

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 March 26, 2015, at
4 1:01 p.m.

5
6 PRESENT: STEVEN STIENMETZ, COMMISSIONER
7 PATSY WAITS, COMMISSIONER
8 SEAN BAKKER, COMMISSIONER
9 ART CLARK III, COMMISSIONER
10 DOUG MILLS, COMMISSIONER
11 MOLLY GONZALEZ, DEPUTY COUNTY CLERK
12 THEODORE HERRERA, DISTRICT ATTORNEY
13 NAN ANCHO, FINANCE DIRECTOR
14 BECKY JOHNSON, 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 March 26, 2015, at 1:01 p.m.]
23
24

25 CHAIRMAN STIENMETZ: -- Town Board of Battle Mountain,
26 Austin Board of Highway Commissioners to order.

27 And Keith, would you lead us in the pledge, please.

28
29 (Pledge of Allegiance.)
30

31 CHAIRMAN STIENMETZ: We'll have a moment of silence.
32

33 (Moment of silence.)
34
35

36 **COMMISSIONER REPORTS**
37

38 CHAIRMAN STIENMETZ: We'll go to commissioner's reports on
39 meetings, conferences, and seminars attended. Doug.

40 COMMISSIONER MILLS: The only one I had was the livestock

1 event center meeting, but it was canceled. I don't have
2 anything else.

3 COMMISSIONER BAKKER: Actually don't have any meetings this
4 go-around.

5 COMMISSIONER CLARK: Me neither.

6 COMMISSIONER WAITS: Well, I have a couple.

7 On March 16th, we had a Division for Aging meeting. And this
8 is a -- a state program that I sit on the board recognizing the
9 elder issues in Nevada.

10 And one of the things that we highlighted was, of course,
11 the legislature and the needs of the seniors and the scope
12 that -- that we can actually handle those needs in.

13 And one that was kind of interesting that came up was the
14 elder abuse. And they gave us -- gave us some figures. Actually
15 on the Division for Aging website, you can go on and access every
16 single county that tells you the elder abuse that's been reported.

17 It runs about 6,000 for last year and -- that were actually
18 reported -- and they said, the statistics are one in five --
19 excuse me -- one in five are the amounts that actually get
20 reported, which means that we've got about 30,000 seniors that
21 have some type of elder abuse. And that can be anything ranging
22 from physical, emotional, abandonment, neglect, sexual. Under
23 neglect, there's also self-neglect and isolation.

24 It was kind of interesting on the ages, because at age 86 and
25 over, the ones that are reporting were 20 percent. And age 81 and
26 over were 43 percent.

27 The actual abuse takes place 82 percent of the time in their
28 own home and then 9 percent in nursing homes and 9 percent in
29 other residential areas.

30 I believe Lander County has 13 that were reported. Ten came
31 through the senior services and the ombudsmen. And three came
32 through law enforcement.

33 On March 20th, I had a special NACO meeting. And they
34 were addressing a couple concerns. Basically, the discussion
35 centered around the matters of legislative importance. And one
36 of them that we have is actually our Agenda Item Number 9 that
37 I'll talk more on when we get there.

38 And the other one was the most recent decision of the US
39 District Court Judge Miranda Du. And she just issued an order
40 to dismiss the NACO lawsuit that we brought forward to the

1 Department of Interior and BLM in December 2013, regarding the
2 1971 Wild Horse and Burro Act. And our attorney spoke to us on
3 that and was -- I think the word he used -- was shocked that
4 number one, she would dismiss it without even oral arguments and
5 number two, the time that she took before she acted on the
6 motions.

7 So the question to NACO was: Would they appeal? And the
8 vote was to appeal it. We have 60 days to appeal; so they opted
9 to do that.

10 On March 25th, yesterday, we had an insurance meeting and
11 all going well. And we'll be bringing that forward at the very
12 next meeting; so we can look at our group health insurance.

13 Thank you.

14 CHAIRMAN STIENMETZ: All I had was I had a convention and
15 tourism meeting last night. And we went over the budget for
16 them and all the grants that they were looking at issuing, with
17 some people that have requested.

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20 **STAFF REPORTS**

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

24 KEITH WESTENGARD: I also attended the same insurance
25 committee meeting with Commissioner Waits. Like she stated,
26 that will be coming before you soon.

27 And then convention and tourism meeting last night as well.

28 Tonight I'll be at the hospital board meeting. And we'll
29 be discussing -- I'll be presenting some options to the hospital
30 board regarding the EMS contract and the direction that we're
31 going to be looking at going come June 30th when the contract
32 expires. And I'll have a report on that for you next commission
33 meeting.

34 Other than that, just like the rest of us, my time's been
35 dominated over the last several weeks with budgets. So we'll
36 have that special meeting next week, April 1st, to finalize our
37 budget.

38 Other than that, I think that's it.

39
40

1 PUBLIC COMMENT

2
3 CHAIRMAN STIENMETZ: All right. Now's the time for public
4 comment for non-agendized items only.

5 Persons are invited to submit comments in writing and/or
6 attend and make comments on any agenda item at the board
7 meeting. All public comment may be limited to three minutes at
8 the discretion of the board. Reasonable restrictions may be
9 placed on public comments based upon time, place, manner. But
10 public comment based on viewpoint may not be restricted.

11 Do we have any public comment?

12 COMMISSIONER WAITS: I would just like to make one
13 notation. This is National Agriculture Week. There was a real
14 nice article in the Battle Mountain Bugle this week too. And I
15 they thought we'd like to do a shout-out and -- with support of
16 the United States -- United States agricultural industry, that
17 we're aware of that, with our thank-you's.

18 CHAIRMAN STIENMETZ: All right, thanks.

19 COMMISSIONER MILLS: Good deal.
20
21

22 CONSENT AGENDA

23
24 CHAIRMAN STIENMETZ: Now we have consent agenda items.
25 Nothing was attached. But all material -- do I have to read
26 this?

27 COMMISSIONER WAITS: I -- I don't know that you have to --

28 CHAIRMAN STIENMETZ: Do you want me --

29 COMMISSIONER WAITS: -- read it --

30 CHAIRMAN STIENMETZ: -- to read this in --

31 COMMISSIONER WAITS: -- or not. Do you have to --

32 CHAIRMAN STIENMETZ: -- since there was nothing attached?

33 DISTRICT ATTORNEY HERRERA: There's -- there's -- well --

34 CHAIRMAN STIENMETZ: Other than the fact of -- to ask to
35 make sure that the agenda notice was advertised properly.

36 DISTRICT ATTORNEY HERRERA: We need to do that, but --

37 COMMISSIONER CLARK: What's the problem with

38 (indiscernible)?

39 DISTRICT ATTORNEY HERRERA: But there's no consent items
40 because nothing was there.

1 COMMISSIONER CLARK: We're missing language.
2 DISTRICT ATTORNEY HERRERA: But yeah, you need to --
3 CHAIRMAN STIENMETZ: Read it.
4 DISTRICT ATTORNEY HERRERA: You need to -- well, you need
5 to do the notice.
6 CHAIRMAN STIENMETZ: All right. There was nothing added,
7 but I do need to make sure that request that the commission --
8 that the agenda notice was properly advertised.
9 DEPUTY CLERK GONZALEZ: Molly Gonzalez with the clerk's
10 office, for the record. The agenda was faxed, e-mailed, and
11 posted around town on Thursday afternoon.
12 DISTRICT ATTORNEY HERRERA: What date was that?
13 DEPUTY CLERK GONZALEZ: The 19th.
14 DISTRICT ATTORNEY HERRERA: Of?
15 DEPUTY CLERK GONZALEZ: March 19th.
16 DISTRICT ATTORNEY HERRERA: Of?
17 DEPUTY CLERK GONZALEZ: 2005.
18 CHAIRMAN STIENMETZ: '15.
19 DEPUTY CLERK GONZALEZ: '15. 2015.
20 COMMISSIONER WAITS: Well, that's one way to take ten years
21 off your age.
22 CHAIRMAN STIENMETZ: All right. Thank you. All right.
23 Thank you.
24
25

26 **FINANCE**

27
28 1) **Discussion for possible action regarding budget review,**
29 **contracts, financial update and other matters properly**
30 **relating thereto.**

31
32 CHAIRMAN STIENMETZ: Now, we'll go to Item 1, update of
33 budget review, contracts, financial updates, and other matters
34 properly related thereto.
35 NAN ANCHO: Good afternoon. Nan Ancho, Finance.
36 Mine will be short and sweet today.
37 The outstanding Accounts Receivables for the month of
38 February are: Water, 16,580; Sewer, 16,645; zero for
39 Miscellaneous Water/Sewer; Landfill, 10,078; for a total
40 Accounts Receivable of 43,303.

1 And like everyone else, we're working on budgets. Still
2 waiting for final reports from the Department of Taxation to
3 calculate the expected revenue.

4 And the continuation of our budget meeting will be next
5 Wednesday. And our annual PACT audit will be held on Monday.
6 That's our workman's comp audit, annual audit.

7 That's all I have. Short and sweet.

8 COMMISSIONER BAKKER: Thanks, Nan.

9 CHAIRMAN STIENMETZ: Thank you, Nan.

10 COMMISSIONER MILLS: Thanks.

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12
13 **BUILDING DEPARTMENT**

14
15 2) **Updated on the levee project presented by the Corps of**
16 **Engineers, and other matters properly related thereto.**

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18 CHAIRMAN STIENMETZ: Item 2, the requested action of the
19 Lander County Commission is update on the project presented by
20 the Corps of Engineers, and other matters properly related
21 thereto.

22 JOE LINDSEY: Good afternoon. Joe Lindsey with the
23 building department. And with me I have a Chelsea Stewart with
24 the Corps of Engineers.

25 She and a crew came out yesterday morning, early. And we
26 spent the biggest part of the day going over the levee once
27 again. These folks came down from Sacramento just to get a --
28 get a -- get their eyes on the levee and see what we're dealing
29 with here. So I'll turn it over to Chelsea.

30 CHELSEA STEWART: So the past eight to ten months the Army
31 Corps of Engineers has been gearing up to reinitiate analysis
32 for Battle Mountain.

33 We're currently in the process of updating the detailed
34 project report that was completed in 1997. Basically, the
35 purpose of that update is to capture changes that occurred to
36 the project since 1997. That might be engineering standards
37 have changed, prices have changed.

38 We're also in the process of determining the federal
39 interest, which entails determining the cost-benefit ratio for
40 the various portions of the project.

1 The results that we're seeing right now are showing that
2 the Millennium portion north of the railway tracks is not
3 economically justified; the center portion is. So that would be
4 south of the railroad tracks and north of I-80. And then we
5 have yet to make a conclusive determination for south of I-80.

6 I apologize. I'm a little under the weather.

7 So -- is that somebody online?

8 (Radio: The vehicles were turned over.)

9 CHELSEA STEWART: So as we -- as we move forward with the
10 detailed project report update, we'll be using the benefit-cost
11 ratio to determine the federal interest and then provide another
12 update to the commission.

13 JOE LINDSEY: Any questions?

14 COMMISSIONER MILLS: I have some questions.

15 First I want to say, thank you for coming out and taking
16 look, because as far as I know, no one from the Corps of Engineers
17 has ever come to look. So I really appreciate that you've come --
18 taken the time to come out.

19 I would like to know if coming and looking and having your
20 eyes on the area here has that changed any of your outlooks or
21 opinions or anything about how the project should be done or
22 what can be done or anything about the project?

23 CHELSEA STEWART: I'd say that it's been very helpful in --
24 in helping us to refine the costs associated with the project.

25 The Army Corps of Engineers through our cap funding program
26 has a 10-million-dollar cap. So we can't expend more than \$10
27 million in funds. So just being here and being on the site has
28 really helped us to refine some of the costs associated with the
29 project.

30 One, for example, that we really kind of -- kind of knocked
31 out with this site was that it was mitigation associated to
32 wetlands. It's kind of clear from our site visit that there
33 aren't very many wetlands in Battle Mountain. And we'd -- we'd
34 assumed about \$300,000 based on consultations with Fish and
35 Wildlife that would need to be expended towards mitigation for
36 impacts to the wetlands. So things like that have really helped
37 us with refining the cost estimate.

38 Another issue that was really helpful to see on site were
39 the encroachments and the condition of the levee. There were
40 portions of the levee that are in much better shape than we

1 thought were.

2 COMMISSIONER MILLS: Okay.

3 CHELSEA STEWART: And there were -- there were impacts that
4 we hadn't expected.

5 And then a couple of issues came up that, in the office,
6 had never occurred to anybody. Where are we going to get water?
7 for example, for dust impaction as the project -- or dust and
8 compaction -- as construction commences.

9 As far as, you know, in the future, from this site visit,
10 what would help with refining our cost estimates would really be
11 figuring out exactly how to deal with the encroachment issues,
12 especially the central portion south of I-80 and north of the
13 railroad tracks where that seems to be where the majority of the
14 encroachments are occurring. As far as --

15 COMMISSIONER MILLS: That's where those homes are right up
16 close to the levee?

17 CHELSEA STEWART: Yeah. And they --

18 COMMISSIONER MILLS: Okay.

19 CHELSEA STEWART: -- need a 15-foot clearance between those
20 encroachments and the levee.

21 You know, as far as risk to schedule and cost for the
22 project, acquisitions of those encroachment -- you know, land
23 acquisitions are notoriously unpredictable. It might be the
24 same with thing with the railroad, whether or not we can get
25 easy permission to -- to cross railroad easements.

26 So -- and actually that's another thing that we -- we
27 hadn't expected so much from the site was it was how many
28 utility easements occur along the levee.

29 COMMISSIONER MILLS: Okay.

30 CHELSEA STEWART: We found a few of those.

31 COMMISSIONER MILLS: I think it's -- would be prudent to
32 ask if there's -- if there's any kind of time frame that you
33 have for when we might see some movement on this thing, when we
34 could start, or any --

35 CHELSEA STEWART: As far as construction?

36 COMMISSIONER MILLS: -- idea on that at all?

37 CHELSEA STEWART: Are you -- as far as construction or...

38 COMMISSIONER MILLS: Right. Right.

39 CHELSEA STEWART: The preliminary budget and schedule that
40 I've got set up -- so the budget, assuming that we have to

1 remain below \$10 million, includes a year minimum for dealing
2 with the land-use issues and encroachment, land acquisition as
3 necessary. So that puts a construction starting in 2017.

4 As far as for this year, current schedule. So -- so part
5 of -- part of changes to the project since 1997 is the level of
6 vertical review that's required for the project.

7 So we're expecting that once we submit the detailed project
8 report for the, you know, for the project for vertical review,
9 that we'll probably get comments back in November of 2015.

10 At that point, we'll be able to move forward with putting
11 together, you know, packages for contract -- for construction,
12 simultaneously addressing land encroachments, and land-use
13 actions. So 2017 would probably be the soonest we'd actually --

14 COMMISSIONER MILLS: As soon --

15 CHELSEA STEWART: -- see construction.

16 COMMISSIONER MILLS: -- as possible.

17 Okay. And when the -- when the levee is actually built, what
18 would the construction method be? What's -- the levee -- what's
19 it going to look like, as, I mean, is there cement involved? Is
20 it just dirt? Is it --

21 CHELSEA STEWART: My assumption is that the project would
22 be strictly dirt. Typically the way that the Army Corps handles
23 contracts is that we -- we let the contractor know what we want.
24 We don't tell them how to build it.

25 COMMISSIONER MILLS: Okay.

26 CHELSEA STEWART: So as we move forward with developing a
27 construction package, the design drawings that will be --

28 (Radio chatter.)

29 CHELSEA STEWART: -- with the package -- sorry -- with that
30 package will call out what exactly will be built. But I -- I
31 would doubt we would employ concrete or anything like that. It
32 most likely would just be com- -- compaction --

33 COMMISSIONER MILLS: So it's --

34 CHELSEA STEWART: -- of existing --

35 COMMISSIONER MILLS: It's just compaction of dirt? Is what
36 it's going to be made of?

37 CHELSEA STEWART: It shouldn't -- shouldn't actually look
38 too different.

39 COMMISSIONER MILLS: Okay.

40 CHELSEA STEWART: Maybe just a little bit cleaned up.

1 COMMISSIONER MILLS: All right. If we had a flood today
2 that was the same magnitude as the flood that caused all this --
3 and like I said, it was back in the early '60s, what do you
4 think the outcome of a similar flood today would be on the
5 community?

6 CHELSEA STEWART: Well, that would be random speculation on
7 my part.

8 COMMISSIONER MILLS: Right. Would it be as bad? Is the
9 current levee, would it help at all or would it make no
10 difference at this point?

11 CHELSEA STEWART: It -- so we've been running a number of
12 models on what would happen with the existing levee. Those
13 models make assumptions. So --

14 COMMISSIONER MILLS: Right.

15 CHELSEA STEWART: -- if we assume that the existing levee
16 is completely perfect and is performing to its -- its maximum
17 possible design capacity, it's not -- basically, it's not
18 horrible.

19 The problems are on the -- are when the levee overtops or
20 when water starts to encroach around the back side --

21 COMMISSIONER MILLS: Okay.

22 CHELSEA STEWART: -- of the levees. But I could actually
23 provide Joe with some models that we've run what -- what the
24 different flood stages look like. So we've been looking at the
25 hundred-year flood event. I'm not sure exactly what year or
26 what type of flood event -- '62 flood was -- that was --
27 exceeded a hundred-year flood event.

28 JOE LINDSEY: I think it did.

29 COMMISSIONER MILLS: Okay. Also on the -- in the
30 discussions about the levee in the past, I've heard some things
31 about needing to raise the freeway, actually Interstate 80 being
32 raised. Is that something that needs happen or not or...

33 CHELSEA STEWART: So our current model is showing that
34 during a hundred-year flood event, there would be three feet of
35 free board --

36 COMMISSIONER MILLS: Okay.

37 CHELSEA STEWART: -- on I-80. I believe that FEMA standard
38 is three feet of free board for structures.

39 But that's not necessarily Army Corps'. But I believe when I
40 was reading in the '97 information that the plans back then called

1 for sandbagging the freeway. So I'm assuming that previous models
2 had assumed that the highway would overtop. But our current
3 modeling is not showing that it would. And the main difference
4 between the newer modeling and the older modeling is that previous
5 modeling was two-dimensional, and it didn't take into account the
6 effect of having culverts. So that's been a three-dimensional
7 pinch point, basically, that wasn't captured in the modeling.

8 COMMISSIONER MILLS: Okay.

9 CHELSEA STEWART: So right now it looks like three feet of
10 free board (indiscernible).

11 COMMISSIONER MILLS: So what does that mean? Do we have to
12 raise Interstate 80 or not?

13 CHELSEA STEWART: I don't believe so, but --

14 COMMISSIONER MILLS: Okay.

15 CHELSEA STEWART: -- that's -- that's really something
16 we -- we're following up on.

17 COMMISSIONER MILLS: Okay. Well, that's encouraging. That
18 makes -- I think that kind of simplifies things.

19 I don't know. There's probably a million other questions
20 to ask. I don't know if this is proper place to do all of those
21 questions. But anyone else?

22 Questions on the --

23 COMMISSIONER CLARK: Can we get a flood-zone redesignation?

24 CHELSEA STEWART: It's my understanding that that process
25 would be something that -- you're talking about FEMA flood
26 (indiscernible) -- that that --

27 COMMISSIONER CLARK: Lowering. To lower the cost of flood
28 insurance.

29 CHELSEA STEWART: It's my understanding that that process
30 now is phased fairly separately from the Army Corps. So the --
31 Lander County would go through the process of certifying the
32 area and then seek accreditation from FEMA.

33 COMMISSIONER CLARK: So there's no guarantee?

34 CHELSEA STEWART: Not to the -- not through the Army Corps.

35 COMMISSIONER MILLS: I'd like to know if you plan on making
36 return trips --

37 CHELSEA STEWART: I --

38 COMMISSIONER MILLS: -- to do some more looking,
39 researching, you know --

40 CHELSEA STEWART: Yeah, I'd be happy to come out any time

1 you guys would like.

2 COMMISSIONER MILLS: Okay.

3 CHELSEA STEWART: We are planning -- at this point, we're
4 planning late of this fiscal -- so September of 2015, we're
5 planning on doing geotechnical investigations, particularly
6 along the central portion of the levee system between -- so
7 south of the railroad tracks and north of I-80, basically to
8 determine whether or not there needs to be a cut-off wall
9 beneath the levee in order to prevent seepage from causing the
10 levee system to fail. So we'll definitely be back out in
11 September 2015.

12 Possibly -- there's a potential that there will also be
13 geotechnical investigations south of I-80. But it's my
14 understanding that there has already been some work that has been
15 done on that portion. So we're still kind of fleshing out what
16 exactly we need do for that portion. We are planning on coming
17 back out in September.

18 COMMISSIONER MILLS: Okay. So we just want, you know, we
19 -- we -- our community has been waiting a long time for this.

20 So, like I said, it's encouraging to see you here. That's a
21 -- that's a good thing.

22 CHELSEA STEWART: I'm here.

23 COMMISSIONER MILLS: So hopefully we can -- we'd like to
24 see progress quickly, if that's possible.

25 CHELSEA STEWART: We're -- we're moving as fast as we can.

26 COMMISSIONER WAITS: So in the interim, we were supposed to
27 make some kind of, not improvement, but some maintenance to the
28 levee; --

29 JOE LINDSEY: Yes.

30 COMMISSIONER MILLS: -- is that correct?

31 JOE LINDSEY: That's correct.

32 COMMISSIONER WAITS: And we're online for that?

33 JOE LINDSEY: Yes, ma'am.

34 CHELSEA STEWART: Yeah. And that's -- that's a little bit
35 separate from this part of the project. So that's through the
36 Section 408 part of the Army Corps. So we're kind of different
37 parts of the house a little bit.

38 COMMISSIONER CLARK: Joe, the flood in '64, was that a
39 50-year or a hundred-year flood?

40 JOE LINDSEY: I believe that was beyond a hundred year.

1 COMMISSIONER CLARK: Beyond a hundred year?
2 JOE LINDSEY: If I'm not mistaken. Yes. Yes.
3 COMMISSIONER CLARK: Because --
4 JOE LINDSEY: It was a fluke. It was a weather-related
5 fluke. We had a lot of snow up on Mount Lewis.
6 COMMISSIONER CLARK: Yeah.
7 JOE LINDSEY: We had a rainstorm in February in nineteen
8 sixty --
9 UNIDENTIFIED PARTICIPANT: Two.
10 JOE LINDSEY: -- three, if I'm not mistaken.
11 COMMISSIONER CLARK: Well, we're at 40 years. So if we get
12 a 50-year flood, are we safe?
13 JOE LINDSEY: With what we have right now and the -- and
14 the maintenance we're going to perform on the levee and plans
15 we're looking at to extend the levee on the south side of the
16 interstate, I believe it will be of great benefit. And that's
17 one of things that will come up to the board here --
18 COMMISSIONER CLARK: Okay.
19 JOE LINDSEY: -- in the very near future is the potential
20 expansion of the levee on the south side of the interstate.
21 COMMISSIONER BAKKER: Sounds good.
22 JOE LINDSEY: Thanks for your help.
23 COMMISSIONER MILLS: Okay.
24 CHAIRMAN STIENMETZ: Any public comment?
25 JOE LINDSEY: Got anything to add?
26 Nope? Nope.
27 JOHN BALDWIN: I'm sorry -- John Baldwin's my name.
28 And I've been out of the loop on this subject for about
29 three years. But last time we had a meeting down at the civic
30 center, a representative from FEMA told us that if we got these
31 levees in place that it would change the designation to
32 (indiscernible) on everything in this town.
33 What has changed between then and now that -- to where we
34 can't get an answer on that from FEMA?
35 JOE LINDSEY: Well, this isn't FEMA. This is the Corps of
36 Engineers.
37 JOHN BALDWIN: I know. I know.
38 JOE LINDSEY: We --
39 JOHN BALDWIN: Why can't we get an answer from them?
40 JOE LINDSEY: Once the levee is brought up to Corps --

1 Corps of Engineers standards, then during this -- the planning
2 process and the permitting process, we're going to be working
3 directly with FEMA for -- to have them consider accreditation of
4 our levee. We have to have this levee accredited by FEMA before
5 they will change any kind of a flood-zone designation.

6 So once this levee -- the plans are submitted to FEMA and
7 we get their approval on it, and then construction is commenced
8 and completed, then FEMA will come in and hopefully accredit
9 this levee. And that will put everybody on the downstream side
10 of the levee into a different -- different flood zone. But we
11 have to be working with FEMA on that as well as the Corps.

12 JOHN BALDWIN: But we know that at this point.

13 JOE LINDSEY: No, we do not. No, we don't have the plans
14 for what we need to provide to meet Corps of Engineers standards
15 at this point. And hopefully by the end of the year or early
16 next year, we will have that. And at that point we will get
17 FEMA involved so they can review these plans as well and get
18 them rolling. And hopefully it doesn't take us another 30
19 years.

20 JOHN BALDWIN: You know, the hundred-year event that you
21 talked about in '62, I mean, we all know it was a plugged
22 culvert that caused the flood in this town.

23 JOE LINDSEY: Oh, yeah.

24 JOHN BALDWIN: Since then, I've been through torrential
25 downpours in my lifetime here in 50 years. And I've seen a
26 flood up to the Lions Club Park across the tracks.

27 JOE LINDSEY: Uh-huh.

28 JOHN BALDWIN: That's the only place it's ever gone. So
29 I've thought this whole idea of improving the levees was to
30 alleviate the flood designation that FEMA's put on us. If we
31 don't know if that's going to happen or not, personally, I don't
32 even know why we're discussing improving the levees.

33 JOE LINDSEY: Yeah.

34 JOHN BALDWIN: They've held for 50 years.

35 JOE LINDSEY: Yep. Well, until, like I said, until --
36 until the plans for a compliant levee are approved and
37 accredited by FEMA, we're not going to know what it's going to
38 do to the people in this town.

39 JOHN BALDWIN: So we'll get to the planning stage before
40 we'll know. I mean, it's not going to go through development

1 before we find out (indiscernible); --

2 JOE LINDSEY: No. Negative.

3 JOHN BALDWIN: -- right?

4 JOE LINDSEY: No, absolutely not.

5 Thank you.

6 COMMISSIONER BAKKER: Thanks, Joe.

7 COMMISSIONER MILLS: Thank you.

8 CHAIRMAN STIENMETZ: Any other public comment?

9 JOE LINDSEY: You guys have anything?

10 Okay. That'll do it. Thank you.

11 CHAIRMAN STIENMETZ: Thank you.

12 COMMISSIONER WAITS: Thank you.

13
14
15 **COMMUNITY DEVELOPMENT**

- 16
17 3) **Discussion for possible action regarding approval of a parcel**
18 **map for Merridee Torgerson located in a portion of the SW 1/4**
19 **of Section 4, T31N, R45E, M.D.B. & M., splitting one (1)**
20 **parcel into four (4) parcels, and other matters properly**
21 **related thereto.**

22
23 CHAIRMAN STIENMETZ: Now we'll go on to three. Discussion
24 for possible action regarding approval of a parcel map for
25 Merridee Torgerson, located in a portion of the southwest
26 quarter of Section 4, T31N, R45E, M.D.B. & M, splitting one
27 parcel into four parcels, and other matters properly related
28 thereto.

29 COMMISSIONER WAITS: Hello, Jan.

30 JAN MORRISON: Jan Morrison, community services officer for
31 Lander County.

32 This was approved by the planning commission in October of
33 2014. I spent a while getting to you simply because -- because
34 of a change in engineers and getting utilities to sign. But
35 it's ready to go. We have all signatures on it, including our
36 treasurer's. And it's just awaiting signature, the approval of
37 the county commissioners and signature of the chair.

38 COMMISSIONER WAITS: I'll make a motion that we approve the
39 recommendation of the Lander County Planning Commission and
40 approve the parcel map for Meridee Torgerson, located in a

1 portion of the southwest one quarter of section 4, T31N, R45E,
2 M.D.B & M., splitting one parcel into four parcels as presented
3 and authorize the chair to sign the mylar.

4 COMMISSIONER BAKKER: Second.

5 CHAIRMAN STIENMETZ: Any public comment?

6 (No comment.)

7 CHAIRMAN STIENMETZ: All in favor?

8 COMMISSIONER MILLS: Aye.

9 COMMISSIONER BAKKER: Aye.

10 CHAIRMAN STIENMETZ: Aye.

11 COMMISSIONER WAITS: Aye.

12 COMMISSIONER CLARK: Aye.

13 JAN MORRISON: So may I ask the chair: Since our clerk is
14 not here, to attest to your signature, should I leave it up in
15 the clerk's office?

16 CHAIRMAN STIENMETZ: Yep, and I'll make a note.

17 JAN MORRISON: Or is Molly able to sign? I don't know how
18 this --

19 CHAIRMAN STIENMETZ: Can you attest to it after the
20 meeting?

21 DEPUTY CLERK GONZALEZ: After the meeting.

22 CHAIRMAN STIENMETZ: Yes, after the meeting we sign it.

23 JAN MORRISON: Okay. I'll leave it up there for you.

24 Thank you very much.

25
26
27 **RECORDER**

- 28
29 4) **Discussion for possible action to create a position for a**
30 **temporary employee at the Lander County recorder's office**
31 **through the end of this fiscal year to help cover vacations,**
32 **and other matters properly related thereto.**
33

34 CHAIRMAN STIENMETZ: Item 4, discussion for possible action
35 to create a position for a temporary employee at the Lander
36 County recorder's office through the end of this fiscal year to
37 help cover vacations, and other matters properly related
38 thereto.

39 LESLEY BUNCH: Hi.

40 CHAIRMAN STIENMETZ: Hi.

1 LESLEY BUNCH: Lesley Bunch, Lander County recorder. I'll
2 sit down, I guess.

3 Just to explain why I'm asking for this is I have an
4 individual that worked in the office prior to me coming on board
5 who is willing to come in. And she's extremely good in both the
6 DMV side and the recording side, which she has more experience
7 than all of us put together and is willing to fill in for
8 vacations, fill in and train.

9 We have the funds available to us due to the difference of
10 her leaving, the new individual coming on, and me making le- --
11 a difference in wage.

12 So there's no cost to the county for this at all. We will
13 not exceed the budgeted items. I went to Nan and discussed it
14 with her to make sure that we would not ex- -- you know, that I
15 had the available funds in the salary line to fill this position
16 on a part-time, just until the fiscal year ends. We should be on
17 board and ready to go by then.

18 And she's willing to come in and give us her time and train
19 us. So that's why I asked, if you --

20 Everybody's smiling at me. I don't know what to say. Do
21 you have any questions?

22 Seriously. No, seriously, this would really help us
23 especially when it comes to vacation and keeping the public cared,
24 you know, taken care of, especially on the DMV side.

25 I'm not quite on board with the titles yet. And I -- she
26 is. So she can help us all. And there would be no flow of work
27 stopped for anybody.

28 COMMISSIONER WAITS: Training is good, Lesley.

29 LESLEY BUNCH: It is.

30 COMMISSIONER MILLS: And three months, it sounds like you
31 can accomplish quite a bit.

32 LESLEY BUNCH: Yes. And it'd just be a few days here and
33 there and then vacation coverage, which would really help us
34 out.

35 COMMISSIONER MILLS: Okay. I'll make a motion that we
36 approve the creation of a temporary employee at the Lander
37 County recorder's office through the end of this fiscal year.

38 COMMISSIONER BAKKER: Second.

39 CHAIRMAN STIENMETZ: Any public comment?

40 (No comment.)

1 CHAIRMAN STIENMETZ: All in favor?
2 COMMISSIONER MILLS: Aye.
3 COMMISSIONER BAKKER: Aye.
4 COMMISSIONER WAITS: Aye.
5 COMMISSIONER CLARK: Aye.
6 LESLEY BUNCH: Thank you, guys.
7 COMMISSIONER BAKKER: Thanks, Lesley.
8 CHAIRMAN STIENMETZ: Thank you, Lesley.
9
10

11 **LANDER COUNTY EMERGENCY MEDICAL SERVICES**

12
13 5) **Discussion for possible action to recognize, by letter of**
14 **appreciation, two deputies that performed a CPR save, and**
15 **other matters properly related thereto.**
16

17 CHAIRMAN STIENMETZ: Item 5, discussion for possible action
18 to recognize, by letter of appreciation, two deputies that
19 performed a CPR save, and other matters properly related
20 thereto.

21 RICK HARRISON: My name is Rick Harrison. I'm with Lander
22 County EMS.

23 On Wednesday, March 4th, in the mid-afternoon, a medical
24 emergency call came in to 911 dispatch center at Lander County
25 sheriff's office. Two deputy sheriffs responded immediately to
26 the scene. Upon entering the home, the deputies quickly located
27 the patient. After a rapid assessment of the patient, the
28 deputies decided to start CPR until the ambulance arrived. Upon
29 the ambulance's arrival, Deputy Alex Rangel met with the EMS
30 crew in the front yard, explained the patient's crisis, and
31 helped to transport needed EMS equipment to the patient's side.
32 When Lander County EMS reached the patient, Deputies Sunseri was
33 provided -- was providing CPR.

34 The EMS crew determined the patient was starving for
35 oxygen, effectively pulseless, and not breathing. However, the
36 quick response by Deputy Sunseri and Alex Rangel to start CPR
37 was keeping the patient's blood moving and supplying oxygen to
38 the brain.

39 Upon continued checking, Deputy Sunseri believed there was a
40 false pulse was proven correct.

1 EMS crew started advanced CPR and transported the patient to
2 Battle Mountain General Hospital emergency department.

3 There's no question that the rapid reaction by deputies Alex
4 Rangel and Joseph Sunseri, their scene management, patient
5 assessment, and resuscitation is the major reason the patient is
6 still alive and has no neurological deficits from oxygen
7 starvation.

8 On behalf of Lander County EMS, Battle Mountain General
9 Hospital, and all the citizens of Lander County, I am honored to
10 recognize the lifesaving efforts of Deputy Alex Rangel and
11 Deputy Joseph Sunseri. Their commitment to learning CPR means
12 that a family in Lander County still has a wife, a mother, and a
13 friend.

14 We are -- we are all proud and fortunate to share our
15 community with these two fine people.

16 (Applause.)

17 RICK HARRISON: Now you're going to be shy?

18 KEITH WESTENGARD: With that being said, we put together
19 some certificates of appreciation and recognition that we would
20 ask the commission to sign. And we have one for Deputy Sunseri
21 and one for Deputy Rangel.

22 And it just says that the Lander County Board of
23 Commissioners do hereby express appreciation to Joseph Sunseri,
24 Lander County sheriff's deputy, for your selfless act while on
25 duty performing cardiopulmonary resuscitation, or CPR, to an
26 apneic, pulseless patient in the field. Due to your quick
27 actions, the patient was revived and is expected to make a full
28 recovery. March 26th, 2015.

29 We're going to the pass it around and have each
30 commissioner sign it.

31 DISTRICT ATTORNEY HERRERA: Legally, I'd hope somebody
32 would make a motion to allow this to happen and second it and
33 take a vote so we can proceed with this.

34 KEITH WESTENGARD: Fine.

35 COMMISSIONER WAITS: I make a motion that the board sign
36 the recognition for our two officers. And we applaud you.
37 We're very proud. You make us all proud.

38 COMMISSIONER BAKKER: Second.

39 (Applause.)

40 COMMISSIONER BAKKER: I seconded it.

1 COMMISSIONER WAITS: Thank you.
2 CHAIRMAN STIENMETZ: Public comment?
3 (No comment.)
4 COMMISSIONER WAITS: Thank you.
5 CHAIRMAN STIENMETZ: All in favor?
6 COMMISSIONER BAKKER: Aye.
7 COMMISSIONER WAITS: Aye.
8 COMMISSIONER MILLS: Aye.
9 CHAIRMAN STIENMETZ: Thank you very much.
10 KEITH WESTENGARD: -- sign and go ahead and put --
11 COMMISSIONER WAITS: Thank you.
12 KEITH WESTENGARD: -- it into place.
13 Once we get these signed I'm going to ask Joe to put them
14 into place and maybe get a picture of everybody, if that works.
15 (Simultaneous conversations.)
16 COMMISSIONER WAITS: Do you mind if we might take a
17 five-minute break.
18 CHAIRMAN STIENMETZ: Let's take a five-minute break,
19 please.

20
21 (Break taken between 1:37 p.m. and 1:43 p.m.)
22
23

24 **COMMISSIONERS**

25
26 6) **Discussion for possible action to create a position for**
27 **natural resource officer for Lander County, and other matters**
28 **properly related thereto.**
29

30 CHAIRMAN STIENMETZ: We're on Agenda Item Number 6.
31 Discussion for possible action to create a position for natural
32 resource officer for Lander County, and other matters related
33 thereto.

34 KEITH WESTENGARD: I was asked to look into this by
35 Commissioner Clark.

36 What I'd like to do is -- is have the commissioners authorize
37 or -- or create the position in order to have a natural resource
38 officer similar to what Eureka does with theirs. He's -- he or
39 she is an expert in the area of the sage grouse, the grazing, the
40 mining issues that come up within this county. And I see it as an

1 asset to the county for the benefit of solid, scientific, as well
2 as proving research from the field for the commissioners, as well
3 as the issues that we do have come up within the county.

4 CHAIRMAN STIENMETZ: Here it says it's a part-time --
5 contractor?

6 KEITH WESTENGARD: Part-time or contracted. I believe in
7 the backup notes there was -- I spoke to the fact that we can
8 look at contracted. We can look at part-time. Or we can look
9 at full-time. It's just the direction the commission wants to
10 go with that.

11 COMMISSIONER CLARK: This -- this issue is something that I
12 think we need to address in this manner.

13 When Shawn Mariluch was here last time and he spoke to the
14 issues with grazing, he mentioned that they're not allowed to
15 graze above Mill Creek campgrounds. But the one thing that
16 Shawn forgot to mention is that they have private property up
17 there. And they're not even allowed to access their private
18 property.

19 The biggest resource that we have in Lander County is our
20 lands. And if we're going to be restricted to the point that
21 people aren't allowed to utilize their private property, I think
22 that we need to make a move to be proactive in this area. And
23 this is the position -- this is the kind of person that we need to
24 get us the information that we need so that we can make proper
25 decisions, because this is going to affect every business in
26 Lander County, this is going to affect every rancher, every
27 sportsman.

28 So that's why I asked for this to come forward because it's
29 going to affect everybody in Lander County.

30 COMMISSIONER WAITS: Well, the information that we have, of
31 course, is from Eureka and very well done on how they chose
32 their employee, Mr. Tibbitts, who, if anyone knows him at all,
33 knows how dedicated and the passion he has for the position he's
34 in. Exactly what type of person we have, I don't know whether
35 we're going after a biologist or a range specialist or whatever,
36 because they're -- the attributes that they have to have are so
37 many in to deal with this, including the temperament to deal
38 with our federal agencies, because that's a real concern. And I
39 certainly understand where Art is coming from.

40 I guess my reservations are what type of a person would

1 really do this? Because besides the fact that you have to be
2 self-motivated and all the other things that we know that
3 natural resources will encompass, I'm concerned about the fact
4 that by the time they attend all the meetings and they go on all
5 the field trips, are we really getting anything done?

6 And I see that a lot sometimes with some of the BLM folks on
7 what they're doing. And we're still not working with them and
8 they're not working with us the way we should be. So if this
9 person can do that and bridge that gap, that would be
10 unbelievable. But it has to be such a special person. I don't
11 know -- since we can't clone Jake, I'm not sure what we'd expect
12 of them. But I don't want a position that's going to go nowhere.

13 KEITH WESTENGARD: And I agree with you, Commissioner
14 Waits. We -- and in the past we spoke of Mr. Massey, possibly.
15 But this needs to be very focused and in the areas that affect
16 Lander County.

17 And don't get me wrong. Rex Massey's wonderful. But we need
18 somebody who's very focused in the areas that affect Lander County
19 as far as resources go.

20 As everybody knows, the grazing is a -- is -- it's in the
21 front of everything that goes on. One of the things that was
22 brought up, when we did discuss the -- the resolution, was
23 scientific fact.

24 This position would be that scientific -- part of that
25 scientific fact-based information, because it gets back to this
26 commission in order to make those solid, educated judgment call-
27 -- or calls that you guys are going to be facing in the -- in the
28 future.

29 So I think it's a good position. It would be very focused,
30 though, on our natural resource areas.

31 COMMISSIONER CLARK: And I expect that anybody we hire
32 provides results. And I think that our effort here today is to
33 get this approved. And then we'll leave it up to Keith to
34 refine it, find somebody, and then we have to go through the
35 process of hiring; right?

36 KEITH WESTENGARD: Absolutely. It would be step-by-step
37 process on -- and I would report to you regularly on it, but get
38 going on it -- as soon as I'm -- as soon as it's voted on by the
39 commission.

40 COMMISSIONER MILLS: How would we cover the costs of this

1 position?

2 KEITH WESTENGARD: Well, that's why we looked at
3 contractual funding for it. And I spoke with Nan about it. We
4 have funds available. We would have to structure that to fit
5 the -- the -- our budget, what we have in our budget for
6 contract.

7 COMMISSIONER MILLS: Okay. By contracting it, does it come
8 out of a different budget than hiring an employee?

9 KEITH WESTENGARD: Another different line item. Yeah.

10 COMMISSIONER MILLS: Okay.

11 KEITH WESTENGARD: Other than, like, the General Fund or
12 something we actually have a line item for it, for contracted
13 services.

14 COMMISSIONER CLARK: And we would advertise for this?

15 KEITH WESTENGARD: Yes.

16 COMMISSIONER CLARK: Okay.

17 CHAIRMAN STIENMETZ: Are you looking at a part-time? A
18 half-time? Contractor just do them as you need them; right?

19 KEITH WESTENGARD: Right. It would be contracted; we'd set
20 forth a minimum or maximum number of hours or dollars to be
21 spent in a period of time with issues that may come up. And we
22 want to get some good solid-based information about some of the
23 grazing issues or the sage grouse issues. So it would be based
24 on -- on -- on th- -- the hours.

25 CHAIRMAN STIENMETZ: And once you find somebody, would it
26 be ratified by the whole commission?

27 KEITH WESTENGARD: Yeah, I would bring it forward and let
28 you discuss with that person things.

29 COMMISSIONER BAKKER: I'll make a motion that we create a
30 position for natural resource officer for Lander County.

31 MITESHELL LANHAM: Austin would like to ask a question.

32 CHAIRMAN STIENMETZ: All right.

33 FRANK WHITMAN: A couple of questions, I think, to
34 consider. I think you need to have a really clear job
35 description.

36 Jake does a whole lot more than just range stuff for
37 Eureka. His job's formed into everything from 4-H to
38 legislative aid and just a sort of a mission creep as time went
39 on.

40 DEPUTY CLERK GONZALEZ: Can you state your name for the

1 record, please?

2 FRANK WHITMAN: Frank Whitman.

3 Shall I continue?

4 DEPUTY CLERK GONZALEZ: Yes.

5 FRANK WHITMAN: Yeah. I had another question without the
6 -- how would this person work with the -- with the PLUAC. Does
7 he just report straight to the commissioners and -- or would he
8 work with PLUAC in trying to develop any kind of policy? I
9 think that needs to be real clear. You know, that needs to be
10 ironed out before you do hire somebody.

11 The other was: Would he be going to all the meetings, you
12 know, that many of the commissioners now go to, such as the
13 Central Nevada Water Authority or even the Humboldt Water
14 Authority? Would he relieve the commissioners of those duties,
15 or would it -- would he in t- -- in with the commissioners or,
16 you know, or is exactly what?

17 And I also, you know, Rex Massey has worked for us as a
18 consultant and has done good work, although he doesn't have the
19 in-the-field experience. And I don't think that's where Rex
20 Massey is. But what Rex Massey has done for us is very -- it's
21 really quality stuff.

22 So those are some of my concerns going in.

23 I -- I think it's great potential in hiring somebody,
24 especially somebody who can stay on point for a lot of these
25 issues. For example, when Jake, when a rancher has an allotment
26 issue with -- bring in Jake. And Jake will often work as a kind
27 of moderator between the rancher and the BLM, trying to iron it
28 through, and trying to keep clear what information is flowing back
29 and forth and, you know, and a timeline of who does what and when,
30 and et cetera, et cetera.

31 So I think there's a lot of pluses to having a person on
32 board. At the same time, I do have some concerns about being real
33 clear about what the job description is and what we expect of him.
34 Because I think you will find there will be mission creep. And
35 the consultant's job will become a full-time job. And I think
36 just the commissioners need to be aware of that. Thank you.

37 KEITH WESTENGARD: Just as a side note to that. I have --
38 we did get Jake Tibbitts' job description from Eureka County. I
39 have reviewed it. And Mr. Whitman's correct. It's -- it's a
40 very wide range of job duties.

1 So once -- if we're going to go with this, that would be
2 narrowed down. As far as taking any commissioners' places on any
3 of the committees that you're assigned -- you guys are assigned
4 to, that would not be the case.

5 It would be -- he or she would be working in conjunction with
6 the commissioners as well as the ranchers and the farmers in the
7 county.

8 COMMISSIONER WAITS: I will second that motion.

9 CHAIRMAN STIENMETZ: Any public comment?

10 JOHN BALDWIN: I do. John Baldwin again.

11 Does this position -- does it give us any more legal
12 standing or ground with the BLM?

13 KEITH WESTENGARD: It doesn't really give us more legal
14 standing that I would be aware of. Okay. No, it doesn't. But
15 what it does is it gets the commission and our ranchers a little
16 more informed, more of a liaison-type of a position that would
17 get some good, solid information and get some good, solid
18 information for the commissioners.

19 COMMISSIONER CLARK: And I think it's a voice, John. It's
20 a voice coming from Lander County saying, you know, we value our
21 natural resources, our lifestyle. Because everything's related
22 to this.

23 JOHN BALDWIN: Well, you know, it would seem to me that in
24 making a position where you have a liaison like that, if you
25 don't agree with the BLM for any circumstances that come up, it
26 would sure get -- it seems like you've done your best to, you
27 know, to do away with any -- I guess what I'm rambling about is,
28 is wouldn't it be -- make it easier or better on our side to sue
29 the federal government when we have this position?

30 Because our -- our -- our opinion is stated with the BLM?

31 COMMISSIONER MILLS: I think -- I think that would sen- --
32 I don't think we're looking to sue the government.

33 JOHN BALDWIN: Well, hopefully --

34 CHAIRMAN STIENMETZ: Right. I think it may help --

35 COMMISSIONER MILLS: But I think it would --

36 CHAIRMAN STIENMETZ: -- us to --

37 COMMISSIONER MILLS: I think you're right.

38 JOHN BALDWIN: We know what's coming down the pike.

39 COMMISSIONER MILLS: Right. I think you're right. It
40 shows that we've -- if there's a disagreement between us and the

1 BLM, it shows that we put forth our effort to work with them to
2 show our side of the --
3 JOHN BALDWIN: Yeah.
4 COMMISSIONER MILLS: -- the science or the math or the
5 whatever is behind the disagreement.
6 JOHN BALDWIN: Yeah. And I think --
7 COMMISSIONER MILLS: And if we do -- if we do have to call
8 someone outside, somebody to do look at it, it would look good
9 on our part --
10 JOHN BALDWIN: Yeah.
11 COMMISSIONER MILLS: -- to show that we've done --
12 JOHN BALDWIN: Yeah.
13 COMMISSIONER MILLS: -- our part.
14 JOHN BALDWIN: So I just want to say, I think the position
15 would be well warranted.
16 COMMISSIONER MILLS: Yeah.
17 COMMISSIONER WAITS: I think Keith is right, as far as the
18 liaison. It's a united voice. And it's very difficult with
19 commissioners because we really cannot do one-on-one with BLM.
20 I mean that's -- and we don't. We only speak for ourselves. So
21 if we go as a commissioner, we can't speak for the others.
22 COMMISSIONER MILLS: Right.
23 COMMISSIONER WAITS: We can only do that in the meetings.
24 So having someone that knows where we are and can get on top of
25 this we hope would be a big improvement if we can find that
26 right person.
27 EDDYANN FILLIPINI: Eddyann Filippini, permittee in Lander
28 County, Humboldt County.
29 I -- I -- we support this, because this will be another set
30 of ears for you to hear instead of she said, he said, that you
31 will have someone that that's their job to listen and get the
32 facts and have, you know, a go-to person, you know, a sounding
33 board, plus someone that can dig up the -- dig up the dirt or
34 whatever. So I -- we really support this -- this move that
35 you're making. Thank you.
36 COMMISSIONER WAITS: Thank you, Eddyann.
37 CHAIRMAN STIENMETZ: Public comment?
38 LYNN TOMERA: Lynn Tomera. I'm a rancher here in Lander
39 County.
40 And I -- yes, I definitely think that a natural resource

1 person would be a great asset to the -- to the county because
2 Lander County's economy depends on -- on the natural resources,
3 whether it's mining, the recreationalists enjoy going out. The
4 hunters will have the sage grouse issue, water rights. There's
5 just a -- there's so many issues that if we had someone who had
6 the time and the expertise to research these -- these matters and
7 bring them to the front so everyone could get a clear and
8 scientific evaluation of it, I think it would be a great thing.
9 And we really -- we appreciate the fact that you are looking into
10 it. And I hope you find a good person.

11 Thank you.

12 COMMISSIONER WAITS: Thank you, Lynn.

13 KEN BROWN: Ken Brown.

14 I think you're looking at a very vital process. Natural
15 resources, as you know, are very vital, especially in rural
16 counties. This would help to provide more technical background
17 for an issue to bring it to a head, to better deal with how
18 you're going to jump with whatever the natural resource issue
19 is.

20 COMMISSIONER WAITS: Thank you, Ken.

21 CHAIRMAN STIENMETZ: Any other public comment?

22 (No comment.)

23 CHAIRMAN STIENMETZ: All those in favor?

24 COMMISSIONER MILLS: Aye.

25 COMMISSIONER BAKKER: Aye.

26 COMMISSIONER CLARK: Aye.

27 COMMISSIONER WAITS: Aye.

28 CHAIRMAN STIENMETZ: Aye.

29
30 7) Discussion and possible action to authorize the executive
31 director to start a search for a natural resource officer for
32 Lander County, and other matters properly related thereto.
33

34 CHAIRMAN STIENMETZ: Discussion -- discussion for possible
35 action to authorize executive director to start a search for a
36 natural resource officer for Lander County, and other matters
37 properly related thereto.

38 COMMISSIONER BAKKER: I'll make motion to authorize the
39 executive director to search for a natural resource officer for
40 Lander County.

1 COMMISSIONER MILLS: I'll second.

2 CHAIRMAN STIENMETZ: I have one comment. We should also
3 add in there that it can -- it doesn't have to be a person -- it
4 could be a firm. You all see what I'm saying? Or if we found,
5 you know, contract.

6 COMMISSIONER BAKKER: Right. I'll --

7 CHAIRMAN STIENMETZ: Because, you know, because if you did
8 contract with a firm or something, you're paying that, but you
9 may have more expertise there on different items -- see what I'm
10 saying? -- that would help out.

11 You know, they may have more than one specialist. They
12 might have somebody, a specialist in this and somebody else
13 that's a specialist in something else that --

14 COMMISSIONER BAKKER: So amend it to firm.

15 CHAIRMAN STIENMETZ: All right.

16 COMMISSIONER BAKKER: I'll make a motion to authorize the
17 executive director to start a search for a natural resource
18 officer or firm for Lander County.

19 COMMISSIONER MILLS: And I'll second.

20 CHAIRMAN STIENMETZ: Any public comment.

21 (No comment.)

22 CHAIRMAN STIENMETZ: All in favor?

23 COMMISSIONER BAKKER: Aye.

24 COMMISSIONER CLARK: Aye.

25 COMMISSIONER WAITS: Aye.

26 COMMISSIONER MILLS: Aye.

27 CHAIRMAN STIENMETZ: Aye.

28

29 8) Discussion for possible action to approve the contract
30 between Bureau of Land Management and Austin Airport for
31 fire-fighting aircraft and authorization for chair or vice
32 chair to sign, and other matters properly related thereto.
33

34 CHAIRMAN STIENMETZ: Discussion for possible action to
35 approve the contract between the Bureau of Land Management and
36 the Austin Airport for fire-fighting aircraft and authorize the
37 chair or vice chair to sign, and other matters properly relating
38 thereto.

39 KEITH WESTENGARD: This contract was brought to me by Ray
40 Williams in the south. I looked it over. We got it pretty much

1 finalized. I've had the district attorney look it over. And
2 there was no issues with it.

3 DISTRICT ATTORNEY HERRERA: Ted Herrera, for the record.
4 The original contract I looked at was a one-year contract.
5 The latest version that looked at this morning was for five
6 years. And I see no legal problem with going for the five-year
7 one instead, the \$400 -- to \$400 needs to be paid.

8 Oh, it's for a different contract?

9 KEITH WESTENGARD: It's the Kingston. That's the Kingston

10 --

11 COMMISSIONER WAITS: I thought it was a three-year
12 contract.

13 DISTRICT ATTORNEY HERRERA: Oh, it is. I got the wrong
14 contract.

15 Let me see.

16 KEITH WESTENGARD: Hold on. This is the fire-fighting
17 aircraft in Austin.

18 DISTRICT ATTORNEY HERRERA: Oh, no. This is fine. I
19 looked at this one. This is --

20 KEITH WESTENGARD: So the district attorney has reviewed
21 this. He thinks it's a great opportunity. I've spoken within
22 the BLM fire officials. And they're here to answer any
23 questions you may have on it.

24 MIKE FETTIC: Good morning. Mike Fetic, fire management
25 officer for the Battle Mountain District BLM.

26 BROCK UHLIG: Brock Uhlig, assistant fire management
27 officer for Battle Mountain BLM.

28 MIKE FETTIC: And like Keith said, we're here to answer any
29 questions. Kind of the purpose of why we're here today, and
30 we'd like to enter into this agreement with you folks, is to
31 have the agreement done in advance, prior to an ignition, or
32 until there's smoke in the air, given signatures, and all the
33 processes we have to go through.

34 So this will allow us to have this all that done in
35 advance. The purpose, obviously, is to put the resources
36 closest to wherever the incident may be. If and when there's a
37 fire down there, we can position small aircraft, such as
38 single-engine air tankers, or we call seats, those are
39 fixed-wing, along with AirTAC, which are typically Cessnas, or
40 Aero Commanders, along with the medium-sized to small-sized

1 helicopters.

2 COMMISSIONER MILLS: The seat planes, are those Air
3 Tractors? Is that what you're using?

4 MIKE FETTIC: We went to the more of the turbine.

5 COMMISSIONER MILLS: The turbine? Is this the same ones
6 they have stationed out in Winnemucca.

7 MIKE FETTIC: Essentially the same thing. We do position
8 them here at the air tanker base here in battle Mountain. And
9 this agreement is no different than agreements that I have in
10 place that I'm a fire management officer for in Eureka. We have
11 one in Pershing County, there at Lovelock, and then one in
12 McDermitt, north of Humboldt County.

13 COMMISSIONER MILLS: Can you tell us a little bit about
14 some of your -- the successes you've had on using these little
15 planes to attack the fires early and how that kind of works?

16 MIKE FETTIC: Absolutely. We can position those aircraft
17 there and mix the retardant there, and get much, much quicker
18 turnaround times with those aircraft.

19 They're -- they're a great asset to, like I said, they're a
20 little bit smaller; so that gives us flexibility to land in these
21 airports, such as Austin, Eureka, et cetera.

22 The only challenge at some of the airports without fuel --
23 and I don't know, maybe this has changed at Austin.

24 COMMISSIONER WAITS: Actually that was going to be one of
25 my questions. Thank you. Because we're so glad you're going to
26 be there.

27 It's going to be a tough fire season, I'm sure, with the
28 drought we remain in.

29 But we have been looking at some time for our fuel. And I
30 don't know whether you use the -- the jet fuel, the av fuel,
31 whatever.

32 MIKE FETTIC: It's Jet A.

33 COMMISSIONER WAITS: But in the case -- I know you bring in
34 your own, of course.

35 MIKE FETTIC: We do. It's more logistically challenging
36 for us. We prefer to buy it from --

37 COMMISSIONER WAITS: That was my question. So if we do get
38 fuel, when we get fuel, you can buy it from us without any
39 problem at all?

40 MIKE FETTIC: That would be our preference.

1 COMMISSIONER WAITS: Great.

2 MIKE FETTIC: Typically the contractors pay for that. For
3 example, Western Pilot, who has a large number of seats, they're
4 responsible for their own fuel. But it does make it easier for
5 all parties involved if the fuel is readily available.

6 COMMISSIONER WAITS: Great. And have you been to Austin to
7 see our new pilot lounge?

8 MIKE FETTIC: I have not.

9 COMMISSIONER WAITS: We have. So I'm sure your pilots will
10 appreciate that --

11 MIKE FETTIC: Outstanding.

12 COMMISSIONER WAITS: -- to get out of the -- the inclement
13 weather and get on their internet or whatever they need to do.
14 So --

15 MIKE FETTIC: That's great.

16 COMMISSIONER WAITS: -- I think that's great. Thank you.

17 COMMISSIONER MILLS: Patsy, those new fuel tanks they're
18 putting down in Austin, aren't -- isn't that just 100 low-lead.
19 They're not putting Jet A down there; are they?

20 COMMISSIONER WAITS: Not yet.

21 COMMISSIONER MILLS: Okay.

22 COMMISSIONER WAITS: But I think they have --

23 COMMISSIONER MILLS: Maybe --

24 COMMISSIONER WAITS: You have --

25 COMMISSIONER MILLS: Maybe that will give us --

26 COMMISSIONER WAITS: -- aircraft that --

27 COMMISSIONER MILLS: -- an excuse.

28 COMMISSIONER WAITS: -- uses some of each; do you not?

29 MIKE FETTIC: Our smaller, like, Cessnas and stuff.

30 COMMISSIONER WAITS: Yeah.

31 COMMISSIONER MILLS: Okay.

32 COMMISSIONER WAITS: So it won't be --

33 COMMISSIONER MILLS: I guess we'll get some use out of --

34 COMMISSIONER WAITS: -- jet fuel --

35 COMMISSIONER MILLS: -- that bid.

36 COMMISSIONER WAITS: -- for a bit.

37 I'll make a motion that we approve the contract between the
38 Bureau of Land Management and the Austin Airport for
39 fire-fighting aircraft and authorize the chair to sign.

40 COMMISSIONER BAKKER: Second.

1 CHAIRMAN STIENMETZ: Any public comment?
2 (No comment.)
3 CHAIRMAN STIENMETZ: All in favor?
4 COMMISSIONER MILLS: Aye.
5 COMMISSIONER BAKKER: Aye.
6 COMMISSIONER CLARK: Aye.
7 COMMISSIONER WAITS: Aye.
8 CHAIRMAN STIENMETZ: Aye.
9 MIKE FETTIC: Thank you.
10 COMMISSIONER WAITS: Thank you.
11 CHAIRMAN STIENMETZ: Thank you, guys.
12 We're trying to get Lovelock.
13 UNIDENTIFIED PARTICIPANT: We're not going to stay.
14 CHAIRMAN STIENMETZ: I think we should make the other
15 record (indiscernible) as part of my money. I need some backup
16 before --
17 (Simultaneous conversations in the chambers.)
18 COMMISSIONER WAITS: I'll give you the backup.
19 COMMISSIONER CLARK: We need Ted and Keith in here for
20 this.
21 CHAIRMAN STIENMETZ: Do we need to take a break or --
22 COMMISSIONER CLARK: Whistle for them, Patsy.
23 COMMISSIONER BAKKER: Hit the hammer.
24 (Simultaneous conversations in the chambers.)
25 COMMISSIONER CLARK: We'll have to sign the contract.
26
27 9) Discussion for possible action to request a letter of support
28 for a pay increase for elected officials, and other matters
29 properly related thereto.
30
31 CHAIRMAN STIENMETZ: All right. Let's move on to Item
32 Number 9, discussion for possible action to request a letter of
33 support for a pay increase for elected officials, and other
34 matters properly related to thereto.
35 Do we not, when it comes time, like July 1, and we start
36 everything, we always give the elected officials the same
37 percentage as the --
38 DISTRICT ATTORNEY HERRERA: No, the elected officials' pay
39 is governed by the state. So the state legis- -- it's --
40 CHAIRMAN STIENMETZ: Legislature.

1 DISTRICT ATTORNEY HERRERA: -- front of the state
2 legislature at this time. The elected officials, they run four
3 or five years' disparity. They're always behind the other
4 employees in the state. Because right now we're at four years
5 behind.

6 Now, Patsy attended NACO. And they had -- they had a vote
7 on this, I believe. Last Friday?

8 COMMISSIONER WAITS: Yes.

9 DISTRICT ATTORNEY HERRERA: And I believe NACO voted to --
10 to -- to recommend that they give an eight percent increase is
11 my understanding.

12 COMMISSIONER WAITS: Yes. And I'd like to give you the
13 background on that.

14 DISTRICT ATTORNEY HERRERA: Okay.

15 COMMISSIONER WAITS: At one of our -- our last NACO
16 meetings, it was brought up that approximately every four to,
17 sometimes, six years the legislature brings up the increase in
18 pay for elected officials.

19 Now we're talking elected officials. We're talking not
20 only the commissioners, but we are talking recorders, assessors,
21 district attorneys, everyone that's elected except the judges.
22 The judges are on their own -- own statute.

23 And apparently, there was no bill in congress to do this. I
24 don't know whether it slipped through or just another year with
25 everybody going. And one of the commissioners actually made an
26 invitation. He said, I'd be happy to go before them and testify.
27 But it was Commissioner Johnson, and he said -- he noted that
28 Nevada has the lowest salaries of all the states. And so we need
29 to look at this.

30 We decided that it was not on our agenda; so we would have
31 our executive director take a look at this. We did have the
32 longevity pay that was a bill that was in there, whether we didn't
33 have to take the longevity pay if a county was in financial crisis
34 and such. So we could amend that very easily and add this to it.
35 And that was what we left him the directive to do. And then he
36 went forward with that and one of the first persons he actually
37 spoke with was Senator Goicoechea who chairs the Senate Government
38 Affairs Committee. And he said, Oh, my goodness. Haven't we done
39 that? We need to do that right now and I will do a bill.

40 So we did not have to amend our bill at all. It actually

1 is a bill that will be coming out of the government affairs.
2 Now NACO is working very closely with them because he was
3 interested with the wording on how we were going to do that.

4 So there were some concerns. And apparently with those
5 concerns, it came back to some of the associations.

6 I know Judge Max testified last time that we had the
7 meeting, he said, when you're working out your budget, there --
8 you know, consider the elected officials may have an increase,
9 but NACO didn't support that.

10 And that's not true. And I tried to clarify that
11 immediately that we have not taken that. In fact, the reason
12 it's on at all is because some of them had so many concerns from
13 their own elected officials. And I know this is true in Lander,
14 but it's true in so many of them that they were testifying.

15 So when we had a special meeting to bring this forth last
16 Friday, we had several speakers. Some came from the Assessors
17 Association. One of our speakers was a Nevada District
18 Attorneys Association president, Mark Jackson, from Douglas
19 County. And he spoke about 25 minutes on this saying, it's
20 terrible because our deputies are often making -- deputy DAs,
21 making 30-, 40,000 more than our DAs. How do we get good,
22 qualified people to run for these office? And that was true in
23 some of the assessor's and recorder's office too. How do you
24 get good people when the rest of the people are making so much
25 more than you are and you're supervising them? So they need to
26 bring that up.

27 So as they do every four or six years, they'll do a
28 percentage pay raise. And they hadn't decided exactly what that
29 was, five or six, and then three percent each year. It's not
30 quite the COLA that we give to the employees, but it brings up a
31 little bit.

32 So that was unanimous.

33 But it was probably an hour-and-a-half conversation of -- and
34 discussion on all of it before it went through, but --

35 DISTRICT ATTORNEY HERRERA: And to add to that, my
36 understanding from -- from Mr. Jackson that the -- who is the
37 President of the District Attorneys Association, is that the
38 head of NACO went to -- to Mr. Goicoechea Friday morning and
39 told him three percent.

40 And then the vote was taken. And it was carried, as Patsy

1 says, unanimously to give us an eight percent.

2 And Senator Goicoechea was already -- already putting in for
3 a three percent. So -- but he promised to go talk to them again.
4 So my concern is that he went and talked to them prior to the
5 vote.

6 And I would ask the commissioners to approve that -- that a
7 letter -- a letter of support be allowed. I haven't drawn up a
8 letter yet, because I'm going to be in front of the legislature on
9 the 3rd. And I'm going to find out more information to see who
10 the letter needs to be addressed to, if needed.

11 So I ask today that the county commissioners vote to
12 support a rate pay increase for elected officials. And when I
13 find out more, I will do what the letter or the resolution and
14 bring it back in front of the commission again, if that's
15 possible.

16 COMMISSIONER WAITS: I'm -- I'm confused. We're going to
17 vote to do the letter of support, but you're going to bring the
18 letter back to us to approve later?

19 DISTRICT ATTORNEY HERRERA: Well, I don't have a --

20 COMMISSIONER WAITS: Will you have that kind of time frame?

21 DISTRICT ATTORNEY HERRERA: Well, we've -- we've got --
22 we've got special meetings all week.

23 Well, we may or may not. I don't know if it's needed right
24 now. So what I'm saying is, since it's on the agenda, I don't
25 have a letter for your approval, unless you want to give me
26 blank approval and just do up a letter, and I don't know if you
27 should. So I would ask that you just agree to do it. And if I
28 do it up -- if a resolution or letter is needed, I will do that
29 up and get it in front of the commissioners at the first
30 available time.

31 COMMISSIONER WAITS: I don't see if we -- if we all approve
32 this today, I don't see why the letter has to come back. I
33 mean, you're our district attorney. The only thing that would
34 have to be on there is perhaps referencing the bill, once we
35 know the --

36 DISTRICT ATTORNEY HERRERA: Right, and that's --

37 COMMISSIONER WAITS: -- bill number, that type of thing.

38 DISTRICT ATTORNEY HERRERA: If you give me the authority,

39 --

40 COMMISSIONER WAITS: Is that what you're saying.

1 DISTRICT ATTORNEY HERRERA: -- I'll be happy to do that.

2 COMMISSIONER WAITS: Yeah.

3 DISTRICT ATTORNEY HERRERA: But I'm just giving you an
4 option.

5 COMMISSIONER WAITS: Thank you.

6 JUDGE SCHAEFFER: I know he doesn't want it, but give him
7 the authority because you don't know how fast they're going to
8 move. Okay. That would be my recommendation. That way he's
9 got it if he has it. He's got -- (indiscernible) ex officio.
10 My opinion. Bill Schaeffer, for the record.

11 DISTRICT ATTORNEY HERRERA: If you give me the authority, I
12 will -- will have Keith work on the letter with me so that
13 your -- your direct representative will be part of it.

14 COMMISSIONER MILLS: Good call.

15 JENNIFER O'KANE: I like that idea. Having a second
16 person. Jennifer O'Kane, for the record.

17 COMMISSIONER BAKKER: Okay. I'll make a motion to make a
18 letter of support for a pay increase for the elected officials
19 and have the DA, executive director draft -- draft it.

20 COMMISSIONER MILLS: Second.

21 CHAIRMAN STIENMETZ: Any public comment?

22 (No comment.)

23 CHAIRMAN STIENMETZ: All in favor?

24 COMMISSIONER MILLS: Aye.

25 COMMISSIONER BAKKER: Aye.

26 COMMISSIONER CLARK: Aye.

27 COMMISSIONER WAITS: Aye.

28 CHAIRMAN STIENMETZ: Aye.

29

30 10) Discussion for possible action to approve Resolution No.
31 2015-16, supporting AB 435 for the redefinition of the
32 geographic boundaries of the Fifth and Sixth Judicial
33 Districts, the creation of the Eleventh Judicial District,
34 and the assignment of one judge to the Sixth Judicial
35 District, which would include Humboldt County only, and one
36 judge for the newly created Eleventh Judicial District, which
37 would include Lander, Mineral, and Pershing counties.

38

39 CHAIRMAN STIENMETZ: Number 10, discussion for possible
40 action -- to -- action to approve Resolution No. 2015-06 [sic]

1 supporting BDR number, but there's no number in here.
2 DISTRICT ATTORNEY HERRERA: The -- the -- I do have a
3 number now. We just got this. And the number would be AB 435.
4 CHAIRMAN STIENMETZ: AB 435?
5 DISTRICT ATTORNEY HERRERA: And --
6 CHAIRMAN STIENMETZ: Albert Betty?
7 DISTRICT ATTORNEY HERRERA: Yeah.
8 CHAIRMAN STIENMETZ: All right. For BDR number, AB 345,
9 for the definition of geographic boundaries for the Fifth and
10 Sixth Judicial Districts, the creation of a eleventh district --
11 judicial district, and the assignment of one judge to the Sixth
12 Judicial District, which would include Humboldt County only, and
13 one judge for newly created Eleventh Judicial District, which
14 would include Lander, Mineral, and Pershing County.
15 DISTRICT ATTORNEY HERRERA: If I may, I put this on the
16 agenda. Judge Shirley said he was going to try get here.
17 So I would ask the commission at this time to pull this,
18 table this until the end.
19 CHAIRMAN STIENMETZ: All right.
20 DISTRICT ATTORNEY HERRERA: -- in case Judge Shirley would
21 -- gets here --
22 CHAIRMAN STIENMETZ: All right.
23 DISTRICT ATTORNEY HERRERA: -- and if you have any
24 questions of him.
25 COMMISSIONER CLARK: We need to make motion to --
26 CHAIRMAN STIENMETZ: Move it to the end.
27 COMMISSIONER CLARK: Okay.
28 COMMISSIONER BAKKER: Make a motion?
29 COMMISSIONER WAITS: We don't need to move --
30 KEITH WESTENGARD: You don't need --
31 COMMISSIONER WAITS: -- it. No. Not to move it.
32 (Simultaneous cross talk.)
33 COMMISSIONER WAITS: We're just moving it.
34 DISTRICT ATTORNEY HERRERA: The chair can do that.
35 CHAIRMAN STIENMETZ: All right. We'll move this to the
36 end.
37
38
39
40

1 11) Discussion for possible action to approve/disapprove the
2 executed Recreation and Public Property Lease N-19750-01 for
3 the Kingston solid waste disposal site, and other matters
4 properly related thereto.
5

6 CHAIRMAN STIENMETZ: Eleven, discussion for possible action
7 approval/disapproval -- to -- I can't. Mine's all.
8 (Indiscernible.)

9 All right.

10 DEPUTY CLERK GONZALEZ: (Indiscernible.)

11 CHAIRMAN STIENMETZ: Yeah, but I don't have this right
12 here. I can't read that. Sorry.

13 Discussion for possible action to approve/disapprove the
14 executed recreation and public -- proposed lease N-19750-01 for
15 the Kingston solid waste disposal site, and other matters
16 properly related thereto.

17 DISTRICT ATTORNEY HERRERA: This is the -- this is the
18 contract I was talking about last time. And I apologize.

19 This is -- it was at first a one-year contract, but then it's
20 now a five-year contract, the one I looked -- the version I looked
21 at this morning, for \$400.

22 Now, I originally had a problem with the okaying of
23 five-year contract with proceeds; however, this contract asks --
24 because you would be voting for something that goes beyond
25 your -- your term of service -- but the contract asks that the
26 400-dollar be -- be -- payment be made up front, which puts us
27 legally in the clear, if you want to take the contract. So
28 legally, it's fine.

29 KEITH WESTENGARD: It's the same contract you have in your
30 books.

31 I did receive this yesterday. They did ask that we now
32 make it -- it was \$80 a year with a one-year contract.
33 Nothing's changed in the contract. We -- Ted and I -- Ted
34 reviewed it this morning other than now -- it is now a five-year
35 contract with a 400-dollar payment in advance.

36 So nothing different. Here's a new contract. Just the term
37 has changed from one to five years.

38 And the cost of \$400 up front.

39 COMMISSIONER WAITS: And the disposal site on the south end
40 of the county is on BLM land; so \$80 a year is -- is a pretty

1 good price.

2 CHAIRMAN STIENMETZ: Uh-huh.

3 COMMISSIONER WAITS: I will make a motion that we approve
4 the Recreation and Public Purposes Lease N-19750-01 for the
5 Kingston solid waste disposal site.

6 COMMISSIONER BAKKER: Second.

7 CHAIRMAN STIENMETZ: Any public comment?

8 (No comment.)

9 CHAIRMAN STIENMETZ: All in favor?

10 COMMISSIONER MILLS: Aye.

11 COMMISSIONER BAKKER: Aye.

12 COMMISSIONER CLARK: Aye.

13 COMMISSIONER WAITS: Aye.

14 CHAIRMAN STIENMETZ: Aye.

15 Do I need to sign that one? That's (indiscernible).

16 All right.

- 17
18 12) Discussion for possible action to approve the Resolution No.
19 2015-07, a resolution of the commissioners of the County of
20 Lander in the State of Nevada, supporting the display of the
21 national motto "IN GOD WE TRUST" in all appropriate places in
22 Lander County, and other matters properly related thereto.
23

24 CHAIRMAN STIENMETZ: Now, we have discussion for possible
25 action to approve Resolution No. 2015-07, a resolution of the
26 commission of the County of Lander in the State of Nevada
27 supporting the display of the national motto "IN GOD WE TRUST"
28 in all appropriate places in Lander County, and other matters
29 properly related thereto.

30 KEITH WESTENGARD: This is the resolution that you approved
31 previously in commission meeting. I believe it was addressed
32 directly to our new administrative building. So the only thing
33 that has changed is (indiscernible) from the Lander County
34 administrative building to Lander County.

35 DISTRICT ATTORNEY HERRERA: And the purpose of this is that
36 if they want to place one in Austin, specifically, or even
37 Kingston, that they're allowed to do this with this new
38 resolution.

39 COMMISSIONER CLARK: Oh, okay.

40 COMMISSIONER WAITS: Yes, actually that was brought up at

1 the fi- -- at the time. But actually what happened is, is Judge
2 Max was here. And it was becoming very critical because they
3 were doing the new courthouse and what they were putting on the
4 walls and the paintings and the wallpaper and such. So we got
5 caught up in making sure that that was okay for him to do, and
6 we had it in a timely manner that, when we actually made the
7 motion, it did not say Lander County. It was specific.

8 But just to give you a little bit of background on that,
9 again, this -- this is our national motto. It is a patriotic
10 campaign that we've really put forward now because the motto was
11 adopted by the Congress July 30th, 1956, under the Eisenhower
12 Administration. But in the House of Representatives on 11/1,
13 2011, they voted again to make that and reaffirm. And the vote
14 was 396 to 9.

15 So since this is our national motto, they are also
16 encouraging, specifically, the governments for the placement of
17 this motto in all of our government buildings.

18 And so I'm very pleased to say that we can include all of
19 Lander County on this one if we pass this.

20 COMMISSIONER BAKKER: I'll make a motion approving
21 Resolution No. 2015-07, a resolution of the commissioners of the
22 County of Lander in the State of Nevada, supporting display of
23 the national motto "IN GOD WE TRUST" in all appropriate places
24 in Lander County.

25 COMMISSIONER WAITS: I will second that motion. Thank you.

26 CHAIRMAN STIENMETZ: Any public comment?

27 (No comment.)

28 CHAIRMAN STIENMETZ: All in favor?

29 COMMISSIONER MILLS: Aye.

30 COMMISSIONER BAKKER: Aye.

31 COMMISSIONER WAITS: Aye.

32 COMMISSIONER CLARK: Aye.

33 CHAIRMAN STIENMETZ: Aye.

34
35 **13) Update from Ken Brown, Western Counties Alliance, and other**
36 **matters properly related thereto.**

37
38 CHAIRMAN STIENMETZ: Now, we'll go to 13, update from Ken
39 Brown, Western Counties Alliance, and other matters properly
40 related thereto.

1 KEN BROWN: Thank you, Mr. Chairman, Commissioners.

2 Good afternoon. Nice to be here in the world of Lander
3 County. And thanks for time on the agenda. I'm Ken Brown with
4 Western Counties Alliance, for the record.

5 For those who may not be familiar with WCA, we deal
6 particularly with public land issues in the noncontroversial area.

7 The mission of our organization is to bring attention and
8 resolution to the various issues.

9 Particularly, want to thank Keith and Vicki for making
10 arrangements for me to be on the agenda.

11 Well, Commissioners, there's some good news. Unfortunately,
12 there's some news that's not so good. So we'll just go through
13 the agenda that was e-mailed over. And we'll have some discussion
14 on each one.

15 PILT, of course, that's -- any agenda I design, PILT is
16 number one. Always has been and always will be, because it's a
17 vital, vital program for, as you know, counties. Unfortunately,
18 there are those in the eastern part of our country that label PILT
19 as a western welfare program. And that's false.

20 Because the counties do a good job of providing, a very
21 professional job, of providing services on public land.

22 With respect to revenue, last year PILT was funded at
23 437 million. That's gross. This year the gross figure is
24 442 million, a slight increase. And that's -- that's very good.

25 There's one area that I'm not very agreeable on. They want
26 to remove 37 million from the payment in June, which would be
27 405 million. And they want to pay that balance of 37 million in
28 October 1st of this year.

29 And the reason I don't like that -- well, there's a couple
30 of reasons. They would have to cut two paychecks to counties.
31 They're always worried about spending extra money; so why don't
32 we just pay the revenue in a lump sum like it's been done, in
33 all the years PILT's been in existence? We have asked for that
34 to be done. Whether it gets done, I can't answer that at the
35 moment.

36 But anyway, PILT has been reauthorized for -- for this year,
37 and that's good news.

38 One of the things I have been working on that needs to be
39 done is PILT full funding needs to be put on a permanent basis.
40 Because of this response about western welfare program and we

1 have to do a big battle every year for -- for revenue.

2 So for those of you who are new, PILT full funding went into
3 effect in '08. And when PILT full funding went into effect, that
4 provided about 38 percent additional PILT revenue for counties, a
5 big step.

6 And we worked on that; the counties in Nevada and Senator
7 Reid was in his position, why, played a major role of getting that
8 done for us. If we went and asked for PILT full funding today,
9 they'd probably tell us where to go and how to get there. So
10 fortunately it's there.

11 But last year there was legislation to put PILT full
12 funding on a permanent basis, but it died. Because for two
13 reasons, they said it's election year and it's got a fiscal note
14 attached to it. Obviously it does, because it deals with
15 revenue.

16 So that didn't go anywhere. So we're trying to get some
17 momentum going to get legislation and get it renumbered and
18 reintroduced in the Congress. That's a goal for this year.

19 Interior budget office always says to me -- and I seem to
20 have quite a lot to say about PILT. And I do, because of the
21 vital program it is.

22 So they said, why don't you give us three offsets to fund
23 PILT? And I says, I can do that right now.

24 Number one is the Land and Water Conservation Fund.
25 There's over \$878 million in that fund. And part of that
26 revenue goes to purchase private lands. I said, feds, you need
27 to discontinue purchasing private land. You already have more
28 land than you can manage. It takes the land off the local tax
29 roll and creates additional impacts to counties. So there's
30 plenty of room for \$450 million in that area. Just need to quit
31 buying private land, dealing that way, fund PILT.

32 The second one, mineral royalty. Land and water conservation
33 is part of the mineral royalty block of money. There's about -- a
34 little over \$14 billion, nationally, in that fund. So I says,
35 there's other areas in mineral royalty that we can take
36 \$450 million and fund PILT. So that's number two offset.

37 Number three, foreign aid. I says, you can take
38 \$450 million out of foreign aid and never leave a scratch.

39 And so I says there's three good offsets to fund PILT. All
40 you need to do is just select one and get it done.

1 So that's pretty well where PILT is at for this year. We
2 appreciate our congressional people in the West for sticking up
3 for the PILT program and helping us in that regard.

4 Number two, SRS, Secure Rural Schools, is a not-good-news
5 area because it -- that program did not get reauthorized for
6 2015 payments. The only revenue that will be available is in
7 the 25 percent forest receipt category of revenue. That
8 25 percent area was put into law in 1908 under a contractual
9 basis. So the feds have to pay that or break the contract. And
10 they could do that. But they've got to -- to comply with the
11 law, they'd have to break the contract.

12 COMMISSIONER WAITS: Ken. Ken, excuse me, I just saw
13 something on the SRS program that they were trying to bring that
14 back up in Congress. Have you heard anything on that?

15 KEN BROWN: I have. And we've -- we've gone that route,
16 Commissioner, saying we need to rethink this process. You're
17 leaving a bazooka hole in counties' budget, particularly B
18 counties. So we would like you to amend and reauthorize the SR
19 program for 2015 payments.

20 COMMISSIONER WAITS: So there is still a chance even though
21 it was dead? Okay.

22 KEN BROWN: It's slim, --

23 COMMISSIONER WAITS: I --

24 KEN BROWN: -- but it's there.

25 COMMISSIONER WAITS: Good.

26 KEN BROWN: Yeah, it's -- but we've asked for that to
27 happen.

28 Now the other problem is the feds want to implement a
29 7.3 percent sequester.

30 And we have asked, Commissioners, for that to be deleted.
31 You're not only leaving a hole with just not reauthorization,
32 but then you want to take 7.3 percent of what remains. I mean,
33 come on, folks, you created a program. And if you're going to
34 create a program, let's pay for it. It's that simple.

35 And there are some folks think I'm a little outspoken, but
36 that's okay.

37 B counties, such as Lander County is, are the ones that are
38 getting hurt the worst, because in B counties, they generally have
39 a high percentage of national forestland acreage in the county.

40 And so that's why it's a real problem.

1 2014, Lander County received \$147,417. Now you understand
2 that's a 50/50 split between county road maintenance and public
3 education. For 2015, out of the 25 percent area, \$28,733. My
4 word. You know that's -- why don't you just take it all, folks,
5 you know. Isn't even enough to fight over. But that's where it's
6 at the moment. I appreciate you bringing that up, Commissioner
7 Waits, because we're still pursuing with others to get that
8 changed.

9 You know, we have to try.

10 So, anyway, that's where it's at. Now -- let me give you a
11 figure on a state basis for Nevada. In 2014, the State of Nevada
12 received 4,015,098 for SRS revenue. For 2015, they will receive
13 \$404,852, a big gap.

14 Anyway, I really hated to put SRS on the agenda for that
15 reason, such a revenue loss. But that's the -- the latest that I
16 have. And we constantly -- we look at this every day to see where
17 things are going.

18 And a little bit, not as much of a problem with SRS as PILT,
19 but they still look at this as a western welfare area. And -- but
20 some of the eastern states get it. So it isn't as much of a
21 problem with the welfare issue as PILT is, because the West gets
22 so much PILT money. And they should because there's a lot of
23 public land in the West, as you -- all of you know.

24 Move to Item 3, wild horse burro. That continues to be a
25 problem because Nevada is most impacted state. Wyoming is
26 number two.

27 There has to be something done. We continue to work with the
28 national advisory board and staff about getting more gathers
29 organized and getting these animals off the areas where the
30 population far exceeds what the land can sustain.

31 They're doing resource damage. They're interfering with
32 domestic livestock grazing. And that shouldn't happen. They say,
33 well, some of the advocates say, well, the permittees don't pay
34 anything anyway.

35 Well, I said you ought to try to pay for all the expense of
36 a permittee on the land when you talk about range riders, all
37 the expense to and from, moving cattle, livestock from pasture
38 to pasture. There's a lot of revenue. And I says, what is the
39 wild horse burro pay? Do they have an AUM figure? They're out
40 there on a freebie basis. And we've got to do something.

1 And the -- the board and the staff, there is a problem,
2 because sometimes they get these gathers scheduled and then the
3 advocates file an injunction in the courts.

4 Can't do a thing until that injunction gets lifted.

5 COMMISSIONER WAITS: I know one of our NACO meetings, we
6 had a rancher out of Pershing County that was telling us the
7 number of horses that they tried to count. And -- and they gave
8 up. They didn't even do half his land, they were so far over.
9 But he said that it cost him over \$10,000 a year just to water
10 the horses. And, of course, as you know, we also have a bill in
11 Nevada that's trying to change that -- that wording of the wild
12 horses and burros so they would become the wildlife, which means
13 they would have to. So we're talking more expense to the
14 ranchers anyway, so...

15 KEN BROWN: So Commissioner, maybe you could catch me up a
16 little bit. I understood that the judge ruled -- the federal
17 judge ruled against that lawsuit that NACO filed. And it's
18 going to be appealed. Is that correct?

19 COMMISSIONER WAITS: Yes, I gave that in my -- in my
20 commissioner's briefing.

21 We filed. We actually voted to appeal.

22 KEN BROWN: Okay. I think that's a good thing. Because it
23 just takes that kind of a challenge to try to get something
24 accomplished.

25 WC- -- WCA, we continue to support the disposal plants.
26 There are three of them that have been permitted, one in New
27 Mexico, one in Missouri -- and where's the other one? -- back
28 there in that area. Anyway, there were three permits, but --

29 COMMISSIONER MILLS: This is just to dispose of the wild --

30 KEN BROWN: Yes.

31 COMMISSIONER MILLS: -- horses?

32 KEN BROWN: Plants. Well, any horse: tame, wild --

33 COMMISSIONER MILLS: Oh.

34 KEN BROWN: There needs to be an area to take care of
35 animals in need. And they're shut down in America. All of
36 those animals have go to either Mexico or Canada to be disposed
37 of.

38 So the federal judge said, go ahead, Roswell, New Mexico --
39 that was the other one, Roswell -- go ahead with your plant.

40 And then they appealed that. The judge -- now let me back

1 up -- the judge ruled against. They appealed it to the Tenth
2 Circuit. The Tenth Circuit says, you can go ahead with your plant
3 until we render a decision on the issue.

4 So -- but then from there, the attorney general in New Mexico
5 filed a lawsuit against the plant. And that has not been resolved
6 to this point.

7 So nothing can be done. They still have to go to either
8 Mexico or Canada. But, you know, you need a place to dispose of
9 those animals in need.

10 COMMISSIONER WAITS: Well, the sad part is by taking them
11 to Mexico most are very inhumanely treated. And that just is
12 totally unacceptable. So...

13 COMMISSIONER MILLS: About six weeks ago, there was a
14 gather in the area of Eureka, south of -- in southern Lander
15 County. And I was told by the director of the BLM that they'd
16 gathered up about 400 horses and they let 200 of them go.

17 And I told him, I says -- and he was complaining the ranchers
18 were out there protesting. And I told him, I said, I would
19 protest too.

20 KEN BROWN: Mm-hm.

21 COMMISSIONER MILLS: There's more horse- -- you didn't
22 gather enough horses to get it, the horse management area down
23 to the proper number. There's still too many out there. And
24 then you're letting them go again. And he said, well, we -- we
25 sterilize them before we let them go.

26 Well, the horses are still there. And my understanding is
27 that sterilization process only works for about a year.

28 KEN BROWN: Right.

29 COMMISSIONER MILLS: Then he told me that the -- the horse
30 facility in -- is it Palomino Valley? --

31 COMMISSIONER WAITS: Palomino Valley.

32 COMMISSIONER MILLS: -- north of Reno, was full.

33 Well, about three days after he told me that, I was out
34 there. My in-laws live north of -- in Palomino Valley and I
35 drove by that facility. And it certainly was not full. I've
36 seen that facility when it was full. I've seen it packed to the
37 gills with horses and it is not full at this point. So...

38 KEN BROWN: Well, there's a lot of fabricated excuses about
39 the program.

40 And they don't want -- the advocates don't want that number

1 reduced. They don't want to do anything about the reproduction
2 process. And that's a humane thing to do. And it would -- it
3 would work.

4 But the advocates want to leave the numbers or have them
5 increase and tell the federal agency to -- to the permittees
6 with domestic livestock, you've got to take a 25 -- some -- in
7 Utah, west desert counties in Utah, they were told they were
8 going to have to take a 50 percent reduction of their livestock
9 AUMs.

10 And they got -- we -- I helped get that resolved. They was
11 able to go. And then one of the counties said, well, feds, if
12 you're not going to do anything with them, we will. But you
13 know what happens, legal aspect, when you -- if you're out of
14 line with the law, you know, and why -- whether it's a good
15 thing to do or not.

16 But they've got to get the thing in line.

17 COMMISSIONER MILLS: I had heard -- and I don't know if
18 this is a hundred percent accurate, but I think it was the Bill
19 Gates Foundation was talking about taking wild horses to third
20 world countries for those people in those countries to use
21 them -- and utilize the horses as work animals.

22 Have -- Are you familiar with any program like that?

23 KEN BROWN: Well, they've -- they've -- that's -- that's
24 out there.

25 COMMISSIONER MILLS: Okay.

26 KEN BROWN: How effective it is or where this -- what the
27 status is, I don't know. But that's, you know, that's out
28 there. That's all --

29 COMMISSIONER MILLS: Okay.

30 KEN BROWN: -- I can say about that.

31 But anyway, we're working. I go to the board meetings and
32 my member advisory board member meeting on a national basis. I
33 go to those board meetings and give testimony.

34 And -- but the numbers in some areas are just such a
35 problem that it's, as you know, the resource damage is there.

36 Two things. We wanted to get a commissioner on that board,
37 and we did. Commissioner Cope from Lemhi County, Idaho, county
38 seat, Salmon. And then he was up for election, and he decided not
39 to run.

40 COMMISSIONER MILLS: Hm.

1 KEN BROWN: But he's on the board. And there -- there're
2 three-year, staggered terms. And so all of the impacts are in
3 counties. And this program went in about 1972. And there has
4 never been a county commissioner on that board.

5 And so we -- we helped get that taken care of. So we'll look
6 to see what happens in the end of his term, what he does. But if
7 not, we're going to look towards getting another county
8 commissioner. There's two on the board now. John Fallon is one.
9 And Boyd Spratling from Elko County. But Boyd was up for
10 reappointment. And he said I've been there three years; so I'm
11 not going to ask for reappointment. So that creates a gap.
12 Because he did -- he was a chairman and did a good job.

13 I'm taking lot of time, commissioners. So I need to step
14 on the go pedal here.

15 Public land transfer. Good concept. American Lands
16 Council is move -- trying to move that forward.

17 In Utah, in 2014 legislative session, \$2 million-was
18 appropriated to help get that lawsuit process moved through the
19 Supreme Court. We had legislation this year from a very liberal
20 type of legislator that doesn't support the transfer nor did he
21 support the \$2 million taxpayer money to go towards that. So he
22 ran a bill. And they just got together and amended it so much
23 about all that's left is a piece of paper and a number. So the
24 \$2 million stays intact to help pay to get that process in the
25 U.S. Supreme Court.

26 I -- one thing that I like that they've changed a little
27 bit is if -- if that ever -- the transfer ever gets approved.
28 The transfer then phases. And I think that's a good concept.
29 Kind of helps to provide a little better educational process for
30 some people. Because they don't think states could take on that
31 magnitude of management.

32 They could, but there are those who don't think so.

33 They've talked about doing it legislatively. Well, even
34 if -- even if the -- even if the bill got approved in the
35 Congress, it would get vetoed in the White House anyways. So the
36 -- the Supreme Court process is -- is the best way.

37 Going on to number five. Look on that geothermal. Continues
38 to be a good -- good, clean source of energy. Lyon County
39 participates quite well with that -- that process.

40 The leases for that is been fairly stable for Lander County

1 in the -- in the chart here. 2012, Lander County received
2 \$70,723; in 2013, \$133,460; and 2014, \$151,695. So, you know, a
3 little bit of good news.

4 And so your leasing process for that program has served its
5 purpose. And -- and that's good.

6 We just continue to watch that on the -- on these charts. We
7 would like to see the distribution formula for geothermal changed.
8 Right now it's 50 percent fed, 50 percent states. And states are
9 supposed to share 25 percent of their 50 percent with counties.

10 What we were proposing is to change that formula to make
11 it -- to make it the same, one-third fed, one-third state, and
12 one-third county. And then we would like to have the county's
13 money flow directly to the county rather than through the state
14 because sometimes states have a tendency to want to tap county's
15 money.

16 So if it goes dire- -- if it comes direct to the county, why,
17 you're home free of that kind of thing.

18 Well, the feds are going to balk at that. So the only
19 thing we can do is just try.

20 Sage grouse, as you know, a gigantic issue. September of
21 this year the Fish and Wildlife Service is supposed to render a
22 decision of what they're going to recommend, whether it's extend
23 or a listing or whatever type of thing.

24 As you know, if that bird gets listed, multiple use on
25 federal land is pretty well at zero.

26 We are involved with a coalition with Western Energy Alliance
27 headquartered in Denver. You may have got a copy of the press
28 release, that I think I e-mailed over to you, that we filed a suit
29 challenging the science the Fish and Wildlife Service have used.
30 It's bad. Because they do not want to recognize the number of
31 birds out on the land, for one reason. The lesser number that
32 they support, the easier it would be to list the bird.

33 And so the habitat area, another thing. My, some of these
34 areas is in gigantic areas, including private land, is a real
35 problem.

36 And so Western Counties, we put some money into this
37 coalition for this lawsuit to be filed. It has been filed, as you
38 saw from the press release.

39 And that's good because they've done a good job. They're
40 really going to challenge them on the science. And Fish and

1 Wildlife, they're going to have to step to the plate. So
2 that's -- that's some good news.

3 Other issues, we still deal with RS 2477 quite a lot. We did
4 a workshop for Eureka County. They want to do another one. I did
5 a workshop via conference call to a county in Montana that's
6 needed a little more knowledge of, you know, how to step to get
7 their road inventories done, the cert claim on the inventories and
8 then choose one of the options: re-coordination, recordable
9 disclaimer, quiet title, or Title 5, are the four options. And so
10 they appreciated that. And they're moving forward.

11 Grazing issues. We're always there. We're -- the permit
12 renewal which is going to be coming up. We've done quite a lot
13 in that area, helping states and areas in states with their
14 grazing-permit renewal.

15 Membership. We're at about 24 counties now, which includes
16 Nevada NACO. We appreciate that.

17 (Indiscernible) for your membership and support. We hope you
18 give WCA some consideration as you prepare FY 2016 budget.

19 I bent your ear long enough.

20 CHAIRMAN STIENMETZ: Thanks, Ken.

21 COMMISSIONER WAITS: Thank you, Ken.

22 COMMISSIONER BAKKER: Thanks for coming.

23 KEITH WESTENGARD: Thank you. Have a great day.

24 COMMISSIONER WAITS: Thank you. Safe travels.

25 KEN BROWN: Thank you.

- 26
27 14) Discussion for possible action in support of closing Cedar
28 Street from Highway 50 to Overland Street from 1:00 p.m. to
29 3:00 p.m. on April 11, 2015, to hold slow drags and blind
30 drives at the Austin Car Show for competition in Austin,
31 Nevada.
32

33 CHAIRMAN STIENMETZ: Number 14, discussion for possible
34 action in support of closing Cedar Street from Highway 50 to
35 Overland Street from 1:00 o'clock -- 1:00 p.m. to 2 -- to
36 3:00 p.m. on April 11th, 2015, to hold slow drags and blind
37 drive at the Austin Car Show for competition in Austin, Nevada.

38 COMMISSIONER CLARK: Make a motion.

39 COMMISSIONER BAKKER: Yep. I'll make a motion to close
40 Cedar Street from Highway 50 to Overland Street from 1:00 p.m.

1 to 3:00 p.m. on April 11th, 2015, to hold slow drags and blind
2 drives at the Austin Car Show.

3 COMMISSIONER CLARK: Second.

4 COMMISSIONER WAITS: I'll second that.

5 COMMISSIONER BAKKER: Ope.

6 COMMISSIONER CLARK: Give it to --

7 CHAIRMAN STIENMETZ: Any public comment?

8 COMMISSIONER WAITS: -- Patsy.

9 (No comment.)

10 CHAIRMAN STIENMETZ: All in favor?

11 COMMISSIONERS: Aye.

12 COMMISSIONER WAITS: Aye.

13 CHAIRMAN STIENMETZ: Aye.

14 COMMISSIONER WAITS: There you go, Austin.

15 MITESHELL LANHAM: Thank you.

16 FRANK WHITMAN: Thank you.

17 CHAIRMAN STIENMETZ: They're going to race turtles?

18 COMMISSIONER BAKKER: Huh?

19 CHAIRMAN STIENMETZ: The slow race.

20 JUDGE MAX BUNCH: Do you guys need a break? Take a break?

21 COMMISSIONER BAKKER: Why? Are you waiting for someone?

22 JUDGE MAX BUNCH: No, I thought you guys were.

23 CHAIRMAN STIENMETZ: No, we took one --

24 COMMISSIONER CLARK: Is Jim here?

25 COMMISSIONER BAKKER: Oh. We'll take a break after you, if
26 we're still waiting.

27 COMMISSIONER MILLS: Jim Shirley.

28
29 **15) Update regarding status of Lander County courthouse/
30 administration building project, and other matters properly
31 related thereto.**

32
33 CHAIRMAN STIENMETZ: An update regarding the status of
34 Lander courthouse/administration building project, and other
35 matters properly relating thereto.

36 JUDGE MAX BUNCH: Max Bunch, for the record, part of your
37 building committee.

38 We had our last HUC safe-site score, 98.9. The CORE
39 national safety director visited the site again and was
40 extremely impressed. He was there yesterday. And he was very

1 impressed with the safety of the building, what's going on.
2 The first floor, drywall's about 85 percent complete.
3 The first floor with taping of the drywall's about
4 50 percent complete.
5 The first floor texture is starting next week where they're
6 going to start texturing the walls.
7 Second floor framing is about 92 percent complete.
8 And second floor drywall's about 20 percent complete.
9 The second floor mechanical, electrical, and plumbing is
10 about 70 percent complete.
11 The first floor MAP is about 90 percent complete.
12 And so that's kind of the update. I've -- if -- if you
13 haven't been there, I'd be happy to take you there or go there.
14 And CORE's there.
15 I know that Patsy went. And I believe that the executive
16 director went over there the other day; so if there's any
17 comments -- there's a lot of little issues that come up that I
18 try to put out the fires daily on. And so --
19 COMMISSIONER WAITS: It's awesome.
20 JUDGE MAX BUNCH: -- any questions?
21 CHAIRMAN STIENMETZ: No questions. Good job.
22 COMMISSIONER MILLS: Yeah.
23 JUDGE MAX BUNCH: All right.
24 COMMISSIONER WAITS: Thank you, Judge.
25 COMMISSIONER BAKKER: Thanks, Max.
26 JUDGE MAX BUNCH: Thank you.
27 COMMISSIONER MILLS: Thank you.
28 CHAIRMAN STIENMETZ: Which one did we --
29 COMMISSIONER WAITS: You want to take --
30 COMMISSIONER CLARK: Break time.
31 COMMISSIONER BAKKER: Yeah.
32 COMMISSIONER WAITS: Do you want to take a break and come
33 back?
34 CHAIRMAN STIENMETZ: Yep. Let's take a five-, ten-minute
35 break.
36
37 (Break between 2:56 p.m. and 3:03 p.m.)
38
39 CHAIRMAN STIENMETZ: All right. Call the meeting back to
40 order.

1 10) Discussion for possible action to approve Resolution No.
2 2015-16, supporting AB 435 for the redefinition of the
3 geographic boundaries of the Fifth and Sixth Judicial
4 Districts, the creation of the Eleventh Judicial District,
5 and the assignment of one judge to the Sixth Judicial
6 District, which would include Humboldt County only, and one
7 judge for the newly created Eleventh Judicial District, which
8 would include Lander, Mineral, and Pershing counties.
9

10 CHAIRMAN STIENMETZ: We'll go back to Item 10, discussion
11 for possible action to approve Resolution No. 2015-06 [sic],
12 supporting AB 435 for the redefinition of the geographic
13 boundaries of the Fifth and Sixth Judicial Districts, the
14 creation of the Eleventh Judicial District, and the assignment
15 of one judge to the Sixth Judicial District, which would include
16 Humboldt County only, and one judge for the newly created
17 Eleventh Judicial District, which would include Lander, Mineral,
18 and Pershing counties.

19 DISTRICT ATTORNEY HERRERA: Thank you, Commissioners. Ted
20 Herrera, for the record. Lander County district attorney.

21 Judge Shirley wanted to be here, but he had an emergency
22 hearing in Winnemucca; so he couldn't be available. So I'm here
23 to give you some background on this and to answer any questions
24 you may have.

25 And as far as background, as you're all aware, we're part of
26 the Sixth Judicial District Court in the State of Nevada. That
27 includes three counties: Pershing County, Humboldt County, and
28 Lander County.

29 And we have two district court judges: Judge Montero and
30 Judge Shirley now.

31 Judge Wagner just retired. And the new judge for Department
32 1 is Judge Shirley.

33 Unbeknownst to us, in Hawthorne, Mineral County, that they're
34 in a district -- I believe they're in the Fifth Judicial District.
35 And the two district court judges both live and practice
36 primarily, give court primarily, in Pahrump. That's quite a
37 distance from Pahrump to Hawthorne.

38 So Hawthorne, which is a small county -- probably maybe a
39 third of the size population-wise as we are -- they weren't
40 getting any services. They were getting some services every

1 once in a while, but they'd go for a long time without getting a
2 judi- -- a district court judge.

3 So they went to the -- to the Nevada Supreme Court. And
4 Chief Justice Hardesty took it under advisement. And he went to
5 Fallon and Lyon to see if Mineral County could be included in
6 their -- in either one of their districts. And they both said,
7 no, we've already got too many people, too many cases. We just
8 can't take anyone else.

9 Meanwhile, -- and I say meanwhile, as of January 5th, 2015 --
10 I was -- came into office. And I started doing so- -- on behalf
11 of the county, I started doing some research into our commitment
12 to the Sixth Judicial District Court budget. And I found that
13 there was a contract that existed in 1985; that's where it came
14 into existence.

15 And it was an inter-local agreement between the Sixth
16 Judicial District Court and the three counties. And that's when
17 it first came into being that -- that Lander County pays 20
18 percent, Humboldt County pays 60 percent, and Pershing County
19 pays 20 percent. And I'm sure you've heard the 60-20-20 split.

20 It was supposed to be redefined each and every year. But
21 what happened is the 1985 contract disappeared. We couldn't
22 find it. It took me a month and a half to find it. Nobody in
23 the three counties found it. None of the district court judges
24 from the last 25 years has -- has felt an obligation to provide
25 it to the county commissioners.

26 So all the county commissioners for 25 years have been
27 summarily adopting what the district court judges put to them, and
28 in spite of the contract, because no one knew of the contract's
29 existence.

30 In the contract, it states that district court judges can
31 have certain -- certain people working for them. They could have
32 a court reporter. They could have a secretary. They could have
33 law clerks.

34 Now District Court 1 followed that -- that -- even though the
35 contract wasn't shown to anybody. But Department 2 -- and I'm not
36 attacking Judge Montero, because I don't believe Judge Montero was
37 aware of the contract either.

38 And -- well, let me -- let me go back a little bit. In 1996,
39 another contract came into being. And that's when they built
40 Leighton Hall. And Leighton Hall is a juvenile center in

1 Winnemucca. And Lander County paid \$150,000 towards its
2 construction. I believe that under that contract, which I think
3 goes to 2016 -- it's a 20-year contract -- we're obligated to pay
4 \$200,000, approximately \$200,000 per year just for the Leighton
5 Hall, just for its maintenance, just for its overhead, no matter
6 how many juveniles we place there.

7 If we place zero juveniles there, we pay \$200,000. We don't
8 get a property interest from that.

9 We have -- technically, we have a 150,000-dollar construction
10 interest in that. So -- so -- if this bill goes through, we can
11 ask for that \$150,000 back. But that's -- that's negotiations for
12 later on. This is still background.

13 But in 1996, they just made this inter-local agreement
14 concerning Leighton Hall. And to be honest with you, Humboldt
15 County's the big brother on the block, the big guy on the block.
16 We are paying for services for Humboldt County. There's no
17 question about that.

18 And again, Judge Montero has got two secretaries, a staff
19 attorney, a secretary for the staff attorney, a law clerk. And
20 again, I don't believe he knew that he was violating the
21 provisions of the 1985 contract because that was well hidden from
22 everybody. Everyone.

23 And I don't know why. I can't answer that question. And so
24 I'm not going to try to put bad intent in -- on anybody's
25 shoulders. It's just -- I'm just trying to give you a factual
26 rendition of what happened.

27 So I was alarmed under the 1985 contract and the 1996
28 contract. And I've sent a copy to all three district attorneys
29 in all three of our counties in the Sixth Judicial District
30 Court. And the district attorney in Pershing County was also
31 alarmed because he found that his county, which doesn't have
32 much money, Pershing County, were paying a lot of money for
33 services that were being given in Humboldt County.

34 And what Judge Montero's done in Humboldt County is he's
35 built up an incredible service machine for -- for -- for -- he's
36 got court -- specialty courts. And he's got a lot of staffing for
37 it. He's got wonderful labs and hundreds of thousands of dollar'
38 worth of labs and staff. And all that support and all those
39 people are in Humboldt County.

40 So we are paying 20 percent of that. So fiscally, we are

1 getting the wrong end of this deal.

2 And if this move wasn't taking place, I would ask the
3 county commissioners -- and I've talked to, I believe each and
4 every one of you at different times about potential litigation
5 in this area. And I'm allowed to do that under the open meeting
6 laws. And I was preparing to do that if the county
7 commissioners wanted to go forth with that.

8 But Judge Hardesty, meanwhile, while this was all taking
9 place, goes to Judge Montero and Judge Shirley and suggests that
10 they put forth a bill that would put -- Humboldt County would
11 remain the Sixth Judicial District Court with one district court
12 judge, that being Judge Montero. And Mineral County would join
13 Lander County and Pershing County, and they would -- they would
14 create, by statute, the Eleventh Judicial District Court. And
15 that's what -- that's what this bill AB 435, that's what it
16 entails. So it is a redefinition of the geographic boundaries.
17 There's no question about that. It changes everything.

18 So fiscally, we would -- we would, for this year at least, we
19 would have to agree, and we have, to the same budget that we've
20 been going on under this Sixth Judicial District Court; however,
21 if this bill passes and it takes place on July 1st, 2015, then the
22 county commissioners and the district attorneys of -- of all three
23 counties -- and I say Pershing County, Humboldt County, and Lander
24 County -- would have to get together and they would -- we would
25 have to negotiate both Leighton Hall and -- and the Department 1
26 and Department 2's budget. Because we're agreeing to a budget
27 that, technically, we're not going to be part of that -- that
28 district.

29 So they've asked -- and I say they, the district court
30 judges -- have asked that we adopt the budget as they presented
31 and then we can negotiate on July 1st for how we split that up.

32 And I can't -- I can -- what I see at this point is that
33 for the first year, we should save at least 4 percent of our
34 budget.

35 And depending on how Leighton Hall goes, we could save, not
36 \$200,000 a year like I was hoping because we have to start a
37 juvenile system in the Eleventh Judicial District Court. But we
38 do not have a big overhead of Leighton Hall situation where we
39 have to maintain that for another county.

40 And -- and that's where that's going to be fiscally

1 beneficial to this county that we don't have to do that. Because
2 right now, we could pay Elko County a hundred dollars a night for
3 each juvenile we send there. We're paying thousands, thousands
4 per night for every juvenile we're sending to Leighton Hall right
5 now because we're under that contract.

6 COMMISSIONER CLARK: Would they go to Independence High
7 School, NYTC? No? They have --

8 DISTRICT ATTORNEY HERRERA: No.

9 COMMISSIONER CLARK: -- a different facility?

10 DISTRICT ATTORNEY HERRERA: They just have a -- they have a
11 Leighton Hall kind of facility --

12 COMMISSIONER CLARK: Okay.

13 DISTRICT ATTORNEY HERRERA: -- for juveniles. They have
14 one in Fallon. And that's where Pershing County could go to.

15 So this is all part of the leverage program on the -- on the
16 negotiation because if we send ours to Elko, which would be a lot
17 cheaper, and if Pershing sends theirs to Fallon, which would be a
18 lot cheaper, then Winnemucca is in the sad position of paying a
19 million dollars a year by themselves just to maintain -- to keep the
20 doors open of Leighton Hall. They can't do that.

21 And how it's grown in immense proportions with this bloated
22 budget is -- is beyond recognition of the original intent, in my
23 opinion, because we don't get the services.

24 That's the bottom line. We're not getting the services.

25 What we're asking in this resolution, basically, is that this
26 resolution will be sent to the legislature in Carson City showing
27 that we, by the county, and I say we, the county commissioners, of
28 this county, support this move.

29 So are there -- that's basically what's going on. Any
30 questions?

31 COMMISSIONER WAITS: So where is Judge Shirley going to
32 have his office?

33 DISTRICT ATTORNEY HERRERA: In Pershing County.

34 COMMISSIONER WAITS: In Pershing, with his own staff, but
35 not like the staff that Judge Montero has grown to.

36 DISTRICT ATTORNEY HERRERA: Judge Pershing [sic] has one
37 court reporter, one secretary, and one law clerk, just exactly
38 what the 1985 contract that he's always maintained that in
39 Department 1.

40 Judge Wagner, prior to him, maintained that Department 1.

1 It's Department 2, that they received a 900,000-dollar grant for
2 drug court. And they built up these incredible services. And I
3 have to tell you, I wish we could afford them, and I wish we had
4 them here. But they're services and stuff that are built up in
5 Humboldt County. And now the -- the well's run dry for the -- for
6 his grant. And now, the three counties have to support what he's
7 built up. And that's where the potential litigation would come in
8 if we didn't make this move.

9 COMMISSIONER WAITS: Right. Now the -- the contract from
10 1985 that you just located, that's 60-20-20 everybody's been
11 going on, they remembered that for some reason.

12 But I can remember -- was it last year or the year before?
13 -- where they wanted a whole lot more from Lander. It wasn't a
14 60-20-20 split. They were going a lot more. Do you --

15 DISTRICT ATTORNEY HERRERA: What they --

16 COMMISSIONER WAITS: -- remember that?

17 DISTRICT ATTORNEY HERRERA: Yes.

18 CHAIRMAN STIENMETZ: Yeah, Pershing County didn't -- didn't
19 feel like they should pay as much. Humboldt County only wanted
20 to pay that much. And the amount that Pershing County didn't
21 want to pay they thought Lander County should kick in.

22 DISTRICT ATTORNEY HERRERA: Right, but they -- that's
23 exactly what their argument was. And I remember, at the time
24 they made that argument, I was the Lander County public defender
25 at the time. Unfortunately, when they made that argument they
26 did not feel it necessary or they'd forgotten it, to show you
27 the 1985 contract or the 1996 contract.

28 They just came on a song and a prayer and said, well, be good
29 people. And basically we've got a poor man next door in Pershing
30 County, and we want you -- you know, it's just spread the wealth.
31 They just wanted us to pay something that neither Pershing County
32 or Lander County was getting services from.

33 CHAIRMAN STIENMETZ: Right.

34 DISTRICT ATTORNEY HERRERA: That's the bottom line. And
35 the important point there. We're not getting the services.

36 What we've been doing the last year is our juvenile
37 probation officers have been working in Winnemucca from one to
38 three days a week. And when we call them -- and I'm talking
39 about the DA's office now -- they're not even there. Because
40 Judge Montero has put them to work in Leighton Hall because he's

1 down staff.

2 Now Judge Montero knows he has to streamline that. That's
3 why he's not hiring these people. But what he's doing is he's
4 not only providing the services, he's taking what services we
5 have away. And I don't think he's doing it mean-spirited
6 because he's got his own problems in Humboldt County. But we
7 are not, again, -- I'll emphasize -- we're not only getting
8 services we should be getting; we are getting services taken
9 away that we had before.

10 And that's just unacceptable. In my eyes, it's
11 unacceptable.

12 And again, I don't believe Judge Montero is being
13 mean-spirited. The last four years we haven't had very -- very
14 many numbers in either juvenile proceedings or criminal
15 proceedings and -- and to warrant in his mind the services. So
16 he was pulling these services to provide them in Humboldt
17 County.

18 We're not in that situation. I'm not my predecessor.

19 UNIDENTIFIED PARTICIPANT: Thank God.

20 DISTRICT ATTORNEY HERRERA: We -- we are now bringing --
21 we're now doing our job, but yet we don't have the services.

22 And that's why I'm not participating in the -- in the
23 Department 1 drug court in district court. Because what he does
24 is he's created this beautiful machine in Humboldt County, but he
25 wants to bring Humboldt County's drug court machine apparatus --
26 and I'm talking about the people -- and he just wants to bring
27 them to Lander County, call it a Lander County drug court, but
28 it's not. It's not a Lander County drug court. And so I'm not
29 participating in that until -- and I told him, the judge, his
30 Honor, I told him that until we have a Lander County-counselor, a
31 Lander County master that's in charge of it, and Lander County
32 cooperation aside from the clerk's office who has been
33 cooperating, but they -- but they have to.

34 We want Lander County people in a Lander County drug court.
35 I mean, what good is it, if it's -- if our people are seeing
36 Humboldt County people? It just -- it does no good.

37 And this move should solve that situation. We'll be able
38 to have Lander County drug court.

39 We'll be able to have juve- -- we will be able to construct the
40 Eleventh Judicial District from the ground floor, knowing what all

1 the contracts are, making sure that they're recorded in our county
2 for future people to reference. So 20 years from now, you're not
3 going to have some -- some slick district attorney saying, what
4 the heck were they doing 20 years ago? We don't want to do that
5 again.

6 This is a good opportunity and fiscally it's a responsible
7 move. We're only going to have one district court judge instead
8 of two. But I don't think we're going to have -- Pershing
9 County does not have that many people less than we do. They're
10 not that -- because they have a lot of people that live in
11 Pershing County in Grass Valley in the Grass Valley, which is
12 connected to Winnemucca. So they think they're building homes
13 in Winnemucca area, but they're part of Pershing County. So
14 Persh- -- you know, you go to Lovelock, you don't see very many
15 people. But the people are -- are attached to Winnemucca. But
16 they're in Pershing County so -- so Pershing County has almost
17 as many people as we have. Mineral County, again, is going
18 to -- they're -- they're going to be us in the Sixth Judicial
19 District Court compared to Winnemucca. That's what Mineral
20 County. And we're going to have two counties that are almost
21 identical in population, then one smaller county.

22 So we're -- we're going to have to bear -- Pershing County
23 and Lander County is going to have to bear more of a percentage
24 rate in paying for these things. But we're -- if it's
25 40 percent, we'd be paying 40 percent of a hundred percent of
26 our budget as opposed to 20 percent of a much bigger budget,
27 which is at least 4 percent less. Four pe- -- and hopefully it
28 would be more, unless Judge Shirley decides to bring all kinds
29 of services and stuff. But -- but he's not going to be able to
30 do it without getting authorization from the county
31 commissioners. Because that's what the inter-local agreements
32 say now. That's what the district court judge failed to do
33 since 1985. And I'm going to demand that they do that in the
34 future in our new inter-local agreements. The county
35 commissioner, you pay the money, you have the -- you should know
36 what you're paying for. And that's very important.

37 We have three branches of government and that's the
38 fundamental -- the most fundamental part of the legislative
39 branch's function is to do that. And you've been bypassed for
40 25 years.

1 COMMISSIONER WAITS: So Judge Har -- Judge Hardesty, who
2 put actually kind of put this together --

3 DISTRICT ATTORNEY HERRERA: Yes.

4 COMMISSIONER WAITS: -- doesn't see any reason why this
5 wouldn't go through; right?

6 DISTRICT ATTORNEY HERRERA: I see absolutely no reason why
7 it shouldn't go through.

8 COMMISSIONER WAITS: It sounds like it's long overdue, but
9 I'm glad you're on it; so thank you.

10 DISTRICT ATTORNEY HERRERA: So I ask that you adopt this
11 resolution. Anymore questions?

12 COMMISSIONER MILLS: I'm -- you said, last time we talked
13 about it, you said that Judge Montero over in Humboldt County
14 was on board with this whole thing.

15 DISTRICT ATTORNEY HERRERA: Judge Montero loves it.

16 COMMISSIONER MILLS: Oh, does he? Even though he's going
17 to take a hit on -- from --

18 DISTRICT ATTORNEY HERRERA: Well, they have --

19 COMMISSIONER MILLS: -- Lander County and Pershing County
20 basically subsidizing their program?

21 DISTRICT ATTORNEY HERRERA: He's not going to stop.

22 COMMISSIONER MILLS: All right.

23 DISTRICT ATTORNEY HERRERA: If the county commissioners in
24 Humboldt County don't give him what he wants, as far as staff,
25 he's going to do an order under -- under *Young v. Pershing*
26 *County*, I believe is the case, where if he believes it's
27 reasonable and the county commissioners don't believe it's
28 reasonable, he'll do an order. And if it goes to the supreme
29 court, it's a reasonable test.

30 What he's doing now is he's putting the staff in place
31 without asking the three county commissions. So he's skipping a
32 step in that process. But I think he's -- he knows he has to
33 streamline Leighton Hall because he's going to lose two
34 counties' participation. And if he does that, they cannot
35 afford to keep Leighton Hall. So Leighton Hall would be a
36 viable solution to any juveniles we need to put there as long as
37 the cost comes down dramatically. But unfortunately, by
38 contract we're stuck with that cost this year. I was hoping we
39 weren't, but we -- we are.

40 That's over \$200,000 we're stuck with this budget this year.

1 And I apologize for not being able to do anything about that, but
2 I can't, legally.

3 COMMISSIONER BAKKER: Okay. I'll make a motion to approve
4 Resolution No. 2015-06 [sic] supporting BDR number AB 435 for
5 the redefinition of the geographic boundaries of the Fifth and
6 Sixth Judicial Districts, the creation of the Eleventh Judicial
7 District, and the assignment of one judge to the Sixth Judicial
8 District, which would include Humboldt County only, and one
9 judge for the newly created Eleventh Judicial District, which
10 would include Lander, Mineral, and Pershing counties.

11 DISTRICT ATTORNEY HERRERA: And --

12 COMMISSIONER WAITS: I'll second that motion.

13 DISTRICT ATTORNEY HERRERA: And for the chair or vice chair
14 to sign.

15 COMMISSIONER BAKKER: And for the chair or vice chair to
16 sign.

17 DISTRICT ATTORNEY HERRERA: The resolution.

18 COMMISSIONER WAITS: So when we meet with our tri-county
19 meeting, we just go on with what we're doing now until July.
20 And hopefully, you'll take care of everything from July on.

21 DISTRICT ATTORNEY HERRERA: Well, you -- you and me will
22 take care of it.

23 CHAIRMAN STIENMETZ: Yeah, we'll still have meetings, but
24 if we --

25 DISTRICT ATTORNEY HERRERA: Oh, absolutely.

26 COMMISSIONER WAITS: Yeah, but I mean --

27 DISTRICT ATTORNEY HERRERA: But we're going to renegotiate.

28 COMMISSIONER WAITS: And you will be at that meeting with
29 us?

30 DISTRICT ATTORNEY HERRERA: Absolutely.

31 COMMISSIONER WAITS: Okay.

32 DISTRICT ATTORNEY HERRERA: What I'm going to tell them is
33 just no way, raise my objections to the 1985 contract --

34 COMMISSIONER WAITS: Okay.

35 DISTRICT ATTORNEY HERRERA: -- and the 1996 contract. I'm
36 going to make that statement.

37 Because if it doesn't go through for some reason, unforeseen
38 reason, --

39 COMMISSIONER WAITS: You're on record.

40 DISTRICT ATTORNEY HERRERA: -- we're going to be in the

1 same boat. And I'm not waiving that, those arguments.

2 COMMISSIONER WAITS: Thank you.

3 COMMISSIONER BAKKER: Thanks, Ted.

4 CHAIRMAN STIENMETZ: Second.

5 Any other public comment?

6 JUDGE SCHAEFFER: For the record, I'm in favor. Bill
7 Schaeffer.

8 CHAIRMAN STIENMETZ: All right.

9 All in favor?

10 COMMISSIONER MILLS: Aye.

11 COMMISSIONER BAKKER: Aye.

12 COMMISSIONER CLARK: Aye.

13 COMMISSIONER WAITS: Aye.

14 CHAIRMAN STIENMETZ: Aye.

15 Thank you.

16 DISTRICT ATTORNEY HERRERA: Thank you.

17 COMMISSIONER WAITS: Thank you, Ted.

18

19 **16) Correspondence/reports/potential upcoming agenda items.**

20
21 CHAIRMAN STIENMETZ: All right. Now we've got
22 correspondence, reports, and potential upcoming meeting agenda
23 items.

24 Do we have any of that?

25
26 (The following is a list of correspondence received:

27 1. Bureau of Land Management to Interested Public, Decision
28 Record & Finding, No Significant Impact for the Environmental
29 Assessment of the Horse Canyon/Cortez Unified Exploration Project.

30 2. Bureau of Land Management to Interested Public, the BLM,
31 Mount Lewis Field Office has prepared an Environmental Assessment
32 of the Mount Hope Project Amendment in Eureka County.

33 3. Bureau of Land Management to Interested Public, Drought
34 Management Decision for Grass Valley and Simpson Park Allotments.

35 4. Bureau of Land Management to Interested Public, Public
36 Consultation for the Dry Creek Ranch, Proposed Drought Response
37 Actions.

38 5. Bureau of Land Management to Interested Public, Proposed
39 Decision Transfer of Grazing Preference and Issuance of a New Term
40 Grazing Permit for Lucky C and Romano Allotments.

1 6. Barrick Cortez to Commissioners, Renewal Application for
2 Cortez Gold Mine Project Water Pollution Control Permit.

3 7. Water Pollution Control Permit -- Cortez Joint Venture
4 dba Barrick Cortez, Inc.)

5
6 KEITH WESTENGARD: I have a list of things, but they'll
7 come out.

8 CHAIRMAN STIENMETZ: All right.

9 KEITH WESTENGARD: They're all on my board in my office.

10 CHAIRMAN STIENMETZ: All right.

11
12
13 PUBLIC COMMENT

14
15 CHAIRMAN STIENMETZ: Hearing nothing, we'll go to public
16 comment for non-agendized items only.

17 (No comment.)

18 CHAIRMAN STIENMETZ: None. I have one last motion to
19 request.

20
21
22 ADJOURNMENT

23
24 COMMISSIONER BAKKER: I make a motion to adjourn.

25 COMMISSIONER MILLS: Second.

26 CHAIRMAN STIENMETZ: All in favor?

27 COMMISSIONERS: Aye.

28 COMMISSIONER WAITS: Aye.

29 COMMISSIONER CLARK: Aye.

1 STATE OF NEVADA)
2) ss.
3 COUNTY OF ELKO)
4
5
6

7 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
8
9 CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "FOR
10
11 THE RECORD" ELECTRONIC AUDIO RECORDING OF A MEETING WHICH TOOK PLACE
12
13 THE 26TH DAY OF MARCH 2015, AND SAID RECORDING AND INFORMATION
14
15 PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER
16
17 COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS
18
19 THE AUDIO RECORDING ALLOWED.
20

21
22 DATED AT SPRING CREEK, NEVADA,
23 THIS _____ DAY OF APRIL 2015.
24

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26 _____
27 TIFFANY ELKINGTON, CCR #930
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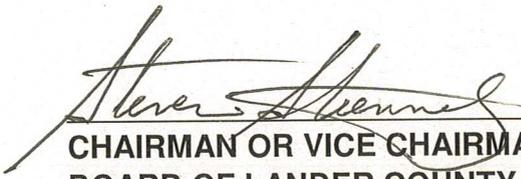
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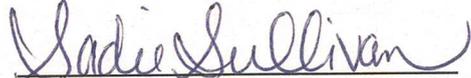
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**CHAIRMAN OR VICE CHAIRMAN OF THE
BOARD OF LANDER COUNTY
COMMISSIONERS AND THE LANDER
COUNTY LIQUOR BOARD**

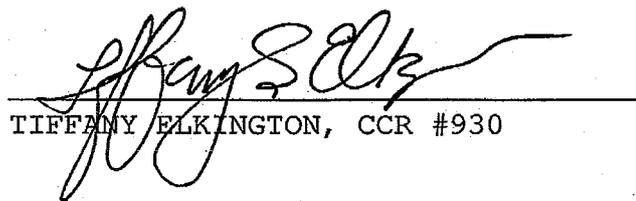
ATTEST: 
LANDER COUNTY CLERK

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

1 STATE OF NEVADA)
2) ss.
3 COUNTY OF ELKO)
4
5
6

7 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
8
9 CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "FOR
10
11 THE RECORD" ELECTRONIC AUDIO RECORDING OF A MEETING WHICH TOOK PLACE
12
13 THE 26TH DAY OF MARCH 2015, AND SAID RECORDING AND INFORMATION
14
15 PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER
16
17 COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS
18
19 THE AUDIO RECORDING ALLOWED.
20

21
22 DATED AT SPRING CREEK, NEVADA,
23 THIS 23rd DAY OF APRIL 2015.
24

25 
26
27 TIFFANY ELKINGTON, CCR #930
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