

1 The Honorable Board of Lander County Commissioners met in  
2 regular session in the Commission Chambers of the Lander County  
3 Courthouse and Administration Building in Battle Mountain,  
4 Nevada, 50 State Route 305, on March 10, 2016, at 8:59 a.m.  
5 Transcript produced by Tiffany Elkington, C.C.R., #930.  
6

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

18 (Let the record reflect the presence of a quorum of five  
19 commissioners.)  
20

21 CHAIRMAN BAKKER: -- meeting, Town Board of Battle  
22 Mountain, and Austin Board of County Highway Commissioners,  
23 March 10, 2016, to order. And let the record reflect Austin's  
24 on the phone.

25 Steve, will you lead us in the pledge.  
26

27 (Pledge of Allegiance)  
28

29 CHAIRMAN BAKKER: Have a moment of silence, please.  
30

31 (Moment of silence)  
32

33 CHAIRMAN BAKKER: Okay. Lander County commissioners will  
34 break for lunch from 12:00 p.m. to 1:00 p.m.  
35  
36

37 **COMMISSIONER REPORTS**  
38

39 CHAIRMAN BAKKER: Commissioner reports on meetings and  
40 conferences and seminars attended. Steve?

1 COMMISSIONER STIENMETZ: I don't have anything to report.

2 CHAIRMAN BAKKER: Okay. Doug?

3 COMMISSIONER MILLS: I attended the Humboldt River Basin  
4 Water Authority meeting on February 27<sup>th</sup>. Had some good  
5 presentations there. They did talk about the amount of water  
6 that Nevada's been receiving. And it is all across the state.  
7 It's above average. And they're expecting it to be above  
8 average through the spring, which is good for us.

9 But even though we're getting above average water, we're  
10 not out of our drought yet so that condition continues. And  
11 they expect it to continue.

12 There was some talk about the -- the metering on the wells  
13 for all the basins in the Humboldt River Basin. And they said  
14 they expect to have about 1500 wells have meters on them that  
15 they're going to monitor and track. And so far about 650 to 700  
16 of -- of those wells have meters on them. So they've extended the  
17 time for those to be installed. And after that, they're going to  
18 start looking to do some more forceful measures to get those  
19 meters installed.

20 And they talked about the -- I think it's a  
21 50-cents-an-acre-foot fee that they're charging for water. And  
22 they're using that money to fund the study that they're doing.  
23 And that's going set -- that study's going to set the baseline for  
24 a lot of the water stuff all over the basin for the next -- at  
25 least for the foreseeable future.

26 Let's see. We had a hospital board meeting. Things -- we do  
27 have our CEO in place. Things are going well there. She's doing  
28 a good job, working a lot, and making a lot of things happen  
29 there. It looks like -- hopefully, things will start calming down  
30 at the hospital a little bit, but we still have a lot of work to  
31 do and a long way to go before that's going to be back to normal.

32 Attended the NACO meeting yesterday about how counties  
33 receive their moneys. It was kind of interesting.

34 And I talked with a Dr. Fricke over in Elko. They have a  
35 group that's getting together to figure out what to do about  
36 the -- Elko community's having trouble with Medicare/Medicaid  
37 providers since they either have very few or don't have any  
38 providers over there accepting Medicare/Medicaid. So I've talked  
39 with Peggy Lindsey at the hospital. And we're going to go over  
40 there next Thursday to attend one of their meetings to get some

1 things rolling, see about getting some of them to come over to  
2 Battle Mountain to receive services.

3 And that's it.

4 CHAIRMAN BAKKER: Okay. Had a livestock meeting. We went  
5 over fee scheduling. We've got some things to still iron out.  
6 But we should be seeing that on the next couple of meetings,  
7 probably.

8 We had a rec center meeting. And we will be presenting the  
9 GMP next Thursday during budget hearing.

10 That's about all.

11 And I attended the meeting yesterday on how our money --  
12 how counties receive moneys.

13 And that's about it. Art?

14 COMMISSIONER CLARK: Yeah. I just would like to add to  
15 something to what Doug had to say. Because I -- I got involved  
16 in this and I turned it over to Doug. A lot of people complain  
17 about our hospital. They say it's just a Band-Aid station. But  
18 what I found out is because we are a critical care  
19 hospital/clinic, we get more money from Medicare. So that's why  
20 we don't have any trouble here, locally, with Medicare/Medicaid  
21 patients.

22 Okay. I attended a PLUAC meeting on Monday. That's advisory  
23 committee. There's no new word on sage grouse. It just -- nobody  
24 knows where it's at.

25 But one thing that we did find out -- and -- and it's very  
26 discouraging -- is that the feral horse roundup that was to  
27 start in 2017 may start in 2019. Now you need to know that the  
28 numbers that were generated for these feral horses was generated  
29 by the BLM. And in every area in Nevada, they are 200 to  
30 500 percent over with a 20 percent growth rate per year. So if  
31 they wait till 2019, we're going to be in deeper trouble,  
32 especially around the riparian areas, because there's no way to  
33 control these horses. So they'll destroy the riparian areas.  
34 And -- and that's a concern for the ranchers, for the sportsmen,  
35 for all of us. So hopefully something will happen and we can  
36 get these horses off the desert.

37 Patsy?

38 COMMISSIONER WAITS: Yes. Thank you.

39 On February 17<sup>th</sup>, I did attend the Kingston Town board  
40 meeting. And they're getting together the folks that are due to

1 end their term this year so see who's going to serve. And that  
2 was all kind of interesting of which ones want to refile and  
3 which ones don't.

4 I did want to pass on their fundraiser, of course, which is  
5 annual for the Kingston Fire Department and their St. Patrick's  
6 Day dinner. And that is this Saturday in Kingston on the 12<sup>th</sup>.

7 On February 19<sup>th</sup>, I left for NACO, our annual legislative  
8 conference in Washington, DC. That went through the 24<sup>th</sup>. I was  
9 scheduled to -- to be back in time for the -- our -- our last  
10 meeting. And my apologies for not being here. We misconnected in  
11 Denver, big time, three and a half hours late. And I couldn't get  
12 out until noon the next day. So that was -- that was unforeseen,  
13 but my apologies there.

14 As far as the actual legislative conference, that was  
15 excellent. The flying back and forth, we misconnected both  
16 ways, but the conference was fabulous.

17 Of course, there's an awful lot to tell you in five days  
18 and I don't intend to do that but share things throughout the  
19 time.

20 But there are a couple of things I did want to bring forth.  
21 One of them, the main things, is the mental health criminal  
22 justice reform that is going on. And I actually sit on a  
23 national committee for safety and justice reform. So that was a  
24 key one. In fact, we -- we worked all day one day on that one.  
25 There's 8.5 million adults have both a mental health and a  
26 substance abuse disorder.

27 And the substance abuse was also a -- a national epidemic  
28 that everybody is -- is trying to -- to really get ahold of now.  
29 Not that we haven't had it for some time, but it seems to be  
30 expanding more and more.

31 Sixty-four percent of our jail inmates have a mental  
32 illness. And that's what they're looking at. So there's  
33 several areas that we can do. And we'll have on the agenda as  
34 things come up because our jail locally is also affected quite a  
35 bit on that.

36 The other one I wanted to bring up was the FEMA deductible.  
37 I don't know whether you've seen some of the information that  
38 came out on that. But I actually -- on January 20<sup>th</sup>, an  
39 advance notice of rulemaking was announced by FEMA that they are  
40 considering a higher deductible. And at this point, they're not

1 proposing the implementation; they're just simply soliciting  
2 comments on what that would do. And, of course, that means that  
3 we're going to be at a higher risk for the state and county any  
4 time there's a FEMA disaster that we've got to come up with the  
5 funds -- the funds higher. And so, therefore, the cost to  
6 county government, we're trying to -- to delay because it  
7 certainly would affect our post-disaster recovery efforts.  
8 There's no question about it.

9 So on one of the committees I sat on, we did do a  
10 resolution and -- and put that in as far as the deductible  
11 framework and the opinions of, please, don't pass it on down to  
12 the counties and certainly not the states too.

13 But -- but the recommendations are there from the Government  
14 Accountability Office and the Department of Homeland Security. So  
15 it is a consideration. And we have passed on -- NACO has been on  
16 top of that.

17 We had so many interesting speakers. We had secretary from  
18 the US Department of Agriculture; the Honorable Senator John  
19 McCain; the acting secretary of US Department of Transportation;  
20 Mitch McConnell, our US Senator that's our majority leader;  
21 Chris Wallace from Fox News on Sunday; and director of the White  
22 House Office of Drug Control Policy; and the director for  
23 National Science Foundation.

24 And along with that, we took one full day and were able to  
25 visit with every single one of our Nevada legislators. We got  
26 them all in person except Dean Heller. And, of course, we've  
27 all seen Senator Heller many times. But he came back for the  
28 caucus. So he wasn't in Washington, D.C. He was in Nevada,  
29 voting. So that was a real good reason, we thought. But all  
30 the rest of them we did.

31 And -- and all the week through, I am just totally amazed.  
32 Every time these directors spoke, they all had been working with  
33 NACO. Our NACO in Washington is, you know, hands-on all the  
34 time. They -- they solicit our comments, our information,  
35 trying to keep the counties strong, trying not to -- to mandate  
36 services that would affect us on -- on all kinds of levels. So  
37 that was real interesting to see. Not a one of them said a word  
38 without complementing the information. Because when NACO needs  
39 information, they send it to the states. The states send it  
40 out. We give it back. And -- and it seems to be working rather

1 well, even though there's things that get passed once in a  
2 while, like the US Waterways, that we're still fighting. But --  
3 but that will happen. But at least we have our input and we're  
4 at the table. And that was very exciting.

5 With that, I also attended the NACO workshop on finances  
6 yesterday.

7 And I think that's all I have for right now. Thank you.

8 CHAIRMAN BAKKER: Thank you, Patsy.  
9  
10

11 **STAFF REPORTS**  
12

13 CHAIRMAN BAKKER: Staff reports on meetings, conferences,  
14 and seminars attended.

15 KEITH WESTENGARD: I did receive a letter from Debra Amens  
16 advising that the Lander County Convention and Tourism Authority  
17 would be vacating in early May. I'm going to pass that on to  
18 you. If anybody would like the letter, I'll get a copy into  
19 your boxes so you can read the -- the letter itself.

20 Last week, Bert and I attended the Nevada Water Resources  
21 Association conference. It was a good -- it had good -- good  
22 points and bad points. We were versed on advanced water rights.  
23 And then we got into some training conferences that were pretty  
24 informative, some not so informative. But it -- it was  
25 awakening -- eye-opening, I mean.

26 I did want to remind the commission that the Pershing County  
27 Water Conservation District is celebrating the completion of the  
28 title transfer from the Bureau of Reclamation of the Rye Patch Dam  
29 storage facilities. They're having a barbecue tomorrow, Friday,  
30 March 11<sup>th</sup>, in Lovelock at the community center from 3:00 to 6:00.  
31 If anybody's interested, I have the directions and so forth.

32 I attended the planning meeting last night. Planning  
33 commission seems to be moving along very well.

34 Today we have a meeting with a possible FBO from here in  
35 Nevada. And it looks pretty promising. So I hope that'll pan  
36 out. I'll have more information at the next meeting.

37 The levee, we're going to discuss that here in the -- on the  
38 agenda a little later this morning. So we have some things to  
39 talk about there.

40 Week after next, Commissioner Mills and I will be attending

1 the Nevada Airports Conference in Boulder, Nevada.

2 And that's it.

3 CHAIRMAN BAKKER: Okay.

4 KEITH WESTENGARD: Thanks.

5 CHAIRMAN BAKKER: Thanks, Keith.

6 KEITH WESTENGARD: Thank you.

7 COMMISSIONER CLARK: Did we get any responses from people  
8 about the airport?

9 KEITH WESTENGARD: We -- we've had several responses. This  
10 is the only one that's really panned out. We had a company or  
11 an individual out of Florida that's hooked up with a company out  
12 of Canada, but it didn't pan out.

13 Some local interest, but -- but nothing ever -- ever turned  
14 into anything. So this looks pretty promising.

15 We'll know more this afternoon. He's actually flying in to  
16 have a meeting with us at -- at 2:30 this afternoon.

17 CHAIRMAN BAKKER: Good deal.

18 KEITH WESTENGARD: Thanks.

19 CHAIRMAN BAKKER: Okay.

20  
21  
22 **PUBLIC COMMENT**

23  
24 CHAIRMAN BAKKER: Public comment for non-agendized items  
25 only. Persons are invited to submit comments in writing and/or  
26 attend and make comments on any non-agenda item at the board  
27 meeting, if any. And discussion of those comments are at the  
28 discretion of the board. All public comment may be limited to  
29 three minutes per person, again, all at the discretion of the  
30 board. Reasonable restrictions may be placed on public comment  
31 based upon time, place, and manner. But public comment based  
32 upon viewpoint may not be restricted.

33 Any public comment?

34 SADY TINGEY: Good morning. Happy Thursday.

35 CHAIRMAN BAKKER: Good morning, Sady.

36 SADY TINGEY: I'm Sady Tingey with the Battle Mountain  
37 Chamber of Commerce.

38 CHAIRMAN BAKKER: Come up here, please.

39 SADY TINGEY: And I'm here just to please -- to introduce  
40 my replacement. It's Heather Francom. And so I'll be with her

1 until about April 8<sup>th</sup>. And then I will be finally resigned.  
2 So...

3 HEATHER FRANCOM: Yeah.

4 SADY TINGEY: Welcome, welcome.

5 HEATHER FRANCOM: Yeah.

6 CHAIRMAN BAKKER: Awesome.

7 HEATHER FRANCOM: I'm --

8 COMMISSIONER STIENMETZ: Thank you.

9 HEATHER FRANCOM: -- super excited. I've been here for 26  
10 years so I know every -- most everyone.

11 But I'm excited to get out and about and learn all the  
12 businesses and services and everything we have to offer and  
13 throw some great events and promote everything and help build up  
14 our community. I'm excited to work for the Chamber. So...

15 CHAIRMAN BAKKER: Awesome.

16 HEATHER FRANCOM: Great.

17 CHAIRMAN BAKKER: Thank you.

18 COMMISSIONER STIENMETZ: Awesome. Thank you.

19 COMMISSIONER WAITS: Thank you.

20 CHAIRMAN BAKKER: Any other public comment?

21 Okay.

22  
23  
24 **CONSENT AGENDA**

25  
26 CHAIRMAN BAKKER: Consent agenda. All matters listed under  
27 the consent agenda are considered routine and may be acted upon  
28 by the Board of County Commissioners with one action, without  
29 extensive discussion. Any member of the board or any citizen  
30 may request that an item be taken from the consent agenda,  
31 discussed, and acted upon separately during this meeting.  
32 Consent agenda materials are available at the Lander County  
33 Clerk's Office for viewing and copies for available for a  
34 nominal charge.

35 COMMISSIONER WAITS: I just have one quick question that's  
36 on the payroll change request. And I didn't see any so I didn't  
37 know whether I was missing some or there were none and we can  
38 just note there are none.

39 CHAIRMAN BAKKER: Okay. So we'll take out payroll change  
40 requests.

1 COMMISSIONER STIENMETZ: All right.  
2 COMMISSIONER MILLS: I just don't --  
3 COMMISSIONER STIENMETZ: And on payment of the bills, --  
4 COMMISSIONER MILLS: I don't think there were any.  
5 COMMISSIONER STIENMETZ: Yeah. I don't think there were,  
6 but on payment of the bills, check #82523 to NV Energy, I need  
7 it pulled out separately. There were several on there. Because  
8 I can't -- I have to abstain from that because I'm employed by  
9 NV Energy.  
10 COMMISSIONER CLARK: Okay.  
11 CHAIRMAN BAKKER: Okay. Where is that at?  
12 COMMISSIONER STIENMETZ: It's one of the first checks.  
13 It's that they have a -- it's check #82523.  
14 COMMISSIONER WAITS: I'll make a motion that we approve the  
15 agenda notice, March 10<sup>th</sup>, 2016, and the February 25<sup>th</sup>, 2016,  
16 meeting minutes.  
17 CHAIRMAN BAKKER: Got a motion. I need a second.  
18 COMMISSIONER MILLS: I'll second.  
19 CHAIRMAN BAKKER: Okay. Any public comment?  
20 (No comment.)  
21 CHAIRMAN BAKKER: All those in favor?  
22 COMMISSIONER MILLS: Aye.  
23 COMMISSIONER STIENMETZ: Aye.  
24 COMMISSIONER WAITS: Aye.  
25 COMMISSIONER CLARK: Aye.  
26 CHAIRMAN BAKKER: Aye.  
27 Okay. Now we need to pull out payment of the bills.  
28 Can I get a motion? To exclude -- hey, Steve, what was  
29 that check number again?  
30 COMMISSIONER STIENMETZ: It's --  
31 COMMISSIONER CLARK: 82523.  
32 CHAIRMAN BAKKER: 82523.  
33 COMMISSIONER MILLS: I'll make a motion to approve the  
34 payment of bills, excluding check #82523 to Nevada Energy.  
35 COMMISSIONER STIENMETZ: I'll second the motion.  
36 CHAIRMAN BAKKER: Okay. Any public comment?  
37 (No comment.)  
38 CHAIRMAN BAKKER: All those in favor?  
39 COMMISSIONER MILLS: Aye.  
40 COMMISSIONER STIENMETZ: Aye.

1 COMMISSIONER CLARK: Aye.  
2 CHAIRMAN BAKKER: Aye.  
3 COMMISSIONER WAITS: Aye.  
4 CHAIRMAN BAKKER: Okay. I need one more motion to approve  
5 check #82523.  
6 COMMISSIONER MILLS: I'll make a motion to approve payment  
7 of check #82523 to Nevada Energy.  
8 COMMISSIONER CLARK: Second.  
9 CHAIRMAN BAKKER: Any public comment?  
10 (No comment.)  
11 CHAIRMAN BAKKER: All those in favor?  
12 COMMISSIONER MILLS: Aye.  
13 COMMISSIONER WAITS: Aye.  
14 CHAIRMAN BAKKER: Aye.  
15 COMMISSIONER CLARK: Aye.  
16 COMMISSIONER STIENMETZ: I abstain.  
17 CHAIRMAN BAKKER: Steve abstains.  
18  
19

20 **COMMISSIONERS**

21  
22 1) **Discussion and possible action to appoint Ray Salisbury to**  
23 **the Board of Directors of Lander County Austin Water and**  
24 **Sewer District 2, and all other matters properly related**  
25 **thereto.**  
26

27 CHAIRMAN BAKKER: Okay. Moving on.  
28 Agenda Item Number 1, discussion and possible action to  
29 appoint Ray Salisbury to the Board of Directors of Lander County  
30 Austin Water and Sewer District 2, and all other matters properly  
31 related thereto. Is --  
32 COMMISSIONER CLARK: Only --  
33 CHAIRMAN BAKKER: Is Ray here today?  
34 KEITH WESTENGARD: Commissioners, --  
35 COMMISSIONER CLARK: Ray's the only --  
36 KEITH WESTENGARD: -- that was the only --  
37 CHAIRMAN BAKKER: Okay.  
38 KEITH WESTENGARD: -- interest we received.  
39 COMMISSIONER CLARK: Only applicant.  
40 COMMISSIONER WAITS: I know Ray has served for -- for many

1 years on this too. So we're -- we've been short some folks on  
2 the board. And he's put in the letter for us.

3 So I make a motion that we approve Ray Salisbury as the  
4 board -- on the Board of Directors of the Lander County Austin  
5 Water and Sewer District Number 2.

6 COMMISSIONER CLARK: Second.

7 CHAIRMAN BAKKER: Patsy made the motion. Art seconded it.  
8 Any public comment?

9 COMMISSIONER WAITS: I have a question. Do I need to put  
10 the date, since we're appointing, of how long -- I don't know  
11 how long that seat is before it comes up for election.

12 COUNTY CLERK SULLIVAN: It'll be through the end of the  
13 year, Patsy.

14 DISTRICT ATTORNEY HERRERA: I --

15 COUNTY CLERK SULLIVAN: Sadie Sullivan, for the record.

16 DISTRICT ATTORNEY HERRERA: Patsy, it's my belief, in  
17 talking to Louis Lani, that somehow they all come up for renewal  
18 at the same time, --

19 COMMISSIONER WAITS: Oh.

20 DISTRICT ATTORNEY HERRERA: -- which would be next year.

21 COMMISSIONER WAITS: Okay. Then I don't have to point out  
22 any dates. Then we're --

23 DISTRICT ATTORNEY HERRERA: Okay.

24 COMMISSIONER WAITS: -- fine. Thank you.

25 CHAIRMAN BAKKER: Okay.

26 COMMISSIONER MILLS: I have a question on that too since  
27 you said he served on this board before.

28 COMMISSIONER WAITS: A long time ago.

29 COMMISSIONER MILLS: And does this one have term limits?

30 COMMISSIONER WAITS: Any (indiscernible).

31 CHAIRMAN BAKKER: In a year.

32 COMMISSIONER MILLS: Is -- is he -- does he have time? Is  
33 it 12 --

34 CHAIRMAN BAKKER: (Indiscernible.)

35 COMMISSIONER MILLS: -- years?

36 DISTRICT ATTORNEY HERRERA: It -- it's 12 years after --

37 COMMISSIONER MILLS: Does he have time left to serve that  
38 time?

39 DISTRICT ATTORNEY HERRERA: After 1996. Any time he served  
40 on the board prior to 1996, --

1 COMMISSIONER MILLS: It doesn't count?  
2 DISTRICT ATTORNEY HERRERA: -- does not count toward the  
3 term limits.  
4 COMMISSIONER MILLS: Okay. So he's got time left on his  
5 pool of --  
6 DISTRICT ATTORNEY HERRERA: I --  
7 COMMISSIONER MILLS: -- years, --  
8 DISTRICT ATTORNEY HERRERA: I believe so.  
9 COMMISSIONER MILLS: -- that he's okay?  
10 COMMISSIONER WAITS: Yes.  
11 COMMISSIONER MILLS: All right.  
12 DISTRICT ATTORNEY HERRERA: If -- if he didn't, yeah, then  
13 -- then we -- yeah, I --  
14 COMMISSIONER MILLS: Because I have no idea.  
15 CHAIRMAN BAKKER: Sadie?  
16 COUNTY CLERK SULLIVAN: Sadie Sullivan, for the record.  
17 He will not be able to come and file for this -- this  
18 coming one. So he'll be good through the end of December 31<sup>st</sup>  
19 of 2016.  
20 DISTRICT ATTORNEY HERRERA: Okay.  
21 COMMISSIONER MILLS: All right.  
22 CHAIRMAN BAKKER: So he's got a year left.  
23 COMMISSIONER WAITS: My understanding is that you still can  
24 appoint, though. They just can't --  
25 DISTRICT ATTORNEY HERRERA: No.  
26 COMMISSIONER WAITS: You cannot appoint?  
27 COMMISSIONER STIENMETZ: Uh-uh.  
28 DISTRICT ATTORNEY HERRERA AND COMMISSIONER CLARK: Twelve  
29 years.  
30 DISTRICT ATTORNEY HERRERA: Serving. The law says service  
31 years. So it's whether you're -- you're appointed or whether  
32 you're elected, it's the amount of service years you've had on  
33 that particular board to determine the --  
34 COMMISSIONER WAITS: Okay. Thank you.  
35 DISTRICT ATTORNEY HERRERA: -- 12 years.  
36 CHAIRMAN BAKKER: Okay. Any public comment?  
37 (No comment.)  
38 CHAIRMAN BAKKER: All those in favor?  
39 COMMISSIONER STIENMETZ: Aye.  
40 COMMISSIONER MILLS: Aye.

1 COMMISSIONER WAITS: Aye.  
2 CHAIRMAN BAKKER: Aye.  
3 COMMISSIONER CLARK: Aye.  
4

5 2) Discussion and possible action to move the Lander County  
6 board of commissioners meeting scheduled for March 31, 2016,  
7 back to its original date of March 24, 2016, and all other  
8 matters properly related thereto.  
9

10 CHAIRMAN BAKKER: Okay. Agenda Item Number 2. Discussion  
11 and possible action to move the Lander County board of  
12 commissioner meeting scheduled for March 31<sup>st</sup>, 2016, back to its  
13 original date of March 24<sup>th</sup>, 2016, and all other matters  
14 properly related thereto.

15 Are you going to be here on the 24<sup>th</sup>, Patsy?

16 COMMISSIONER WAITS: I will be. I -- I think it's only  
17 necessary that one of the commissioners attend that aviation  
18 meeting with -- with FAA. And Doug is, to my understanding;  
19 right?

20 COMMISSIONER MILLS: That's right.

21 COMMISSIONER WAITS: So we were missing Doug and Keith, but  
22 you apparently want to move it back so...

23 CHAIRMAN BAKKER: Because I will miss the 31<sup>st</sup> meeting.

24 COMMISSIONER WAITS: Okay. Then --

25 CHAIRMAN BAKKER: But --

26 COMMISSIONER WAITS: -- we're --

27 CHAIRMAN BAKKER: -- it doesn't --

28 COMMISSIONER WAITS: -- even, I guess, either way. So  
29 whatever you'd like to do.

30 COMMISSIONER MILLS: That's -- that's fine.

31 CHAIRMAN BAKKER: Are you fine with that, Doug?

32 COMMISSIONER MILLS: Yeah. You'll -- you'll ruin my  
33 perfect record, but that's okay.

34 KEITH WESTENGARD: You can call in, Commissioner Mills.

35 CHAIRMAN BAKKER: Yeah. You can --

36 COMMISSIONER MILLS: Oh.

37 CHAIRMAN BAKKER: -- dial in on your cell phone.

38 COMMISSIONER MILLS: Okay.

39 CHAIRMAN BAKKER: (Indiscernible) done. So...

40 COMMISSIONER CLARK: Records are made to be broken.

1 COMMISSIONER STIENMETZ: All right.  
2 COMMISSIONER MILLS: Yeah.  
3 COMMISSIONER STIENMETZ: I make a motion that we move the  
4 Lander County board of commission meeting scheduled for  
5 March 31<sup>st</sup>, 2016, back to its original date of March 24<sup>th</sup>, 2016.  
6 COMMISSIONER CLARK: Second.  
7 CHAIRMAN BAKKER: Okay. Steve made a motion. Art  
8 seconded. Any public comment?  
9 (No comment.)  
10 CHAIRMAN BAKKER: All those in favor?  
11 COMMISSIONER MILLS: Aye.  
12 COMMISSIONER STIENMETZ: Aye.  
13 COMMISSIONER WAITS: Aye.  
14 CHAIRMAN BAKKER: Aye.  
15 COMMISSIONER CLARK: Aye.  
16 CHAIRMAN BAKKER: Motion carries.  
17  
18

19 **PUBLIC WORKS**

20  
21 3) **Discussion for possible action regarding readvertising for**  
22 **proposals to operate the Mountain View Golf Course and/or**  
23 **Clubhouse, and all other matters properly related thereto.**  
24

25 CHAIRMAN BAKKER: Agenda Item Number 3, discussion for  
26 possible action regarding readvertising for proposals to operate  
27 the Mountain View Golf Course and/or Clubhouse, and all other  
28 matters properly related thereto.

29 Now this is back on the agenda. Well, we didn't go  
30 anywhere at the last meeting that you guys weren't here.

31 I, personally, think we need to put it back out for  
32 advertisement just for the clubhouse.

33 COMMISSIONER CLARK: I agree. I think that spending  
34 \$1.5 million on an irrigation system and just turning that over  
35 to somebody is a handbasket to hell.

36 We need to have our county employees that are involved in  
37 this project to understand how to work that system.

38 So that's -- that's my concern. And will it -- if we turned  
39 it over to somebody, who's responsible? Do we have warranty?  
40 There's just too many questions for this year. Next year that'd

1 be another possibility.  
2 No, I just don't think it's a good idea now.  
3 CHAIRMAN BAKKER: Patsy?  
4 COMMISSIONER WAITS: I'm -- I'm sorry. I missed that, but  
5 I did read very intently the minutes several times and went over  
6 them and -- and the backup material that you had. And I -- I  
7 have a couple concerns.  
8 One is that I don't remember that we ever agendized to go out  
9 to bid to begin with. And so I was kind of at a loss for that.  
10 And I've been -- remember us actually doing that. I remember  
11 the -- the letter that we sent to Bullock, terminating. But --  
12 CHAIRMAN BAKKER: And approving to go back out to bid,  
13 though.  
14 COMMISSIONER WAITS: But I didn't remember that. So with  
15 that, I'm real concerned about the time frame. And I understand  
16 all the things that we should be doing.  
17 CHAIRMAN BAKKER: What time frame? The May 17<sup>th</sup>?  
18 COMMISSIONER WAITS: The time frame for the clubhouse and  
19 golf course to be open.  
20 CHAIRMAN BAKKER: Which will be May 17<sup>th</sup>.  
21 COMMISSIONER WAITS: And we're missing a little bit --  
22 aren't we? -- if we go out to bid. Are you all comfortable with  
23 that?  
24 CHAIRMAN BAKKER: We have two and a half months -- a month  
25 and a half or more --  
26 COMMISSIONER WAITS: Okay.  
27 CHAIRMAN BAKKER: -- depending on when they get done with  
28 construction.  
29 COMMISSIONER WAITS: Okay. Because I know it's -- it's  
30 used fairly often. So I was just concerned about the time. As  
31 long as we're spending all that kind of money, I definitely want  
32 it open and want it ready to go so...  
33 CHAIRMAN BAKKER: I agree. But we have till May 17<sup>th</sup> so...  
34 COMMISSIONER WAITS: If we go out for bid again, that we'll  
35 be able to use those times?  
36 CHAIRMAN BAKKER: Yeah.  
37 COMMISSIONER WAITS: Okay.  
38 CHAIRMAN BAKKER: Doug? Steve?  
39 COMMISSIONER MILLS: Yep.  
40 CHAIRMAN BAKKER: Okay. Then with that, I need a motion.

1 COMMISSIONER MILLS: Motion?

2 COMMISSIONER STIENMETZ: I just was going to ask: So we're  
3 going to train our county employees so they know how to irrigate  
4 it and the proper heads to use and all that stuff? So we have a  
5 crew that can maintain the course?

6 CHAIRMAN BAKKER: I hope so. No, I would -- Casey, don't  
7 you think we could get Rain Bird out here to help?

8 CASEY GUNTHER: Casey, for the record. Casey Gunther.  
9 Actually, I believe next week Bert and Kim are going to  
10 attend a training on how this Rain Bird system's going to work,  
11 in Reno. Is that correct, Bert?

12 BERT RAMOS: In Carson. Yeah.

13 CASEY GUNTHER: Carson? So yes, they will -- Rain Bird  
14 will be called out any time they need any kind -- you guys need  
15 any kind of assistance whatsoever. But Bert and Kim are going  
16 to get hands-on training at Rain Bird with the software and  
17 computer system that's going to make this irrigation system  
18 work.

19 CHAIRMAN BAKKER: Perfect. Is there --

20 COMMISSIONER STIENMETZ: Thank you.

21 CHAIRMAN BAKKER: What kind of warranty is on that?

22 CASEY GUNTHER: It -- it's typical one-year --

23 CHAIRMAN BAKKER: Okay.

24 CASEY GUNTHER: -- from CORE and a one-year from Hunewill  
25 as well. And I believe there's -- some of the parts and pieces  
26 will have a longer warranty. I can't (indiscernible) you  
27 specifically, but I believe some of them do.

28 CHAIRMAN BAKKER: Bert, come up here.

29 BERT RAMOS: Oh, boy. I was trying to duck this one bad.  
30 Didn't work out for me.

31 A couple of the concerns that I've heard it -- from the  
32 community is who they're supposed to pay their dues to and if  
33 they're getting some sort of reimbursement or prorated rate for  
34 their dues on the course, as far -- and for the --

35 COMMISSIONER MILLS: For the short season?

36 BERT RAMOS: -- storage. And for storage of their carts  
37 and, you know, everything else that's kind of tied together  
38 there.

39 So I'm not sure where they're supposed to pay them, who to,  
40 how -- how we go forward with that.

1 CHAIRMAN BAKKER: As of right now?  
2 BERT RAMOS: Yep.  
3 CHAIRMAN BAKKER: They can go to the admin office.  
4 BERT RAMOS: Okay.  
5 COMMISSIONER STIENMETZ: Pay it to the treasurer?  
6 CHAIRMAN BAKKER: Yeah. Or the treasurer.  
7 BERT RAMOS: And --  
8 CHAIRMAN BAKKER: But what about the prorate? We need to  
9 do something.  
10 COMMISSIONER MILLS: That's reasonable.  
11 CHAIRMAN BAKKER: And --  
12 COMMISSIONER MILLS: Yeah. That's a reasonable concern.  
13 BERT RAMOS: And then the other thing that -- that I think  
14 has to -- the public should know is throughout the process of  
15 everything that's going on here, the -- I started this whole --  
16 this whole mess trying to get this thing out to bid, but it --  
17 it exposed a few things that the county's been doing that aren't  
18 exactly how it's supposed to have been. So I think we have to  
19 put the clubhouse out and -- how -- how -- what's the proper way  
20 to word that as far as they --  
21 DISTRICT ATTORNEY HERRERA: For lease.  
22 BERT RAMOS: -- have to --  
23 DISTRICT ATTORNEY HERRERA: For lease.  
24 BERT RAMOS: Yeah. They have to lease it from us. We  
25 can't pay somebody to be in it. I mean, there's --  
26 CHAIRMAN BAKKER: I agree.  
27 BERT RAMOS: And -- and the -- and the reason I say that is  
28 because then they become a -- through --  
29 COMMISSIONER CLARK: They become an employee.  
30 BERT RAMOS: They become an employee that's supposed to get  
31 PERS and everything else.  
32 COMMISSIONER CLARK: Right.  
33 BERT RAMOS: So it's kind of exposed some things that --  
34 that have been done wrong in the past, which -- which we've got  
35 to get fixed in the future so...  
36 COMMISSIONER CLARK: I think in the past, the way it's been  
37 done as an independent contractor, is actually an employee of  
38 the county.  
39 DISTRICT ATTORNEY HERRERA: There's a possibility. And --  
40 and we want to --

1 COMMISSIONER CLARK: And we want to get away from that.  
2 DISTRICT ATTORNEY HERRERA: We want to make sure the IRS  
3 doesn't come back and --  
4 COMMISSIONER CLARK: Right.  
5 DISTRICT ATTORNEY HERRERA: -- declare that our independent  
6 contractors are employees.  
7 COMMISSIONER CLARK: Yes.  
8 DISTRICT ATTORNEY HERRERA: They did that in Humboldt  
9 County and --  
10 COMMISSIONER CLARK: And in Lander County.  
11 DISTRICT ATTORNEY HERRERA: -- in Lander County.  
12 COMMISSIONER CLARK: Yes.  
13 DISTRICT ATTORNEY HERRERA: And it's not a -- not a good  
14 thing.  
15 COMMISSIONER CLARK: Yes, they did.  
16 CHAIRMAN BAKKER: I think you need a little more direction,  
17 though.  
18 What's your thoughts, Doug? What do we need in the bid?  
19 Or the proposal, --  
20 COMMISSIONER MILLS: Um.  
21 CHAIRMAN BAKKER: -- not the bid.  
22 COMMISSIONER MILLS: I don't know. I'm not sure just off  
23 the top of my head how to answer that.  
24 CHAIRMAN BAKKER: I don't want to leave here and not give  
25 you clear direction, Bert. So...  
26 Anything else you guys want to add?  
27 COMMISSIONER CLARK: Well, we're -- we're talking about the  
28 club- -- the clubhouse; right?  
29 CHAIRMAN BAKKER: Just the clubhouse.  
30 COMMISSIONER CLARK: Just the clubhouse. Well, I think if  
31 we put it out to bid and somebody says, well, I'm going to lease  
32 it so it's my business and I can make money, I think that ends  
33 the issue of the independent contractor issue.  
34 COMMISSIONER STIENMETZ: Right.  
35 COMMISSIONER CLARK: And, you know, when you think about  
36 this, when does a person get paid to make money? When does a  
37 person get free utilities, free space rent? Somehow that just  
38 doesn't seem businesslike to me.  
39 So I would like to see a bid, including -- I mean, you can go  
40 the old way and -- and bid that way. Or you could try to lease it

1 for x-amount of dollars per month or however you negotiate that.  
2 But I know that I've been involved in the independent contractor  
3 thing and it can -- it can get very costly.

4 CHAIRMAN BAKKER: Do you have clear direction?

5 BERT RAMOS: Was that (indiscernible)?

6 CHAIRMAN BAKKER: Clear as mud.

7 COMMISSIONER CLARK: So we need a motion.

8 CHAIRMAN BAKKER: Yeah, we need a motion to put it back out  
9 to bid. But also when you come back -- after we come back with  
10 whatever bids, we need to -- you need to come up with a prorated  
11 rate for the golfers with the greens. We need to figure out  
12 some pricing because they do need a discount because it is going  
13 to be a shorter term season. And then we can discuss that when  
14 we come back with the bids; don't you think? Patsy?

15 COMMISSIONER WAITS: So when you put it out for the  
16 clubhouse, are you also putting out the -- the rental of the  
17 equipment and the carts and all that too? So are they still --

18 COMMISSIONER CLARK: Yes.

19 COMMISSIONER WAITS: -- collecting for us?

20 COMMISSIONER CLARK: Uh-huh.

21 COMMISSIONER WAITS: Because in the collecting for us, the  
22 original agreement was we paid \$10,000 for them to get all set  
23 up and do the collecting. And then when it came before us  
24 again, that continued. And that was -- that was --

25 CHAIRMAN BAKKER: Became the norm.

26 COMMISSIONER WAITS: -- quite a discussion. It came before  
27 the commissioners again. And it was quite a discussion of  
28 whether that 10,000 was one time or should continue. And Nan  
29 can comment on that too.

30 But the -- they -- they continued with it. So we were  
31 paying them \$10,000 to collect for us and give us that report.

32 So we have to be real sure when that bid goes out what we  
33 want them to do, just clarify everything.

34 CHAIRMAN BAKKER: Right.

35 COMMISSIONER CLARK: I think that the way I understood it  
36 last year when we talked about it was that there was a startup  
37 fee of \$10,000 that was -- the intent was one year.

38 COMMISSIONER WAITS: That's correct.

39 COMMISSIONER CLARK: And then what happened was, it was  
40 less expensive to pay \$10,000 to whoever was at the clubhouse to

1 collect the fees.

2 So although it was a different -- a different function for  
3 the person out there, but it still was under the same title.  
4 Startup fee.

5 COMMISSIONER WAITS: Yes. I think that's correct, but  
6 the -- the question wasn't the fact that it was less expensive  
7 to pay the 10,000 than to collect, but that -- that there was a  
8 misunderstanding of whether it was a one-time or not. So they  
9 were -- they continued with it because that's what the lessee  
10 wanted so...

11 COMMISSIONER CLARK: So in the bid, they could list \$10,000  
12 for the service of collecting fees.

13 COMMISSIONER WAITS: It was included in that.

14 COMMISSIONER CLARK: It would be a bid process and they  
15 could list all the different charges if there were charges to  
16 come to the county.

17 DISTRICT ATTORNEY HERRERA: Commissioner Clark, I -- I  
18 believe the best way to do it is -- is in the invitation that  
19 we -- we list what the county needs.

20 COMMISSIONER STIENMETZ: Needs.

21 COMMISSIONER CLARK: Okay.

22 COMMISSIONER STIENMETZ: And then they can put a price in  
23 for doing it --

24 COMMISSIONER CLARK: Right.

25 COMMISSIONER STIENMETZ: -- for the county.

26 CHAIRMAN BAKKER: Right.

27 COMMISSIONER STIENMETZ: That way they're actually bidding.  
28 Because one person may want to --

29 DISTRICT ATTORNEY HERRERA: Yes.

30 COMMISSIONER STIENMETZ: -- charge more than another person  
31 so that you wind up getting the overall least -- best bid for  
32 the county.

33 DISTRICT ATTORNEY HERRERA: I would agree, Commissioner  
34 Stienmetz.

35 CHAIRMAN BAKKER: Okay. I need a motion.

36 COMMISSIONER CLARK: We make a motion and then Keith will  
37 work on the details with Bert?

38 COMMISSIONER WAITS: And Ted.

39 DISTRICT ATTORNEY HERRERA: And I'll --

40 COMMISSIONER CLARK: And always the DA.

1 DISTRICT ATTORNEY HERRERA: -- be working on it.  
2 COMMISSIONER CLARK: Right.  
3 Okay. I make a motion --  
4 DISTRICT ATTORNEY HERRERA: I'll assist.  
5 COMMISSIONER CLARK: I make a motion to put the clubhouse  
6 out to bid for the 2016 season.  
7 CHAIRMAN BAKKER: Got a motion. I need a second?  
8 COMMISSIONER STIENMETZ: I'll second that motion.  
9 CHAIRMAN BAKKER: Any public comment?  
10 (No comment.)  
11 CHAIRMAN BAKKER: All those in favor?  
12 COMMISSIONER STIENMETZ: Aye.  
13 COMMISSIONER MILLS: Aye.  
14 CHAIRMAN BAKKER: Aye.  
15 COMMISSIONER CLARK: Aye.  
16 COMMISSIONER WAITS: Aye.  
17 CHAIRMAN BAKKER: Okay. Thank you, Bert.  
18 COMMISSIONER MILLS: So, Keith, on that too, we need to get  
19 some people hired to work at that golf course as soon as  
20 possible to get those -- to keep the -- keep the greens  
21 and the -- and the grass up.  
22 KEITH WESTENGARD: As soon as the construction's done,  
23 we'll be ready to move in that day -- or the next day.  
24 COMMISSIONER CLARK: And you'll -- you'll be watering that  
25 stuff out there in between? Casey?  
26 CHAIRMAN BAKKER: Here, let me read --  
27 COMMISSIONER WAITS: You'll keep water on it?  
28 CASEY GUNTHER: (Indiscernible.)  
29 CHAIRMAN BAKKER: Okay. Let me get it.

30  
31 **4) Discussion for possible action regarding a change order for**  
32 **the Mountain View Golf Course in an amount not to exceed**  
33 **\$200,000 for the purposes of the addition of approximately**  
34 **2,100 lineal feet of water main pipe, trenching, backfill,**  
35 **and required parts and pieces, and all other matters properly**  
36 **related thereto.**  
37

38 CHAIRMAN BAKKER: Agenda Item 4, discussion for possible  
39 action regarding a change order for the Mountain View Golf  
40 Course in an amount not to exceed 200,000 for the purpose of the

1 addition of approximately 2100 lineal feet of water main pipe,  
2 trenching, backfill, and required parts and pieces, and all  
3 other matters properly related thereto.

4 Good morning, guys.

5 COMMISSIONER STIENMETZ: Good morning.

6 CASEY GUNTHER: Good morning. Casey Gunther, for the  
7 record.

8 This change order is for the new water main to tie in. It  
9 was actually about 2600 lineal feet. They already had 575  
10 lineal feet included in the bid, but the location of the tie-in  
11 point was changed due to correct water pressure.

12 The only way to do this to sustain the water pressure that  
13 was needed throughout the golf course irrigation is -- was over  
14 at the Fairway Drive, coming right in there where we had --  
15 right there at the tie-in point at 70 PSI and the rest of the  
16 parts and pieces for it. You need your trench, your pipe, your  
17 backfill, all your mechanical joint fittings, the backflow  
18 preventer.

19 And the biggest portion of that is the booster pump and  
20 enclosure, which I believe is right around 70,000. That's to  
21 ensure that, no matter what, the pressure stays where it's  
22 supposed to, each of those sprinkler heads out there rated at 70  
23 PSI. No matter what, we have to have 70 PSI to get those  
24 sprinklers to operate at their -- their optimum potential. Once  
25 you go through the backflow preventer, you lose about 15 PSI.  
26 Right. So the booster pump is there to ensure that the  
27 irrigation system does not fail and it waters like it's supposed  
28 to.

29 COMMISSIONER CLARK: I -- I have a question, Casey --

30 CASEY GUNTHER: Yes, sir.

31 BERT RAMOS: -- and Bert. We're -- we're spending all this  
32 money out there on that irrigation system. Does it make it more  
33 appetizing -- can -- can other people tap into that for building  
34 behind the -- the golf course that -- that development out  
35 there? Can they -- they can't tap into that?

36 COMMISSIONER STIENMETZ: No.

37 CASEY GUNTHER: Not to that line, no.

38 COMMISSIONER CLARK: That's just self-contained for the  
39 golf course?

40 BERT RAMOS: It's -- it's being put in in purple pipe.

1 CASEY GUNTHER: Yeah.  
2 COMMISSIONER CLARK: Okay.  
3 BERT RAMOS: Which is reused water.  
4 COMMISSIONER CLARK: When you're putting this in, are you  
5 engineering it for the possibility of an expansion?  
6 CASEY GUNTHER: That's exactly --  
7 COMMISSIONER CLARK: Okay.  
8 CASEY GUNTHER: -- why we did the -- the purple pipe.  
9 That's where we ran the -- the new main line is for tie-in  
10 points for expansion of the golf course at a later date. Like I  
11 said, Bert did mention the use of purple pipe, which is  
12 reclaimed water.  
13 COMMISSIONER CLARK: And the reason why --  
14 CASEY GUNTHER: So nobody can tie into that.  
15 COMMISSIONER CLARK: The reason I ask about the back nine,  
16 the expansion, is because with what's going on with water, we  
17 may be in a position that we need to expand just to save our  
18 water for the future.  
19 I know that sounds maybe a little bit odd to some people, but  
20 that's where water's headed --  
21 CASEY GUNTHER: (Indiscernible.)  
22 COMMISSIONER CLARK: -- in Nevada right now. So I just  
23 wanted to make sure of that.  
24 COMMISSIONER WAITS: Casey, this is all with your  
25 subcontractors? It isn't any county employees that are doing  
26 this work, the backfill or anything?  
27 CASEY GUNTHER: No, that portion -- the only portion  
28 that -- that the county's hiring somebody to do is to run the  
29 power to the backflow and the booster pump station. Hunewill is  
30 doing the trench, laying the conduit, backfilling it. The  
31 county's hiring the electrician to pull the power to it and  
32 provide the power for that. That is the only other portion that  
33 the county's doing -- has to do with this.  
34 COMMISSIONER WAITS: Okay. So it's actually their -- their  
35 bid. And it's going to be under 200,000, they're sure? Is that  
36 right?  
37 CASEY GUNTHER: Yeah. The actual amount, I think, is --  
38 COMMISSIONER WAITS: Okay.  
39 CASEY GUNTHER: Yeah. It's -- it's going to be under 200.  
40 It should be. It won't exceed 200,000 for sure.

1 COMMISSIONER WAITS: Thank you.  
2 COMMISSIONER CLARK: Here we go at a million-dollar  
3 question: Are you on schedule?  
4 CASEY GUNTHER: We are on schedule.  
5 COMMISSIONER CLARK: Okay.  
6 COMMISSIONER MILLS: So --  
7 COMMISSIONER CLARK: So that's going to be important when  
8 we get to the middle of May.  
9 CASEY GUNTHER: Yeah.  
10 COMMISSIONER CLARK: Okay.  
11 COMMISSIONER MILLS: So I have a question on that. It's my  
12 understanding that the original plan was to tap into that main  
13 water line. So you're saying this is a change order to tap into  
14 the main water line in a different place?  
15 CASEY GUNTHER: The original plan did not necessarily say  
16 to tap into the water line. There were alternates put in where  
17 we would tie in on Sheep Creek. The problem being with that  
18 location is that the water pressure was not adequate to provide  
19 the -- the PSI that we needed to run the irrigation system.  
20 So Bert and them went through and they tested some --  
21 BERT RAMOS: More of a volume issue. That's an 8-inch line  
22 on Sheep Creek. Should've been a 16-inch line.  
23 COMMISSIONER MILLS: Oh, okay.  
24 BERT RAMOS: So it's more of a volume issue.  
25 COMMISSIONER MILLS: Oh, volume, --  
26 BERT RAMOS: Too slow.  
27 COMMISSIONER MILLS: -- not pressure.  
28 BERT RAMOS: Yes.  
29 COMMISSIONER MILLS: -- or some- -- oh, okay.  
30 COMMISSIONER CLARK: Yeah, there is a big difference  
31 between volume and pressure; right?  
32 BERT RAMOS: Big.  
33 COMMISSIONER CLARK: Yeah. I try to --  
34 CASEY GUNTHER: You can still --  
35 COMMISSIONER CLARK: -- understand that. And I think I  
36 understand it and I don't.  
37 CHAIRMAN BAKKER: Okay.  
38 COMMISSIONER STIENMETZ: All right. I make a motion that  
39 we approve the change order for the -- for the Mountain View  
40 Golf Course in the amount not to exceed 200,000 for the purpose

1 of the addition of approximately 2100 linear feet of water main  
2 pipe, trenching, backfill, and required parts and pieces.

3 COMMISSIONER MILLS: I'll second that.

4 CHAIRMAN BAKKER: Steve made a motion. Doug seconded. Any  
5 public comment?

6 (No comment.)

7 CHAIRMAN BAKKER: All those in favor?

8 COMMISSIONER STIENMETZ: Aye.

9 COMMISSIONER MILLS: Aye.

10 CHAIRMAN BAKKER: Aye.

11 COMMISSIONER WAITS: Aye.

12 COMMISSIONER CLARK: Aye.

13 COMMISSIONER STIENMETZ: Thank you, guys.

14 CHAIRMAN BAKKER: All opposed? Did you say, aye, Patsy?

15 COMMISSIONER WAITS: I did.

16 CHAIRMAN BAKKER: Oh, okay.

17 COMMISSIONER CLARK: Okay.

18 CHAIRMAN BAKKER: I didn't hear you. Okay. Everyone said  
19 aye.

20  
21  
22 **AIRPORT**

23  
24 **5) Discussion for possible action to modify Harless Aircraft**  
25 **Services Fixed Base Operator (FBO) contract to a**  
26 **month-to-month contract, effective March 15, 2016, and all**  
27 **other matters properly related thereto.**  
28

29 CHAIRMAN BAKKER: Agenda Item Number 5. Discussion for  
30 possible action to modify Harless Aircraft Services Fixed Base  
31 Operator, FBO, contract to a month-to-month contract, effective  
32 March 15, 2016, and all other matters properly related thereto.

33 COMMISSIONER CLARK: Thank you for coming.

34 Hello, Rick.

35 COMMISSIONER WAITS: Hi, Rick.

36 RICK HARLESS: Hi. Rick Harless.

37 COMMISSIONER STIENMETZ: Hey, Rick.

38 CHAIRMAN BAKKER: Good morning.

39 RICK HARLESS: Good --

40 COMMISSIONER MILLS: Morning.

1 RICK HARLESS: -- morning.  
2 COMMISSIONER CLARK: You going to make it easy on us and  
3 take it back?  
4 RICK HARLESS: I'm making it easy enough for you waiting  
5 until --  
6 COMMISSIONER CLARK: Thank you.  
7 RICK HARLESS: -- you find somebody.  
8 COMMISSIONER CLARK: We really appreciate -- we'd  
9 appreciate this.  
10 RICK HARLESS: And, you know, I -- sounds like maybe  
11 we're -- we're on to somebody so...  
12 COMMISSIONER CLARK: Oh.  
13 RICK HARLESS: That's -- that's --  
14 COMMISSIONER STIENMETZ: Good.  
15 RICK HARLESS: -- good news.  
16 CHAIRMAN BAKKER: Yeah.  
17 COMMISSIONER CLARK: Okay. Phew.  
18 CHAIRMAN BAKKER: Okay.  
19 Keith?  
20 KEITH WESTENGARD: Yes.  
21 CHAIRMAN BAKKER: You want to fill us in?  
22 KEITH WESTENGARD: Yeah, what -- as you know, we -- we did  
23 the three-month contract that will expire March 15<sup>th</sup>. So what  
24 we'd like to do is just extend it until we get the FBO.  
25 The com- -- person we're talking to this afternoon  
26 potentially could be in as early as the 1<sup>st</sup> of April, according  
27 to what he -- he has said.  
28 But, like I said, we'll know more this afternoon after we  
29 sit down and talk with him. Everything would stay the same and  
30 we'll just keep going and hopefully get this other individual in  
31 real soon.  
32 CHAIRMAN BAKKER: So we need to approve the modifications  
33 to the contract?  
34 KEITH WESTENGARD: Please.  
35 COMMISSIONER CLARK: Okay. I have a question. Who --  
36 who's on the interview committee for the guy that you've got for  
37 the airport?  
38 KEITH WESTENGARD: Right now it's not necessarily an  
39 interview committee. We're just going to discuss some things  
40 with him. Myself, Commissioner Mills, Anna, and Jan will be

1 there.

2 COMMISSIONER CLARK: I was wondering if it would be an  
3 advantage for Rick to be there, --

4 KEITH WESTENGARD: I --

5 COMMISSIONER WAITS: -- if he would find time.

6 KEITH WESTENGARD: I believe Rick -- Rick and -- and this  
7 individual have already spoken.

8 COMMISSIONER CLARK: Okay.

9 RICK HARLESS: Yeah. Yeah.

10 COMMISSIONER CLARK: Okay.

11 RICK HARLESS: I know him --

12 COMMISSIONER CLARK: Okay.

13 RICK HARLESS: -- and I'm more than happy to sit in on the  
14 thing. I just found out this morning he was coming today and so  
15 I can't do that today, but --

16 COMMISSIONER CLARK: Okay.

17 RICK HARLESS: -- any future ones.

18 COMMISSIONER CLARK: As long as we're checking him out.

19 RICK HARLESS: Yeah.

20 CHAIRMAN BAKKER: Okay.  
21 I need a motion.

22 COMMISSIONER CLARK: Well, I'll make a motion to modify the  
23 Harless Aircraft Service Fixed Base Operator, FBO, contract to  
24 month-to-month, effective March 15<sup>th</sup>.

25 COMMISSIONER WAITS: I'll second that motion.

26 CHAIRMAN BAKKER: Art made a motion. Patsy seconded. Any  
27 public comment?

28 (No comment.)

29 CHAIRMAN BAKKER: All those in favor?

30 COMMISSIONER STIENMETZ: Aye.

31 COMMISSIONER CLARK: Aye.

32 COMMISSIONER MILLS: Aye.

33 CHAIRMAN BAKKER: Aye.

34 COMMISSIONER WAITS: Aye.

35 CHAIRMAN BAKKER: Motion carries.

36  
37  
38  
39  
40

1 COMMISSIONERS

2  
3 6) Update from the old courthouse subcommittee and all other  
4 matters properly related thereto.

5  
6 CHAIRMAN BAKKER: Agenda Item Number 6. Update from old  
7 courthouse subcommittee -- thanks, Rick --

8 RICK HARLESS: Thank you.

9 COMMISSIONER STIENMETZ: Thank you, Rick.

10 CHAIRMAN BAKKER: -- courthouse subcommittee and all other  
11 matters properly related thereto.

12 COMMISSIONER CLARK: Come on up, Liz and Theresa.

13 THERESA RYAN: Good morning.

14 CHAIRMAN BAKKER: Good morning.

15 LIZ HEIMBIGNER: Good morning.

16 COMMISSIONER WAITS: Good morning.

17 LIZ HEIMBIGNER: We've been having mostly monthly meetings.  
18 And Sean has --

19 THERESA RYAN: Been to all of them --

20 LIZ HEIMBIGNER: -- been to --

21 THERESA RYAN: Thank you.

22 LIZ HEIMBIGNER: -- all of them.

23 THERESA RYAN: Thank you.

24 CHAIRMAN BAKKER: Thank you.

25 LIZ HEIMBIGNER: And we pretty much have -- have done  
26 everything that he's suggested that we do, such as find the  
27 501s, nonprofits, to possibly rent some of the space in the  
28 building.

29 Theresa's done a tremendous amount of work on the research of  
30 the building and the architect involved with it because he's -- he  
31 was the State of Nevada's architect at one time years ago.

32 And she has put in a grant for an inspection -- engineering  
33 --

34 THERESA RYAN: It's a -- it's a -- Theresa Ryan, for the  
35 record.

36 LIZ HEIMBIGNER: Oh, I'm Liz Heimbigner.

37 THERESA RYAN: Actually, Jim Bertolini is with the state  
38 preservation -- State Historic Preservation Office. And I -- we  
39 talked to him about being on the state, national recor- --  
40 register in order to help with the grants and that kind of thing

1 mov- -- moving forward.

2 And in order to be on the register, only one criteria needs  
3 to be met. And actually, the courthouse, the historic courthouse,  
4 fits two criteria: one being a courthouse and a school and the  
5 other one being the architect who designed it, Frederic  
6 DeLongchamps.

7 I have -- we have not moved forward as far as being on the  
8 register. I've kind of set that aside for right now. And we're  
9 mainly working on getting a -- a structural, historical, and  
10 functional analysis done. And that will really move forward as  
11 far as the grants. Three architectural firms have been  
12 contacted, to get an idea of cost.

13 And so February 1<sup>st</sup> a grant request was turned in. So I'm  
14 hoping to be -- we're hoping to be here March 17<sup>th</sup> in the budget  
15 meetings to have funds put towards that report.

16 Like I said, I had -- there are three architectural firms. I  
17 kind of went in with a mid-range price. So I kind of mid-ranged  
18 the request for the grants. And I figured fill in from there.

19 Some ideas as far as use for the building to kind of give  
20 it its next life, we were -- talked about nonprofits. Because  
21 there's quite a few nonprofits in town looking for office space.  
22 And one in particular has come forward and said we would like to  
23 use the courthouse as office space.

24 COMMISSIONER CLARK: So you could turn it into a nonprofit  
25 center?

26 THERESA RYAN: Correct.

27 DISTRICT ATTORNEY HERRERA: I have a que- --

28 LIZ HEIMBIGNER: I know -- I know that nobody expected  
29 anybody to come forward, that there was so much space needed for  
30 these different entities. It was kind of a surprise that, oh,  
31 we need a decent place. And there was a number of them.

32 You don't have your l- -- you have your list in there  
33 somewhere; don't you?

34 THERESA RYAN: Yeah. There's a number of them.

35 LIZ HEIMBIGNER: So yeah.

36 DISTRICT ATTORNEY HERRERA: I do have a question.

37 What would the report give you? Once you get the report  
38 you're talking about, what will that do?

39 THERESA RYAN: Okay. The structural analysis will look at  
40 the structure of the building, what needs to be done to be

1 a fun- -- make it usable. And the function is going to also  
2 drive it. And at -- when I first looked -- contacted the  
3 architects, we really weren't as focused on what the building  
4 was going to be used for.

5 DISTRICT ATTORNEY HERRERA: Right.

6 THERESA RYAN: So now with the nonprofit saying, hey, we  
7 need office space, that's going to drive the functional part of  
8 the analysis. Okay. The functional part is -- okay -- what  
9 needs to be done to the building to make it usable.

10 Okay. If it's going to be, you know, a swimming pool, it's  
11 going to do, you know, one thing. If it's going to be office  
12 space, this would be another.

13 So the function drives that.

14 COMMISSIONER CLARK: I think you have some good concepts  
15 there. Just hope that it's affordable.

16 THERESA RYAN: Me too. And I think the time is going to be  
17 very important. If we're not really struggling for time.

18 CHAIRMAN BAKKER: Well, and won't the test also help you  
19 guys get state grants and national grants --

20 THERESA RYAN: State and national.

21 CHAIRMAN BAKKER: -- and stuff like that? Right?

22 THERESA RYAN: Correct.

23 CHAIRMAN BAKKER: Okay.

24 THERESA RYAN: Yeah, but we need that to drive it forward.

25 CHAIRMAN BAKKER: Right.

26 COMMISSIONER MILLS: So I have a question on -- is -- is  
27 this just -- are your plans just for the courthouse itself? Do  
28 you have any -- have you thought anything about the annex  
29 building and with that breezeway that connects or --

30 THERESA RYAN: Yes, it's been in the back of my mind. But  
31 I think there's somebody looking to use that and I --

32 DISTRICT ATTORNEY HERRERA: Commissioner, --

33 COMMISSIONER MILLS: I know --

34 CHAIRMAN BAKKER: Um --

35 COMMISSIONER MILLS: -- there's been --

36 CHAIRMAN BAKKER: That's --

37 COMMISSIONER MILLS: -- discussion --

38 CHAIRMAN BAKKER: -- off topic.

39 DISTRICT ATTORNEY HERRERA: Commissioner, we're getting  
40 off --

1 CHAIRMAN BAKKER: That's off topic, --  
2 DISTRICT ATTORNEY HERRERA: -- topic here.  
3 CHAIRMAN BAKKER: -- Doug.  
4 COMMISSIONER MILLS: All right.  
5 CHAIRMAN BAKKER: Sorry, Doug.  
6 COMMISSIONER MILLS: Well, I'm just wond -- I'm just  
7 wondering how, you know -- how far your vision goes. Is it the  
8 court building itself or is it --  
9 THERESA RYAN: Yeah.  
10 DISTRICT ATTORNEY HERRERA: It -- it --  
11 COMMISSIONER MILLS: I don't --  
12 DISTRICT ATTORNEY HERRERA: The committee's just for the  
13 courthouse.  
14 COMMISSIONER MILLS: Okay.  
15 THERESA RYAN: Right. Yeah.  
16 COMMISSIONER CLARK: Ted, do we need to assemble the  
17 committee so that the subcommittee can make a recommendation to  
18 the committee to bring it to the board for budget?  
19 DISTRICT ATTORNEY HERRERA: They can bring it straight to  
20 the --  
21 COMMISSIONER CLARK: Okay.  
22 DISTRICT ATTORNEY HERRERA: -- board. That's fine. It's  
23 up to -- it's up to you commissioners --  
24 COMMISSIONER CLARK: No, that's fine.  
25 DISTRICT ATTORNEY HERRERA: -- what they do. But why --  
26 why do it twice?  
27 COMMISSIONER MILLS: That's --  
28 COMMISSIONER CLARK: No, the reason why I -- why I formed  
29 that committee in the beginning was to try to save that  
30 building. There was a lot of interest --  
31 DISTRICT ATTORNEY HERRERA: Right.  
32 COMMISSIONER CLARK: -- in that. I'm just wondering about  
33 the proper procedure.  
34 DISTRICT ATTORNEY HERRERA: Well.  
35 COMMISSIONER CLARK: If we can do it that way, Ted, that's  
36 fine.  
37 CHAIRMAN BAKKER: It's good.  
38 COMMISSIONER CLARK: That's all I care about.  
39 CHAIRMAN BAKKER: It's fine.  
40 COMMISSIONER STIENMETZ: Right.

1 CHAIRMAN BAKKER: Okay. Any more --  
2 COMMISSIONER CLARK: Yeah.  
3 CHAIRMAN BAKKER: -- questions?  
4 COMMISSIONER CLARK: Thank you very, very --  
5 CHAIRMAN BAKKER: Thank you, --  
6 COMMISSIONER CLARK: -- much.  
7 CHAIRMAN BAKKER: -- guys.  
8 COMMISSIONER STIENMETZ: Thanks for your update.  
9 COMMISSIONER CLARK: Thank you.  
10 CHAIRMAN BAKKER: Seventeenth.  
11 LIZ HEIMBIGNER: I just want to say that she has done, as  
12 you can see from her notebooks, a tremendous amount of effort  
13 put into those and research.  
14 COMMISSIONER CLARK: She was a teacher. What do you  
15 expect?  
16 LIZ HEIMBIGNER: Yeah. She's done a really super job.  
17 COMMISSIONER CLARK: That's good. Thank --  
18 CHAIRMAN BAKKER: Thank --  
19 COMMISSIONER CLARK: -- you.  
20 CHAIRMAN BAKKER: -- you, ladies.  
21 COMMISSIONER WAITS: Thank you.  
22 COMMISSIONER MILLS: Thank you.  
23 LIZ HEIMBIGNER: Thank you.  
24

25 7) Update on the Austin property line realignment project being  
26 conducted by Summit Engineering and all other matters  
27 properly related thereto.  
28

29 CHAIRMAN BAKKER: Okay. Item Number 7. Update on Austin  
30 town property -- property line realignment project being  
31 conducted by Summit Engineering and all other matters properly  
32 related thereto.

33 LARRY GRUBE: Good morning. My name's Larry Grube. I'm  
34 the chief photogrammetrist and mine team manager for Summit  
35 Engineering and here to give you an update on what we've been  
36 doing.

37 Things have changed a little bit since the old room. If --  
38 I'll try doing this without the di- -- displays. But I do have  
39 some displays if you want to see those.

40 CHAIRMAN BAKKER: It's okay right now.

1           LARRY GRUBE: Any rate, last May we met with Robert Hughes,  
2 who is one of the principal owners of parcels within the Town of  
3 Austin and is kind of a key player because he also has some  
4 remaining rights in patents where you have some overlap of  
5 ownership between the lotting that was done per the town map  
6 and -- and the mining patents. We basically got records from  
7 him that basically show what he believes he owns, which was a --  
8 is a big help to us. And plus, he -- we basically got him on  
9 board for the realignment process as we move forward.

10           When we were at -- last year at the last meeting that -- or  
11 commission meeting that I came to, we had discussed doing a  
12 pilot subdiv- -- or excuse me -- merger and resubdivision  
13 subdivision map.

14           Since then, what we discovered was that you are required on  
15 a subdivision map, regardless of whether it's just a good old  
16 subdivision map or a merger and resubdivision, that you have to  
17 go through a lot of state approvals.

18           And I had started talking to the state water engineer to --  
19 on basically issues regarding water. And they were pretty much  
20 on board because they understood that we were going to end up  
21 with fewer parcels in the long run than creating more parcels.  
22 But still we found that we -- we're going to have a lot of just  
23 -- a tremendous amount of review that was going to waste a lot  
24 of time because basically all we're trying to do is make  
25 property lines and right-of-way lines match what's on the  
26 ground.

27           So we had to kind of go back and rethink the process. And  
28 the first pilot map we were going to do is a subdivis- -- as a  
29 subdivision map, we discovered we could do it as two parcel maps  
30 preceded by a right-of-way abandonment and then a merger and  
31 resubdivision parcel map.

32           Now it gets a little trickier because with a parcel map you  
33 can only create a maximum of four parcels.

34           So in addition to starting on this -- these initial two  
35 parcel maps, which are situated around the Austin -- the Austin  
36 Baptist Church and include properties owned by Bonnie Maestretti  
37 and Jack and Andrea Burton, we also wanted to look at the  
38 future. Could we keep going and keep doing parcel merger and  
39 resubdivision parcel maps so that we could keep doing a greater  
40 part of the town?

1           The advantage of having a parcel map or a subdivision map,  
2 just to review, is when you do simple abandonments or simple  
3 acquisitions or at least for the abandonments, you're going to end  
4 up with splinter parcels. In other words, when you abandon  
5 right-of-way to an owner, it does not get absorbed into their --  
6 into their parcels. When you do merger and resubdivision over an  
7 area, it basically wipes the slate clean and then lays down new  
8 lines and new right-of-way lines.

9           And what we -- about a month ago, I turned in a -- kind of  
10 a master plan for the 20 percent easterly portion of Austin to  
11 Jan Morrison to -- to review, which she said will be reviewed  
12 next week in a developmental meeting. And we also have the  
13 first two merger and resubdivision parcel maps before her so  
14 that she can review the conditions and notes that we have placed  
15 on the map regarding -- in other words, we've -- the Austin FEMA  
16 project we did about a decade ago, we basically obtained high  
17 resolution aerial photography and mapping of the town.

18           So we can see most of the -- most of the utilities in our  
19 aerial photography, which we have orthorectified. We've also  
20 tied a lot of stuff on the ground. But obviously, there's still  
21 utilities in the ground that we may not know are out there. So  
22 we basically got jurats, notes on the map conditions, that  
23 basically state that there is an easement 10 to 15 feet in width  
24 for any utility that currently exists. And then there are other  
25 jurats regarding drainage and some other issues that -- that the  
26 development meeting next week is going to consider. So that's  
27 kind of where we're at now.

28           COMMISSIONER WAITS: So once this -- once it goes through  
29 the review next week, what -- what are your plans from that  
30 point? Are you going back in to talk to the Austin residents  
31 and show them the maps? Or have you still got other work to do  
32 before you --

33           LARRY GRUBE: On --

34           COMMISSIONER WAITS: -- do that? Can you give me a time  
35 frame?

36           LARRY GRUBE: Okay. On the 20 percent that we've got  
37 the -- it's about 13 or so parcel maps proposed -- we've pretty  
38 much gotten agreement on where -- where lines should be in that  
39 area and where the right-of-way lines should be.

40           There's nothing that's really controversial over in that

1 area. And that's why we started there first.

2 One of the issues about doing this is we basically need  
3 cooperation amongst -- amongst adjoiners. Because -- because  
4 people are -- are picking up right-of-way that's never going to  
5 be used, you know, that's kind of the -- that's kind of the  
6 reward for -- for participating. Because when we give  
7 right-of-way back, then people get a little more -- get a little  
8 more property.

9 Once the development com- -- or meeting next week, if they're  
10 satisfied with the scenario we've laid out, then we will,  
11 hopefully within a month, submit the -- actually submit the first  
12 two merger and resubdivision parcel maps for processing, along  
13 with a -- along with a right-of-way abandonment that covers the  
14 area that those maps -- that those maps cover.

15 So, basically, you're going to have three to four actions  
16 that all have to be tied into one package so that we -- we wipe  
17 the slate clean, redivide it, and then -- and then have final  
18 parcels and final right-of-way.

19 COMMISSIONER WAITS: So, Larry, you're just dealing  
20 individually on the east side right now, like you said, to be --

21 LARRY GRUBE: Yes, ma'am.

22 COMMISSIONER WAITS: -- specific. And then when that's  
23 completed, you'll move into the rest of them.

24 LARRY GRUBE: It's probably going to be easiest to move  
25 easterly to westerly.

26 I had one resident on the westerly side of town initially  
27 send me a letter and said, don't touch my property. Go away.  
28 And then a few months ago, they called up and they said, you  
29 know, maybe we do need to look at what's going on around my  
30 property.

31 There was an issue. We were -- we had shown some cul-de-sacs  
32 on -- on some of the -- at the ends of some of the roads. I  
33 talked to the fire safety people and the -- that were -- or the  
34 person that was responsible for the south of the county. And he  
35 said, absolutely. You need those in there.

36 I know that for a fact. I'm in the same situation in the --  
37 in the subdivision I live in back in Spanish Springs. We were  
38 also a court-ordered subdivision. We had roads in the wrong  
39 place. It's been a 10-, 15-year process, but we've got  
40 everything. We've done realignments. We -- we have had to grade

1 new roads, but, you know, we -- the fire and safety people have  
2 told us, no, we need the ability to turn emergency vehicles  
3 around.

4 So we've -- fortunately, on this first part we're doing, we  
5 don't have any of those -- we don't have any of those cul-de-sacs,  
6 so to speak. But stuff moving to the west, there -- there are  
7 some places where we have some areas where we think there should  
8 be -- there should be the ability for an emergency vehicle to  
9 turn -- turn around.

10 COMMISSIONER WAITS: And I understand what you're saying,  
11 because I know they were very controversial when the Austin  
12 residents looked at -- at your subdivision maps. And I  
13 understand what they're saying for safety. Isn't that wonderful  
14 to have a cul-de-sac?

15 But you're talking about a town that's so old. It's like,  
16 our emergency vehicles can back up. I'm sorry. You don't have  
17 to always turn around. We've been backing up for years. So  
18 I -- I know you're getting into a real situation. So my concern  
19 is just this: When you finish this east side, because we've  
20 been working on it for so long, it seems like we haven't heard  
21 from you and you're doing it all behind the scenes, of course.  
22 But what do we tell Austin? Will you be in there with another  
23 meeting with your new maps for us to look at --

24 LARRY GRUBE: I --

25 COMMISSIONER WAITS: -- for the rest of the town or what?

26 LARRY GRUBE: Yeah, I talked to Jan last week. And she  
27 wants to review what we've turned in to her now before we go  
28 back out to the town.

29 COMMISSIONER WAITS: I understand that.

30 LARRY GRUBE: Okay.

31 COMMISSIONER WAITS: But I'm just asking for a time frame.  
32 I mean, will you be doing it yet this summer or this fall?

33 LARRY GRUBE: I would say, yes, very easily this -- this  
34 summer.

35 We -- we -- we took -- from the February meeting of last  
36 year, we took all the input we got. We basically gave -- handed  
37 out 11 by 17 maps, asked people to, you know, make their  
38 comments on -- on what they wanted done. And as much as  
39 possible, we've tried to honor all of -- we've tried to honor  
40 all of that. But -- and we have cut down on -- on a lot of the,

1 quote, cul-de-sacs.

2 Now you have to remember, we're not proposing to build  
3 anything. We're just trying to reserve -- we're trying to  
4 reserve right-of-way. With the county giving aw- -- giving back  
5 as much right-of-way, it just makes sense if we can keep  
6 right-of-way that, you know -- it may not be tomorrow; it may  
7 not be five years down the line. It might not be 20 years down  
8 the line. But just to have it there if we can get it. If we  
9 can't, yes, it'll go away.

10 I mean, obviously, you look at Virginia -- you look at  
11 Virginia Street, there's nothing you can do about that. The --  
12 you cannot ever bring that to meet engineering code. It just is  
13 what it is. So we fully understand that. There's going to be  
14 parts of the town that you can't do anything about.

15 COMMISSIONER WAITS: So we'll be seeing more of you this  
16 summer --

17 LARRY GRUBE: Yes.

18 COMMISSIONER WAITS: -- basically for the rest? Okay.  
19 Thank you.

20 CHAIRMAN BAKKER: Timeline for completion for all of it?  
21 What -- what are you thinking?

22 LARRY GRUBE: I can't really make any -- any projection.  
23 We said in past meetings that this could -- that this could be a  
24 long process.

25 Obviously, in -- it's requires what kind -- or it's dependent  
26 on how much cooperation we get with adjoiners.

27 So, in other words, we're dealing with -- we're dealing  
28 with a lot of people.

29 Fortunate thing about the parcel -- now that we're down to  
30 parcel maps -- is typically we only have to deal with about four  
31 parties at a time. But we do have some areas that we have to do  
32 multiple parcel maps to achieve the goal.

33 So I would say, realistically for the whole town, it could  
34 be -- it could be three to five years to -- to get the whole  
35 town.

36 The part we're working on now is mainly large parcels. And  
37 we're getting a lot of cooperation in that area. But as we start  
38 to move west into the smaller parcels and based on some of the  
39 comments we've gotten, we know that we have some -- we know that  
40 we have some -- we have some contention between -- between some

1 owners. And, you know, those -- those areas may not be -- may not  
2 be fixable.

3 CHAIRMAN BAKKER: As you do these parcel maps and you're  
4 going along, are the people who own the property signing off on  
5 some of the stuff?

6 LARRY GRUBE: Well, I mean, they have to. They will have  
7 to sign the -- they will have to sign the parcel maps. For the  
8 parcel map submittal, they will have to sign the applications  
9 to -- for -- for submittal.

10 CHAIRMAN BAKKER: But are they seeing it as we're going  
11 along now? Do the people -- you're working on the east side  
12 right now?

13 LARRY GRUBE: Yes.

14 CHAIRMAN BAKKER: Those parcel map owners -- or those  
15 parcel owners --

16 LARRY GRUBE: We have not -- we have not contacted --

17 CHAIRMAN BAKKER: Property owners.

18 LARRY GRUBE: -- all of them. For the first parcel map --  
19 for the first and the second maps, we have. Those -- those  
20 parties are all in agreement. So we -- we have agreement on  
21 that.

22 Once Jan reviews what we've got for the future merger and  
23 resubdivision parcel maps, then -- you know, we're -- we're trying  
24 to make sure that everything -- that it makes sense to -- to  
25 Lander County.

26 Once we get the green light from them, then we will basically  
27 be sending out letters to all the -- all the other owners saying,  
28 you know, this is -- you know, we're proposing this configuration  
29 around your parcel, you know; can we get your cooperation?

30 If they do not respond by e-mail or letter, then we're going  
31 to just have to start calling people to -- to just say, hey, we're  
32 trying to -- you know, we're trying to fix stuff. And --

33 CHAIRMAN BAKKER: Well. I'm kind of thinking -- and  
34 whatever the board wants to do, but say you do the east side and  
35 these 13 parcel maps. And then we -- we will all go to Austin  
36 and sit down with these people and have a commiss- -- a  
37 commission meeting and get the approval and just do it all right  
38 there. I mean, make it quick and easy to approve all these  
39 parcel maps with the property owners down in Austin.

40 LARRY GRUBE: Well, it's feasible to do the first 13, 14.

1 We can put them all on -- we can put them all on the books. But  
2 it takes getting -- basically getting, you know, the -- the  
3 signed applications from all the owners. So we can push forward  
4 that way and just see if we can get every -- every one of those  
5 maps on the b- -- you know, basically before the commission.

6 COMMISSIONER CLARK: Patsy, you have extensive real estate  
7 background. Does this make sense to you? Because I don't know  
8 anything about real estate.

9 COMMISSIONER WAITS: It's --

10 COMMISSIONER CLARK: I mean, I never even had -- I had a  
11 mortgage for three years. That's, you know --

12 COMMISSIONER WAITS: The -- the real estate part is -- is  
13 one thing. That's what you go through legally. But the rest of  
14 it with the abandonment and the right-of-ways and things is a  
15 whole different matter. And I -- and we're certainly on the  
16 right track. I mean, we've got the specialists that are telling  
17 us where we are.

18 I'm just sorry that it's taking so long. But it does take  
19 that long when you're dealing with all those kinds of peoples.

20 And when they came out -- you said a year ago February -- I  
21 knew it was a long time ago -- they didn't realize that a lot of  
22 these things had been abandoned and things done that were in the  
23 records that they hadn't found. They're not very easily found  
24 over that many -- that many years. So they had to do more  
25 extensive historical, you know, research.

26 And so I think we're on the right track. I'm just trying  
27 to get an idea. And I think Larry's giving it to us. So, yes,  
28 this is exciting, and this is the only way we really can go,  
29 Art.

30 COMMISSIONER CLARK: Okay.

31 CHAIRMAN BAKKER: Guys? You good?

32 COMMISSIONER STIENMETZ: I'm good.

33 CHAIRMAN BAKKER: Okay.

34 COMMISSIONER WAITS: Thank you, Larry.

35 LARRY GRUBE: Thank you.

36 COMMISSIONER STIENMETZ: Thank you.

37 CHAIRMAN BAKKER: We're going to --

38 COMMISSIONER MILLS: (Indiscernible.)

39 CHAIRMAN BAKKER: -- take a -- oh, yeah. Keith. Full  
40 steam ahead. We're going take a five-minute break. Austin?

1 MITESHELL LANHAM: Okay.  
2 CHAIRMAN BAKKER: Okay. Thank you.

3  
4 (Break from 10:04 am. to 10:20 a.m)

5  
6 CHAIRMAN BAKKER: We're going to get this meeting started  
7 again.

8  
9 **8) Update, discussion, and possible action regarding the Lander**  
10 **County levee project and direction to proceed with the**  
11 **project, and all other matters properly related thereto.**

12  
13 CHAIRMAN BAKKER: We're on Agenda Item Number 8.  
14 Called the meeting back to order. Update and discussion and  
15 possible action regarding the Lander County levee project and  
16 direction to proceed with the project, and all other matters  
17 properly related thereto.

18 KEITH WESTENGARD: I've asked --

19 CHAIRMAN BAKKER: Tom?

20 KEITH WESTENGARD: -- Tom Gallagher from Summit to come and  
21 speak about the levee, get some clear direction on what way --  
22 what way the commission wants to go.

23 COMMISSIONER WAITS: Good morning, Tom.

24 COMMISSIONER CLARK: How are you doing, Tom?

25 TOM GALLAGHER: Good morning, Commissioners. If Larry did  
26 not totally confuse you previously, then put your helmet on  
27 because I'm about to. Okay?

28 The -- the state of the levee is the same place it was the  
29 last time I talked to you if not maybe a little further behind.  
30 It seems like the more we go along, the further behind we get.

31 It's my understanding, when I finally got ahold of the  
32 Corps to find out what they were doing -- I think the  
33 commissioners are aware they were supposed to come up with an  
34 elevation the levee should be at, at the end of last year. Then  
35 we find out that they ran out of money to do that. So now all  
36 they're doing is studying the middle part of the levee with a  
37 model that's called two flow.

38 Unfortunately, two flow is not accepted by FEMA, except for  
39 in FEMA Region 3, which includes Washington, D.C., Delaware,  
40 Maryland, Pennsylvania, Virginia, and West Virginia. We're in

1 Region 9. They don't accept two flow in Region 9.

2 For the model to be accepted in any area, the model has to be  
3 reviewed, tested, and accepted by the governing entity.

4 So you guys would be -- or the state, however it would work,  
5 or maybe the whole region, would be necessary for them to test and  
6 document why the model does make sense. And everybody that's  
7 affected, ever will be affected, or might be affected in the  
8 future needs to be involved in the process.

9 So we've done quite a bit of checking into this. The Corps  
10 -- FEMA does accept a model called two flow, two flow D. And  
11 two flow D is the model we used five years ago to develop the  
12 original preliminary design of the levee. Okay?

13 The Corps has done new data that they put into two flow,  
14 supposedly, that lowers the elevation of the flood to below the  
15 level of Interstate 80.

16 What we need is the data. We'll put it into our model we  
17 developed five years ago and FEMA will accept that. There's  
18 still a question, I mean -- when I talked to the Corps, they  
19 said they're going ahead with design and everything else on the  
20 center portion of the levee with the model that FEMA will not  
21 accept.

22 So I'm not sure that we'd be any further ahead if we built  
23 the north and south extensions of the levee with data that FEMA  
24 will accept when they won't accept the middle, which is the part  
25 that Corps said is the most critical.

26 So in my last discussion with the Corps, they said they had  
27 completed their geophysical study. And she said, I think there's  
28 something wrong with it. Because our geophysical study shows that  
29 we need a 60-foot-deep cutoff wall next to Interstate 80. Now the  
30 cutoff wall is supposed to block underflow on the levee.

31 I don't -- I don't even know you how you'd build a 60-foot  
32 deep cutoff wall. I guess you could drill it and pressure grout  
33 it like you do the base of a dam or something like that.

34 I'm kind of at a loss as to know exactly what we should do  
35 at this point. I -- if I was God, I'd tell Lander County to  
36 move the levee over and build it yourselves, if you ever want to  
37 see it built.

38 COMMISSIONER MILLS: That's --

39 TOM GALLAGHER: That's --

40 COMMISSIONER MILLS: -- the idea that I'd really like to

1 entertain here.

2 TOM GALLAGHER: Well, I --

3 COMMISSIONER MILLS: And make --

4 TOM GALLAGHER: -- don't see --

5 COMMISSIONER MILLS: -- and see if we can --

6 TOM GALLAGHER: -- any other way it's going to get --

7 COMMISSIONER MILLS: -- make that happen.

8 TOM GALLAGHER: -- built while you guys are commissioners  
9 or probably while I'm alive. So...

10 I got a call from Mr. Massey, who I just talked to, the  
11 other day. And I think Keith wanted him to look into a FEMA grant  
12 for doing part of the levee. And he wanted an estimate on what it  
13 was going to cost. I think the latest thing I've heard from the  
14 Corps, it was going to be about \$10 million to build the middle  
15 portion. We came up with -- with an estimate that wasn't much  
16 over \$6 million to build the whole thing new.

17 CHAIRMAN BAKKER: Ourselves?

18 TOM GALLAGHER: Yeah. Without the existing levee being in  
19 the middle of it.

20 COMMISSIONER MILLS: Without going through the 408  
21 processes and all that kind of --

22 TOM GALLAGHER: The only --

23 COMMISSIONER MILLS: -- stuff.

24 TOM GALLAGHER: -- thing, as I said, on the south  
25 extension, you may need a 408 permit.

26 Now, I -- I would assume most of you have seen where the  
27 south extension of the levee goes and have noticed all the  
28 wetlands out there, which are nonexistent. And the Corps has no  
29 jurisdiction over that. That's not a jurisdictional area.

30 The center portion and the north portion are both  
31 considered jurisdictional. And I -- I don't think that we're  
32 going to have any problem getting a 408 permit on either one of  
33 those.

34 The only place that we may interfere -- and we very well  
35 may be able to design around it -- is where it crosses under  
36 Interstate 80 and under the railroad. We may impact a portion  
37 of their jurisdictional levee.

38 The rest of it, I know there's been talk about acquiring  
39 houses and rights-of-way and everything else.

40 We've got the right-of-way existing for the levee. The

1 county owns most of the other property that would be impacted.  
2 I think there's one small piece at the end by the  
3 fairgrounds or someplace where Pershing County Conservation  
4 District or something has some input into, but I don't see where  
5 they would be a major stumbling block in the thing.  
6 But it's kind of up to you what -- what you want to do. I  
7 mean, we haven't gone and stoked FEMA up. I'd be more than  
8 happy to do it. I just want to know the direction you want to  
9 go, with not only the project, but with the communication on the  
10 project.  
11 Would you like any --  
12 CHAIRMAN BAKKER: Doug?  
13 TOM GALLAGHER: -- other -- anything else out of me?  
14 COMMISSIONER MILLS: Right. Well, --  
15 CHAIRMAN BAKKER: You're more involved with it than any of  
16 us.  
17 COMMISSIONER MILLS: And this is where, again, with Corps  
18 of Engineers we were told a lot of things and those things  
19 haven't happened. We were told we'd be able to have this thing  
20 built in --  
21 COMMISSIONER STIENMETZ: Yeah.  
22 COMMISSIONER MILLS: -- 2017. They've pushed us off until  
23 2018, 2019 to get this thing built. I'd -- I'd really like to  
24 have our commission entertain the idea of just building it  
25 ourselves adjacent to the existing levee and -- and just build  
26 it.  
27 Of course, the one caveat there is that I -- I really would  
28 like that FEMA gives us --  
29 CHAIRMAN BAKKER: The okay?  
30 COMMISSIONER MILLS: -- okay.  
31 TOM GALLAGHER: That -- that is the --  
32 COMMISSIONER MILLS: And --  
33 TOM GALLAGHER: -- only --  
34 COMMISSIONER MILLS: -- accept- -- acceptance of our data  
35 and that it will benefit this community before we build.  
36 But I -- I'd really like to see us just build it --  
37 TOM GALLAGHER: That is --  
38 COMMISSIONER MILLS: -- and be done with it.  
39 TOM GALLAGHER: -- only thing -- that is the only way I  
40 would go ahead.

1 But I want to be sure that you have no problems with us  
2 communicating with FEMA one-on-one and doing that.

3 And I'm not sure where -- if you start moving houses or  
4 condemning houses and doing that kind of stuff, --

5 CHAIRMAN BAKKER: I'm not okay with that.

6 TOM GALLAGHER: -- I'm not okay with that too.

7 COMMISSIONER STIENMETZ: No.

8 TOM GALLAGHER: I mean, it makes absolutely no sense.

9 CHAIRMAN BAKKER: I'm not going to go ask someone to move  
10 their house.

11 TOM GALLAGHER: No. No.

12 CHAIRMAN BAKKER: So...

13 TOM GALLAGHER: Let alone it costs -- well, it's a little  
14 pricey to move houses.

15 COMMISSIONER MILLS: Right.

16 TOM GALLAGHER: I know we're doing a lot of it in Reno, in  
17 southeast Reno where they're elevating houses up by Hidden  
18 Valley. They're actually going in and lifting the house and  
19 putting new backfill under the house and new foundations and  
20 then putting the house back down.

21 That's very pricey too.

22 CHAIRMAN BAKKER: Tom, I -- I would say if we get a letter  
23 from FEMA saying, yes, we would accreditate this after you guys  
24 built it, I -- I would be just fine with building it --

25 COMMISSIONER STIENMETZ: Yeah.

26 CHAIRMAN BAKKER: -- ourselves.

27 TOM GALLAGHER: Well, they're --

28 COMMISSIONER MILLS: Just -- just to be clear on some of  
29 this too, it's my understanding for the -- for the southern  
30 portion of the levee, it's already been essentially designed.  
31 We have --

32 TOM GALLAGHER: We have --

33 COMMISSIONER MILLS: -- easements for the land. We have a  
34 borrow pit to put the dirt there.

35 TOM GALLAGHER: Yes, you have --

36 COMMISSIONER MILLS: It's all done. The center section can  
37 be built completely on county property.

38 TOM GALLAGHER: Right.

39 COMMISSIONER MILLS: And the northern section, whether  
40 we -- we get the 408 and build adjacent to the Corps' existing

1 levee or we do it ourselves, I don't know how that would work.  
2 TOM GALLAGHER: On the northern portion, we may have to do  
3 a 408 permit.  
4 COMMISSIONER MILLS: Right.  
5 TOM GALLAGHER: But that's going to be a whole lot quicker  
6 --  
7 COMMISSIONER MILLS: Than waiting for them to build  
8 anything.  
9 TOM GALLAGHER: Well, almost anything would be quicker than  
10 what we have been doing.  
11 COMMISSIONER MILLS: Right.  
12 TOM GALLAGHER: And like I told you just a little while  
13 ago, it really wears me out doing nothing. I hate it. And if  
14 we want to do something, we're certainly willing to do it. But  
15 if we're going to do nothing, I'd recommend that you find  
16 somebody else to do nothing because I don't do that well.  
17 COMMISSIONER MILLS: So...  
18 COMMISSIONER WAITS: Tom, on your estimate, you said the  
19 whole thing at one time, you thought, would be 6 million if we  
20 did everything. How close are we? Do you have to redo that  
21 estimate? How close are we to those costs?  
22 TOM GALLAGHER: Well, those costs are based on some very,  
23 very preliminary design. I mean, like I said, I got a call from  
24 Mr. Massey the other day and I, you know -- could you tell me  
25 an estimate on -- a new estimate on the levee?  
26 Everybody knows we haven't got a new estimate on the levee.  
27 And until we know how tall it is or whatever, I mean, we're  
28 not -- we would in no way be recommending a huge cutoff wall  
29 under the levee. It doesn't make any sense.  
30 You've got standing water all over the flat for 20 miles on  
31 either side of town. And the Corps's worried about the levee  
32 washing out subsurface? It doesn't make much sense to me. And  
33 it's not backed up by our -- by our geotechnical studies.  
34 And I'm not trying to cause a fight with anybody. But, I  
35 mean, this -- this thing's gone on for literally years.  
36 COMMISSIONER CLARK: Well, --  
37 TOM GALLAGHER: And I don't see any reason if we get -- and  
38 when we go to FEMA, what we're going to do is get a conceptual  
39 approval. If we do this, they will certify it. I mean, they're  
40 not going to certify it until we have the plans done. And

1 generally, they won't certify it. But as long as you know  
2 they're going to certify it, --  
3 CHAIRMAN BAKKER: Right.  
4 COMMISSIONER MILLS: Right.  
5 TOM GALLAGHER: -- you're --  
6 COMMISSIONER STIENMETZ: Yeah.  
7 TOM GALLAGHER: -- fine.  
8 CHAIRMAN BAKKER: That's what I'm asking. Get a letter  
9 that says, yes, we'll certify it, get it built, submit the  
10 plans.  
11 TOM GALLAGHER: We're ready and willing to move on it  
12 whenever you guys decide what you want to do.  
13 CHAIRMAN BAKKER: I think it --  
14 COMMISSIONER CLARK: I have a question.  
15 CHAIRMAN BAKKER: Okay.  
16 COMMISSIONER CLARK: If I remember correctly, when the  
17 Corps of Engineers came last year, they said that even if we  
18 built this levee, it wouldn't give us an X-zone classification  
19 which would -- you wouldn't have to have flood insurance with  
20 your mortgage. And that -- that's been the big concern from  
21 people who have talked to me is we're going to build this levee,  
22 and we should have relief from -- from the flood insurance.  
23 TOM GALLAGHER: Well, there is going to be a lot of relief  
24 from the flood insurance. I can't tell you the exact percentage  
25 at this point. But, I mean, if they -- if they --  
26 CHAIRMAN BAKKER: It lowers the rate; right?  
27 TOM GALLAGHER: It would --  
28 COMMISSIONER MILLS: Right.  
29 TOM GALLAGHER: -- definitely lower the --  
30 COMMISSIONER MILLS: Right.  
31 TOM GALLAGHER: -- rate.  
32 COMMISSIONER MILLS: I think that needs to be understood.  
33 It may not eliminate the --  
34 TOM GALLAGHER: It may not --  
35 COMMISSIONER MILLS: -- flood insurance.  
36 TOM GALLAGHER: -- completely eliminate it.  
37 COMMISSIONER MILLS: But it'll greatly reduce --  
38 CHAIRMAN BAKKER: If FEMA --  
39 COMMISSIONER MILLS: -- it.  
40 CHAIRMAN BAKKER: -- signs off on it, it'll lower the

1 insurance rate.

2 COMMISSIONER CLARK: No, that -- that's fine.

3 TOM GALLAGHER: We had -- we had all --

4 COMMISSIONER CLARK: There has to be --

5 TOM GALLAGHER: -- kinds of property in Reno that we built  
6 according to FEMA rules in the '90s.

7 COMMISSIONER CLARK: Okay.

8 TOM GALLAGHER: Okay? And then we had a big storm, big  
9 thaw, big flood, and all of a sudden, FEMA changed. And a whole  
10 bunch of buildings in the Sparks industrial area that we did  
11 according to FEMA standards, currently -- or came out in a new  
12 flood zone. And it was obvious that they were in a new flood  
13 zone because people had to take front-end loaders and stuff like  
14 that to get in their offices and stop the furniture from  
15 floating out the doors.

16 COMMISSIONER CLARK: No, I just --

17 TOM GALLAGHER: The only one that didn't get hurt too bad  
18 was the boat guy because all his stuff floated.

19 COMMISSIONER CLARK: Yeah, I want -- I want some relief for  
20 the citizens, if we're going to spend this kind of money. It's  
21 their tax money.

22 TOM GALLAGHER: Definitely.

23 COMMISSIONER MILLS: Right. The advantage of this too is  
24 apparently the FEMA rules change for our -- for our levee. It  
25 used to be fine and now it's not.

26 Of course, if we build our own levee and those standards  
27 change again, we can fix our levee --

28 COMMISSIONER STIENMETZ: Right.

29 COMMISSIONER MILLS: -- without having to go through the  
30 Corps of Engineers again and being delayed for decades.

31 COMMISSIONER CLARK: I don't want --

32 TOM GALLAGHER: That's true.

33 COMMISSIONER CLARK: -- my house floating away. That's for  
34 sure.

35 COMMISSIONER MILLS: So even (indiscernible) --

36 CHAIRMAN BAKKER: I think Public Works needs another  
37 project.

38 I'm just joking.

39 But with that, you -- shall we make a motion to give Tom  
40 direction on what we just discussed?

1 COMMISSIONER MILLS: I make a motion that we direct Summit  
2 Engineering to proceed with the design construction of the levee  
3 without the Corps of Engineers.  
4 CHAIRMAN BAKKER: And get a letter from FEMA.  
5 COMMISSIONER MILLS: And get a -- initial approval from  
6 FEMA before proceeding.  
7 TOM GALLAGHER: Yeah, it's going to take -- it's going to  
8 take a little while to get a letter from FEMA --  
9 COMMISSIONER STIENMETZ: Yeah.  
10 TOM GALLAGHER: -- because we have to --  
11 COMMISSIONER MILLS: Right.  
12 TOM GALLAGHER: -- get --  
13 CHAIRMAN BAKKER: Their blessing.  
14 TOM GALLAGHER: Number one, I'd really like to get the  
15 Corps data, which we have been assured has been coming almost  
16 immediately for the last year.  
17 COMMISSIONER MILLS: Right.  
18 TOM GALLAGHER: I will --  
19 COMMISSIONER WAITS: So --  
20 TOM GALLAGHER: -- attempt to put some pressure on that  
21 fact --  
22 CHAIRMAN BAKKER: Okay.  
23 TOM GALLAGHER: -- without --  
24 CHAIRMAN BAKKER: Hold on, Tom. I need a second real quick  
25 and then we'll --  
26 COMMISSIONER STIENMETZ: I'll second --  
27 COMMISSIONER CLARK: I'll --  
28 COMMISSIONER STIENMETZ: -- it.  
29 COMMISSIONER CLARK: Okay.  
30 CHAIRMAN BAKKER: Okay. Motion was made by Doug, seconded  
31 by Steve. Public comment?  
32 COMMISSIONER WAITS: My question was: So do you need the  
33 motion to clarify that you'd be our spokesman with FEMA? Is  
34 that what you are asking for?  
35 TOM GALLAGHER: That would be --  
36 CHAIRMAN BAKKER: We just gave --  
37 COMMISSIONER WAITS: Are we --  
38 CHAIRMAN BAKKER: -- him --  
39 COMMISSIONER WAITS: -- okay --  
40 CHAIRMAN BAKKER: -- direction --

1 COMMISSIONER WAITS: -- with that?  
2 CHAIRMAN BAKKER: -- to --  
3 COMMISSIONER WAITS: We gave him the direction. We didn't  
4 really specify as our spokesman, I mean, like, for all things.  
5 And that was his concern when he first came on. Are other  
6 people going to be contacting him too? We had a consultant that  
7 was -- that was going to --  
8 TOM GALLAGHER: I --  
9 COMMISSIONER WAITS: -- be contacting is what --  
10 COMMISSIONER MILLS: Well, we --  
11 COMMISSIONER WAITS: -- I'm saying.  
12 TOM GALLAGHER: I can tell you straight up the way that I  
13 operate. The more help I get from other people a lot of times  
14 the more it costs you. So...  
15 COMMISSIONER MILLS: Yeah.  
16 TOM GALLAGHER: You know, I'd prefer that unless we call  
17 the commissioner in charge of the thing or Keith or somebody  
18 like that, I would like to have the ability to talk to these  
19 people on behalf of Lander County.  
20 COMMISSIONER WAITS: I just wondered if you wanted the  
21 motion a little bit more clear. That's all. Because that's  
22 what he was asking for.  
23 COMMISSIONER MILLS: Okay. Then I would add to the motion  
24 that Summit Engineering would be our contact with FEMA.  
25 COMMISSIONER CLARK: Second.  
26 COMMISSIONER STIENMETZ: I'll se- --  
27 CHAIRMAN BAKKER: Amend your --  
28 COMMISSIONER STIENMETZ: (Indiscernible) second.  
29 CHAIRMAN BAKKER: -- second. Okay, Steve.  
30 COMMISSIONER STIENMETZ: I'll second that motion.  
31 CHAIRMAN BAKKER: Doug made the motion.  
32 COMMISSIONER MILLS: (Indiscernible.)  
33 CHAIRMAN BAKKER: Steve made second. Any public comment?  
34 (No comment.)  
35 CHAIRMAN BAKKER: All those in favor?  
36 COMMISSIONER STIENMETZ: Aye.  
37 COMMISSIONER MILLS: Aye.  
38 CHAIRMAN BAKKER: Aye.  
39 COMMISSIONER WAITS: Aye.  
40 COMMISSIONER CLARK: Aye.

1 COMMISSIONER STIENMETZ: Thanks, Tom.  
2 COMMISSIONER CLARK: Thank you, --  
3 CHAIRMAN BAKKER: Thanks, Tom.  
4 COMMISSIONER CLARK: -- Tom.  
5 COMMISSIONER MILLS: Awesome.  
6 TOM GALLAGHER: Thanks.  
7 COMMISSIONER MILLS: Let's build a --  
8 TOM GALLAGHER: Next --  
9 COMMISSIONER MILLS: -- levee.  
10 TOM GALLAGHER: -- time I come back, we'll have something  
11 going on. I want to see big yellow running out there.  
12 COMMISSIONER STIENMETZ: Yeah.  
13 COMMISSIONER MILLS: Okay.  
14 CHAIRMAN BAKKER: I agree.  
15 COMMISSIONER MILLS: Thanks, Tom.  
16 CHAIRMAN BAKKER: Thank you.  
17 TOM GALLAGHER: And I promise not to tear down any houses.  
18 COMMISSIONER MILLS: Good.

19  
20  
21 **BUILDING**

22  
23 9) **Discussion and possible action regarding moving the guns,**  
24 **stamp collection, and documents in the old courthouse to the**  
25 **Cookhouse Museum to be displayed, and all other matters**  
26 **properly related thereto.**  
27

28 CHAIRMAN BAKKER: Agenda Item Number 9. Discussion and  
29 possible action regarding moving the gun, stamp collection, and  
30 documents in the old courthouse to the Cookhouse Museum to be  
31 displayed, and all other matters properly related thereto.

32 ANNA PENOLA: Good morning. Anna Penola with the Building  
33 department.

34 CHAIRMAN BAKKER: Good morning, Anna.

35 ANNA PENOLA: And I have great concern about the stuff  
36 that's still in the old courthouse with all the access that's  
37 still there. Don't -- that stuff is historical. And I believe  
38 they should be displayed --

39 COMMISSIONER STIENMETZ: Right.

40 ANNA PENOLA: -- at the museum.

1 CHAIRMAN BAKKER: Okay.

2 ANNA PENOLA: I want to give you a little history about the  
3 guns, though. Those guns were my great granddads. He had found  
4 them underneath that building when it was a school, donated  
5 them, and they've been on display for over 70 years. And they  
6 should stay --

7 COMMISSIONER STIENMETZ: Yeah.

8 ANNA PENOLA: -- on display for our community.

9 CHAIRMAN BAKKER: I agree. We appreciate it.

10 COMMISSIONER WAITS: You know, on -- on this one, I first  
11 saw it on the agenda and I thought that you're absolutely right,  
12 we need to take care of this and -- and do something with them,  
13 by all means, when it was put over to us.

14 But my first question was: Gee, we still have a museum in  
15 Austin. Is there something that could go down there?

16 ANNA PENOLA: Oh, wow. Either way.

17 COMMISSIONER WAITS: And the more -- well, the more --

18 ANNA PENOLA: Either way.

19 COMMISSIONER WAITS: -- I investigated and found out it  
20 really was your family that did some of this so that makes a  
21 difference too. So did -- did you actually -- did your granddad  
22 give this to Lander County so that we're responsible for doing  
23 this? Or is it something that was just on loan to us and you --

24 ANNA PENOLA: I think it was --

25 COMMISSIONER WAITS: -- and you can --

26 ANNA PENOLA: -- it was --

27 COMMISSIONER WAITS: -- make the --

28 ANNA PENOLA: -- donated.

29 COMMISSIONER WAITS: -- the decision.

30 COMMISSIONER CLARK: It was donated.

31 COMMISSIONER WAITS: It was donated. It's ours. Okay.

32 COMMISSIONER CLARK: There's a card inside of the display  
33 that --

34 ANNA PENOLA: Is there any written documentation? No. But  
35 it happened, like I said, over 70 years ago.

36 COMMISSIONER CLARK: Well, there's a card inside the  
37 display that says, Donated to Lander County by William Landin.

38 ANNA PENOLA: Walter.

39 COMMISSIONER CLARK: Walter Landin.

40 COMMISSIONER WAITS: That's great. Yes, we need to take

1 care of it.  
2 COMMISSIONER CLARK: There's some nice guns there.  
3 COMMISSIONER MILLS: Uh-huh.  
4 CHAIRMAN BAKKER: Anna, I appreciate it. Do you want to  
5 take --  
6 COMMISSIONER CLARK: Preserve this.  
7 CHAIRMAN BAKKER: -- responsibility to move them over or --  
8 ANNA PENOLA: With Bert's permission, I'd like to -- Bert  
9 and I can take care of that.  
10 COMMISSIONER CLARK: Yeah, Bert.  
11 CHAIRMAN BAKKER: Okay.  
12 COMMISSIONER STIENMETZ: All right.  
13 CHAIRMAN BAKKER: And --  
14 COMMISSIONER CLARK: Bert.  
15 LORI PRICE: Can I say something?  
16 CHAIRMAN BAKKER: Come up, Lori, please.  
17 ANNA PENOLA: I love you, man.  
18 LORI PRICE: I -- we have donation --  
19 CHAIRMAN BAKKER: State --  
20 LORI PRICE: -- papers.  
21 CHAIRMAN BAKKER: -- your name, please.  
22 LORI PRICE: So if you're -- my name is Lori Price.  
23 CHAIRMAN BAKKER: Thank you.  
24 LORI PRICE: Sorry.  
25 CHAIRMAN BAKKER: You're good.  
26 LORI PRICE: We have donation papers. So if you're going  
27 to be giving these to the museum, they need to be filled out by  
28 someone.  
29 CHAIRMAN BAKKER: Okay.  
30 LORI PRICE: So if you're donating them to the museum, then  
31 we take responsibility for them. So I just need you to  
32 understand that.  
33 CHAIRMAN BAKKER: Okay. I think we can give Anna the  
34 authority to fill out the donation papers? Or Keith?  
35 DISTRICT ATTORNEY HERRERA: The question arises whether  
36 you're donating them. Because the agenda item says moving them  
37 over, which --  
38 COMMISSIONER WAITS: Which would be on loan.  
39 LORI PRICE: Needs to be --  
40 COMMISSIONER STIENMETZ: Yeah.

1 LORI PRICE: -- clarified.  
2 DISTRICT ATTORNEY HERRERA: -- would be a loan. So you  
3 need to decide whether the county's going to donate to the  
4 501(c)(3) or loan it to them, which means you would retain  
5 ownership.  
6 CHAIRMAN BAKKER: I would say we donated them.  
7 COMMISSIONER CLARK: I think -- I think donate them because  
8 that's what it says on the card that was donated to Lander  
9 County, an extension of Lander County.  
10 DISTRICT ATTORNEY HERRERA: Well, they're not an --  
11 COMMISSIONER CLARK: Is the Cookhouse --  
12 DISTRICT ATTORNEY HERRERA: -- extension of Lander County.  
13 COMMISSIONER STIENMETZ: Huh-uh.  
14 COMMISSIONER CLARK: They're not?  
15 COMMISSIONER STIENMETZ: No.  
16 DISTRICT ATTORNEY HERRERA: No.  
17 COMMISSIONER WAITS: No.  
18 DISTRICT ATTORNEY HERRERA: No, sir.  
19 COMMISSIONER WAITS: No.  
20 LORI PRICE: We're --  
21 COMMISSIONER CLARK: Oh, they're independent?  
22 DISTRICT ATTORNEY HERRERA: Yes, sir.  
23 COMMISSIONER CLARK: Oh, yeah. That's right. Okay.  
24 CHAIRMAN BAKKER: Thoughts?  
25 COMMISSIONER WAITS: Which means if they were donated to  
26 us, do we indeed want to donate on or just loan --  
27 DISTRICT ATTORNEY HERRERA: Or just --  
28 COMMISSIONER WAITS: -- and do you --  
29 COMMISSIONER MILLS: Well, what would the wishes of your  
30 grandfather have been?  
31 ANNA PENOLA: Donate them to the museum.  
32 COMMISSIONER MILLS: Okay.  
33 COMMISSIONER CLARK: Okay.  
34 COMMISSIONER STIENMETZ: All right.  
35 COMMISSIONER WAITS: We just didn't have a museum back then  
36 to --  
37 COMMISSIONER STIENMETZ: No.  
38 COMMISSIONER WAITS: -- do that or it may have been a  
39 consideration.  
40 COMMISSIONER MILLS: Just a question: Is -- is there any

1 agreement between the museum here and the museum in Austin to  
2 share some of --  
3 COMMISSIONER WAITS: No.  
4 COMMISSIONER MILLS: -- your --  
5 LORI PRICE: Well, we don't actually have --  
6 COMMISSIONER MILLS: -- displays?  
7 LORI PRICE: -- an agreement. But certainly we would be  
8 willing to share things. And we -- we have Austin items as  
9 well. And so, yeah, there would be an open --  
10 COMMISSIONER MILLS: I just don't know if you guys do that  
11 already or if you're --  
12 LORI PRICE: We haven't really --  
13 COMMISSIONER MILLS: -- factoring --  
14 LORI PRICE: -- shared anything yet, but I'm certainly -- I  
15 don't think there'd be a problem with it.  
16 COMMISSIONER MILLS: Okay.  
17 DISTRICT ATTORNEY HERRERA: Commissioner, you might want to  
18 have Austin see if they want to have any of that donated to  
19 them.  
20 COMMISSIONER WAITS: Or on loan.  
21 COMMISSIONER MILLS: Right.  
22 DISTRICT ATTORNEY HERRERA: Or --  
23 COMMISSIONER MILLS: That's why if there's an agreement  
24 between the -- between the museums that --  
25 DISTRICT ATTORNEY HERRERA: There are too many --  
26 COMMISSIONER MILLS: -- wouldn't that be taken care of?  
27 DISTRICT ATTORNEY HERRERA: They have nothing to do --  
28 COMMISSIONER CLARK: No.  
29 DISTRICT ATTORNEY HERRERA: -- with the county.  
30 COMMISSIONER MILLS: Okay.  
31 DISTRICT ATTORNEY HERRERA: Neither. They have nothing to  
32 do with the county. Those are independent. They can do  
33 whatever they want. Once -- if we donate it to them, they can  
34 dispose of those items as they see fit unless they're on loan.  
35 COMMISSIONER CLARK: Okay. That makes a difference.  
36 DISTRICT ATTORNEY HERRERA: Yeah.  
37 COMMISSIONER MILLS: Right.  
38 JUDIE ALLAN: Judie Allan. Actually, a question and it  
39 does follow what Ted just said.  
40 I know the -- the museum receives donations, et cetera. I

1 don't know what, you know -- we'd love them to have them around  
2 forever, but if for some reason the -- the museum loses their  
3 funding and has no money to continue operations, what would become  
4 of these items?

5 COMMISSIONER WAITS: If we donate it, --

6 JUDIE ALLAN: If they're --

7 COMMISSIONER WAITS: -- whatever they want to do.

8 COMMISSIONER MILLS: Yeah.

9 JUDIE ALLAN: Exactly.

10 COMMISSIONER WAITS: Yeah.

11 LORI PRICE: Well, I don't think that's going to happen. I  
12 mean, there's --

13 COMMISSIONER CLARK: Yeah.

14 LORI PRICE: There's a lot of very valuable items that we  
15 already have. If -- we do not -- do not foresee just giving up.

16 COMMISSIONER WAITS: Of course.

17 LORI PRICE: You know. So...

18 COMMISSIONER MILLS: Right.

19 LORI PRICE: Yes, these guns are very valuable, but I don't  
20 think we're going to have a problem.

21 COMMISSIONER MILLS: Well, I --

22 LORI PRICE: This doesn't need to be --

23 CHAIRMAN BAKKER: Is there a way we can donate to the --

24 LORI PRICE: -- really difficult.

25 CHAIRMAN BAKKER: -- museum and then if any -- they just  
26 come back to the county if something ever happens?

27 DISTRICT ATTORNEY HERRERA: Well, you can --

28 COMMISSIONER WAITS: It's still --

29 COMMISSIONER MILLS: The museum can do --

30 COMMISSIONER WAITS: Donating on condition. If you're  
31 going to do that, just loan it to them.

32 COMMISSIONER STIENMETZ: Yeah.

33 DISTRICT ATTORNEY HERRERA: Yeah.

34 CHAIRMAN BAKKER: Okay, what do you guys want to do? I  
35 need a motion.

36 COMMISSIONER MILLS: So that comes back to Anna. Does --  
37 in light of that, would that change your opinion about what your  
38 grandfather would want?

39 ANNA PENOLA: No.

40 LORI PRICE: On -- on the deed of gift, it does say, return

1 to donor if -- if need be or dispose of as the society sees fit.  
2 We had to have that in there. I mean, obviously, we're not  
3 the going to dispose of them, but that has to be in there for one  
4 reason -- you know, if there's a fire or a flood, you know,  
5 whatever. But --

6 CHAIRMAN BAKKER: How it's agendized, we need to just loan  
7 them for now and then we can put it back on the agenda to donate  
8 or whatever?

9 DISTRICT ATTORNEY HERRERA: I think you -- you have the  
10 right as it's agendized to discuss whether it would benefit the  
11 county to loan certain things. You've got -- you've got Austin  
12 museum and you've got Battle Mountain museum.

13 You can't rely on an independent entity to do what you'd like  
14 to be done. So you -- you need to do it now.

15 If there's a possibility you want to loan or grant some of  
16 these items to -- to Austin, you should do it now, not depend on  
17 someone else to do it.

18 CHAIRMAN BAKKER: Not what I asked.

19 COMMISSIONER MILLS: So does --

20 CHAIRMAN BAKKER: I'm saying --

21 COMMISSIONER MILLS: Austin, do you guys have any interest  
22 in getting the stuff from the courthouse up here?

23 COMMISSIONER WAITS: They're not the mus- --

24 FRANK WHITMAN: Frank Whitman, for the record, for Austin.  
25 I used to be on the board. I gave that up a year or so ago.  
26 Just too many commitments. But, yes, we've taken stuff on loan  
27 from private individuals before and had those individuals at a  
28 later time ask for them back for family reasons or whatever.  
29 But that can be done. And we've done that.

30 What I would suggest is that you get ahold of Nancy Gordon.  
31 And she is the president, current president of the Austin  
32 Historical Society and -- and talk with her and see if there's  
33 something she wants. I know that the -- law enforcement exhibit  
34 that they put in last year, Derek Zacharias helped build and --  
35 and found stuff for, is a really secure location for firearms.

36 And, you know, we do have that closed circuit TV as well; so  
37 if it was a matter of firearms, it would be well secured from, you  
38 know, from anybody trying to steal it.

39 But anyhow, Nancy Gordon would be the person to get ahold  
40 of. And I would like to say, yes, we'd be interested in

1 anything that is germane to Lander County and in particular  
2 anything pertaining to Austin. Thank you.  
3 COMMISSIONER WAITS: I'll make a motion --  
4 LORI PRICE: Is this (indiscernible) --  
5 COMMISSIONER WAITS: -- that we -- that --  
6 LORI PRICE: -- Battle Mountain?  
7 COMMISSIONER WAITS: -- we table this and contact our  
8 Austin --  
9 LORI PRICE: (Indiscernible.)  
10 COMMISSIONER WAITS: -- museum --  
11 LORI PRICE: Are these all Battle Mountain?  
12 DISTRICT ATTORNEY HERRERA: Yes.  
13 COMMISSIONER WAITS: And put on the agenda whether we would  
14 like to donate or to give to one of the two of them on lease.  
15 CHAIRMAN BAKKER: Is there a way we can bring the items  
16 over here, Anna?  
17 COMMISSIONER STIENMETZ: Yeah.  
18 COMMISSIONER MILLS: Just to make sure --  
19 COMMISSIONER STIENMETZ: Putting them in a --  
20 COMMISSIONER MILLS: -- they're safe for the meantime.  
21 COMMISSIONER STIENMETZ: -- more secure area is what would  
22 be better.  
23 CHAIRMAN BAKKER: And then when we do our next commission  
24 meeting maybe the Austin --  
25 COMMISSIONER CLARK: Yeah.  
26 CHAIRMAN BAKKER: -- museum.  
27 COMMISSIONER MILLS: And I'd also like to --  
28 CHAIRMAN BAKKER: And --  
29 COMMISSIONER MILLS: -- see more --  
30 CHAIRMAN BAKKER: -- Lori will be --  
31 COMMISSIONER MILLS: -- of a specific list of items.  
32 COMMISSIONER STIENMETZ: Yeah. That's what I was thinking.  
33 COMMISSIONER MILLS: That we're --  
34 COMMISSIONER STIENMETZ: If we have a list of items that  
35 are coming up.  
36 COMMISSIONER MILLS: Because there's got to be something  
37 else --  
38 COMMISSIONER STIENMETZ: And decide.  
39 COMMISSIONER MILLS: -- over there that the museums will  
40 want.

1 ANNA PENOLA: Well, it's the stamp collection. There's  
2 a -- what's that document by the courtroom? -- that business  
3 license of some mine and then the guns.

4 CHAIRMAN BAKKER: So Patsy, would you make your motion to  
5 have Anna and Bert bring the items over here too, to include  
6 that?

7 COMMISSIONER WAITS: Adding on to my other motion?

8 CHAIRMAN BAKKER: No, just --

9 COMMISSIONER WAITS: To --

10 CHAIRMAN BAKKER: -- include it.

11 COMMISSIONER WAITS: -- defer?

12 CHAIRMAN BAKKER: Huh?

13 COMMISSIONER WAITS: I -- I have one motion on the floor to  
14 defer and contact Austin and put it on the next agenda --

15 CHAIRMAN BAKKER: Uh-huh.

16 COMMISSIONER WAITS: -- whether we want to donate or loan.  
17 And along with that, I can ask that we --

18 DISTRICT ATTORNEY HERRERA: You don't even need to do that.  
19 It's county property. You can just have Bert bring it over.

20 CHAIRMAN BAKKER: Direct them to bring it over here. Okay.  
21 I have a motion. I need a second.

22 COMMISSIONER MILLS: I'll second.

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

25 (No comment.)

26 CHAIRMAN BAKKER: All those in favor?

27 COMMISSIONER STIENMETZ: Aye.

28 COMMISSIONER MILLS: Aye.

29 COMMISSIONER WAITS: Aye.

30 CHAIRMAN BAKKER: Aye.

31 COMMISSIONER CLARK: Aye.

32 CHAIRMAN BAKKER: Motion carries. Thank you.

33  
34 10) Discussion and possible action to allow Hilltop Refrigeration  
35 to service the HVAC and ice machines quarterly in all county  
36 buildings in Austin, and all other matters properly related  
37 thereto.  
38

39 CHAIRMAN BAKKER: Okay, Agenda Item Number 10. Discussion  
40 and possible action to allow Hilltop Refrigeration to service

1 the HVAC and ice machines quarterly in all county buildings in  
2 Austin, and all other matters properly relating thereto.

3 ANNA PENOLA: I've been in contact. These guys have  
4 serviced Austin since last year. Going to bring it forward just  
5 to make it an official agreement with you guys. They're the  
6 only ones I can get ahold of that will go around to Austin and  
7 take Austin seriously. I think it's a -- well --

8 COMMISSIONER CLARK: Yeah.

9 ANNA PENOLA: They're -- they're -- I like their work  
10 ethic, they're fair and they stay in contact, and they're  
11 reliable and --

12 COMMISSIONER CLARK: They're licensed.

13 ANNA PENOLA: -- they're a licensed contractor.

14 COMMISSIONER CLARK: Okay.

15 CHAIRMAN BAKKER: And where are they at?

16 ANNA PENOLA: Reno and Fernley.

17 CHAIRMAN BAKKER: Oh. Okay.

18 COMMISSIONER WAITS: I would just like to see an addition  
19 to the -- their -- their actual information that came out,  
20 their -- their letter of proposal and that we add the youth  
21 center onto that.

22 ANNA PENOLA: It's all of them, but, yes, I'll make sure  
23 that the youth center is put on there.

24 COMMISSIONER WAITS: Thank you.

25 DISTRICT ATTORNEY HERRERA: Commissioners, this is not  
26 technically a service contract. It's a maintenance contract.

27 COMMISSIONER CLARK: Maintenance.

28 DISTRICT ATTORNEY HERRERA: You need to understand that we  
29 get no service out of this.

30 ANNA PENOLA: No. Yes, you're right.

31 DISTRICT ATTORNEY HERRERA: It's clear maintenance.

32 ANNA PENOLA: Preventive maintenance.

33 COMMISSIONER CLARK: Right.

34 ANNA PENOLA: There's been a neglect on a lot of things.  
35 And we need to get something in place.

36 DISTRICT ATTORNEY HERRERA: And my office has done up a --  
37 a contract. And you wanted what put on there?

38 COMMISSIONER WAITS: The youth center.

39 DISTRICT ATTORNEY HERRERA: In Austin?

40 COMMISSIONER WAITS: They actually named the places. They

1 said --  
2 DISTRICT ATTORNEY HERRERA: Well, I have --  
3 COMMISSIONER WAITS: -- building service: sheriff's office,  
4 courthouse, fire station, ambulance, senior center, and town  
5 hall. So since they named them all, ---  
6 JEANNE FALZONE: No, problem.  
7 COMMISSIONER WAITS: -- I wanted the youth center.  
8 DISTRICT ATTORNEY HERRERA: Right. But I would have to put  
9 that in the contract, if you -- if you approve it; so I just  
10 wanted to know --  
11 COMMISSIONER WAITS: Yes.  
12 DISTRICT ATTORNEY HERRERA: -- whether you wanted --  
13 COMMISSIONER WAITS: Yes.  
14 DISTRICT ATTORNEY HERRERA: -- it on there. Youth center.  
15 CHAIRMAN BAKKER: Is that all the buildings in Austin that  
16 need to be covered? Patsy?  
17 COMMISSIONER WAITS: I don't --  
18 ANNA PENOLA: I believe so.  
19 COMMISSIONER WAITS: Well, we have the -- who else is on  
20 there? I can't -- I mean, our --  
21 DISTRICT ATTORNEY HERRERA: Do they have specific --  
22 COMMISSIONER WAITS: -- individual offices, I can't think  
23 of any. Road and Bridge, would they have something down there?  
24 ANNA PENOLA: They have waste oil. They're going to put in  
25 waste oil heat.  
26 COMMISSIONER WAITS: Okay.  
27 ANNA PENOLA: Correct?  
28 BERT RAMOS: Yes. Maybe the --  
29 CHAIRMAN BAKKER: Okay.  
30 BERT RAMOS: -- swimming -- maybe the swimming pool,  
31 possibly. I'm not sure if that's a specialty or what.  
32 ANNA PENOLA: They don't do broiler -- boilers.  
33 BERT RAMOS: Okay. (Indiscernible.)  
34 ANNA PENOLA: Touché.  
35 CHAIRMAN BAKKER: Okay. With that said, I need a motion to  
36 approve the contract with -- including the youth center.  
37 COMMISSIONER MILLS: I'll make a motion to approve the  
38 maintenance agreement with Hilltop Refrigeration to service HVAC  
39 and ice machines quarterly in all county buildings in Austin,  
40 including the youth center.

1 DISTRICT ATTORNEY HERRERA: Com- -- Commissioners, I --I  
2 would advise that in your motion you would put the amount.

3 COMMISSIONER MILLS: Oh, where's that at? That's -- I saw  
4 that a minute ago. Like the \$1,052.56 quarterly?

5 DISTRICT ATTORNEY HERRERA: Per quarter, I believe.

6 COMMISSIONER CLARK: Quarterly.

7 COMMISSIONER STIENMETZ: Yeah.

8 CHAIRMAN BAKKER: Now, is that going to go up with adding  
9 the youth center or did they expect to do the youth center?

10 ANNA PENOLA: They expected.

11 CHAIRMAN BAKKER: Okay.

12 COMMISSIONER MILLS: Okay. So I'll amend my motion to  
13 include the payment to Hilltop Refrigeration in the amount of  
14 \$1,052.56 quarterly.

15 CHAIRMAN BAKKER: I have a motion. I need a second.

16 COMMISSIONER STIENMETZ: I'll second the motion.

17 CHAIRMAN BAKKER: Doug made a motion. Steve seconded. Any  
18 public comment?

19 (No comment.)

20 CHAIRMAN BAKKER: All those in favor?

21 COMMISSIONER STIENMETZ: Aye.

22 COMMISSIONER MILLS: Aye.

23 CHAIRMAN BAKKER: Aye.

24 COMMISSIONER WAITS: Aye.

25 COMMISSIONER CLARK: Aye.

26 CHAIRMAN BAKKER: Five ayes.

- 27  
28 **11) Discussion and possible action to allow Lone Wolf to service**  
29 **the Battle Mountain Senior Center, Civic Center, and Road and**  
30 **Bridge buildings' HVAC and ice machines quarterly, and all**  
31 **other matters properly related thereto.**  
32

33 CHAIRMAN BAKKER: Okay. Moving on to Number 11.

34 Discussion and possible action to allow Lone Wolf to service  
35 the Battle Mountain Senior Center, Civic Center, Road and Bridge  
36 building HVAC and ice machines quarterly, and all other matters  
37 properly related thereto.

38 ANNA PENOLA: Again, it's pulling teeth to get big  
39 companies to come out here and be consistent and treat us  
40 fairly. I've worked with -- his name's Steve Stanfield with

1 Lone Wolf. He's consistent. He's fair. He's on time. He's  
2 dependable. And I like his work ethic.

3 And again, a lot of -- can't remember what I said last  
4 time -- neglect has been on these buildings. And we need to get  
5 stuff preventively maint- -- maintained so we can keep the  
6 equipment longer and not buy new all the time.

7 CHAIRMAN BAKKER: I agree.

8 COMMISSIONER WAITS: So --

9 DISTRICT ATTORNEY HERRERA: And again, it's a preventive  
10 maintenance contract, not a service.

11 CHAIRMAN BAKKER: Right.

12 COMMISSIONER WAITS: So it's not maintenance and service.  
13 It's just maintenance in lieu of --

14 DISTRICT ATTORNEY HERRERA: It's just --

15 COMMISSIONER WAITS: -- the word "service."

16 DISTRICT ATTORNEY HERRERA: -- maintenance, no service.

17 COMMISSIONER WAITS: Got it.

18 DISTRICT ATTORNEY HERRERA: Service is extra.

19 CHAIRMAN BAKKER: Like the maintenance on your car.

20 DISTRICT ATTORNEY HERRERA: Huh?

21 CHAIRMAN BAKKER: Like the maintenance on your car. Has to  
22 be done.

23 DISTRICT ATTORNEY HERRERA: And the --

24 COMMISSIONER MILLS: So --

25 DISTRICT ATTORNEY HERRERA: -- amount is \$1,767.50 per  
26 quarter.

27 COMMISSIONER MILLS: So I'll make a motion that we approve  
28 the maintenance agreement with Lone Wolf Commercial for  
29 maintenance of our buildings and equipment in Battle Mountain  
30 area, cost of \$1,767.50 per quarter.

31 COMMISSIONER STIENMETZ: I'll second the motion.

32 CHAIRMAN BAKKER: Doug made a motion. Steve seconded.

33 COMMISSIONER WAITS: I have a question.

34 CHAIRMAN BAKKER: Patsy.

35 COMMISSIONER WAITS: I see we have the -- the pro shop on  
36 here also. So we leave that the way it is and then we see, with  
37 the new bid that comes in, whether we indeed are going to cover  
38 that or not. Is that...

39 CHAIRMAN BAKKER: What all needs to be done on the pro  
40 shop, Anna?

1 DISTRICT ATTORNEY HERRERA: Well, it needs to --  
2 ANNA PENOLA: They have an --  
3 DISTRICT ATTORNEY HERRERA: -- be done.  
4 ANNA PENOLA: HVAC system --  
5 DISTRICT ATTORNEY HERRERA: We can take -- we can --  
6 ANNA PENOLA: -- and --  
7 DISTRICT ATTORNEY HERRERA: -- take that into --  
8 ANNA PENOLA: -- ice machines.  
9 DISTRICT ATTORNEY HERRERA: -- consideration in putting  
10 that.  
11 CHAIRMAN BAKKER: And the county owns that; right?  
12 ANNA PENOLA: Correct.  
13 CHAIRMAN BAKKER: It's county-owned property.  
14 COMMISSIONER WAITS: Right.  
15 CHAIRMAN BAKKER: So we should probably do the maintenance  
16 on it.  
17 COMMISSIONER WAITS: But I'm saying -- yeah -- whether we  
18 continue or not, then worry about when the other bid comes in.  
19 But we're covering it now.  
20 DISTRICT ATTORNEY HERRERA: You're right, Commissioner  
21 Waits.  
22 CHAIRMAN BAKKER: Okay. Any public comment?  
23 (No comment.)  
24 CHAIRMAN BAKKER: All those in favor?  
25 COMMISSIONER STIENMETZ: Aye.  
26 COMMISSIONER MILLS: Aye.  
27 CHAIRMAN BAKKER: Aye.  
28 COMMISSIONER WAITS: Aye.  
29 COMMISSIONER CLARK: Aye.

30  
31 **12) Discussion and possible action to have Overhead Fire**  
32 **Protection do the annual and quarterly maintenance on the**  
33 **sprinkler system and the backflow prevention device at the**  
34 **new Lander County Administrative Building, and all other**  
35 **matters properly related thereto.**  
36

37 CHAIRMAN BAKKER: Okay. Agenda Item Number 12. Discussion  
38 and possible action to have Overhead Fire Protection do the  
39 annual and quarterly maintenance on sprinkler system and the  
40 backflow prevention device at the new Lander County

1 Administrative Building, and all other matters properly related  
2 thereto.

3 ANNA PENOLA: These are people that installed the system.  
4 They have -- they inst- -- they work with the school. They're  
5 here a lot. They're the professionals.

6 And I believe it's in our best interest to have them to  
7 keep our system sustained.

8 DISTRICT ATTORNEY HERRERA: Now, Commissioners, on this  
9 one, they provided their own contract. And there are certain  
10 things that I want to point out in their contract.

11 It has an automatic renewal clause, which you've -- you've  
12 mentioned before that you didn't necessarily want.

13 However, it has a 30-day termination clause. So the  
14 automatic renewal clause could be a good thing because the  
15 contract also states that current charge shall apply for each  
16 renewal period.

17 So...

18 COMMISSIONER MILLS: So we're basically locking them into a  
19 price?

20 DISTRICT ATTORNEY HERRERA: Yes. But either party can get  
21 out in 30 days.

22 CHAIRMAN BAKKER: Okay.

23 COMMISSIONER MILLS: Okay.

24 DISTRICT ATTORNEY HERRERA: So as long as you know those  
25 things. That's part --

26 COMMISSIONER STIENMETZ: Yeah.

27 DISTRICT ATTORNEY HERRERA: -- of their contract.

28 COMMISSIONER MILLS: I'll make a motion that we approve the  
29 contract with Overhead Fire Protection to do the annual and --  
30 quarterly maintenance on the sprinkler system and the backflow  
31 prevention device at the new Lander County administrative  
32 building.

33 COMMISSIONER STIENMETZ: I'll second that.

34 COMMISSIONER MILLS: Is there a price on this one?

35 DISTRICT ATTORNEY HERRERA: There is a price on it.

36 CHAIRMAN BAKKER: (Indiscernible) hold on.

37 COMMISSIONER CLARK: There's a table on the first page.

38 COMMISSIONER MILLS: Yeah.

39 CHAIRMAN BAKKER: Uh-huh.

40 One quarterly of 250 and then three quarterlies of 660.

1 DISTRICT ATTORNEY HERRERA: I believe --  
2 ANNA PENOLA: The quarterly payment is 660. And then  
3 there's an annual --  
4 DISTRICT ATTORNEY HERRERA: Right.  
5 ANNA PENOLA: -- of the sprinkler of 250 and annual of the  
6 backflow at 55 if done at the same time as the others. So two  
7 annuals and one quarter -- quarterly.  
8 COMMISSIONER MILLS: It's weird that they're doing three  
9 quarterly inspections.  
10 COMMISSIONER CLARK: 165.  
11 COMMISSIONER STIENMETZ: Yeah. And the one's the annual.  
12 COMMISSIONER MILLS: So is that nine -- 965 a year?  
13 COMMISSIONER STIENMETZ: Yep.  
14 ANNA PENOLA: Yes.  
15 COMMISSIONER MILLS: So for -- and to include in that  
16 motion a -- a -- a fee of \$965 a year for all those services.  
17 COMMISSIONER STIENMETZ: I'll second the motion.  
18 CHAIRMAN BAKKER: Doug made a motion. Steve seconded it.  
19 Public comment?  
20 (No comment.)  
21 CHAIRMAN BAKKER: All those in favor?  
22 COMMISSIONER STIENMETZ: Aye.  
23 COMMISSIONER MILLS: Aye.  
24 CHAIRMAN BAKKER: Aye.  
25 COMMISSIONER WAITS: Aye.  
26 COMMISSIONER CLARK: Aye. Aye. Aye. Aye.  
27 CHAIRMAN BAKKER: Okay. Getting quiet on me.  
28 COMMISSIONER CLARK: I was thinking.  
29 They're going to do all this for \$965 a year? They're  
30 going to drive out here from where?  
31 ANNA PENOLA: Reno.  
32 CHAIRMAN BAKKER: Maintenance.  
33 DISTRICT ATTORNEY HERRERA: They already come out here,  
34 Commissioner, --  
35 COMMISSIONER CLARK: I know --  
36 DISTRICT ATTORNEY HERRERA: -- under the --  
37 COMMISSIONER CLARK: -- but that's --  
38 DISTRICT ATTORNEY HERRERA: -- project. So they would just  
39 --  
40 COMMISSIONER CLARK: -- for four trips a year for a

1 thousand dollars. That's --

2 DISTRICT ATTORNEY HERRERA: Commissioner, they're already  
3 coming for other projects. They would just add that --

4 COMMISSIONER CLARK: Oh, that's an additional?

5 DISTRICT ATTORNEY HERRERA: Yes.

6 COMMISSIONER CLARK: Okay. Now it makes sense.

7  
8 **13) Discussion and possible action to have Schindler Elevator**  
9 **Corporation do the inspections and maintenance of the two**  
10 **elevators in the new Lander County administrative building,**  
11 **and all other matters properly related thereto.**

12  
13 CHAIRMAN BAKKER: Discu- -- Agenda Item Number 13.  
14 Discussion and possible action to have Schlim- -- Schim- -- oh,  
15 crap -- Schindler Elevator Corporation --

16 COMMISSIONER CLARK: Schindler.

17 CHAIRMAN BAKKER: -- do inspections and maintenance of the  
18 two elevators in the new Lander County administrative building,  
19 and all other matters properly related thereto.

20 ANNA PENOLA: Again, these are the people that installed  
21 the elevators. There's -- they're the qualified professionals.  
22 We already had a problem with one of them on the staff side,  
23 came out, fixed it within a day. It's going to -- that -- we  
24 got a contract because they installed them. But that contract  
25 agreement is going to end on August 30<sup>th</sup>.

26 So I would just like for you to guys to consider that,  
27 please.

28 CHAIRMAN BAKKER: Okay.

29 DISTRICT ATTORNEY HERRERA: Now, this is a -- the term is  
30 from August 31<sup>st</sup>, 2016, and continues until August 30<sup>th</sup>, 2026.

31 The -- you have 90 days prior to the termination date and --  
32 or 120 days before the termination date to get out of this  
33 contract.

34 But -- and it's basically \$3600 a month -- or a year.

35 So it's for an extended period of time. And it does not have  
36 a 30-day termination clause.

37 COMMISSIONER CLARK: A 120-day.

38 DISTRICT ATTORNEY HERRERA: Right.

39 COMMISSIONER CLARK: Okay.

40 DISTRICT ATTORNEY HERRERA: So if -- if you don't like

1 those terms, you could try to negotiate different terms as far  
2 as -- the -- the -- the amount of years it covers and the  
3 termination clause.

4 COMMISSIONER WAITS: When you look at the long range on  
5 these types of things, like elevators in a new building, it  
6 could probably go on for the next 60 years and there wouldn't be  
7 anybody else.

8 But the real problem, like our counselor's pointing out, is  
9 it's a 10-year term and where are we going to be? And who's  
10 going to remind us four months ahead of time ten years from now  
11 that, oh, there is a new elevator company and we want to change.

12 So I -- I would recommend that we at least contact them and  
13 ask them instead of an automatic renewal at the end, if -- if we  
14 could do something else instead or have some kind of a  
15 termination --

16 COMMISSIONER MILLS: Right.

17 COMMISSIONER WAITS: -- so we don't lock our commissioners  
18 ten years from now. Oops, we've missed that one. We've been in  
19 those situations before. And I'm sure it could be ongoing  
20 forever, and looking ahead, I feel more comfortable.

21 COMMISSIONER MILLS: Plus this contract relative to the  
22 other ones we just approved is -- is quite a bit more expensive  
23 at \$3600 a year.

24 COMMISSIONER WAITS: Right. But elevators are.

25 COMMISSIONER MILLS: But --

26 COMMISSIONER WAITS: Yeah. I mean.

27 ANNA PENOLA: We just had this happen in Austin.

28 COMMISSIONER WAITS: Yes, we --

29 COMMISSIONER MILLS: Wow.

30 COMMISSIONER WAITS: -- certainly did.

31 COMMISSIONER MILLS: So I think that's a -- a reasonable  
32 request that we do that. Because, yeah, we're -- we're just  
33 going to surprise the commissioners ten years from now with this  
34 one if we approve this like it is.

35 COMMISSIONER WAITS: Well, it might be you folks. There's  
36 terms limits here. Okay. But on the other hand, I don't expect  
37 you to remember in ten years either.

38 COMMISSIONER MILLS: Right.

39 UNIDENTIFIED PARTICIPANT: We won't be here.

40 CHAIRMAN BAKKER: Okay.

1 COMMISSIONER CLARK: I will.  
2 CHAIRMAN BAKKER: Do we need a motion to go back to the  
3 company and ask them to -- to not have an automatic renewal?  
4 DISTRICT ATTORNEY HERRERA: Or -- or we could ask them to  
5 negot- -- to try to negotiate those terms and see -- see how  
6 they react to that. I don't -- it's -- it's a reasonable  
7 request.  
8 COMMISSIONER CLARK: Well, I --  
9 CHAIRMAN BAKKER: Okay.  
10 COMMISSIONER CLARK: Yeah. I -- I'm -- I'm good with it.  
11 DISTRICT ATTORNEY HERRERA: I mean, you're -- you're  
12 technically not supposed to engage in -- in these contracts that  
13 go that long.  
14 COMMISSIONER CLARK: Ten years.  
15 DISTRICT ATTORNEY HERRERA: So I'd -- I'd ask for five  
16 years, personally, but --  
17 CHAIRMAN BAKKER: Okay.  
18 COMMISSIONER CLARK: Can we -- can we make a motion  
19 conditioned upon -- conditionally?  
20 DISTRICT ATTORNEY HERRERA: Well, we --  
21 COMMISSIONER CLARK: Condition upon a 5-year contract?  
22 DISTRICT ATTORNEY HERRERA: Well, then -- well...  
23 COMMISSIONER WAITS: We have lots of time. We have  
24 until --  
25 DISTRICT ATTORNEY HERRERA: I think --  
26 COMMISSIONER WAITS: -- August so --  
27 DISTRICT ATTORNEY HERRERA: -- we should --  
28 COMMISSIONER CLARK: Okay.  
29 DISTRICT ATTORNEY HERRERA: Yeah, I --  
30 COMMISSIONER WAITS: We --  
31 DISTRICT ATTORNEY HERRERA: -- think --  
32 COMMISSIONER WAITS: -- can make --  
33 DISTRICT ATTORNEY HERRERA: -- we should try --  
34 COMMISSIONER WAITS: -- a motion --  
35 DISTRICT ATTORNEY HERRERA: -- to negotiate.  
36 COMMISSIONER WAITS: -- to negotiate.  
37 DISTRICT ATTORNEY HERRERA: Yeah.  
38 CHAIRMAN BAKKER: Okay.  
39 DISTRICT ATTORNEY HERRERA: We don't want to be locked in,  
40 because --

1 CHAIRMAN BAKKER: Can I get a motion?  
2 DISTRICT ATTORNEY HERRERA: -- we might lose that. It's  
3 similar -- it's a Schindler elevator.  
4 COMMISSIONER MILLS: Right.  
5 DISTRICT ATTORNEY HERRERA: And this is Schindler Company.  
6 And if we upset them and they walk away, we have no one.  
7 COMMISSIONER MILLS: Right.  
8 CHAIRMAN BAKKER: That's not very comforting either.  
9 DISTRICT ATTORNEY HERRERA: Just pointing that out.  
10 COMMISSIONER MILLS: So --  
11 DISTRICT ATTORNEY HERRERA: So we want to be nice.  
12 CHAIRMAN BAKKER: Okay.  
13 COMMISSIONER WAITS: Well, there are other elevator  
14 companies, I think, that would probably come work on it. But we  
15 do want the same one and the warranty that we have. And --  
16 DISTRICT ATTORNEY HERRERA: Right.  
17 COMMISSIONER WAITS: -- extended so --  
18 COMMISSIONER MILLS: Right. They put it in --  
19 COMMISSIONER WAITS: Yes.  
20 COMMISSIONER MILLS: -- and I'd rather have them --  
21 COMMISSIONER WAITS: We can make nice. Yes.  
22 CHAIRMAN BAKKER: Another public works project.  
23 DISTRICT ATTORNEY HERRERA: Casey?  
24 CASEY GUNTHER: Yeah. Casey Gunther, for the record.  
25 CHAIRMAN BAKKER: Didn't hear me.  
26 CASEY GUNTHER: There are other elevator companies, but  
27 Otis will not come work on a ThyssenKrupp elevator. Otis will  
28 not come work on a Schindler elevator. Schindler will not go  
29 work on -- they're - it's pretty much proprietary. They --  
30 there are subsidiaries who just do elevator work, but the actual  
31 person who -- who manufactured and installed the elevator are  
32 the only ones who will work on their elevators, basically.  
33 COMMISSIONER WAITS: I'm glad that wasn't true in Austin.  
34 CASEY GUNTHER: That's been my experience in all the  
35 construction and the service ones that I have done, Commissioner  
36 Waits.  
37 CHAIRMAN BAKKER: Thank you, Casey.  
38 COMMISSIONER CLARK: Is there an elevator in Austin?  
39 COMMISSIONER WAITS: It's technically a lift. Yes.  
40 UNIDENTIFIED PARTICIPANT: Yeah.

1 COMMISSIONER CLARK: Oh. Okay.  
2 COMMISSIONER WAITS: And it broke down and we had lots of  
3 problems.  
4 CHAIRMAN BAKKER: Like an --  
5 COMMISSIONER CLARK: At the lodge?  
6 CHAIRMAN BAKKER: -- ADA lift?  
7 COMMISSIONER CLARK: At the -- at the Masonic --  
8 COMMISSIONER WAITS: No, it's --  
9 COMMISSIONER CLARK: -- lodge?  
10 COMMISSIONER WAITS: -- just called a list. It's not the  
11 current -- it was put in years ago so --  
12 UNIDENTIFIED PARTICIPANT: Many years ago.  
13 COMMISSIONER WAITS: It's just -- it was called a lift, not  
14 an elevator. But it's not the new ADA that -- that you look at,  
15 no.  
16 COMMISSIONER CLARK: Is that --  
17 COMMISSIONER WAITS: And when it went down, we had court  
18 with people with a broken leg --  
19 COMMISSIONER CLARK: Oh, okay.  
20 COMMISSIONER WAITS: And it was -- it was unreal. But we  
21 did get an elevator company to come out and take care of it, but  
22 it was very time-consuming and very --  
23 CHAIRMAN BAKKER: Okay.  
24 COMMISSIONER WAITS: -- (indiscernible).  
25 CHAIRMAN BAKKER: Oh.  
26 COMMISSIONER WAITS: So we can make a motion that we just  
27 ask our -- our DA to --  
28 CHAIRMAN BAKKER: Negotiate.  
29 COMMISSIONER WAITS: -- to contact them and see what might  
30 work out and put it back on the agenda.  
31 DISTRICT ATTORNEY HERRERA: With -- with Anna.  
32 COMMISSIONER STIENMETZ: With Anna's help.  
33 DISTRICT ATTORNEY HERRERA: With the DA's help.  
34 COMMISSIONER WAITS: Yes, of course.  
35 ANNA PENOLA: You got it.  
36 COMMISSIONER MILLS: I'll second that.  
37 CHAIRMAN BAKKER: Okay. Patsy made --  
38 COMMISSIONER WAITS: Okay. I'll make a motion that we  
39 contact the Schlind- --  
40 COMMISSIONER MILLS: Oh.

1 COMMISSIONER WAITS: -- the Schindler Elevator Corporation  
2 with our concerns of the time frame and -- and locking in what  
3 we can legally do for commissioners and the county and  
4 authorize, of course, Anna and our counselor to contact them for  
5 us and bring it back.

6 COMMISSIONER CLARK: I'll -- I'll second that.  
7 Commissioner Mills, do you want to rescind your --

8 COMMISSIONER MILLS: I'll --

9 COMMISSIONER CLARK: -- ownership?

10 COMMISSIONER MILLS: I'll rescind my second and let you --

11 COMMISSIONER CLARK: Okay.

12 COMMISSIONER MILLS: -- second.

13 CHAIRMAN BAKKER: Patsy made a motion. Art seconded. Any  
14 public comment?

15 (No comment.)

16 CHAIRMAN BAKKER: All those in favor?

17 COMMISSIONER STIENMETZ AND COMMISSIONER MILLS: Aye.

18 CHAIRMAN BAKKER: Aye.

19 COMMISSIONER WAITS: Aye.

20 COMMISSIONER CLARK: Aye.

21 COMMISSIONER STIENMETZ: Thanks.

22 ANNA PENOLA: Thank you guys very much.

23 CHAIRMAN BAKKER: Thank you, Anna.

24 COMMISSIONER WAITS: Thank you, --

25 COMMISSIONER CLARK: Thank you.

26 COMMISSIONER WAITS: -- Anna.

27 COMMISSIONER CLARK: Good job, --

28 CHAIRMAN BAKKER: Agenda Item --

29 COMMISSIONER CLARK: -- Anna.

30 CHAIRMAN BAKKER: -- 14.

31  
32  
33 **COMMISSIONERS**

- 34  
35 14) **Status report by Rex Massey and discussion and possible**  
36 **action to extend the current contract, which expires on April**  
37 **1, 2016, between Lander County and Rex Massey for the balance**  
38 **of the original contract -- this contract provides that Rex**  
39 **Massey writes grants on behalf of Lander County -- and all**  
40 **other matters properly related thereto.**

1  
2 CHAIRMAN BAKKER: Status report by Rex Massey and  
3 discussion and possible action to extend the current contract,  
4 which expires on April 1, 2016, between Lander County, Rex  
5 Massey for the balance of the original contract -- this contract  
6 provides that Rex Massey writes grants on behalf of Lander  
7 County -- and all other matters properly related thereto.

8 COMMISSIONER CLARK: Good morning, Rex.

9 COMMISSIONER STIENMETZ AND COMMISSIONER WAITS: Good  
10 morning.

11 REX MASSEY: Good morning.

12 CHAIRMAN BAKKER: Good morning, Rex.

13 REX MASSEY: Rex Massey, for the record.

14 I wanted to give the board just a real quick status report  
15 of what we've done to date. About a year ago, you authorized a  
16 contract for me to start working on grants and grant writing.  
17 We haven't done -- when we first started out, we had a lead on  
18 FEMA grants. And we actually spent quite a bit of time working  
19 on that up front to try to fund some projects that were in the  
20 works. During that process, we found out that we had to do some  
21 modifications to the county's hazardous mitigation plan. So we  
22 did that on top of preparing -- starting to prepare those grant  
23 applications.

24 Once we went through that process, we understood that then we  
25 had to put ourselves off another year before we could come back  
26 and address these FEMA grants.

27 In the meantime, the thing that you have to understand  
28 about a grant program is that you just can't go out there and  
29 start writing grants. You have to find projects within the  
30 county that you can match up with resources that are available.

31 In order to do that, I had to go through all the county's  
32 capital improvement projects, talk to engineers, talk to Bert,  
33 talk to other people in the county so I could get a complete  
34 understanding of what kinds of projects that the county's looking  
35 at trying to fund in the future and where can grants be -- be part  
36 of that.

37 So through that process, we deal with the -- with the FEMA --  
38 the FEMA issue. We came back and started looking at all the  
39 projects that the county has on board. I went out, identified all  
40 the -- the -- the viable grant opportunities that are out there.

1 I've put that into a -- into a resource directory that's available  
2 to anyone in the county who wants to take a look at it, if there's  
3 other staff, people that want to consider using grants.

4 And -- and now we're -- we're back evaluating a couple more  
5 projects and -- and looking at some application of FEMA money  
6 again.

7 So that in a nutshell is what I've done in the last couple of  
8 months.

9 I haven't spent a lot of money on the original contract.  
10 I've -- I've spent very little of it, largely because -- until I  
11 find a spot where I can really dig in and really help on the  
12 grants, I don't want to go out and spend a lot of money just for  
13 the sake of burning up time.

14 So with that, the second part of this agenda item is a  
15 request to extend the time frame of the grant and -- and -- and  
16 within that time frame use the unspent balance of the original  
17 contract.

18 CHAIRMAN BAKKER: Rex, can I get a copy of that?

19 REX MASSEY: Sure. Yeah.

20 CHAIRMAN BAKKER: When we're done? Okay.

21 REX MASSEY: I've got some markups in here, but I'll get  
22 you -- I'll get you --

23 CHAIRMAN BAKKER: Get with Keith.

24 REX MASSEY: -- a clean one.

25 CHAIRMAN BAKKER: Keith can get us copies. Okay. I think  
26 it's pretty --

27 COMMISSIONER WAITS: So when we say extend, what -- what  
28 time frame are we looking at, Rex? Extend for a year?

29 REX MASSEY: Probably another -- because there's enough  
30 things on there that are -- these are long lead time items. And  
31 it's not something that you're going to address in three months.  
32 There's projects coming on and grant deadlines and things that  
33 just take time to -- to address. So I would say probably  
34 another year's --

35 DISTRICT ATTORNEY HERRERA: Commissioner Waits, we -- we  
36 can do this by addendum and for -- add another year by addendum.  
37 And we'd also have to change by addendum that if anything  
38 happens, it would be litigated in the Eleventh Judicial District  
39 rather than the Sixth Judicial District. But it's a simple --  
40 simple fix, if that's how you want to go.

1 COMMISSIONER WAITS: I just didn't have a time frame in  
2 there.  
3 DISTRICT ATTORNEY HERRERA: Right.  
4 COMMISSIONER WAITS: And I was looking at a year. It just  
5 says extend and you need to extend what? You know?  
6 DISTRICT ATTORNEY HERRERA: Yeah, well --  
7 COMMISSIONER WAITS: So...  
8 DISTRICT ATTORNEY HERRERA: -- it's the same money so...  
9 I -- I don't know what --  
10 COMMISSIONER WAITS: Until it runs out? Is that what we're  
11 saying? Just extend until the money runs out?  
12 CHAIRMAN BAKKER: Pretty much.  
13 COMMISSIONER WAITS: And then --  
14 DISTRICT ATTORNEY HERRERA: Pretty much.  
15 COMMISSIONER WAITS: -- come back? Okay.  
16 DISTRICT ATTORNEY HERRERA: Commissioner Waits, pretty  
17 much. So we'll get -- you know, I would advise a year.  
18 COMMISSIONER STIENMETZ: Uh-huh.  
19 DISTRICT ATTORNEY HERRERA: But it really is until the  
20 money runs out.  
21 CHAIRMAN BAKKER: Or a year.  
22 COMMISSIONER WAITS: I'll make a motion that we extend the  
23 current contract for Rex Massey for one year until April 1<sup>st</sup>,  
24 2017, using the balance of the original contract.  
25 COMMISSIONER CLARK: Second.  
26 CHAIRMAN BAKKER: Patsy made a motion. Art seconded it.  
27 COMMISSIONER CLARK: Public comment.  
28 CHAIRMAN BAKKER: Any public comment? I didn't know if she  
29 had more to say.  
30 All those in favor?  
31 COMMISSIONER STIENMETZ: Aye.  
32 COMMISSIONER MILLS: Aye.  
33 CHAIRMAN BAKKER: Aye.  
34 COMMISSIONER WAITS: Aye.  
35 COMMISSIONER CLARK: Aye.  
36 COMMISSIONER STIENMETZ: Thanks, Rex.  
37 REX MASSEY: Thank you.  
38 COMMISSIONER CLARK: Thank you, Rex. Good job.  
39 COMMISSIONER WAITS: Thank you.  
40

1 15) Discussion and possible action to approve/disapprove a  
2 contract between Lander County and Elko County Library Board  
3 of Trustees for FY 2016-2017 in the amount of \$106,292 for  
4 the operation of the Battle Mountain Library, and all other  
5 matters properly related thereto.  
6

7 CHAIRMAN BAKKER: Agenda Item Number 15, discussion and  
8 possible action to approve, disapprove contract between Lander  
9 County and Elko County Library Board of Trustees for FY, fiscal  
10 year, 2016-2017, in the amount of \$106,292 for the operations of  
11 the Battle Mountain Library, and all other matters properly  
12 related thereto.

13 COMMISSIONER WAITS: Gee, we had folks from Elko last time  
14 show up; didn't we?

15 CHAIRMAN BAKKER: Uh-huh.

16 COMMISSIONER CLARK: Yeah, we did.

17 CHAIRMAN BAKKER: I think Art scared them.

18 I'm just --

19 COMMISSIONER CLARK: The only --

20 CHAIRMAN BAKKER: -- playing.

21 COMMISSIONER CLARK: The only concern I have about the  
22 library are the computers.

23 I -- I've got a lot of complaints about computers breaking  
24 down, being old. So my only concern --

25 CHAIRMAN BAKKER: They fixed it, though.

26 COMMISSIONER CLARK: -- is that we get better computers.

27 COMMISSIONER WAITS: Ooh, that --

28 CHAIRMAN BAKKER: I think they --

29 COMMISSIONER WAITS: -- would be --

30 CHAIRMAN BAKKER: -- fixed it.

31 COMMISSIONER WAITS: -- for most certainly the southern end  
32 too. We always have a situation with computers.

33 COMMISSIONER CLARK: Yeah.

34 CHAIRMAN BAKKER: Good morning.

35 CLARA HAMILTON: Clara Hamilton, for the record.

36 THERESA RYAN: And Theresa Ryan, for the record. Both of  
37 us work at the --

38 CLARA HAMILTON: At the library.

39 THERESA RYAN: -- the library.

40 CLARA HAMILTON: Rosemary is out because of her back and

1 losing her husband. They're really having a major issue in  
2 Elko. They lost all their water.  
3 COMMISSIONER CLARK: They lost all their what?  
4 CLARA HAMILTON: The water. So they have no restrooms --  
5 COMMISSIONER CLARK: Oh.  
6 CLARA HAMILTON: -- in the library and stuff.  
7 COMMISSIONER WAITS: Oh, the library --  
8 CLARA HAMILTON: The library.  
9 COMMISSIONER WAITS: -- in Elko. Oh. Oh. Got it. Okay.  
10 CLARA HAMILTON: In Elko. And that's partly why they  
11 aren't here --  
12 COMMISSIONER CLARK: Okay.  
13 CLARA HAMILTON: -- okay -- is they're trying to deal with  
14 a major, --  
15 COMMISSIONER WAITS: Crisis.  
16 CLARA HAMILTON: -- major issue.  
17 COMMISSIONER CLARK: Okay.  
18 CLARA HAMILTON: Yeah. It's a crisis.  
19 We have three new computers now.  
20 COMMISSIONER CLARK: And when -- when did you get those?  
21 UNIDENTIFIED PARTICIPANT: Last year.  
22 DISTRICT ATTORNEY HERRERA: Last year.  
23 THERESA RYAN: About a month ago.  
24 CLARA HAMILTON: Yeah. Approximately --  
25 COMMISSIONER CLARK: Okay.  
26 CLARA HAMILTON: -- a month ago.  
27 COMMISSIONER CLARK: Okay.  
28 CLARA HAMILTON: Uh-huh.  
29 COMMISSIONER CLARK: Because the issue was --  
30 CLARA HAMILTON: Uh-huh.  
31 COMMISSIONER CLARK: -- it wasn't until there was a threat  
32 of nonpayment made that we got a response from Elko here on the  
33 computers.  
34 CLARA HAMILTON: Okay. See, --  
35 COMMISSIONER CLARK: That --  
36 CLARA HAMILTON: -- which that's something that we don't --  
37 THERESA RYAN: Yeah.  
38 CLARA HAMILTON: -- have --  
39 COMMISSIONER CLARK: Right.  
40 CLARA HAMILTON: -- knowledge of.

1 COMMISSIONER CLARK: That --  
2 CLARA HAMILTON: That particular --  
3 COMMISSIONER CLARK: That's my concern.  
4 CLARA HAMILTON: Right.  
5 THERESA RYAN: And.  
6 CLARA HAMILTON: But otherwise, we're -- I think we're  
7 doing okay.  
8 THERESA RYAN: Okay. Theresa Ryan, for the record.  
9 I thought when I saw this on the agenda -- I thought it was  
10 just a yearly thing that -- are we going to renew the contract  
11 or not?  
12 CLARA HAMILTON: Right.  
13 THERESA RYAN: And so I thought, well, that's what I  
14 thought this was.  
15 CHAIRMAN BAKKER: It is.  
16 THERESA RYAN: It's just a yearly --  
17 DISTRICT ATTORNEY HERRERA: That's what it is.  
18 COMMISSIONER MILLS: Isn't that what it is?  
19 CLARA HAMILTON: Yeah.  
20 THERESA RYAN: Yeah.  
21 COMMISSIONER MILLS: Okay.  
22 CHAIRMAN BAKKER: Okay. We do it every year.  
23 COMMISSIONER CLARK: Yeah.  
24 COMMISSIONER STIENMETZ: Yeah.  
25 CLARA HAMILTON: Right.  
26 CHAIRMAN BAKKER: So I need a motion.  
27 DISTRICT ATTORNEY HERRERA: Now, prior to that, I want to  
28 point out that the -- the contract has gone down a small bit.  
29 But that is only because -- because, in fact, the fees have been  
30 raised slightly in each area. But we are -- last year, we paid  
31 for a --  
32 JEANNE FALZONE: Capital outlay.  
33 DISTRICT ATTORNEY HERRERA: -- capital outlay of --  
34 COMMISSIONER CLARK: \$3,000. 2700.  
35 DISTRICT ATTORNEY HERRERA: Where's capital outlay?  
36 We paid \$2643 for capital outlay last year, which it states,  
37 outside book return with cart includes shipping. And that was  
38 apparently one-time payment. So it's not included in this  
39 contract.  
40 So even though the prices have overall gone up in every area,

1 it's still a -- the contract amount is less than it was last year  
2 because that capital outlay.  
3 Just wanted to point that out.  
4 CLARA HAMILTON: Right.  
5 THERESA RYAN: Okay.  
6 CLARA HAMILTON: Uh-huh.  
7 DISTRICT ATTORNEY HERRERA: But prices haven't decreased.  
8 COMMISSIONER WAITS: Right. Because last year it went up  
9 over \$4,000.  
10 DISTRICT ATTORNEY HERRERA: Right. And -- and \$2600 of  
11 that was the capital outlay.  
12 COMMISSIONER WAITS: Okay. So now --  
13 COMMISSIONER CLARK: Yeah.  
14 COMMISSIONER WAITS: -- it's down a little bit.  
15 THERESA RYAN: Yeah.  
16 COMMISSIONER WAITS: Okay.  
17 CLARA HAMILTON: And it's a stainless steel so it's not  
18 going to wear out. And it's pretty waterproof too so we're  
19 really happy with that.  
20 THERESA RYAN: Thank you.  
21 COMMISSIONER WAITS: I'll make a motion that we approve the  
22 contract between Lander County and Elko County Library Board of  
23 Trustees for the fiscal year 2016-2017 in the amount of \$106,292  
24 for the operation of the Battle Mountain and Austin Library.  
25 THERESA RYAN: Thank you. Yes.  
26 COMMISSIONER CLARK: Second.  
27 CHAIRMAN BAKKER: Good catch. Patsy made the motion. Art  
28 seconded it. Any public comment?  
29 THERESA RYAN: Thank you.  
30 CHAIRMAN BAKKER: All those in favor?  
31 COMMISSIONER STIENMETZ: Aye.  
32 COMMISSIONER MILLS: Aye.  
33 CHAIRMAN BAKKER: Aye.  
34 CLARA HAMILTON: Thank you.  
35 COMMISSIONER WAITS: Aye.  
36 COMMISSIONER CLARK: Aye.  
37 THERESA RYAN: Thank you.  
38 CLARA HAMILTON: That's our comment.  
39 COMMISSIONER STIENMETZ: Thank you.  
40 CLARA HAMILTON: Thank you.

1 CHAIRMAN BAKKER: Thank you.  
2 COMMISSIONER WAITS: Thank you, ladies.  
3 COMMISSIONER CLARK: Thank you.  
4 COMMISSIONER WAITS: And thank you for being here.  
5  
6

7 **FINANCE**  
8

9 16) **Discussion and possible action regarding a payment of**  
10 **\$1094.25 to be made to the Calico Club for reimbursement of**  
11 **Invoice 7232 from A.B. Beck Plumbing, and all other matters**  
12 **properly related thereto.**  
13

14 CHAIRMAN BAKKER: Discussion and possible action regarding  
15 a payment of \$1094.25 to be made to the Calico Club for the  
16 reimbursement of Invoice 7232 from A.B. Beck Plumbing, and all  
17 other matters properly related thereto.

18 NAN ANCHO: Good morning. Nan Ancho, Finance.

19 COMMISSIONER WAITS: I hope you have more for us than the  
20 invoice.

21 NAN ANCHO: I was asked by Bert to put this on the agenda.  
22 But the only explanation I have is what's in the agenda request.  
23 So if you want any more information, he's come here to explain.

24 COMMISSIONER WAITS: Did you identify yourself yet, Nan?

25 NAN ANCHO: Yeah. Nan Ancho, Finance.

26 COMMISSIONER WAITS: Thank you.

27 BERT RAMOS: Bert Ramos, Public Works.

28 The -- is what we had is a backup in the sewer line, backed  
29 up into their place. And it ended up being on the county's side  
30 when -- when it was found. So they had had A.B. Beck -- A.B.  
31 Beck Plumbing over doing all the work to find it.

32 And so we're just reimbursing them for their costs.

33 COMMISSIONER CLARK: So that was the least expensive way to  
34 do it instead of bringing all our stuff over there to do it.

35 BERT RAMOS: No. Well, that's -- that's the flip side is  
36 so when the county had an engineer on staff, they went around  
37 and put clean-outs at all the new sewer -- anywhere they put a  
38 connection on, they put a cleanout --

39 COMMISSIONER CLARK: Right.

40 BERT RAMOS: -- at the end of the county's -- our easement.

1 COMMISSIONER CLARK: Responsibility.  
2 BERT RAMOS: Yep. So when we went over there, we put water  
3 down in the cleanout and it flowed smoothly. So there was -- so  
4 it didn't appear to be on our side. But is what had happened is  
5 the -- from where they hooked the cleanout up, you can only go  
6 one way through them cleanouts down to our side. But where they  
7 hooked it up, which is about this far behind it, that couplings  
8 had been pushed down and it was offset like this. So this has  
9 been two years ago this all took place. And then it got some  
10 solids in there and plugged up and backed up. So from the  
11 appearance, what we could see appeared not to be on our side.  
12 And then after -- after finding it, they dug --  
13 CHAIRMAN BAKKER: Investigation.  
14 BERT RAMOS: Yeah. Found it there. We would have liked to  
15 jet it out, but if we run a jetter in there and it blows up into  
16 their --  
17 COMMISSIONER CLARK: Right.  
18 BERT RAMOS: -- business, then we --  
19 COMMISSIONER CLARK: Then you're really --  
20 BERT RAMOS: -- have an issue.  
21 COMMISSIONER CLARK: -- having a problem. Yeah.  
22 BERT RAMOS: So this is the --  
23 COMMISSIONER WAITS: Well, we only go to the property line.  
24 You're absolutely right. So they called us first. We went out.  
25 We didn't find it.  
26 BERT RAMOS: Uh-uh.  
27 COMMISSIONER WAITS: They called the plumber. Because the  
28 way it --  
29 COMMISSIONER CLARK: Yeah.  
30 COMMISSIONER WAITS: -- it looks, it says, you know,  
31 cleanout, in and out of the building. And so you read the  
32 invoice and go, wait a minute.  
33 COMMISSIONER CLARK: Yeah.  
34 COMMISSIONER WAITS: That's not us. But we did find that  
35 we caused it?  
36 BERT RAMOS: Yeah.  
37 COMMISSIONER WAITS: So therefore, it's back to us. Thank  
38 you.  
39 COMMISSIONER STIENMETZ: Right.  
40 CHAIRMAN BAKKER: Pretty simple.

1 COMMISSIONER MILLS: Okay. That makes sense.  
2 COMMISSIONER CLARK: I make a motion to pay the invoice  
3 7232 from A.B Beck Plumbing for \$1094.25.  
4 COMMISSIONER STIENMETZ: I'll second the motion.  
5 CHAIRMAN BAKKER: I mean, --  
6 COMMISSIONER WAITS: So she hasn't paid for this yet?  
7 BERT RAMOS: She has paid for it.  
8 COMMISSIONER WAITS: She has.  
9 NAN ANCHO: We're reimbursing her.  
10 COMMISSIONER WAITS: Then we're not going to pay the  
11 plumbing company again.  
12 NAN ANCHO: No.  
13 BERT RAMOS: No, we're reimbursing her.  
14 COMMISSIONER WAITS: Okay. We need -- we need to change --  
15 CHAIRMAN BAKKER: We need to re- --  
16 COMMISSIONER WAITS: -- our motion, then.  
17 CHAIRMAN BAKKER: -- change the motion to reimburse the  
18 Calico Club.  
19 COMMISSIONER WAITS: It's not clear.  
20 COMMISSIONER CLARK: Okay. I'll amend my motion to pay the  
21 Calico Club for their bill from A.B. Beck Plumbing for  
22 \$1,094.25. This is Invoice Number 7232. This is a one-time  
23 payment to the Calico Club.  
24 COMMISSIONER STIENMETZ: I'll second --  
25 CHAIRMAN BAKKER: Perfect.  
26 COMMISSIONER STIENMETZ: -- the motion.  
27 CHAIRMAN BAKKER: All right. Art made a motion. Steve  
28 seconded. Any public comment?  
29 (No comment.)  
30 CHAIRMAN BAKKER: All those in favor?  
31 COMMISSIONER STIENMETZ: Aye.  
32 COMMISSIONER MILLS: Aye.  
33 COMMISSIONER CLARK: Aye.  
34 CHAIRMAN BAKKER: Aye.  
35 COMMISSIONER WAITS: Aye.  
36 BERT RAMOS: Thank you.  
37 COMMISSIONER STIENMETZ: Thank you.  
38 CHAIRMAN BAKKER: Agenda Item --  
39 COMMISSIONER CLARK: Thank you for your hard work, Bert.  
40 CHAIRMAN BAKKER: Thank you, guys.

1 COMMISSIONER MILLS: Did we fix that junction?  
2 BERT RAMOS: Oh, yeah.  
3 COMMISSIONER MILLS: Okay.  
4 COMMISSIONER CLARK: Can't you -- can't you put a -- a  
5 fitting in there that will clean out both ways? I think I have  
6 that --  
7 COMMISSIONER WAITS: No.  
8 COMMISSIONER CLARK: -- in my one of my cleanouts. It just  
9 flares out both ways instead of just butting and squaring it at  
10 an angle. No?  
11 BERT RAMOS: No.  
12 COMMISSIONER CLARK: Okay.  
13 BERT RAMOS: Not that I'm aware of.  
14 CHAIRMAN BAKKER: Yours is a special case, Art.  
15 COMMISSIONER CLARK: I know.  
16 CHAIRMAN BAKKER: Okay.  
17 COMMISSIONER MILLS: Or the county.

18  
19 17) Discussion and possible action regarding the appointment of  
20 the assessor to the audit committee and all other matters  
21 properly related thereto.

22  
23 CHAIRMAN BAKKER: Agenda Item Number 17. Discussion and  
24 possible action regarding the appointment of the assessor to the  
25 audit committee and all other matters properly related thereto.  
26 NAN ANCHO: When we assembled this audit committee, I think  
27 there was kind of an oversight. We should have added the  
28 assessor to this committee as well because that's where  
29 everything basically starts. So it would be a really --  
30 positive to add her to our --  
31 CHAIRMAN BAKKER: Positive impact.  
32 NAN ANCHO: Yeah.  
33 CHAIRMAN BAKKER: Okay.  
34 NAN ANCHO: So --  
35 CHAIRMAN BAKKER: Is Lura okay with that?  
36 NAN ANCHO: Yes, she is.  
37 CHAIRMAN BAKKER: Okay.  
38 COMMISSIONER WAITS: I'll make a motion that we approve the  
39 assess- -- the assessor to the audit committee as an additional  
40 representative.

1 COMMISSIONER CLARK: Second.  
2 COMMISSIONER STIENMETZ: I'll second the motion.  
3 CHAIRMAN BAKKER: Patsy made a motion. Steve seconded.

4 Any public comment?

5 (No comment.)

6 CHAIRMAN BAKKER: All those in favor?

7 COMMISSIONER STIENMETZ: Aye.

8 COMMISSIONER MILLS: Aye.

9 CHAIRMAN BAKKER: Aye.

10 COMMISSIONER WAITS: Aye.

11 COMMISSIONER CLARK: Aye.

12 CHAIRMAN BAKKER: Nineteen.

13 COMMISSIONER STIENMETZ: Eighteen.

14 COMMISSIONER CLARK: Eighteen.

15

16 18) Discussion and possible action regarding designation of  
17 HintonBurdick as auditor and/or auditing firm for Lander  
18 County for FY 2015-2016, per Nevada Revised Statutes (NRS)  
19 354.624(3); authorization for the chairman to sign the FY  
20 2015-2016 designated audit agreement with HintonBurdick, and  
21 all other matters properly related thereto.

22

23 CHAIRMAN BAKKER: Or 18. Sorry. Jumping ahead.  
24 Discussion and possible action regarding designation of  
25 HintonBurdick as auditors and/or auditing firm for Lander County  
26 for fiscal year 2015-2016, per Nevada Revised Statute, NRS,  
27 354.624(3); authorization for the chairman to sign the fiscal  
28 year 2015-2016 designated audit agreement with Hinton and  
29 Burdick, and all other matters properly related thereto.

30 NAN ANCHO: This is a requirement that we have to designate  
31 our auditor or auditing firm no later than three months prior to  
32 the end of the fiscal year.

33 And then once it's approved or approval, we have to notify  
34 the Department of Taxation of the firm.

35 CHAIRMAN BAKKER: Okay. We already approved them to be --  
36 or sent out an engagement letter.

37 NAN ANCHO: Yes, I did that. And that's what this is in  
38 the packet for the chairman to sign. This is the engagement  
39 letter. And they only did it for one year. And then we'll go  
40 from there after that next year.

1 CHAIRMAN BAKKER: See if you guys like them.  
2 NAN ANCHO: Yes.  
3 CHAIRMAN BAKKER: See if they're a good fit --  
4 NAN ANCHO: Yes.  
5 CHAIRMAN BAKKER: -- or a better fit.  
6 COMMISSIONER MILLS: I'll make a motion that we approve our  
7 chair to sign the designation letter for HintonBurdick to be our  
8 accountants for fiscal year 2015/'16.  
9 COMMISSIONER CLARK: Second.  
10 COMMISSIONER WAITS: Do we need to authorize our chair or  
11 can Keith sign --  
12 CHAIRMAN BAKKER: He said that. Doug said to authorize the  
13 chair to sign.  
14 COMMISSIONER STIENMETZ: It says right there.  
15 CHAIRMAN BAKKER: Right?  
16 COMMISSIONER STIENMETZ: It says in the thing for the chair  
17 to --  
18 CHAIRMAN BAKKER: Yeah.  
19 COMMISSIONER STIENMETZ: -- sign.  
20 CHAIRMAN BAKKER: Doug made the motion. Art seconded. Any  
21 public comment?  
22 (No comment.)  
23 CHAIRMAN BAKKER: All those in favor?  
24 COMMISSIONER STIENMETZ: Aye.  
25 COMMISSIONER MILLS: Aye.  
26 CHAIRMAN BAKKER: Aye.  
27 COMMISSIONER WAITS: Aye.  
28 COMMISSIONER CLARK: Aye. Aye.  
29  
30 19) Update on budget review, contracts, financial update, and all  
31 other matters properly related thereto.  
32  
33 CHAIRMAN BAKKER: Nineteen. Update on budget review,  
34 contracts, financial update, and all other matters properly  
35 related thereto.  
36 NAN ANCHO: All right.  
37 I am currently working on the binders. I'm hoping to have  
38 them complete by Friday so we can get them delivered to you for  
39 the workshop for next week. And it'll have all of the  
40 individual's department's budgets in there.

1 Keith and I have a teleconference today with Rex Massey for  
2 the guaranteed tax rate this afternoon.  
3 And other than that, it's just --  
4 COMMISSIONER CLARK: Business as usual.  
5 NAN ANCHO: -- business as usual.  
6 COMMISSIONER CLARK: You're the girl.  
7 NAN ANCHO: And that's all I have.  
8 CHAIRMAN BAKKER: Thank you, Nan.  
9 NAN ANCHO: Thanks.  
10 COMMISSIONER CLARK: Good job, Nan.  
11 COMMISSIONER WAITS: So we're actually putting it on the  
12 agenda for the 17<sup>th</sup> and 18<sup>th</sup> again? Or does it look like the  
13 17<sup>th</sup> is going to be a go?  
14 NAN ANCHO: No, we'll have to do the 17<sup>th</sup> and 18<sup>th</sup> because  
15 the juvenile and district court can't be here until Friday the  
16 18<sup>th</sup>.  
17 COMMISSIONER WAITS: That's also our Central Nevada  
18 Regional Water Authority meeting, so we'll -- okay --  
19 NAN ANCHO: All right.  
20 COMMISSIONER WAITS: -- need to know.  
21 CHAIRMAN BAKKER: Thank you, Nan. And we're starting at  
22 8:30 on the 17<sup>th</sup>?  
23 COMMISSIONER CLARK: 6:30?  
24 CHAIRMAN BAKKER: Eight --  
25 COMMISSIONER CLARK: 8:30?  
26 CHAIRMAN BAKKER: 8:30.  
27 COMMISSIONER CLARK: Oh.  
28 CHAIRMAN BAKKER: Right?  
29 COMMISSIONER MILLS: What time on Friday?  
30 CHAIRMAN BAKKER: Or did we designate a time yet?  
31 NAN ANCHO: We haven't designated the time yet. 8:30,  
32 9:00?  
33 DISTRICT ATTORNEY HERRERA: We -- we should -- we should  
34 probably contact the court to see what time they could be here  
35 on the 18<sup>th</sup>.  
36 CHAIRMAN BAKKER: I was thinking the 17<sup>th</sup>, though. What  
37 time are we starting on the 17<sup>th</sup>?  
38 DISTRICT ATTORNEY HERRERA: 8:30. We --  
39 NAN ANCHO: 8:30.  
40 CHAIRMAN BAKKER: Okay.

1 NAN ANCHO: On the 18<sup>th</sup>.  
2 CHAIRMAN BAKKER: And then we're --  
3 NAN ANCHO: Or the 17<sup>th</sup>. Sorry.  
4 CHAIRMAN BAKKER: Okay.  
5 NAN ANCHO: Eighteenth, we'll have to find out what time  
6 district court can be here. But if we have anything left over  
7 from the 17<sup>th</sup> that we've not completed, we can start that on  
8 Friday morning.  
9 CHAIRMAN BAKKER: Right. Okay. Perfect.  
10 NAN ANCHO: Okay.  
11 CHAIRMAN BAKKER: Thanks, Nan.  
12 NAN ANCHO: Thanks.  
13 COMMISSIONER STIENMETZ: Thanks.

14  
15 **20) Correspondence/reports/potential upcoming agenda items.**

16  
17 CHAIRMAN BAKKER: Agenda Item Number 20. Correspondence,  
18 reports, potential upcoming agenda items.  
19 COMMISSIONER STIENMETZ: I have one. We need to put on  
20 here to -- for us to discuss the joint resolution between Lander  
21 County and Convention and Tourism on the op -- opera- --  
22 operations of the civic center.  
23 CHAIRMAN BAKKER: Okay. They -- they sent us a letter?  
24 Right?  
25 KEITH WESTENGARD: Yes. I have a copy of it --  
26 CHAIRMAN BAKKER: Okay.  
27 KEITH WESTENGARD: -- here if anybody wants a copy of it.  
28 COMMISSIONER CLARK: And --  
29 CHAIRMAN BAKKER: Okay.  
30 COMMISSIONER CLARK: -- that's the letter that they're  
31 telling us that they're leaving?  
32 KEITH WESTENGARD: Yes.  
33 COMMISSIONER CLARK: Okay.  
34 KEITH WESTENGARD: I'll get copies for everybody.  
35 CHAIRMAN BAKKER: Okay. Anyone --  
36 Yep. I don't know if we can discuss it, though, right now.  
37 DEBRA AMENS: No, just real quickly. Debra Amens,  
38 representing the authority.  
39 COMMISSIONER CLARK: No, no, no.  
40 DEBRA AMENS: We had --

1 COMMISSIONER WAITS: It's not on the agenda.  
2 CHAIRMAN BAKKER: Hey, we can't do that right now.  
3 COMMISSIONER CLARK: You can't do that.  
4 DEBRA AMENS: You can't have any discussion?  
5 CHAIRMAN BAKKER: No.  
6 DISTRICT ATTORNEY HERRERA: You can in --  
7 COMMISSIONER CLARK: It's not on --  
8 DISTRICT ATTORNEY HERRERA: -- public comment.  
9 COMMISSIONER CLARK: -- the agenda.  
10 COMMISSIONER WAITS: Public comment, yeah.  
11 DEBRA AMENS: Oh, I'm sorry.  
12 COMMISSIONER WAITS: We're almost to public comment.  
13 DEBRA AMENS: Sorry.  
14 CHAIRMAN BAKKER: This is just correspondence that the  
15 commissioners want to see on the next agenda.  
16 DEBRA AMENS: Oh, okay. I'm sorry.  
17 CHAIRMAN BAKKER: Doug?  
18 COMMISSIONER MILLS: I don't have anything.  
19 CHAIRMAN BAKKER: Arthur?  
20 COMMISSIONER CLARK: No.  
21 CHAIRMAN BAKKER: Patsy?  
22 COMMISSIONER CLARK: No, I'm good.  
23 CHAIRMAN BAKKER: You good?  
24 COMMISSIONER WAITS: Uh-huh.  
25 CHAIRMAN BAKKER: Everyone's good?  
26 Okay. Hold on.  
27 COMMISSIONER CLARK: Well, there's one thing. I'm going to  
28 Tonopah for the State Lands Advisory Committee meeting. I'll be  
29 leaving on the 12<sup>th</sup>. It's on the 13<sup>th</sup>. Is the only thing I've  
30 --  
31 Oh, that's May. We've got another month. Okay.

32  
33  
34 **PUBLIC COMMENT**

35  
36 CHAIRMAN BAKKER: Okay. Public comment for non-agendized  
37 items only.

38 Persons are invited to submit comments in writing and/or  
39 attend and make comments on any non-agendized -- agenda item at  
40 the board meeting, if any. And discussion of those comments are

1 at the discretion of the board. All public comment may be  
2 limited to three minutes per person, again, at the discretion of  
3 the board. Reasonable restrictions may be placed on public  
4 comment based upon time, place, and manner, but public comment  
5 based upon viewpoint may not be restricted.

6 Any public comment?

7 LIZ HEIMBIGNER: Liz Heimbigner.

8 I don't know. Has there been the security system put on  
9 the old courthouse yet?

10 CHAIRMAN BAKKER: Liz, come up here, please, so it picks  
11 you up.

12 LIZ HEIMBIGNER: Anna?

13 ANNA PENOLA: Not as far as I know.

14 LIZ HEIMBIGNER: Oh, not as far as you know?

15 CHAIRMAN BAKKER: Keith?

16 KEITH WESTENGARD: No, there has not. I spoke with Bert  
17 about it and we're looking at some different options, but  
18 nothing has been put in place.

19 CHAIRMAN BAKKER: Is there a -- we can't. Never mind.  
20 Public comment.

21 We'll look into it, Liz, and go from there.

22 LIZ HEIMBIGNER: Okay. I was just wondering. I was going  
23 to say thank you if it'd been done.

24 COMMISSIONER WAITS: Oops. Hold that thought.

25 CHAIRMAN BAKKER: Any other public comment?

26 DEBRA AMENS: Yes. Debra Amens, representing the authority  
27 board, the Lander County Convention and Tourism Authority Board.

28 There was some discussion about possibly putting the issue  
29 about renegotiating the -- the operation of the civic center by  
30 the authority board on the agenda. And we'd -- we'd like to see  
31 that.

32 I followed up on the let- -- letter with Mr. Herrera and  
33 Mr. Westengard. And their indication to me was this was -- that  
34 was a policy decision and had to come to you -- to you first.

35 So we would like -- we have had no formal kind of  
36 acknowledgment of the letter so -- and we want to make sure if  
37 we are going to be talking and, you know, looking at kind of the  
38 language of the govern- -- governing resolution that we do that  
39 in a timely manner or if we're going to be moving forward we do  
40 it in a timely -- with moving out of operating, we do that in a

1 timely manner, as there are a number of people that have already  
2 put in contracts for use of the civic center out into 2017.  
3 So whatever we do, we want to make sure that we're doing it  
4 in a way that is well organized and doesn't cause anybody any  
5 griefs. So that -- that's the only thing. We are -- we would  
6 like to see it agendized at your next meeting.  
7 CHAIRMAN BAKKER: Okay. Thank you.  
8 COMMISSIONER WAITS: Thank you.  
9 COMMISSIONER STIENMETZ: Thank you.  
10 CHAIRMAN BAKKER: Any other public comment?  
11 CLARA HAMILTON: Clara Hamilton, again.  
12 I have a question. If that goes through, then who's going  
13 to run the civic center?  
14 CHAIRMAN BAKKER: We can't answer that right now.  
15 COMMISSIONER STIENMETZ: We can't --  
16 COMMISSIONER WAITS: We can't discuss that under public  
17 comment. I'm sorry. But we'll have it on the agenda.  
18 CHAIRMAN BAKKER: Yeah, come to the next meeting.  
19 CLARA HAMILTON: Please. Yes.  
20 CHAIRMAN BAKKER: Okay.  
21 CLARA HAMILTON: And I, personally, would like to -- to see  
22 everyone that's in place stay there. But, you know, I know  
23 that's being worked on. So that's all --  
24 CHAIRMAN BAKKER: Okay.  
25 CLARA HAMILTON: -- I have to say.  
26 CHAIRMAN BAKKER: Thank you.  
27 COMMISSIONER WAITS: Thank you.  
28 CHAIRMAN BAKKER: Any other public comment?  
29 CLARA HAMILTON: Sorry.  
30 I'm in the process of trying to find some information  
31 pertinent to a -- the Fleischmann Foundation. And I would like  
32 to put that on your next agenda. And hopefully, I will have it  
33 by then.  
34 CHAIRMAN BAKKER: Okay. Keith?  
35 KEITH WESTENGARD: See me after. I'll get you an agenda  
36 request and you can --  
37 CLARA HAMILTON: Okay, thanks.  
38 KEITH WESTENGARD: -- fill it out and we'd get on it.  
39 CLARA HAMILTON: Thanks. And when is the next meeting,  
40 then?

1 COMMISSIONER STIENMETZ AND COMMISSIONER CLARK: 24<sup>th</sup>.  
2 KEITH WESTENGARD: 24th.  
3 CLARA HAMILTON: This month?  
4 COMMISSIONER CLARK: Uh-huh.  
5 CLARA HAMILTON: I better hustle.  
6 CHAIRMAN BAKKER: Any other --  
7 CLARA HAMILTON: Thank you.  
8 CHAIRMAN BAKKER: -- public comment? I need a motion.  
9

10  
11 **ADJOURNMENT**

12  
13 COMMISSIONER CLARK: Motion to adjourn.  
14 COMMISSIONER STIENMETZ: Second.  
15 CHAIRMAN BAKKER: Art made a motion. Steve seconded. Any  
16 public comment?  
17 (No comment.)  
18 CHAIRMAN BAKKER: All those in favor?  
19 COMMISSIONERS: Aye.  
20 CHAIRMAN BAKKER: Aye. Art. Aye?  
21 COMMISSIONER CLARK: Aye.  
22  
23  
24  
25

26   
27 \_\_\_\_\_  
28 **CHAIRMAN OR VICE CHAIRMAN OF THE**  
29 **BOARD OF LANDER COUNTY**  
30 **COMMISSIONERS AND THE LANDER**  
31 **COUNTY LIQUOR BOARD**

32  
33  
34 **ATTEST:**   
35 **LANDER COUNTY CLERK**  
36  
37  
38

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

1 STATE OF UTAH )  
2 ) ss.  
3 COUNTY OF DAVIS )  
4  
5  
6

7 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY  
8  
9 CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "JAVS"  
10  
11 DIGITAL AUDIO/VIDEO RECORDING OF A MEETING WHICH TOOK PLACE  
12  
13 THE 10TH DAY OF MARCH 2016, AND SAID RECORDING AND INFORMATION  
14  
15 PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER  
16  
17 COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS  
18  
19 THE AUDIO/VIDEO RECORDING ALLOWED.  
20

21  
22 DATED AT \_\_\_\_\_  
23 THIS \_\_\_\_\_ DAY OF \_\_\_\_\_  
24

25  
26 \_\_\_\_\_  
27 TIFFANY ELKINGTON, CCR #930  
28  
29  
30  
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39  
40

**ANNA PENOLA: [47]** 50/31  
 50/34 50/39 51/1 51/7 51/15  
 51/17 51/23 51/25 51/27 51/33  
 51/37 52/7 52/16 53/30 55/38  
 57/40 59/2 59/8 59/12 59/15  
 59/21 59/29 59/31 59/33 60/17  
 60/23 60/26 60/31 60/33 61/9  
 61/37 63/1 63/3 63/5 63/7  
 63/11 64/2 65/1 65/4 65/13  
 65/30 66/19 67/26 70/34 71/21  
 88/12  
**BERT RAMOS: [40]** 16/11 16/28  
 16/35 17/1 17/3 17/6 17/12  
 17/21 17/23 17/26 17/29 17/32  
 19/4 22/30 22/39 23/2 24/20  
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