action regarding
37 payroll change requests.

38 COMMISSIONER WAITS: Thank you, Vicki.

39 COMMISSIONER MASON: Thank you.

40 COMMISSIONER BULLOCK: Okay, if there's no further comment

1 on the payroll change requests, I'll make a motion we approve
2 employee #1563, employee #1369, and employee #1329.

3 COMMISSIONER STIENMETZ: I'll second the motion.

4 CHAIRMAN GARNER: Any public comment?

5 (No comment.)

6 CHAIRMAN GARNER: All those in favor?

7 COMMISSIONER MASON: Aye.

8 COMMISSIONER WAITS: Aye.

9 CHAIRMAN GARNER: Aye.

10 COMMISSIONER STIENMETZ: Aye.

11 COMMISSIONER BULLOCK: Aye.

12

13

14 **PUBLIC COMMENT**

15

16 CHAIRMAN GARNER: This time is public comment for
17 non-agendized items only. Do we have any public comment?

18 VON RASMUSSEN: If I could?

19 I'd just like to --

20 CHAIRMAN GARNER: State your name for record.

21 VON RASMUSSEN: Von Rasmussen.

22 Is there any plan or schedule to do anything on Kayci Avenue?

23 CHAIRMAN GARNER: We're --

24 VON RASMUSSEN: Two months ago it got approved for the
25 second time for the county to start maintaining it. And I
26 haven't seen one rock moved.

27 CHAIRMAN GARNER: Donnie, would you like to --

28 COMMISSIONER WAITS: We can't --

29 CHAIRMAN GARNER: -- interject?

30 COMMISSIONER WAITS: -- comment; can we?

31 DONALD NEGRO: Today hopefully you'll approve the contract
32 with Summit. And yeah, it's in the works.

33 VON RASMUSSEN: Okay.

34 DONALD NEGRO: Yeah, so bear with us, I guess. But it's on
35 the contract to be, you know, we'll bring material in and -- and
36 whoever gets the contract will bring material in, bring it up to
37 spec, and then we'll pave it.

38 VON RASMUSSEN: Okay.

39 DONALD NEGRO: It's on. It's in the works.

40 VON RASMUSSEN: Okey dokey.

1 DONALD NEGRO: Bear with us.
2 VON RASMUSSEN: Okay.
3 DONALD NEGRO: If they change their mind this afternoon.
4
5

6 **FINANCE**
7

8 1) **Discussion for possible action regarding budget review,**
9 **contracts, financial update, and other matters properly**
10 **relating thereto.**
11

12 CHAIRMAN GARNER: One, discussion for possible action
13 regarding budget review, contracts, financial update, and other
14 matters properly relating thereto.

15 NAN ANCHO: Good morning.

16 COMMISSIONER MASON: Good morning.

17 COMMISSIONER WAITS: Good morning.

18 NAN ANCHO: Nan with Finance.

19 Accounts Receivable for the month of August are as follows:
20 Water is at 7,672; Sewer, 6,977; Miscellaneous Water Sewer is
21 \$39; Landfill, 13,722; and Ambulance is at \$60. Active Accounts
22 at Collections, we've received a payment in the amount of \$75.
23 And we've written off one account with no activity for six
24 months in the amount of \$310. And this brings our Active
25 Accounts at Collections at \$587 -- for a total of Accounts
26 Receivable, 29,057.

27 And we're currently working on the audit, hot and heavy.
28 It's very intense. So bear with us if we're little grumpy.

29 Other than that, that's all I have besides meetings and --
30 and audit and daily activities.

31 COMMISSIONER WAITS: Thank you, Nan.

32 COMMISSIONER BULLOCK: Thanks, Nan.

33 NAN ANCHO: Thanks.
34

35 2) **Discussion for possible action regarding changing the cutoff**
36 **deadline for backup information for the commissioner meeting**
37 **agenda packets from the Friday before the meeting to a later**
38 **deadline, and other matters properly related thereto.**
39

40 CHAIRMAN GARNER: Two, discussion for possible action

1 regarding changing the cutoff deadline for backup information
2 for the commissioners' meeting agenda packets from the Friday
3 before the meeting to a later deadline, and other matters
4 properly related thereto.

5 NAN ANCHO: I asked to have this on the agenda to discuss
6 other possibilities for the commission packets or submission of
7 the check registers.

8 I did talk to Angie this week. And she made a very good
9 suggestion that the check registers, I guess, legally do not have
10 to be in your packets.

11 But if you wouldn't mind, we could give them to you like
12 two days before the meetings. That way we could get as many
13 bills as possible submitted for you, for your approval.
14 Otherwise, you're -- as you saw today, you had several to
15 ratify. We're going to end up having to ratify more checks at
16 each meeting unless we shorten the timeframe between -- if you
17 want the register in your packet or if you can wait until two
18 days before the meeting. Kind of a suggestion to think about.

19 COMMISSIONER WAITS: I know that was my main concern was
20 the checks, because I really like the packets being done that --
21 that Friday before.

22 And I understood your -- your concern. And that's why we've
23 wanted to look a little bit further on it. But I'm -- I'm
24 perfectly okay with -- with sending that out a couple of days
25 ahead of time --

26 CHAIRMAN GARNER: Mm-hm.

27 COMMISSIONER WAITS: -- for just the finance and put the
28 rest of it staying on schedule.

29 COMMISSIONER STIENMETZ: I don't have a problem with it.

30 NAN ANCHO: And we can slip it in your box or we can e-mail
31 it to you --

32 COMMISSIONER STIENMETZ: Up to you.

33 NAN ANCHO: -- whichever is the most efficient way to get
34 it to you.

35 COMMISSIONER STIENMETZ: The easiest for me would be to
36 just to e-mail it to me.

37 NAN ANCHO: Okay.

38 CHAIRMAN GARNER: We can just do it as an attachment to the
39 agenda.

40 COMMISSIONER STIENMETZ: Yeah.

1 NAN ANCHO: Okay.

2 CHAIRMAN GARNER: Just an additional e-mail, the two days
3 before.

4 NAN ANCHO: That will work. That will make it so much more
5 efficient for us to keep up on the bills without having to deal
6 with late fees or --

7 CHAIRMAN GARNER: Mm-hm.

8 NAN ANCHO: -- bills waiting two extra weeks to be paid.

9 CHAIRMAN GARNER: The two additional days for us has been
10 huge, I think --

11 COMMISSIONER STIENMETZ: Mm-hm.

12 CHAIRMAN GARNER: -- for looking over the -- to where we
13 moved it back.

14 NAN ANCHO: Right.

15 COMMISSIONER WAITS: It's critical for me, because if -- if
16 I'm traveling or something on that Tuesday, I can't even access
17 anything. And so I can't walk in that morning and expect to be
18 able to go through everything. It's just -- doesn't work. So
19 --

20 NAN ANCHO: Right.

21 COMMISSIONER WAITS: -- if we keep everything the way it is
22 and just do the --

23 COMMISSIONER STIENMETZ: Just the bills, yeah.

24 COMMISSIONER WAITS: -- addendum on the finances, that
25 would be great.

26 NAN ANCHO: We're good with that.

27 CHAIRMAN GARNER: Yeah.

28 COMMISSIONER STIENMETZ: Yep.

29 NAN ANCHO: You good with that?

30 UNIDENTIFIED PARTICIPANT: Mm-hm.

31 NAN ANCHO: All right.

32 UNIDENTIFIED PARTICIPANT: It'll give us more time with the
33 bills.

34 COMMISSIONER STIENMETZ: Mm-hm.

35 NAN ANCHO: Yeah. Okay. Thank you, very much.

36 CHAIRMAN GARNER: Carry on.

37 ~~COMMISSIONER STIENMETZ: Thank you.~~

38 NAN ANCHO: That was easy.

39 CHAIRMAN GARNER: Thanks.

40

1 ROAD AND BRIDGE SOUTH

2
3 3) Discussion for possible action regarding operations and
4 projects for the Road and Bridge South department, and other
5 matters properly related thereto.
6

7 CHAIRMAN GARNER: Discussion for possible action regarding
8 operations and projects for the Road and South -- Road and
9 Bridge South department, and other matters properly related
10 thereto.

11 Bert?

12 You Bert?

13 DONALD NEGRO: I'm Bert today. Bert had a meeting with
14 forest service on the Gold Park this morning. So he didn't know
15 if he could be here.

16 But he said that they're -- they're putting -- punching the
17 Gold Park Road in. And they have our -- the -- well, it's
18 everybody's D8 down there. He says everything's going good.
19 They've got about a mile in. They've -- he says they're kind of
20 on the tougher part now. So they've another mile to go. But
21 everything's looking good. And I think that's pretty much --
22 other guys are blading. But that's what they're concentrating
23 on to get the Gold Park Road in.

24 CHAIRMAN GARNER: Thanks, Bert.

25 DONALD NEGRO: Thanks. Cute, aren't I?
26
27

28 ROAD AND BRIDGE NORTH

29
30 4) Discussion for possible action regarding operations and
31 projects for the Road and Bridge North department, and other
32 matters properly related thereto.
33

34 CHAIRMAN GARNER: Discussion for possible action regarding
35 operations and projects for the Road and Bridge North
36 department.

37 COMMISSIONER STIENMETZ: I would like to say something. I
38 would like to thank Donnie and -- I can't think of her name.

39 COUNTY CLERK SULLIVAN: Judy?

40 DONALD NEGRO: Judy?

1 COMMISSIONER STIENMETZ: Judy. They cooked for the
2 assessors' conference when we went out and we had a picnic. And
3 they did an excellent job and they appreciated it.

4 DONALD NEGRO: Thank you. It was a pleasure. Good bunch
5 of people.

6 COMMISSIONER STIENMETZ: Everybody enjoyed it. They
7 thought it was excellent.

8 DONALD NEGRO: Thank you. Okay, Road and Bridge North.
9 Donald Negro for the record.

10 Road and Bridge North, we're pretty much -- what we're --
11 we've got one crew up on Hilltop working on that road.

12 And then there's crew out on Izzenhood. They've been
13 blading. You know, we had one guy retire. So we've moved
14 another guy up. And -- Scott's -- he's a little bit slow, but
15 he's doing a, you know, good job. Izzenhood's improved quite a
16 bit.

17 We -- our auction went very well, I figured. What we did
18 was we had two blades and a track loader. The one blade went
19 for 94,000. The other blade went for 95,000. And the track
20 loader went for 27-. And the reason the track loader went so
21 cheap is because it's been in the landfill and people just stay
22 away from anything that's been in the landfill. You know, it's
23 hard on them and they realize it. The one blade went to Reno.
24 The track loader's -- I assume is going to Minnesota. I don't
25 know.

26 You know, I feel on the blades, originally we bought the
27 blades for 140,000. And we turned around and got 95,000. We did
28 pretty good. And they're '96s. So I was pretty happy with what
29 happened there.

30 Now, we've been measuring our roads, getting ready to come
31 out with our contract. I got my -- my new friends here from
32 Summit Engineering. Hopefully we'll -- we're getting pretty
33 tight. We've got them all measured. We've got all the
34 utilities marked. We've been working with Jake on the
35 utilities. We have to drop and raise. We're going to pave out
36 on -- well, Kayci and the other roads. It's a pretty good sized
37 contract, what we're doing, and trying to, you know, fill in to
38 everything that's left over from before.

39 So -- and the -- you know, anything -- what we're going to do
40 is, you know, weather is an issue here. We have -- Angie's went

1 through the contract and everything with Summit. And we're going
2 to start, you know, if the weather hits us we can still go through
3 and do some of the valley gutters and -- and, you know, the dirt
4 work that they have to do, the infiltrators [sic]. So hopefully
5 we'll be going. But if the weather stays nice, we'll dive right
6 into the pavement.

7 CHAIRMAN GARNER: Izzenhood?

8 DONALD NEGRO: Huh?

9 CHAIRMAN GARNER: Are we going to roto- -- rotogrind and do
10 that to Izzenhood?

11 DONALD NEGRO: Say what?

12 CHAIRMAN GARNER: Izzenhood? Are we going to grind it?

13 DONALD NEGRO: Not yet. We'll see how much money
14 permitting. Then if we -- depending on what the contract is,
15 Brian, you know, how much we have left over. We have around --

16 CHAIRMAN GARNER: But weren't you saying you were going to
17 try and grind it and --

18 DONALD NEGRO: Yeah.

19 CHAIRMAN GARNER: -- mag it? Grind it and mag it?

20 DONALD NEGRO: Yeah, but, you know, permitting. I got -- I
21 got four totes of mag. And weather permitting we'll take and
22 we'll try it.

23 CHAIRMAN GARNER: Okay.

24 DONALD NEGRO: And if it -- if the contract comes in below
25 what we figure. It depends on how much money we have.

26 CHAIRMAN GARNER: Okay.

27 DONALD NEGRO: Any questions?

28 CHAIRMAN GARNER: Nope.

29 COMMISSIONER STIENMETZ: Uh-uh.

30 DONALD NEGRO: Okay. Thank you.

31 COMMISSIONER GARNER: Thank you.

32 COMMISSIONER WAITS: Thank you.

33

34 5) Discussion for possible action regarding approval/disapproval
35 of an agreement between Lander County and Summit Engineering
36 Corp. for consultant services in the amount of \$9,700.00, and
37 other matters properly related thereto.

38

39 CHAIRMAN GARNER: Discussion for possible action regarding
40 approval/disapproval of an agreement between Lander County and

1 Summit Engineering Corp. for the consultant services in the
2 amount of \$9,700, and other matters properly related thereto.
3 DONALD NEGRO: I'd like to introduce you to my new friend
4 from Summit Engineering. I'll be working real tight with him
5 and probably be about living together.
6 What they did is --
7 COMMISSIONER BULLOCK: Well, you wanted to introduce him,
8 give his name?
9 NITIN BHAKTA: I'll introduce myself. I'm Nitin Bhakta,
10 Summit Engineering, 1150 Lamoille Highway.
11 DONALD NEGRO: Their contract, Angie's looked at it and
12 hopefully approved it. So we're ready to rock and roll.
13 NITIN BHAKTA: Yep.
14 DONALD NEGRO: So -- and what it is, it's for 97- -- \$9700.
15 And a lot of it we do the -- the -- the ground work on it, but
16 they keep us in line, make sure everybody's stays in intact.
17 So --
18 TOM GALLAGHER: Just as a little aside from the
19 introduction, Nitin -- Nitin's been with me for lots of years.
20 I'm not sure how many right now, but he --
21 NITIN BHAKTA: Twenty plus.
22 DONALD NEGRO: Twenty plus.
23 TOM GALLAGHER: He's the vice president of Summit, and he
24 runs the Elko office.
25 CHAIRMAN GARNER: Your name for the record.
26 TOM GALLAGHER: Tom Gallagher.
27 COUNTY CLERK SULLIVAN: Thank you.
28 TOM GALLAGHER: I've worked for Summit for longer than
29 that.
30 DONALD NEGRO: But on previous jobs years ago, I've worked
31 with him before and I get along with him good and, you know,
32 it's a plus for our county to have him.
33 COMMISSIONER STIENMETZ: I make a motion that the county
34 approve the agreement between Lander County and Summit
35 Engineering Corporation for consulting services in the amount of
36 \$9,700.
37 ~~COMMISSIONER WAITS: I'll second that motion.~~
38 CHAIRMAN GARNER: Any public comment?
39 (No comment.)
40 CHAIRMAN GARNER: All those in favor?

1 COMMISSIONER MASON: Aye.
2 CHAIRMAN GARNER: Aye.
3 COMMISSIONER WAITS: Aye.
4 COMMISSIONER STIENMETZ: Aye.
5 COMMISSIONER BULLOCK: Aye.
6 COMMISSIONER WAITS: And thank you for coming.
7 COMMISSIONER STIENMETZ: Thank you.
8 NITIN BHAKTA: Thank you.
9 COMMISSIONER WAITS: It's a pleasure to meet you.
10 NITIN BHAKTA: I look forward to working with you.
11 COMMISSIONER WAITS: Thank you.
12 COMMISSIONER BULLOCK: Thank you.

13
14
15 **PUBLIC WORKS**

16
17 6) **Discussion for possible action regarding operations and**
18 **projects for the Public Works department, and other matters**
19 **properly related thereto.**
20

21 CHAIRMAN GARNER: Discussion -- six, discussion for
22 possible action regarding operations and projects for the Public
23 Works department, and other matters properly related thereto.

24 JAKE EDGAR: Good morning.

25 COMMISSIONER STIENMETZ: Good morning, Jake.

26 CHAIRMAN GARNER: Good morning.

27 COMMISSIONER WAITS: Good morning.

28 JAKE EDGAR: Jake Edgar for the record.

29 So we'll start with the parks. Basically, they're just the
30 parks. They're going good. Not really much to update.

31 We had a junior rodeo last week. And everything went
32 pretty good. The rodeo grounds, we bladed it. Everything went
33 pretty good. Did some weeding. And other than that in the
34 parks, not much happening.

35 Golf course. We have full VFDs now. Yesterday they set
36 the other pump on well -- Well #4 or Well House #4. And again,
37 it's a brand new pump, and it has too much juice. So we had to
38 back down our pressures a little bit. So VFDs have helped
39 dramatically in that sense. So I'd like to thank Dean for the
40 idea on the VFDs. Seems to be going very well. We had to

1 switch some wiring. Shane Whitehead is the one that actually
2 put the VFDs in. And he's helped me quite a few times at the
3 sewer plant and seems to be really good at what he does.

4 COMMISSIONER STIENMETZ: Uh-huh. He is.

5 JAKE EDGAR: I'd like to thank him on the record too.

6 Jay Fischer's working on the -- the -- or the -- the water
7 boundary study out here. I -- I believe it's going to take a
8 month or two. He'll do all the surface water and all the water
9 rights -- underground water rights. And once that's done, we
10 will actually be able to get a full permit from the state for
11 our water right on Well #9. Right now we're on a temporary
12 until that study's done.

13 We are coming to town with water as of yesterday and things
14 went well. We got lots of water. And there's a few little
15 electrical things that we're still working on with the SCADA
16 people but all in all it's -- I'm happy --

17 CHAIRMAN GARNER: How many --

18 JAKE EDGAR: -- for now.

19 CHAIRMAN GARNER: What's it set at? Gallons?

20 JAKE EDGAR: 1600.

21 CHAIRMAN GARNER: Pumping that hard?

22 JAKE EDGAR: Yeah. And it'll -- it'll fluctuate a little
23 bit. It'll get down to around 1545 here and there. But it's
24 mostly 1600. And it takes about -- to put a foot in the tank
25 right now, we've got about 2200 gallons going into the tank. It
26 takes about four and a half minutes to put a foot in. So --

27 CHAIRMAN GARNER: Wow.

28 JAKE EDGAR: Now if the tank ever gets to dramatic levels,
29 we're looking at like six and a half hours to fill half the tank
30 up. So I mean it's -- it goes quick.

31 Seven and eight, we'll never ever shut off again either.
32 We'll -- we'll just rotate them. One for the other and the
33 other for the other each day so that they constantly get some
34 kind of activity. So we're not just sitting there. The only
35 thing left to do on Well #9 project is paint the pipe inside the
36 well house and put one more sealer on the floor. The punch
37 list, we went through the punch list with Hunewill. And they've
38 done everything on the punch list.

39 Eric Sandel will be out next week, I believe, with the
40 generator guy and the SCADA guy to do their final run-through on

1 the programming. And once Eric blesses that the project is
2 finished so -- we have some substantial completion out right
3 now. Cody's not here to explain that to you. But we should be
4 wrapped up, I would say, within three weeks fully, completely
5 done, gone, out the door.

6 I've been working on some few water leaks. Had one at the
7 courthouse. And I'd like to apologize to the courthouse. We
8 didn't really get a notice out to them. We didn't understand
9 that we were going to have the water shut off. We thought we
10 could pinch the line. And when we went to pinch the line, it
11 completely broke. So we didn't really have a choice but to shut
12 the water off at that point in time. So apologize to the
13 courthouse and everybody in it.

14 Put a water box in for the new dentist office that's going
15 up off of 305 yesterday. They were working on that and
16 hopefully they get that finished up here pretty soon.

17 CHAIRMAN GARNER: How -- how are they getting the sewer?

18 JAKE EDGAR: There is a sewer line there.

19 CHAIRMAN GARNER: Oh.

20 JAKE EDGAR: The force main runs into the manhole that's
21 directly across from there. But there's enough lead way on the
22 other end of it. That's where it turns into gravity feed. So
23 there was a stub already there for them.

24 It's right -- they had to raise the level of the building up
25 a little bit and go through the foundation to actually make their
26 slope work, but it's going to work, so --

27 But other than that, we got our auger in finally. After
28 nine months, it showed up. We'll be working on that next week
29 to get it in out at the sewer plant and should be back up and
30 running as far as getting our solids separated, the toilet paper
31 anyway. And it's a pretty fancy machine. If anybody's
32 interested in looking at it, it's on the ground right now out
33 there. You can go take a look at it. It's fairly neat.

34 So the alley project's still underway. We have three
35 alleys left to do. As of -- or will be as of Tuesday, we'll
36 have three alleys left to do. They're all short-run alleys. So
37 it -- I'm thinking maybe around 18 days and that will be wrapped
38 up.

39 So I've been working with Donald, like Donald said. And I'd
40 like to thank Donald for his help. He put Brad in -- one of our

1 guys is training to get the CDL. He has a permit now. I'd like
2 to thank Donald for helping him out on that.

3 So other than that, things are going pretty well as far as
4 I know.

5 Any questions?

6 COMMISSIONER WAITS: Thank you, Jake.

7 COMMISSIONER STIENMETZ: Thanks, Jake.

8 COMMISSIONER BULLOCK: Thanks, Jake.

9 CHAIRMAN GARNER: Thanks.

10

11 7) Discussion possible action regarding approval/disapproval of
12 an agreement between Lander County Public Works and Day
13 Engineering to perform certain investigations and design
14 services in the amount of \$451,000.00, and other matters
15 properly related thereto.

16

17 CHAIRMAN GARNER: Seven, discussion possible action
18 regarding approval/disapproval of an agreement between Lander
19 County Public Works and Day Engineering to perform certain
20 investigations and design services in the amount of 451,000, and
21 other matters properly related thereto.

22 JAKE EDGAR: So I gave you guys the scope of work last
23 meeting. Basically had the DA go over the contract. And I'm
24 assuming we switched the right words and that's fine now.

25 Is there any questions?

26 COMMISSIONER BULLOCK: I have a few.

27 JAKE EDGAR: Okay.

28 COMMISSIONER BULLOCK: Or maybe just one. I don't know.

29 I guess my con- -- my concern in this is if we look at the
30 Exhibit B at the end of the -- the scope of work, we have rates
31 per hours. And we have reimbursable expenses and everything.

32 But from what I see can see from the scope of work, the scope
33 of work was bid on a percentage of what the cost was going to be
34 of the project.

35 JAKE EDGAR: So --

36 COMMISSIONER BULLOCK: So I have an issue with -- you can't
37 bill individual expenses if you're going on a percentage.

38 You've got to do one or the other.

39 JAKE EDGAR: Perfect.

40 COMMISSIONER BULLOCK: We either do time and materials or

1 we do a percentage.

2 JAKE EDGAR: So, I'll actually let Marty answer, but just
3 to touch on that, I believe Exhibit A is just a rate schedule
4 and it is involved in the lump sum.

5 Does that make sense?

6 COMMISSIONER BULLOCK: But there shouldn't be -- and the
7 lump sum was based on a percentage of the project.

8 JAKE EDGAR: I'll let him explain that to you.

9 COMMISSIONER BULLOCK: Okay. Is -- is all I'm saying,
10 there shouldn't be any rates or anything --

11 JAKE EDGAR: I get what you're saying.

12 CHAIRMAN BULLOCK: -- on any of this, because if we're
13 going on a percentage of what the project's supposed to be, then
14 it's the percentage, end of story. There is no add -- you know,
15 expenses for the rates per hours or anything like that.

16 So that's my understanding. And that's why I'm confused in
17 this, so --

18 MARTY UGALDE: Marty Ugalde with Day Engineering.

19 It's correct. That's correct. You're correct. The scope
20 of work and the fee that's identified in that scope of work is
21 based on a percentage.

22 And on other projects, I've been asked to provide a fee
23 schedule.

24 But I agree that that really doesn't apply, the rate
25 schedule. Because the fee that's provided in the proposal is
26 based on a percentage of estimated construction costs at 15%.

27 COMMISSIONER BULLOCK: Okay.

28 MARTY UGALDE: We can remove that if you'd like or just get
29 rid of it.

30 COMMISSIONER BULLOCK: No, I was just -- I was confused. I
31 mean, are we going to -- here's percentage we run into a
32 problem, which hopefully you anticipate this is a percentage of
33 the project, you know, and we're not going to get dinged extra
34 for, you know, this rate per hour and that rate per hour
35 because, you know, hey, this was bid on a percentage of what the
36 estimated cost of the project would be.

37 And so --

38 MARTIN UGALDE: You will not see any extra costs of any
39 kind.

40 The projects I've been involved with, if extra work is

1 required for something, then we just do that.
2 Unless something changes drastically in the scope of work, if
3 you wanted to add another water line or something like that. But
4 anything that's associated with this project, whatever comes up,
5 there will be no additional charges or costs or fees on the
6 engineering standpoint.
7 COMMISSIONER WAITS: So this is still an estimate with the
8 scope of work since it's based on the percentage; is that
9 correct?
10 MARTIN UGALDE: No, that's a -- that's a fi- -- that's a
11 final fee --
12 COMMISSIONER WAITS: This is a final --
13 MARTY UGALDE: -- based on estimated construction cost.
14 COMMISSIONER WAITS: on everything?
15 MARTY UGALDE: Yeah.
16 COMMISSIONER WAITS: So I guess I don't understand why --
17 why -- what we have to compare it with? With the cost?
18 CHAIRMAN BULLOCK: The 451,000 is the estimated cost of
19 doing this -- these projects is --
20 COMMISSIONER WAITS: Right.
21 CHAIRMAN GARNER: -- 4 point -- or -- well, it's not --
22 that's not correct. Fifteen percent of whatever of -- what is
23 it?
24 COMMISSIONER STIENMETZ: Of the total project is this --
25 COMMISSIONER BULLOCK: Of the total project.
26 COMMISSIONER STIENMETZ: -- is this --
27 COMMISSIONER BULLOCK: We're looking at what?
28 COMMISSIONER STIENMETZ: That's the standard. Is this --
29 COMMISSIONER BULLOCK: Almost six million. I don't know.
30 Five point something --
31 JAKE EDGAR: Well, --
32 COMMISSIONER BULLOCK: -- million dollars.
33 JAKE EDGAR: -- and you can't know that until it's actually
34 out to bid.
35 CHAIRMAN GARNER: Yeah.
36 JAKE EDGAR: I mean.
37 COMMISSIONER WAITS: Right. But what I'm saying is I don't
38 understand when he's got -- when I'm looking at the scope and it
39 says that this is what we're going to do for your -- your bid
40 proposal. This is the amount right here.

1 And is that -- that's an absolute all the way through?

2 MARTY UGALDE: Yes, --

3 COMMISSIONER WAITS: Okay.

4 MARTY UGALDE: Yes, it is. And I know that it's -- I know
5 it's a lot of money.

6 But I want to -- I do want to qualify that by saying that
7 it's -- for lack of any reason -- it's consistent with funding
8 agencies, a lot of funding agencies, projects I've been involved
9 with, other engineering firms, they require -- to get the funding,
10 if you were to pursue funding, they require you to come up with an
11 estimated construction cost. And you base your engineering as a
12 percentage of that to get the funds to do the project. And I
13 realize that we don't have an actual, hard cost for the
14 construction estimate, but I've walked the job with Jake, and I've
15 looked at the costs that have been provided for previous projects
16 in Battle Mountain for similar projects, water and sewer projects,
17 and came up with an estimated construction cost and based the
18 engineering on a percentage of that. And the percentage is
19 consistent with the norm for --

20 COMMISSIONER WAITS: I -- I under- --

21 MARTY UGALDE: -- these types of projects. But that cost
22 that I gave you in the proposal is a hard-line cost.

23 COMMISSIONER WAITS: Okay. Thank you, Marty, because
24 that's -- that was my question was: If we indeed come in less,
25 then I thought your set amount would also be reflected a little
26 bit less too.

27 MARTIN UGALDE: It should be; shouldn't it? Yeah.

28 COMMISSIONER MASON: Wait a minute.

29 COMMISSIONER WAITS: Well, I think it should be. I mean,
30 --

31 COMMISSIONER MASON: Does that it mean it will be --

32 COMMISSIONER WAITS: -- it makes sense --

33 COMMISSIONER MASON: -- if the bids come in lower?

34 MARTY UGALDE: Um.

35 JAKE EDGAR: Can we just add the word *not to exceed*? Would
36 that --

37 ~~COMMISSIONER STIENMETZ: Yes, that would --~~

38 JAKE EDGAR: -- fix everyone's --

39 COMMISSIONER WAITS: I'd be happier with *not to exceed*, but
40 that goes back to the original question. Are these absolute or

1 a little bit --

2 JAKE EDGAR: A little bit more than that?

3 COMMISSIONER WAITS: -- flexible?

4 COMMISSIONER GARNER: Like he said, he's -- he's taking the

5 average -- Jake's taking the average cost of all the other

6 projects compared to this and that's -- I mean, --

7 COMMISSIONER STIENMETZ: Come out with --

8 CHAIRMAN GARNER: -- should be pretty darn close.

9 COMMISSIONER STIENMETZ: Yeah.

10 COMMISSIONER WAITS: We could be.

11 CHAIRMAN GARNER: Yeah.

12 COMMISSIONER WAITS: But, I mean, it's only prudent that

13 we're going to work on a percentage and if that comes in --

14 CHAIRMAN GARNER: Well, what if it comes in a lot higher

15 because of price of oil or something? He's looked into this

16 amount. Or not going to exceed.

17 If it comes -- if it comes in higher, then we have to pay him

18 more if we -- if we agree on the cost of the project.

19 COMMISSIONER WAITS: Depends how it's written.

20 CHAIRMAN GARNER: Mm-hm. So yeah. How do you want to read

21 it into (indiscernible)?

22 COMMISSIONER WAITS: Of course anything extra, it is extra.

23 I mean, if we --

24 COMMISSIONER STIENMETZ: What you're saying is if the price

25 would be a little bit higher, you're not going to charge us more

26 than this for -- this.

27 MARTY UGALDE: We will not. And for example, I have a fee

28 for NDOT permitting. And I have the maps from NDOT. I called

29 District 3. We might not be involved in NDOT. We will not bill

30 that task if we don't have any involvement with NDOT; we won't

31 bill that task. We did that on the Austin project. We didn't

32 have any CORE permitting and other permitting. We didn't bill

33 that under the fee for the Austin project.

34 So I haven't really answered that question as far as

35 whether it comes in less, but we have not done that in the past.

36 That's not the answer you're looking for, but that's -- that's

37 what we've done.

38 COMMISSIONER WAITS: Not when we're watching the bottom

39 line it's not the answer I'm looking for.

40 MARTIN UGALDE: If there is another way to do it, a

1 professional services contract and that's time and materials not
2 to exceed. But there again, you're estimating the amount of
3 time you'll be involved with doing the design and construction
4 admin. So one is a percentage of the estimated construction.
5 The other one's a guesstimate on the engineering, so --
6 CHAIRMAN GARNER: Guesstimate.
7 COMMISSIONER WAITS: Got it.
8 COMMISSIONER STIENMETZ: This is standard.
9 Everybody's through talking about it. I'll make a motion
10 we approve the agreement between Lander County Public Works and
11 Day Engineering to perform certain investigations and design
12 services in an amount of \$451,000.
13 CHAIRMAN GARNER: Not to exceed.
14 COMMISSIONER WAITS: Not to exceed.
15 COMMISSIONER STIENMETZ: Not to exceed \$451,000.
16 COMMISSIONER MASON: I'll second the motion.
17 CHAIRMAN GARNER: Any public comment?
18 COMMISSIONER MASON: Yeah, I -- wait a minute.
19 You're going to bring accountability back to us, right?
20 MARTY UGALDE: Yes, sir. For everything.
21 COMMISSIONER STIENMETZ: Yes, they do.
22 MARTY UGALDE: Anything that you'd like to see. I can
23 provide documentation on -- you'll get plans and specs, design
24 report, applications to state, all copies of permits. Included
25 in that proposal is construction administration, which includes
26 field reports, construction photos, compaction testing, all
27 results for bacteria testing and pressure testing. You'll get a
28 copy of all the submittals of the -- of the materials that are
29 installed.
30 COMMISSIONER MASON: Good.
31 MARTY UGALDE: And a copy of the state health approval.
32 Any NDOT permitting, you'll get copies of all that.
33 COMMISSIONER MASON: I guess we're picking at it because
34 it's a lot of money.
35 MARTY UGALDE: Yes, it is a lot of money. Yes, sir.
36 COMMISSIONER MASON: You happy with this Jake?
37 JAKE EDGAR: Yep.
38 COMMISSIONER MASON: Good. Okay. I have nothing else.
39 CHAIRMAN GARNER: All those in favor?
40 COMMISSIONER MASON: Aye.

1 COMMISSIONER WAITS: Aye.
2 CHAIRMAN GARNER: Aye.
3 COMMISSIONER STIENMETZ: Aye.
4 COMMISSIONER BULLOCK: Aye.
5 JAKE EDGAR: Thank you.
6 COMMISSIONER STIENMETZ: Thank you.
7 CHAIRMAN GARNER: Thanks, guys.
8 MARTIN UGALDE: Thank you, very much.
9
10

11 **SAFETY**

- 12
13 8) **Discussion for possible action regarding request from the**
14 **Lander County Community Health Nurse to block off Palmer**
15 **Street (in front of the Community Health Clinic) for the**
16 **Point of Dispense (P.O.D.) immunization clinic scheduled**
17 **October 4, 2014, from 8:00 a.m. to noon, and other matters**
18 **properly related thereto.**
19

20 CHAIRMAN GARNER: Discussion for possible action regarding
21 request from the Lander County community health nurse to block
22 off Palmer Street (in front of the community health clinic) for
23 the Point of Dispense (P.O.D.) immunization clinic scheduled
24 October 4th, 2014, from 8:00 a.m. to noon, and other matters
25 properly related thereto.

26 KEITH WESTENGARD: Keith Westengard for the record.

27 This is our annual flu P.O.D., Point of Dispension. It's the
28 road closures that we do every year. It's scheduled for next
29 Saturday. And we'd just like to have your approval to close these
30 roads.

31 COMMISSIONER STIENMETZ: I'd make a motion that we approve
32 the request by the public health nurse -- public health --

33 COMMISSIONER BULLOCK: Health.

34 COMMISSIONER STIENMETZ: -- public health nurse to block
35 off Palmer Street in front of the community health clinic for
36 the Point of Dispense, P.O.D., communication -- P.O.D.
37 immun- -- I can't talk today -- immunization clinic scheduled
38 for October 4th from 8:00 a.m. to noon.

39 COMMISSIONER WAITS: I'll second that motion.

40 COMMISSIONER STIENMETZ: Yours was easier to say.

1 CHAIRMAN GARNER: Any public comment?
2 COMMISSIONER MASON: Yeah, is that Saturday in October or
3 the first Saturday in October or the --
4 KEITH WESTENGARD: Yes, it's --
5 COMMISSIONER STIENMETZ: October 4th.
6 KEITH WESTENGARD: -- October 4th.
7 CHAIRMAN GARNER: Thank you.
8 COMMISSIONER MASON: And that's an all-day closure?
9 KEITH WESTENGARD: Well, the --
10 COMMISSIONER STIENMETZ: Eight to noon.
11 KEITH WESTENGARD: Thank you.
12 COMMISSIONER STIENMETZ: It's what I said in my motion.
13 CHAIRMAN GARNER: Wow.
14 COMMISSIONER MASON: Thanks.
15 CHAIRMAN GARNER: I'm killing myself. All those in favor?
16 COMMISSIONER MASON: Aye.
17 COMMISSIONER WAITS: Aye.
18 CHAIRMAN GARNER: Aye.
19 COMMISSIONER STIENMETZ: Aye.
20 COMMISSIONER BULLOCK: Aye.
21 CHAIRMAN GARNER: Thanks, Dean.
22 DONALD NEGRO: We work with them every year on this and --
23 CHAIRMAN GARNER: I know.
24 Muddying the water.
25 Go ahead, Donnie.
26 DONALD NEGRO: We work with them every year and to help
27 Steve out, it's the drive-by shooting is what it's known as. We
28 set all our cones out and then we sent -- last year we sent
29 people down to help them direct traffic. So, yeah. Not a
30 problem.
31 CHAIRMAN GARNER: Request --

32
33
34 **PLANNING COMMISSION**

- 35
36 9) **Discussion for possible action regarding approval/disapproval**
37 **of a Development Agreement between Lander County and BMD,**
38 **LLC, for the Parcel Map for BMD, LLC, showing the property**
39 **split into four parcels as APNs 011-020-03, 13 & 14, and**
40 **other matters properly related thereto.**

1 CHAIRMAN GARNER: Discussion for possible action regarding
2 approval/disapproval of the development agreement between Lander
3 County and BMD, LLC, for the Parcel Map for BMD, LLC, showing
4 the property split into four parcels, APN 011-020-03, comma, 13
5 and 14, and other matters properly related thereto.

6 KEITH WESTENGARD: Keith Westengard, for the record.

7 I was approached by Jan Morris our -- Morrison, our community
8 services officer. And she's requested that this be tabled.

9 COMMISSIONER STIENMETZ: I'll make a motion to defer it.

10 COMMISSIONER BULLOCK: Second.

11 CHAIRMAN GARNER: Any public comment?

12 (No comment.)

13 CHAIRMAN GARNER: All those in favor?

14 COMMISSIONER MASON: Aye.

15 COMMISSIONER WAITS: Aye.

16 COMMISSIONER STIENMETZ: Aye.

17 COMMISSIONER WAITS: Aye.

18 COMMISSIONER BULLOCK: Aye.

19
20
21 **SHERIFF**

22
23 **10) Discussion for possible action regarding liquor license**
24 **approval, change of ownership to Roop Singh for OHALI WAL,**
25 **INC., located at 760 Broad Street, Battle Mountain, Nevada,**
26 **and other matters properly related thereto.**
27

28 CHAIRMAN GARNER: Ten, discussion for possible action
29 regarding liquor license approval, change of ownership to Roop
30 Singh for Ohali Wal, Incorporated, located at 760 Broad Street,
31 Battle Mountain, Nevada, and other matters properly related
32 thereto.

33 COMMISSIONER BULLOCK: We've got to --

34 CHAIRMAN GARNER: We've got -- can we -- we've --

35 COMMISSIONER BULLOCK: We've got to go out of the --

36 CHAIRMAN GARNER: Yeah. Can we go out -- I make -- can I
37 get a motion?

38 COMMISSIONER BULLOCK: Well, you don't really need a
39 motion.

40 CHAIRMAN GARNER: We always do.

1 COMMISSIONER BULLOCK: Well, --
2 CHAIRMAN GARNER: No.
3 COMMISSIONER STIENMETZ: We need a motion to go out of our
4 regular and into our liquor license? Our liquor --
5 CHAIRMAN GARNER: Liquor board.
6 COMMISSIONER STIENMETZ: -- liquor board?
7 CHAIRMAN GARNER: Correct.
8 COMMISSIONER STIENMETZ: I'll make that motion.
9 DISTRICT ATTORNEY ELQUIST: You're just -- they're just
10 changing the name, right? You're not approving?
11 CHAIRMAN GARNER: Sure.
12 DISTRICT ATTORNEY ELQUIST: You're just changing ownership?
13 UNDERSHERIFF QUICK: They're changing ownership.
14 CHAIRMAN GARNER: So that's approval. That's a --
15 COMMISSIONER STIENMETZ: Yeah, we have to approve it.
16 COMMISSIONER BULLOCK: We've got to --
17 COMMISSIONER WAITS: I'll second his motion.

18
19 **(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS**
20 **RECESSED.)**

21
22 **(MEETING OF THE LANDER COUNTY LIQUOR BOARD CONVENED.)**

23
24 CHAIRMAN GARNER: Now that we're in the liquor board, I'd
25 like to read into discussion for possible a- -- oh, all those in
26 public comment? All those in favor?
27 COMMISSIONER WAITS: Aye.
28 COMMISSIONER STIENMETZ: Aye.
29 CHAIRMAN GARNER: Aye.
30 COMMISSIONER BULLOCK: Aye.
31 COMMISSIONER MASON: Aye.
32 COMMISSIONER STIENMETZ: This is a rough day.
33 CHAIRMAN GARNER: After this we're going to take a recess.
34
35
36
37
38
39
40

1 SHERIFF

2
3 10) Discussion for possible action regarding Liquor License
4 Approval, change of ownership to Roop Singh for OHALI WAL,
5 INC., located at 760 Broad Street, Battle Mountain, Nevada,
6 and other matters properly related thereto.
7

8 CHAIRMAN GARNER: Now, discussion for --

9 Discussion for possible action regarding Liquor License
10 Approval, chainership -- change of ownership to Roop Singh of
11 Ohali Wal, Incorporated, located at 760 Broad Street, Battle
12 Mountain, Nevada, and other matters properly related thereto.

13 UNDERSHERIFF QUICK: Robert Quick for the record. The
14 sheriff's office understands this is a change of ownership and
15 we have no objection.

16 COMMISSIONER WAITS: For the record, does it say whether
17 they're just -- just all off-site sales; is that it?

18 UNDERSHERIFF QUICK: Yes.

19 COMMISSIONER WAITS: Thank you.

20 COMMISSIONER BULLOCK: I've always had a concern. And I
21 guess from -- I'm assuming we're talking the Chevron there?

22 UNDERSHERIFF QUICK: Yes.

23 COMMISSIONER BULLOCK: Where the Greyhound stop is?

24 UNDERSHERIFF QUICK: Yes.

25 COMMISSIONER BULLOCK: Is it -- is it a good idea to have
26 liquor where the Greyhound stop is? I guess -- it's always been
27 a concern of mine but --

28 COMMISSIONER MASON: Is this a beer and wine license or a
29 hard liquor license?

30 UNDERSHERIFF QUICK: It's a liquor license.

31 COMMISSIONER MASON: But it's been there for -- what? -- 20
32 or 25, 30 years?

33 CHAIRMAN GARNER: Anything you want. Liquor is liquor.

34 UNDERSHERIFF QUICK: It's alcohol.

35 CHAIRMAN GARNER: Beer, wine, hard. Everything. The whole

36 --

37 COMMISSIONER MASON: But the sheriff's department has no
38 objections?

39 UNDERSHERIFF QUICK: Not -- there's no disqualifiers that
40 we're aware of.

1 COMMISSIONER WAITS: I guess as long as it's not the bus
2 driver we're -- we're okay with that, right?
3 Was that your concern commissioner?
4 COMMISSIONER BULLOCK: My concern is, is my understanding
5 is you're not allowed to have alcohol on the bus.
6 DONALD NEGRO: Yeah. You can't drink on the bus.
7 COMMISSIONER BULLOCK: Period.
8 And so I guess that's Greyhound's issue. I guess, I -- I --
9 but -- I don't know.
10 It's just where it's located. And we've got kids going by
11 and you've got Greyhound buses and -- it's not my decision, but, I
12 mean -- it's just I just want to publically put it out there I
13 have a concern with the location of selling alcohol here.
14 So that being said, I'll make a motion to approve the liquor
15 license for Roop Singh for Ohali Wal, Incorporated, located at 76
16 Broad Street, Battle Mountain, Nevada.
17 COMMISSIONER STIENMETZ: I'll second the motion.
18 CHAIRMAN GARNER: Any public comment?
19 (No comment.)
20 CHAIRMAN GARNER: All those in favor?
21 COMMISSIONER MASON: Aye.
22 CHAIRMAN GARNER: Aye.
23 COMMISSIONER WAITS: Aye.
24 COMMISSIONER STIENMETZ: Aye.
25 COMMISSIONER BULLOCK: Aye.
26 CHAIRMAN GARNER: Back into the meeting.
27
28 **(MEETING OF THE LANDER COUNTY LIQUOR BOARD ADJOURNED.)**
29
30 **(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS**
31 **RECONVENED.)**
32
33 CHAIRMAN GARNER: We'll take a ten-minute break.
34
35 (Break from 10:03 a.m. to 10:14 a.m.)
36
37
38
39
40

1 COMMISSIONERS

2
3 11) Discussion for possible action regarding job description and
4 job duties for the Lander County Executive Director and
5 determination of salary, and other matters properly related
6 thereto.
7

8 CHAIRMAN GARNER: Discussion for possible action regarding
9 job description and job duties for the Lander County executive
10 director and determination of salary, and other matters properly
11 related thereto.

12 Did we -- do we need to change for the interim as a -- do we
13 need to change the job description when it's just on a -- when
14 we're doing it like we are on a -- on a temporary basis? Or
15 that's appointed by us? Where he's taking some of the duties of
16 the --

17 COMMISSIONER STIENMETZ: Both, yeah.

18 CHAIRMAN GARNER: -- executive director?

19 COMMISSIONER WAITS: Okay. Currently we have the two of
20 them merged together?

21 CHAIRMAN GARNER: Yes.

22 COMMISSIONER WAITS: Now today we're going to see if
23 there's anything else we want to pull out, not add --

24 CHAIRMAN GARNER: Mm-hm.

25 COMMISSIONER WAITS: -- but pull out, right?

26 CHAIRMAN GARNER: Correct.

27 COMMISSIONER WAITS: Is that where we are? Okay.

28 CHAIRMAN GARNER: Pull out or add.

29 COMMISSIONER WAITS: You want to add more to this?

30 CHAIRMAN GARNER: No, I'm -- yeah. You're right. Yeah.

31 COMMISSIONER WAITS: Okay.

32 CHAIRMAN GARNER: I would say.

33 COMMISSIONER MASON: I think, you know, Keith has done a
34 heck of a job for the county in a -- as safety manager.

35 And I know he's qualified in that. This is a whole other
36 step. Since we merged it, I'm trying to figure out how we can
37 help him get the job done so he doesn't go under the bus. That's
38 an expression. And my thinking is that he needs a gopher. That's
39 a better choice of words. But he needs somebody to do running for
40 him. This is a big county. And you go to Austin or you go to

1 down south, you're -- you're gone a day.
2 It's a day loss just driving around. So I'm suggesting to
3 the commission board that we think about getting him some help.
4 And maybe you could help me in my suggestion as to what kind
5 of help that would be.
6 I mean, if you were a building inspector, you've got people
7 who are qualified to do your inspections for you because you
8 can't be everywhere at once. And that's the way I look at this
9 job. If we're going combine it, put them together, you need a
10 gopher who's qualified to get all this stuff done that has to be
11 done for the state. The state can really be a threat to us if
12 we don't stay above it on the safety issues.
13 You got a comment on that?
14 CHAIRMAN GARNER: I do.
15 COMMISSIONER MASON: Well -- well, wait a minute. Let me
16 see what Keith says.
17 KEITH WESTENGARD: Well, it is. It's a lot of work. I'm
18 not going to say it's not. And the last several weeks, have
19 been long days and some nights, some weekends.
20 COMMISSIONER MASON: You're just beginning.
21 KEITH WESTENGARD: But -- but in order to get up to speed
22 on what's going on in the county that -- I guess had been -- had
23 not been dealt with in the past; it's a lot of work. It is.
24 COMMISSIONER MASON: Now, listen, Keith, I want you to
25 succeed. I -- I'm not doing this for any other reason.
26 Try -- we need -- the county needs a successful position here
27 --
28 KEITH WESTENGARD: I understand that.
29 COMMISSIONER MASON: -- in what it is and who's doing it.
30 KEITH WESTENGARD: Right.
31 COMMISSIONER MASON: And if you have somebody in mind that
32 would be a good gopher, I think we need to hear about that. Do
33 you have somebody who is basically qualified in safety issues?
34 KEITH WESTENGARD: Yeah, I -- there's -- well, there's a
35 lot of people out there that are --
36 CHAIRMAN GARNER: That's not on the agenda. We're not
37 going to discuss that.
38 COMMISSIONER MASON: This is part of this. We're talking
39 about this job description.
40 CHAIRMAN GARNER: That's adding an employee, which isn't on

1 the agenda.

2 COMMISSIONER MASON: We need to discuss it, Mr. Chairman.
3 It's just important.

4 COMMISSIONER STIENMETZ: Then we need to put it on the
5 agenda for the next meeting.

6 CHAIRMAN GARNER: If you're going to add an employee, we
7 need to agendize that.

8 COMMISSIONER MASON: Okay.

9 COMMISSIONER STIENMETZ: I would hope that as we get going
10 on this if Keith feels he needs additional help, he'll come to
11 us and ask for it. I don't think he's just going to let his --
12 go under the water without asking for something to help him to
13 stay above float.

14 KEITH WESTENGARD: That's -- that's correct.

15 COMMISSIONER BULLOCK: To me, the bottom line is on the
16 executive director job description, we just need to oversee
17 basically the safety program that we're in compliance with that.

18 You know, with the state, the federal. And you know, a lot
19 of this, you know, that falls under the safety. I understand
20 that. But I think we just need to add to the executive director's
21 position is to oversee the safety program and make sure that we're
22 in compliance with all state -- local, state, and federal
23 regulations.

24 I know it's kind of a catch-all, but in overseeing it by
25 doing that, you're saying, okay, we're utilizing the safety
26 committee.

27 KEITH WESTENGARD: Yes.

28 COMMISSIONER BULLOCK: You know, you're to oversee that.
29 There's nothing to say the safety committee can't give
30 presentations, that they can't go out and do inspections, that's
31 why it's not just one person should do them. So just to oversee
32 that things are being done, I think is covered within that job
33 description.

34 COMMISSIONER MASON: Well, and -- if you need help like,
35 you know, when you report back at the next meeting, for example,
36 and you're getting burned out already, we need to know it.

37 You know, because we want you to succeed in it.

38 And if -- if you need a gopher, if you need somebody that's,
39 you know, a good Friday guy or something.

40 KEITH WESTENGARD: I'll definitely bring it forward to you.

1 COMMISSIONER MASON: Yeah, before it's too late.
2 KEITH WESTENGARD: Yes.
3 COMMISSIONER STIENMETZ: What kind of salary?
4 COMMISSIONER BULLOCK: Hm?
5 COMMISSIONER STIENMETZ: What kind of salary?
6 COMMISSIONER BULLOCK: Well, as far as job description, are
7 we okay just putting that or --
8 COMMISSIONER STIENMETZ: Yeah, I think just adding that,
9 you know, to make sure we stay in compliance with everything
10 that's -- gives you the right to use your safety committee or
11 anybody you want to stay in compliance.
12 KEITH WESTENGARD: Okay.
13 COMMISSIONER BULLOCK: So who's going to redo the job
14 description?
15 CHAIRMAN GARNER: Can you just add?
16 JOY SWEENEY: I'll --
17 CHAIRMAN GARNER: Can you just add?
18 KEITH WESTENGARD: I can work with --
19 JOY SWEENEY: Yeah.
20 KEITH WESTENGARD: -- Joy on that, if you'd like.
21 CHAIRMAN GARNER: Can you just put them in as both --
22 COMMISSIONER BULLOCK: I don't think we need all of this.
23 That's what I'm trying to say. A lot of this is a given when
24 you're looking at the safety program. And this should be more
25 the responsibility of the safety committee.
26 COMMISSIONER STIENMETZ: Mm-hm.
27 COMMISSIONER BULLOCK: And the executive director should
28 just oversee.
29 COMMISSIONER STIENMETZ: Oversee.
30 CHAIRMAN GARNER: But I think I don't -- I think you should
31 -- I think you should incorporate -- you shouldn't incorporate.
32 I think you should give both titles at the same time. And if
33 this position -- so this position is temporary.
34 If you make these changes, everything's going to be
35 permanent. And it's going to -- it would be easier to put both
36 job titles as one right now on a temp- -- on a temporary basis.
37 Then if it doesn't work out in six months, we can -- these
38 positions go back. And we don't have to split everything back out
39 of them.
40 Everything goes back. We revert back to the way it was

1 instead of trying to manifest all this together right now. We
2 don't know if this is going to work. We obviously hope it works
3 and so far it's been --

4 COMMISSIONER STIENMETZ: Yeah, but if you do it like
5 this -- if it doesn't work, we already have the other job
6 descriptions that we can fall back to.

7 COMMISSIONER BULLOCK: We can pull it back out.

8 CHAIRMAN GARNER: True.

9 COMMISSIONER STIENMETZ: We can just pull it back out of
10 those.

11 CHAIRMAN GARNER: True.

12 COMMISSIONER BULLOCK: Or we could always change it.

13 COMMISSIONER STIENMETZ: Yeah.

14 COMMISSIONER BULLOCK: You know, commission ten years down
15 the road can change to something else.

16 COMMISSIONER STIENMETZ: Yeah.

17 COMMISSIONER BULLOCK: We can readapt. But I -- in my
18 opinion, we need to consider this as permanent, because that's
19 the road we're taking. And we don't want to look at it as
20 temporary. As far as I'm concerned, it's a permanent.

21 COMMISSIONER STIENMETZ: Let's look at it as permanent.
22 That's -- I agree.

23 COMMISSIONER WAITS: Okay. So if you're looking at it as
24 permanent, then are you using his title as safety manager and
25 executive director?

26 COMMISSIONER BULLOCK: No.

27 COMMISSIONER WAITS: Or just executive director --

28 COMMISSIONER STIENMETZ: Executive director.

29 COMMISSIONER WAITS: -- with the safety manager duties?

30 COMMISSIONER STIENMETZ: Right.

31 COMMISSIONER MASON: Well, the bigger job is executive
32 director.

33 COMMISSIONER BULLOCK: Mm-hm.

34 COMMISSIONER MASON: And that should be the main title.

35 COMMISSIONER STIENMETZ: And the safety. Well, before the
36 safety used to fall under the executive director.

37 COMMISSIONER BULLOCK: It used to be part of it. And we
38 just got split off. All we've got to do is make sure we oversee
39 it.

40 COMMISSIONER STIENMETZ: Right.

1 COMMISSIONER BULLOCK: The more it was before, too, it used
2 to be directly involved with the ambulance and all that. And
3 that's taken away. So, I mean, it's not like we haven't been
4 there before.

5 Granted, the safety had gone kaput. But it is up and
6 running.

7 And so we're established there and everything. And I think
8 it's just a matter of maintaining it. And I think that's a matter
9 of using department heads, safety committee, and everything else
10 to make sure that it's managed and kept well.

11 So, you know, I look at this as a permanent.

12 I make a motion that we include in the job duty of the
13 executive director to -- basically to oversee the safety program
14 and to be in compliance with the local, state, and federal
15 regulation, and use the appropriate people within the county to
16 assure that this takes place.

17 And I would advise that Joy and Keith sit down to make this
18 as part of the job description.

19 COMMISSIONER STIENMETZ: I'll second the motion.

20 CHAIRMAN GARNER: Any public comment?

21 JUDGE MAX BUNCH: Yeah, might as well.

22 Max Bunch for the record.

23 I know that Mr. Bullock has said that this is permanent. In
24 the last meeting you voted to temporarily do it for six months.
25 And you've got somebody that's saying this is a permanent change.

26 CHAIRMAN GARNER: It's a permanent job description change.
27 It's still a temporary position.

28 JUDGE MAX BUNCH: Right. And I'm just -- that's all I'm
29 saying.

30 CHAIRMAN GARNER: Correct.

31 COMMISSIONER STIENMETZ: Everybody has six months'
32 probation.

33 CHAIRMAN GARNER: Well, that's what was stated last time
34 that it was a temporary.

35 JUDGE MAX BUNCH: I mean, however you guys want to do it.
36 It doesn't matter to me. I just thought I'd bring that up so --
37 to remind everybody.

38 CHAIRMAN GARNER: Any other public comment?

39 (No comment.)

40 CHAIRMAN GARNER: All those in favor?

1 COMMISSIONER BULLOCK: Aye.
2 COMMISSIONER STIENMETZ: Aye.
3 COMMISSIONER WAITS: Aye.
4 CHAIRMAN GARNER: Aye.
5 COMMISSIONER MASON: Aye.
6 COMMISSIONER BULLOCK: Now, as far as the determination of
7 salary, you know, I've looked around. I see what most executive
8 directors are making and everything. And in my opinion, it's a
9 fair offer, because of the responsibility, to offer a wage of
10 \$102,000 per year.
11 COMMISSIONER WAITS: I'm not sure that Lander County has
12 always been up where the others are.
13 If we'd have had 102,000 when we went out looking for a new
14 executive director last fall, we probably would have got some
15 different applicants.
16 I know that Keith is at a good salary because we've had two
17 increases, I believe, since -- since that.
18 So I know we're asking him to do a little bit more. On the
19 other hand, safety -- safety manager position, he's done so much
20 that we might not even have needed the full -- full salary for
21 that position anymore.
22 So I'm not in favor of that high an increase at this point.
23 COMMISSIONER STIENMETZ: I am. Did you make a motion?
24 COMMISSIONER BULLOCK: No, I haven't.
25 COMMISSIONER WAITS: No, we're still discussing.
26 COMMISSIONER STIENMETZ: I'd be in favor of that. I mean,
27 it's a lot of extra -- it's extra work and everything's in
28 there, if it --
29 And Keith has a track record of doing what he says he's going
30 to do and that. And I think that that's --
31 COMMISSIONER WAITS: So what was -- what was our salary of
32 the county executive that we just abolished?
33 COMMISSIONER BULLOCK: About 108,000.
34 JOY SWEENEY: No, he's not --
35 COMMISSIONER BULLOCK: 106-? No, the previous one.
36 JOY SWEENEY: Oh, the previous.
37 COMMISSIONER BULLOCK: He was right around 108,000.
38 CHAIRMAN GARNER: I think he was a little bit more than
39 that, 114-
40 COMMISSIONER BULLOCK: Something like that.

1 COMMISSIONER WAITS: When we abolished the position.
2 CHAIRMAN GARNER: Yes, he was at 114-. Pretty sure.
3 COMMISSIONER WAITS: But we didn't bring the new --
4 CHAIRMAN GARNER: No.
5 COMMISSIONER WAITS: -- executive director at that at all?
6 COMMISSIONER BULLOCK: No.
7 CHAIRMAN GARNER: No.
8 COMMISSIONER BULLOCK: Because of experience.
9 COMMISSIONER MASON: You know, I --
10 COMMISSIONER WAITS: Right.
11 COMMISSIONER MASON: I think the qualifications of the
12 executive director, he's at -- from -- from my point of view,
13 he's at the bottom of the ladder working into the job.
14 And maybe we could just work this out a little better so that
15 he has a goal to achieve and -- and he's got a lot to learn.
16 I mean, it's stuff that you can't just read out of a book.
17 You've got to go do it. That's the experience side of this job is
18 dealing with all the things that are required for the county and
19 the state and the feds and the -- and NACO and, you know, all the
20 stuff away from your office.
21 I think you ought to, you know, to me, you're -- you're at
22 101 level. And we're working up. It's just -- it may be very
23 fast, because you're good at what you do, but --
24 COMMISSIONER BULLOCK: Most of the executive directors that
25 I checked on are at 105- and \$145,000?
26 COMMISSIONER MASON: Yeah, but these are qualified people
27 who made their --
28 COMMISSIONER BULLOCK: Some of them are just starting.
29 COMMISSIONER MASON: -- resumes -- their resumes are
30 outstanding, you know, for this particular job, so --
31 COMMISSIONER STIENMETZ: Yeah, but this is starting him --
32 he's starting out at the very bottom end of it with the salary
33 of that, I feel.
34 COMMISSIONER WAITS: So what --
35 CHAIRMAN GARNER: Can we get your -- can we get his current
36 wage now?
37 NAN ANCHO: His current wage now?
38 COMMISSIONER BULLOCK: 90,000.
39 NAN ANCHO: Yes.
40 COMMISSIONER WAITS: And what was the current wage of the

1 executive director that left?

2 NAN ANCHO: He started out at 85,000. And then after six
3 months jumped up an additional -- I think he was supposed to
4 jump up an additional ten.

5 COMMISSIONER BULLOCK: To 95-.

6 NAN ANCHO: So he also had a wage increase in there. So I
7 think he was right around 90,000 -- 92,000.

8 COMMISSIONER MASON: I think we ought to start at 98,000
9 with close supervision. Give him a push. Help him along.

10 It's a big job.

11 COMMISSIONER BULLOCK: So I guess I'm a little confused
12 because you don't want him to take on this role because it's too
13 much to handle. But then you don't want to compensate him for
14 doing it.

15 COMMISSIONER MASON: He wants the job.

16 COMMISSIONER BULLOCK: I make a motion we set the salary at
17 \$102,000 for the executive director.

18 COMMISSIONER STIENMETZ: I will second the motion.

19 CHAIRMAN GARNER: Any public comment?

20 (no comment.)

21 CHAIRMAN GARNER: All those in favor?

22 COMMISSIONER BULLOCK: Aye.

23 COMMISSIONER STIENMETZ: Aye.

24 COMMISSIONER WAITS: Aye.

25 CHAIRMAN GARNER: Aye. All those opposed?

26 COMMISSIONER MASON: Aye.

27

28 **12) Discussion for possible action regarding approval/disapproval**
29 **of a proclamation declaring October 19-25, 2014, as Freedom**
30 **from Workplace Bullies Week, and other matters properly**
31 **related thereto.**

32

33 CHAIRMAN GARNER: Twelve, discussion for possible action
34 regarding approval/disapproval of a proclamation declaring
35 October 19th through 25th, 2014, as Freedom from Workplace
36 Bullies Week, and other matters properly related thereto.

37 COMMISSIONER BULLOCK: Who submitted this?

38 COMMISSIONER WAITS: I think this originally came from the
39 Workplace Bullying Institute that is -- been very high on
40 getting information out. And I believe they submitted that to

1 the clerk; am I correct?
2 COUNTY CLERK SULLIVAN: Yeah, and I forwarded it on to
3 Vicki, so it looks like -- yeah.
4 CHAIRMAN GARNER: K. McClary.
5 COUNTY CLERK SULLIVAN: Nevada Healthy Workplace Advocate.
6 COMMISSIONER BULLOCK: I'll make a motion we approve the
7 proclamation declaring October 19th through the 25th, 2014, as
8 the Freedom from Workplace Bullies Week.
9 COMMISSIONER STIENMETZ: I'll second the motion.
10 CHAIRMAN GARNER: Any public comment?
11 COMMISSIONER MASON: Yeah. How does -- how does this work?
12 I mean do --
13 COMMISSIONER WAITS: They put it on their website of what
14 -- what counties have --
15 COMMISSIONER STIENMETZ: Have stepped up to it.
16 COMMISSIONER WAITS: And they advertise that --
17 COMMISSIONER MASON: Is there anybody policing this stuff?
18 Or is there a committee set up?
19 CHAIRMAN GARNER: Sheriff's department.
20 COMMISSIONER MASON: The sheriff?
21 COMMISSIONER STIENMETZ: Yeah. He'll arrest all bullies.
22 COMMISSIONER BULLOCK: I'm sure they're going to submit it
23 to all schools and everything else. That's their job. We're
24 just saying we're behind it.
25 COMMISSIONER STIENMETZ: We're just saying we stand behind
26 the proclamation.
27 COMMISSIONER WAITS: That we don't want any bullying in the
28 workforce, the workplace.
29 COMMISSIONER STIENMETZ: Do we need to state the
30 proclamation number?
31 CHAIRMAN GARNER: If there is, you call 911.
32 Probably.
33 COMMISSIONER STIENMETZ: Did they second your motion? I'll
34 second Dean's motion.
35 CHAIRMAN GARNER: Any public comment?
36 (No comment.)
37 CHAIRMAN GARNER: All those in favor?
38 COMMISSIONER MASON: Aye.
39 CHAIRMAN GARNER: Aye.
40 COMMISSIONER WAITS: Aye.

1 COMMISSIONER STIENMETZ: Aye.

2 COMMISSIONER BULLOCK: Aye.

3

4 13) Discussion for possible action regarding the Austin Airport
5 -- the Nevada Institute for Autonomous Systems (NIAS) Task
6 Order Agreement, and other matters properly related thereto.
7

8 CHAIRMAN GARNER: Thirteen, discussion for possible action
9 regarding the Austin Airport -- The Nevada Institute for
10 Autonomous System (NIAS) Task Order Agreement, and other matters
11 properly related thereto.

12 COUNTY CLERK SULLIVAN: Is this for Mitch?

13 COMMISSIONER BULLOCK: Yeah, I've been in contact with
14 Mitch Brown. Sadie is going to get ahold of him on the phone.
15 He's with the NIAS Institute. And he hopefully has some answers
16 that the board has.

17 COMMISSIONER WAITS: Did we have anyone check with FAA.
18 That was our discussion.

19 COMMISSIONER BULLOCK: That was J.D. Heithoff's
20 responsibility --

21 COUNTY CLERK SULLIVAN: Hi, this is Sadie in the commission
22 meeting in --

23 UNIDENTIFIED PARTICIPANT: I've got that.

24 COUNTY CLERK SULLIVAN: -- Lander County.

25 COMMISSIONER BULLOCK: But they are con-

26 COUNTY CLERK SULLIVAN: We'll go ahead and put you on
27 speaker phone.

28 COMMISSIONER BULLOCK: -- contact with the FAA, so --

29 COUNTY CLERK SULLIVAN: Okay.

30 MITCH BROWN: Hello.

31 COMMISSIONER BULLOCK: Hello, Mitch. Can you hear us?

32 MITCH BROWN: I can. How are you all doing?

33 COMMISSIONER BULLOCK: Good.

34 COMMISSIONER STIENMETZ: Good.

35 COMMISSIONER WAITS: Good.

36 MITCH BROWN: Good. Good. Anyway, my name's Mitch Brown
37 with the Nevada Institute for Autonomous Systems.

38 COMMISSIONER BULLOCK: Nevada?

39 MITCH BROWN: Program management office. And I sent some
40 information up in regards to our operating location agreement

1 and wanted to make sure if there -- if there are any questions
2 you all had in regards to that, that I could address those.

3 COMMISSIONER BULLOCK: As I talked to you Mitch, can you
4 explain the one dollar a month for two and a half years?

5 MITCH BROWN: Oh sure. And basically what that is, is that
6 to make a contract legal and binding, what that does is, is it's
7 the one dollar -- it's consideration for the contract. The idea
8 being that by entering this contract our intent is that the
9 payments will come through task orders that was to be applied to
10 that operating location agreement.

11 If you read in the first paragraph, it talks about task
12 orders. So any time a -- what do you say? -- we call them the
13 -- the OEM wants to fly out in Lander County, then what we would
14 do is we go send you a statement of work, which is attached as
15 one of the exhibits and you all would price that out. And then
16 we would go, Mr. Customer, this is what the cost is to fly out
17 there. And they go, okay, we're good with that. And that would
18 be what we would pay you to fly out there.

19 And we -- also in there, we gave you a pricing sheet as
20 well. And what we're doing is we're working throughout the
21 state of Nevada. We're asking entities to provide that. And
22 what we're finding is that individuals who want to fly for a
23 day, four hours, six hours, three days, five days, sometimes a
24 month.

25 It just -- it really depends on what I -- if you all
26 wouldn't mind filling that out, putting some thought to, you
27 know, if someone wanted to come out and fly for an hour worth of
28 flight out there or for a half a day or a full day, that type of
29 thing, a week.

30 And anyway, that's how -- I'm not sure if I've explained
31 that -- the dollar situation fully. But the whole idea is that
32 it's -- it's a nominal consideration to make the contract
33 into -- into something that is binding on everybody. And we'll
34 operate under task orders with the statement works attached.
35 And we ask you all for your pricing for that particular
36 statement of work --

37 COMMISSIONER WAITS: I think we understand the dollar for
38 the legal contract, but I didn't see any price sheet in here.
39 Did --

40 COMMISSIONER BULLOCK: Exhibit B.

1 COMMISSIONER WAITS: B?
2 COMMISSIONER STIENMETZ: There's no pricing on it. It's we
3 have --
4 COMMISSIONER BULLOCK: We're supposed to submit a pricing
5 --
6 MITCH BROWN: (Indiscernible) --
7 COMMISSIONER WAITS: Oh, you want us to fill that out.
8 MITCH BROWN: -- provide that for us.
9 COMMISSIONER BULLOCK: We have to tell them what we're
10 going to charge.
11 COMMISSIONER WAITS: I see. No, I thought you would give
12 us an idea of what you were going to pay based on what you paid
13 everybody else or what you're going to consider paying. So you
14 want every airport that has a contract with you to put down
15 their own prices.
16 MITCH BROWN: Right. And just whatever you think. Because
17 we're -- we're -- we're -- we're hoping to work with a number of
18 airports throughout the state. And right now, our initial push
19 is for about 20 right now.
20 And we're trying to make sure that we're covering both north
21 and south.
22 And anyway, just have an equal distribution throughout the
23 state is the idea.
24 COMMISSIONER WAITS: So this isn't a done-deal contract if
25 we -- if we approve this. This is one that we're negotiating?
26 We'll send back to you with our prices? And then you may not
27 want those prices and we start negotiating?
28 MITCH BROWN: Well, not really. It's just I think what the
29 idea is that you all put the prices, you know. And we're
30 running into things like -- the idea is to keep everybody's
31 prices confidential. Okay. So -- so that somebody can't step
32 in and go, okay, I know that X airport's charging this dollar
33 amount and the other airport's char- -- cheaper, so therefore,
34 we want to go here. But what we've been kind of telling people
35 is, if you look on Exhibit B, you'll see that there are two
36 different types of -- of usage at the airport. One is going be
37 on terminal usage, which is -- which would be use of the
38 runway -- okay -- and the other one is off terminal. And the
39 idea being that a lot of the UAVs that we're working with at
40 this point are what are called small UAV aircraft, which fit in

1 group one and group two of the FAA designation, which is below
2 55 pounds.

3 And typically, what we do is we ask for about a square mile
4 somewhere off the terminal, which -- so we can have visual line
5 of sight for someone that is doing those type of operations,
6 visual on-the-site operations at the airport.

7 COMMISSIONER MASON: So what if I have an airplane coming
8 in from -- from wherever?

9 MITCH BROWN: We have communications set up. Every --
10 we'll be communicating with the ATC. And the idea is that there
11 is aircraft coming in that -- that one by -- and I -- I don't
12 know the visual of you all's airport. But the idea is that the
13 visual on the site would not necessarily be in the direct path
14 of the runway, even though it might be -- I think our idea is
15 that we're going to fly -- I don't know -- we're trying to keep
16 it to, you know, below a thousand feet. And if then as long as
17 there's good communication, we can communicate that -- we're --
18 we're going to be on headsets throughout. That's how we've been
19 operating up to this point.

20 COMMISSIONER MASON: Well, I guess what I'm asking is --

21 MITCH BROWN: Clear communication with air traffic control.

22 COMMISSIONER MASON: -- both of these are public airports?

23 MITCH BROWN: Okay.

24 COMMISSIONER MASON: And people can come in. We don't have
25 a tower in Austin, for example, a control tower. And you've got
26 the word *exclusivity* here. That's kind of scary, because are
27 you going to have the authority, if we don't take that out of
28 the contract, do you have the authority to shut our airport down
29 while you're operating?

30 MITCH BROWN: No, the idea is is that the exclusivity would
31 apply only to a -- a midair vehicle, one that would operate
32 there. What we're trying to do is we're trying to limit that in
33 such a way that the FAA doesn't have any problem, if you all
34 receive grants or fundings -- pardon me -- through the FAA, then
35 you know, it would not be an issue that would cause any
36 problems.

37 We're currently working with -- pardon me -- the state
38 attorney general's office as well as the state risk and
39 mitigation group, and POOL/PACT. I'm not sure where you all get
40 your general aviation insurance, but we're finding a lot of the

1 municipal airports, public quasi-public airports, airport
2 authorities, et cetera, are utilizing POOL/PACT. And so the
3 document that you have is pending that final review with the
4 attorney general's office. And we are anticipating getting that
5 back -- we're hoping by the 30th of the month. And so
6 therefore, the concerns that you talked about exclusivity, we
7 hope we will address.

8 But yeah, the intent is that -- that if -- if we're going to
9 be working with you all, the idea is that you work with us on an
10 exclusive basis with regards to UAVs only. And that's it.

11 COMMISSIONER MASON: Yeah, but that's.

12 MITCH BROWN: And there's no requirement to shut down the
13 airport or anything. Our idea is that we would operate,
14 hopefully, on a location that would be, you know, enough to the
15 side that it wouldn't be -- hinder air traffic control at all.
16 But I don't know if that's possible.

17 COMMISSIONER MASON: Answer me this question: Let's take
18 Austin Airport. Are you familiar with it?

19 MITCH BROWN: I am not. And that's -- you know this
20 question --

21 COMMISSIONER MASON: It's just it doesn't --

22 MITCH BROWN: -- is probably better suited for our
23 technical folks which are -- are basically going to be our air
24 space guys that are going to -- that have the Google map diagram
25 of things.

26 But I could try my best.

27 COMMISSIONER MASON: No, it's --

28 MITCH BROWN: Give me your example.

29 COMMISSIONER MASON: I have a question for you. You're
30 going to -- at that airport, there are no facilities. So do you
31 bring in your own truck and control tower? What do you do? How
32 do you work it?

33 MITCH BROWN: Well, what we do -- if there's no facilities,
34 what we tend to do is we bring in usually the group one or twos.
35 They usually have a trailer and they'll trail that in. And we
36 usually run a spectrum. And we make sure everyone's on the
37 frequency. And we would communicate. Who do you all
38 communicate to? I guess we get the point of contact of who we
39 would communicate with in regards to any type of air traffic
40 that we needed to kind of discuss. But again, our flights are

1 going to be below -- at or below about a thousand -- what? --
2 AGO, I believe, and within one square nautical mile.

3 That's the whole idea.

4 COMMISSIONER WAITS: Mitch, I think we understand the --
5 the exclusivity clause, that it was strictly for the UAV and
6 then you didn't want us bringing in a competitor if one should
7 show up for what you do.

8 But our concern was having that wording in there wasn't
9 what the federal government asked us to do. And so we don't
10 want FAA saying, oh, look, there is an exclusivity clause, and
11 therefore, you do not meet the specifications and criteria now.
12 So that's our key.

13 MITCH BROWN: Sure. What I can --

14 COMMISSIONER WAITS: How does the FAA look at that?

15 MITCH BROWN: What I can tell you is that we're currently
16 working with, like I said, the State of Nevada and AG's office.
17 And they are addressing that same issue. We've -- we've talked
18 with them about it. And they go, well, we think we can work
19 word it this way, blah, blah, blah, blah. And they've kind of
20 given us an example, but I don't -- since I don't have that
21 document -- how many --

22 COMMISSIONER WAITS: We don't know.

23 MITCH BROWN: -- yet.

24 COMMISSIONER WAITS: You also mentioned you were --

25 MITCH BROWN: I can't tell you what that language is.

26 COMMISSIONER WAITS: Okay.

27 MITCH BROWN: However, we've had -- what you see in front
28 of you now is what has been requested of us up to date. I think
29 there's going to be some edits. But, you know, we're just
30 trying to make sure that -- that, you know, that everyone can
31 operate smoothly as they've been going and that there's no
32 concern for the FAA coming back with -- not providing grants or
33 funding due to exclusivity language. And seriously, we have
34 addressed this with the AG's office. You know --

35 COMMISSIONER WAITS: Right, we just don't have the answer
36 yet.

37 MITCH BROWN: -- (indiscernible) -- a couple of times, and
38 going back and forth. And like I said, when that document comes
39 back we will -- we will provide that to you all.

40 COMMISSIONER WAITS: Okay, the other concern, you said you

1 were talking with some of the airport insurance carriers, and
2 specifically POOL/PACT, so is there a problem by adding the
3 counties as an additional insured?

4 MITCH BROWN: I'm sorry, ma'am, can you speak up a little
5 bit?

6 COMMISSIONER WAITS: I said, is there a problem with you
7 adding the county as an additional insured to your insurance?

8 MITCH BROWN: There's not -- the answer to your question is
9 yes and no. And I answered that way only because that us
10 listing the county as an additional insured is not a problem.

11 The county listing us as an additional insured has been
12 perceived a problem because the county is municipal entity and in
13 participation with POOL/PACT and the indemnity that is afforded to
14 the State of Nevada and all municipalities, which is the indemnity
15 language of poor cap liability.

16 So the only liability that any municipality, county, or
17 quasi-municipality airport authority would only up to a hundred
18 thousand dollars.

19 So with that being said, indemnity language and additional
20 insuring lang- -- additional insured language is what we are
21 addressing probably most prominently or with the AG's office with
22 the Nevada risk and management group and the POOL/PACT.

23 COMMISSIONER MASON: The other question I have is on the
24 length of time. The initial contract calls for two and a half
25 years.

26 MITCH BROWN: Mm-hm.

27 COMMISSIONER MASON: And we want to see how this works.
28 What about if one year at a time?

29 MITCH BROWN: Sure. We can -- well, let me ask. You
30 all -- as you alls please. That's fine. That if you'd like, we
31 can do one year at a time. Our idea is that being designated as
32 the FAA designated test site for UAS integration to the national
33 air space is that that time period before Congress runs until
34 that period that's listed on the contract. And that was the
35 whole idea behind that.

36 COMMISSIONER MASON: Well, we're more concerned --

37 MITCH BROWN: (Indiscernible) -- if you want to limit it to
38 a year, we can do that.

39 COMMISSIONER MASON: We're more concerned with our end of
40 the deal. And if you bottle us up, you know, and we're not

1 happy with this contract, we want a way out.
2 MITCH BROWN: Sure.
3 COMMISSIONER MASON: On the other hand, we're inviting you
4 in, so that's why I brought it up.
5 MITCH BROWN: Understand. And there's also -- I reference
6 you all, there's some termination clauses in there too.
7 So --
8 COMMISSIONER WAITS: Mitch, thank -- thank you for being
9 available to us this morning. My -- my only concern is after
10 our talk is --
11 MITCH BROWN: Absolutely.
12 COMMISSIONER WAITS: -- our time frame --
13 MITCH BROWN: And if you have any more questions, please --
14 please feel free to call, okay?
15 COMMISSIONER WAITS: -- it's our time frame, because we
16 have several unanswered things that still are not answered that
17 you don't know the answer to. So what's our time frame on this?
18 Do you think you'll have some answers from the state --
19 MITCH BROWN: You know, --
20 COMMISSIONER WAITS: -- in the next --
21 MITCH BROWN: I'll say the time frame on this --
22 COMMISSIONER WAITS: -- thirty days?
23 MITCH BROWN: -- would be that we're anticipating getting
24 that document back from State of Nevada attorney general's
25 office September 30th. Upon receipt of that document, we'll
26 forward that document to you all.
27 And then, you know, we understand that, you know, based upon
28 the questions that we just kind of encountered today and might
29 have some more. Hopefully, the document addresses some of the
30 concerns we talked about.
31 But, you know, give that a reasonable period of time. I
32 don't know, two weeks, a month, you know, longer if needed. But,
33 yeah, just go through the process. And, you know, personally, I'd
34 like to have everything done by probably October 5th. But in
35 reality, I think, you know, we want to move at the speed that you
36 all would like to move. So if that's a process where we need to
37 be a little bit more thorough and there's more questions that you
38 all would like us to address and possibly even come out or
39 something like that, we'd be more than happy to accommodate that.
40 COMMISSIONER WAITS: Well, if you have some of the

1 information back from the state by the end of September and we
2 put this on the agenda, the earliest we could be discussing this
3 would be October 9th.

4 MITCH BROWN: Okay. Very good.

5 And that's -- that works with us too. Let me just, you
6 know -- and we're hopeful that the state will -- will get that
7 back to us as timely as they indicated.

8 We have no reason to believe that they won't, but there are
9 times when we don't get everything that we want as far as timely
10 fashion.

11 So feel free to call me or -- if you do, or -- I think I've
12 got an e-mail address or two that I can give you all updates
13 where things are at this point -- at the point in juncture when
14 I send that e-mail.

15 CHAIRMAN GARNER: Thank you, sir.

16 COMMISSIONER BULLOCK: Thanks, Mitch.

17 COMMISSIONER STIENMETZ: Thanks, Mitch.

18 COMMISSIONER WAITS: Thank you.

19 MITCH BROWN: Okay. Thank you, all. Appreciate you all's
20 time. Take care. And hopefully we look forward to doing
21 business with you all in the future.

22 CHAIRMAN GARNER: Thank you.

23 COMMISSIONER WAITS: Thank you.

24 MITCH BROWN: Bye-bye.

25 COMMISSIONER BULLOCK: I make a motion to defer till we get
26 some answers.

27 COMMISSIONER STIENMETZ: I'll second the motion.

28 COMMISSIONER WAITS: Is that for 13 and 14?

29 CHAIRMAN GARNER: I'll get to 14 when it's open.

30 COMMISSIONER WAITS: Okay. I thought maybe you'd jump
31 ahead.

32 CHAIRMAN GARNER: Fourteen, discussion for po- --

33 COMMISSIONER BULLOCK: No, any public comment.

34 CHAIRMAN GARNER: Oh.

35 Any public comment?

36 (No comment.)

37 COMMISSIONER BULLOCK: Go ahead, Keith.

38 KEITH WESTENGARD: I'd like to add or interject here. As
39 far as the FAA goes, I was -- I did speak with J.D. last week.
40 He did forward the contract to the FAA in Arizona for review.

1 So we are waiting for some feedback from FAA re- -- regarding
2 that specific area of our grants.

3 Also as a suggestion, we could put a clause in there that
4 would give us a 30-day out with written notice --

5 COMMISSIONER BULLOCK: Mm-hm.

6 KEITH WESTENGARD: -- from either side if we didn't want to
7 wait --

8 COMMISSIONER STIENMETZ: Yeah.

9 KEITH WESTENGARD: -- the two years or the one year. So
10 that's just a thought.

11 CHAIRMAN GARNER: Thanks.

12 All those in favor? Aye.

13 COMMISSIONER STIENMETZ: Aye.

14 COMMISSIONER MASON: Aye.

15 COMMISSIONER WAITS: Aye.

16 COMMISSIONER BULLOCK: Aye.

17

18 14) Discussion for possible action regarding the Battle Mountain
19 Airport -- the Nevada Institute for Autonomous Systems
20 ("NIAS") Task Order Agreement, and other matters properly
21 related thereto.

22

23 CHAIRMAN GARNER: Fourteen, discussion for possible action
24 regarding the Battle Mountain Airport -- the Nevada Institute --
25 fifteen -- no. Fourteen. Regarding the Battle Mountain
26 Airport, the Nevada Institute for Autonomous System ("NIAS")
27 Task Order Agreement, and other matters properly related
28 thereto.

29 COMMISSIONER BULLOCK: Motion to defer.

30 COMMISSIONER STIENMETZ: Second.

31 CHAIRMAN GARNER: Any public comment?

32 (No comment.)

33 CHAIRMAN GARNER: All those in favor?

34 COMMISSIONER MASON: Aye.

35 CHAIRMAN GARNER: Aye.

36 COMMISSIONER WAITS: Aye.

37 COMMISSIONER STIENMETZ: Aye.

38 COMMISSIONER BULLOCK: Aye.

39

40

1 15) Discussion for possible action regarding approval/disapproval
2 of a letter supporting the ranching and farming industry in
3 Lander County, and other matters properly related thereto.
4

5 CHAIRMAN GARNER: Fifteen, discussion for possible action
6 regarding approval/disapproval of a letter supporting the
7 ranching and farming industry in Lander County, and other
8 matters properly related to.

9 And we need to go into a legal meeting.

10 COMMISSIONER MASON: That was good. Who did that letter?
11 Did you do it? You had your hand into it?

12 COMMISSIONER STIENMETZ: We're going into a legal meeting.

13 COMMISSIONER MASON: Pardon?
14

15 (Break taken between 10:54 a.m. and 11:02 a.m.)
16

17 CHAIRMAN GARNER: Call the meeting back to order.

18 COMMISSIONER BULLOCK: Lynn, have you had a chance to view
19 the letter?

20 LYNN TOMERA: No, I have not.

21 COMMISSIONER MASON: Here I'll give you mine.

22 COMMISSIONER BULLOCK: Mine's out.

23 UNIDENTIFIED PARTICIPANT: I've got it right here.

24 COMMISSIONER WAITS: Do you want to wait just a moment
25 while she reads that?

26 COMMISSIONER BULLOCK: Mm-hm. I'd like to hear her
27 comments, personally.

28 LYNN TOMERA: I think it's a good letter. I think it's a
29 real good letter.

30 The one thing that I would think should be changed -- and I
31 really appreciate the fact that you have addressed the -- Pete
32 and Tomera's concerns. But it's not -- it isn't just the
33 Tomeras,

34 CHAIRMAN GARNER: Everybody.

35 LYNN TOMERA: -- it's also the Filippinis and Mariluch
36 families. So I think that might be something you want --

37 COMMISSIONER BULLOCK: So you want us just to put all
38 permittees.

39 LYNN TOMERA: I think so. All permittees -- that would be
40 good -- in the Argenta. Yeah. Yeah, I think that ought to be

1 --
2 COMMISSIONER BULLOCK: I'll except the first paragraph of
3 the second page?
4 LYNN TOMERA: Say it again?
5 COMMISSIONER BULLOCK: All except for the first paragraph
6 --
7 LYNN TOMERA: Okay. Yeah. Right.
8 COMMISSIONER BULLOCK: -- of the first -- second page?
9 LYNN TOMERA: Yes.
10 COMMISSIONER BULLOCK: Because as far as I know, you're the
11 only ones listed on that.
12 LYNN TOMERA: On John's, yes.
13 CHAIRMAN BULLOCK: Yes.
14 COMMISSIONER WAITS: Mm-hm.
15 LYNN TOMERA: Yeah, I think that's a very good letter.
16 COMMISSIONER MASON: Here, you can have my copy.
17 LYNN TOMERA: Thanks.
18 COMMISSIONER MASON: I'm not going to mail it.
19 LYNN TOMERA: (Indiscernible.)
20 COMMISSIONER BULLOCK: Is there anymore discussion? If
21 not, I'll make a motion.
22 DISTRICT ATTORNEY ELQUIST: I have one comment.
23 COMMISSIONER BULLOCK: Okay.
24 DISTRICT ATTORNEY ELQUIST: This is Angie Elquist, the
25 district attorney. I'd just like to let the record reflect that
26 I -- the district attorney's office did not review this and has
27 not commented on this for any legal liability for the county
28 because this involves my family members. So I have to conflict
29 out and my office does as well.
30 So I've advised that they have another legal counsel or
31 attorney review this for the commissioners.
32 COMMISSIONER BULLOCK: Okay. I make a motion that we
33 accept the letter with the changes of putting Argenta permittees
34 in the place of Pete and Lynn Tomera except for the second -- or
35 the first paragraph of the second page. And it be sent to Doug
36 Furtado, Amy Lueders, and the Secretary of the Interior.
37 CHAIRMAN GARNER: Neil Kornze?
38 COMMISSIONER BULLOCK: Neil Kornze. Yeah. Thank you.
39 COMMISSIONER MASON: I second it.
40 COMMISSIONER GARNER: Any public comment?

1 COMMISSIONER WAITS: For the record, we also will put on
2 that this actually has been reviewed by an attorney from Elko.
3 CHAIRMAN GARNER: Any other public comment?
4 LYNN TOMERA: One -- one thing I would like to ask -- that
5 the grass -- the grass march, the ride to Washington, D.C. --
6 COMMISSIONER BULLOCK: Mm-hm.
7 LYNN TOMERA: -- is starting today.
8 And I will join them in Carson City. And we're going across
9 the country horseback to deliver petitions, resolutions from
10 various -- the Cattlemen's Association, the farm bureau, Elko
11 County. And I would really like to have a copy of this letter --
12 COMMISSIONER BULLOCK: Already planned on it.
13 LYNN TOMERA: -- because I'd like to take this too. So
14 if -- if sometime between today and tomorrow. But if we could
15 or even if you could --
16 COMMISSIONER BULLOCK: I'll be -- I'll be there Monday.
17 LYNN TOMERA: You'll be there Monday? Will you have a
18 letter for us --
19 COMMISSIONER BULLOCK: Mm-hm.
20 LYNN TOMERA: -- there then? Okay. Perfect. Because I
21 think it's really important that we have the Lander County
22 commissioners' letter with us.
23 CHAIRMAN GARNER: Any other public comment?
24 (No comment.)
25 CHAIRMAN GARNER: Radio?
26 All those in favor?
27 COMMISSIONER MASON: Aye.
28 COMMISSIONER WAITS: Aye.
29 COMMISSIONER STIENMETZ: Aye.
30 COMMISSIONER BULLOCK: Aye.
31
32 16) Discussion for possible action regarding status of the Lander
33 County Courthouse/Administration Building Project, and other
34 matters properly related thereto.
35
36 CHAIRMAN GARNER: Sixteen, discussion for possible action
37 regarding status of Lander County Courthouse/Administration
38 Building, and other matters properly related thereto.
39 JUDGE MAX BUNCH: Max Bunch for the record, along with
40 Casey Gunther from CORE.

1 First off, just to kind of give you an update. The block in
2 front is going in as everybody can see.

3 The basement is being back filled, should be completed by
4 the end of this week.

5 The basement structural seal and metal deck should be
6 completed today.

7 We have a third-party inspector that the county has that is
8 inspecting all the welds on the steel today. He is there at the
9 site doing that.

10 We would like to invite all of the commissioners and anybody
11 who is here that wants to be, come over to the building.

12 We went to -- we have a mockup of the building, the -- the
13 grinding on the floor, the sealing of the floor, how it
14 potentially will look in the building. That is all over at the
15 site just next to the CORE -- the CORE office -- mobile office
16 that they have on site. So that's there.

17 I believe that we have the temporary -- temporary electricity
18 is finally there four months later. Almost.

19 CASEY GUNTHER: Almost.

20 JUDGE MAX BUNCH: Okay, we're almost there four months
21 later. Six months. Sorry.

22 I know we've had a hard time with NV Energy. And we're
23 trying to address that situation with some other people other than
24 the person who takes four weeks of vacation at a time and won't
25 answer our questions.

26 CHAIRMAN GARNER: So is the --

27 COMMISSIONER MASON: Are their balking at something or just
28 bureaucratically held up.

29 JUDGE MAX BUNCH: Somebody went on vacation for four week
30 and nobody could do any work. Nobody could look at the
31 paperwork that we sent in.

32 COMMISSIONER MASON: Unbelievable.

33 CHAIRMAN GARNER: I believe --

34 JUDGE MAX BUNCH: That's kind of what we thought.

35 CHAIRMAN GARNER: I believe that's --

36 COMMISSIONER MASON: So they just shut down for a month?

37 CHAIRMAN GARNER: I believe that's countywide.

38 JUDGE MAX BUNCH: So I do want to say that we had an owner
39 -architect-contractor meeting yesterday. Steve was there.
40 Keith was there. They had to leave early because they had

1 another meeting. But I believe Keith is coming to see what's
2 going on to get up to date and up to snuff with what's
3 happening.

4 Nan is there every time for the most part. And I think
5 she's missed once and sometimes that happens when you have other
6 trainings. So Nan and I have been working on that. And she's
7 done an excellent job working with Casey on -- on all the
8 financial part of it. It is a tremendous job just to try to
9 keep up with the financial, what's coming on site, and what's --
10 what's being used, and what's there. So there is a lot of work,
11 and I'd like to thank her personally for that. Thank you.

12 Any questions?

13 CHAIRMAN GARNER: Nope.

14 JUDGE MAX BUNCH: Did you have something?

15 CASEY GUNTHER: I'd like to add something. Casey with
16 CORE. Again, for the tour today, anybody coming on site, no
17 shorts, no open-toed shoes. So if you come, make sure you have
18 pants and --

19 CHAIRMAN GARNER: What time is your --

20 CASEY GUNTHER: -- you can wear tennis shoes.

21 CHAIRMAN GARNER: What time is your tour?

22 JUDGE MAX BUNCH: Try to do it at noon if we could. That
23 way -- and maybe at the mockup it doesn't matter on open-toed --

24 CASEY GUNTHER: It doesn't. If anybody wants to walk
25 around. At that time, all the rest of the workers will be on
26 lunch so we can walk the job site and you can take a look. So
27 --

28 JUDGE MAX BUNCH: At the mockup?

29 CASEY GUNTHER: At the mockup, you can just stand by the
30 trailer. We'll let that slide today.

31 JUDGE MAX BUNCH: So --

32 Okay. Any questions?

33 CHAIRMAN GARNER: Nope.

34 COMMISSIONER STIENMETZ: Nope, thank you.

35

36 17) Correspondence/reports/potential upcoming agenda items.

37

38 CHAIRMAN GARNER: Correspondence, reports, potential
39 upcoming agenda items.

40 (The following correspondence was received:

- 1 1. Shannon D. Theiss, Kingston Deputy Clerk, to Lander
2 County Commissioners, letter dated September 8, 2014, regarding
3 resignation of June Manhire of the Kingston Town Board and
4 posting of request for letters of interest from possible
5 appointees.
- 6 2. Coalition for Nevada's Wildlife to Senator Harry Reid,
7 letter dated September 4, 2014, discussion and comments related
8 to Discussion Draft II of the "Nevada Sagebrush Landscape
9 Conservation and Economic Development Act of 2014."
- 10 3. Coalition for Nevada's Wildlife to Senator Dean
11 Heller, letter dated September 4, 2014, discussion and comments
12 related to Discussion Draft II of the "Nevada Sagebrush
13 Landscape Conservation and Economic Development Act of 2014."
- 14 4. Coalition for Nevada's Wildlife to Lander County
15 Commissioners, informational packet received September 9, 2014,
16 comments and suggestions related to Discussion Draft II of the
17 "Nevada Sagebrush Landscape Conservation and Economic
18 Development Act of 2014."
- 19 5. Coalition for Nevada's Wildlife to Lander County
20 Commissioners, informational packet dated September 9, 2014,
21 entitled "Proposal for Sage Grouse Conservation and a New
22 Congressional Land Designation."
- 23 6. Katie Fite, Biodiversity Director of Western
24 Watersheds Project, to Christopher Cook, Mount Lewis Field
25 Office Manager, Battle Mountain District BLM, and Office of the
26 Solicitor, Pacific Southwest Region, letter dated September 5,
27 2014, regarding Argenta Allotment Grazing Appeal and "Notice of
28 Appeal, Statement of Reasons, Appeal, Petition for Stay,
29 Standing."
- 30 7. Julian Tomera Ranches, Inc., Battle Mountain Division,
31 Chiara Ranch, Daniel E. and Eddyann U. Filippini, and Henry
32 Filippini, Jr., Appellants, v. Bureau of Land Management,
33 Respondent, v. Western Watersheds Project, Intervenor/Appellant.
34 Motion for leave to respond to permittees' petitions for stay,
35 Response in opposition to permittees' petition for stay, Motion
36 for consolidation of WWP's appeal with other Argenta appeals.
- 37 8. Julian Tomera Ranches, Inc., Battle Mountain Division,
38 Chiara Ranch, Daniel E. and Eddyann U. Filippini, and Henry
39 Filippini, Jr., Appellants, v. Bureau of Land Management,
40 Respondent, v. Western Watersheds Project, Appellant. Response

1 in favor of consolidation, Motion to intervene in permittees'
2 appeal, Request for full and equal participation in any site
3 visit or other opportunity for participation between parties and
4 BLM and/or OHA.

5 9. Gene Seidlitz, District Manager Winnemucca District
6 BLM, to Permittee/Stakeholder/Interested Public, letter dated
7 September 12, 2014, regarding update on current drought
8 conditions within the Winnemucca District and strategy for
9 identifying issues and/or resource concerns related to drought,
10 and identification of potential actions to mitigate the effects
11 of drought and related supporting documentation.

12 10. Peter Lassaline, Bureau of Water Pollution Control,
13 State of Nevada Department of Conservation & Natural Resources,
14 Division of Environmental Protection, to Chairman of the Lander
15 County Board of Commissioners, letter regarding Notice of
16 Proposed Action for reissuance of the General Maintenance Permit
17 for Working in Waters of the State(formerly known as the Rolling
18 Stock General Permit).

19 11. Karyn D. Severson, External Affairs, United States
20 Nuclear Waste Technical Review Board to Lander County
21 Commissioners, notice dated September 12, 2014, regarding U.S.
22 NTWTRB Meeting to be held in Augusta, Georgia, on October 29,
23 2014, regarding DOE Management of Spent Nuclear Fuel and
24 High-Level Radioactive Waste at Savannah River Site.)

25

26 COMMISSIONER BULLOCK: Five resolutions.

27 COMMISSIONER WAITS: Yeah, I had a couple --

28 COMMISSIONER BULLOCK: Or --

29 COMMISSIONER WAITS: Sadie, did you pick those up?

30 COMMISSIONER BULLOCK: -- not really resolutions.

31 COUNTY CLERK SULLIVAN: Five bill drafts.

32 COMMISSIONER BULLOCK: Five bills.

33 COMMISSIONER WAITS: The bill drafts?

34 COUNTY CLERK SULLIVAN: Mm-hm.

35 COMMISSIONER WAITS: Okay. And did you want to put that
36 letter on for the US waterways that we look at that?

37 CHAIRMAN GARNER: Watersheds?

38 COMMISSIONER WAITS: And then the airport's going back on
39 again, right?

40 COUNTY CLERK SULLIVAN: If we have backup, right?

1 COMMISSIONER WAITS: The unmanned systems, yeah.
2 COUNTY CLERK SULLIVAN: Okay.
3 CHAIRMAN BULLOCK: We'll put it on. Hopefully we have the
4 backup.
5 Speaking of agendas, I won't be here Monday.
6 COMMISSIONER WAITS: Angie, do we have -- oh, I'm sorry.
7 Didn't mean to have you jump.
8 DISTRICT ATTORNEY ELQUIST: Is it -- are we over?
9 COMMISSIONER WAITS: Yeah. No. Do -- do we have something
10 came up that we have to do with some model bills?
11 DISTRICT ATTORNEY ELQUIST: Model bills?
12 COMMISSIONER WAITS: Don't we --
13 DISTRICT ATTORNEY ELQUIST: We just have to do a renewable
14 energy ordinance.
15 COMMISSIONER WAITS: Yeah, the NV Energy ordinance. That's
16 before the end of the year, right? So you're not ready to put
17 that on the agenda yet?
18 DISTRICT ATTORNEY ELQUIST: It will be on before the end of
19 the year.

20
21
22 **PUBLIC COMMENT**

23
24 CHAIRMAN GARNER: Time for public comment for non-agendized
25 items only.
26 (No comment.)
27 CHAIRMAN GARNER: No public comment.

28
29
30 **ADJOURNMENT**

31
32 CHAIRMAN GARNER: I'll make motion to adjourn.
33 COMMISSIONER STIENMETZ: I'll second the motion.
34
35
36
37
38
39
40

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40


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

ATTEST: 
LANDER COUNTY CLERK

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