

The Honorable Board of Lander County Commissioners met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada on May 23, 2013 at 9:00 a.m.

**PRESENT:**     **DEAN BULLOCK, COMMISSIONER**  
                  **STEVEN STIENMETZ, COMMISSIONER**  
                  **BRIAN GARNER, COMMISSIONER**  
                  **PATSY WAITS, COMMISSIONER**  
                  **SADIE SULLIVAN, CLERK**  
                  **NICOLE TING, DEPUTY DISTRICT ATTORNEY**  
                  **ROGENE HILL, FINANCE DIRECTOR**  
                  **CATHY MYERS, DEPUTY CLERK**

**ABSENT:**     **DAVID MASON, COMMISSIONER**

**9:00 A.M.**

Chairman Bullock called the meeting to order.

Let the record reflect a quorum of four Commissioners.

Jane Bianchi led the Pledge of Allegiance.

Let the record reflect the presence of Austin via telephone conference.

**APPROVAL OF AGENDA NOTICE**

The Notice of Posting was reviewed and found to be in order. Commissioner Stienmetz moved to approve the Notice of Posting. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

**APPROVAL & ACCEPTANCE OF MINUTES**

**APRIL 25, 2013 – REGULAR SESSION**

**MAY 9, 2013 – REGULAR SESSION**

Lander County Board of Commissioners

Meeting of May 23, 2013

Prepared By: Cathy Myers, Deputy Clerk

Commissioner Stienmetz moved to accept the minutes of April 25, 2013 regular session. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

### **COMMISSIONER REPORTS**

Commissioner Waits reported on her attendance of the Kingston Town Board meeting, the NACO meeting. She also stated she went to Carson City to testify for Senate Bill 342 on the vacation and abandonment of roads in Austin. Commissioner Waits also attended the Airport Board meeting. The Nevada Association of Counties League of Cities will be having their conference in Lake Tahoe on September 10-13, 2013.

Commissioner Stienmetz reported on his attendance of the Humboldt River Water Basin Authority meeting in Winnemucca, the LEPC meeting, and the Hospital Board meeting.

### **PAYMENT OF THE BILLS**

Jane Bianchi presented the Board with the bills to be ratified.

#### **STATE OF NEVADA**

Commissioner Garner moved to ratify check #044404 in the amount of \$6.00 to the State of Nevada. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

#### **TETRA TECH, INC.**

Commissioner Garner moved to ratify check #044409 in the amount of \$490.75 to Tetra Tech, Inc. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

#### **DAVID J. CORMANY**

Commissioner Garner moved to ratify check #044423 in the amount of \$805.99 to David J. Cormany. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

#### **CHASE CARD SERVICES**

Commissioner Garner moved to ratify check #044421 in the amount of \$101.62 to Chase Card Services. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

#### **WELLS FARGO REMITTANCE**

Commissioner Garner move to ratify check #044431 in the amount of \$4,828.50 to Wells Fargo Remittance. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

*Lander County Board of Commissioners*

*Meeting of May 23, 2013*

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Commissioner Garner moved to approve the submitted expenditures in the amount of \$272,732.47 from check #444314 through check #44540. Seconded by Commissioner Stienmetz, the motion was voted and carried with Commissioner Bullock abstaining from the vote on check #44445. **APPROVED**

#### **PAYROLL CHANGE REQUEST**

No payroll change requests.

#### **PUBLIC COMMENT**

Eddy Ann Filippini addressed the Board regarding a letter from the BLM stating they are proposing to close the Filippini allotments for the remainder of this growing season and a second growing season. She said this will put them out of business, and if the decision is made it is for immediate removal. She wanted to see if a Resolution could be done to help them out. Ms. Filippini also stated if the BLM can do this to them they will do it to the other ranchers as well.

#### **FINANCE**

- 1) **Discussion For Possible Action Regarding Budget Review, Contracts, Financial Update & Other Matters Properly Related Thereto:** Rogene Hill, Finance Director, requested the Board to read into the minutes she will be moving \$563,430.00 from 025-000-59958 to 025-000-54010. Ms. Hill updated the Board on collections, the audit planning meeting, final budget preparation, and her attendance at a class in Winnemucca on employee performance evaluations.

Commissioner Garner moved to move \$563,430.00 from fund 025-000-59958, Battle Mountain Town Fund, to fund 025-000-54010 Fixed Assets. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

#### **BUILDING**

- 2) **Discussion For Possible Action Regarding Approval For The County To Purchase Approximately Three Hundred Feet (300') Of Four Inch (4") Electrical Conduit For Installation Of Three-Phase Power, To Be Provided By NV Energy, Near Lemaire School/Field To Supply Power To The Future Recreation Center, & Other Matters Properly Related Thereto:** Anna Penola, updated the Board she spoke with NV Energy and it was their suggestion to do the three phase power now if they were going to use it for the Recreation Center or future projects. Ms. Penola received an estimate from

Lander County Board of Commissioners

Meeting of May 23, 2013

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Amped Out Electric on 300' of 4" conduit in the amount of around \$300 without installation. NV Energy believes the project, depending where it will be, should be well under \$250,000.00. The Building Department is requesting \$300.00 to purchase the 300' of conduit.

Commissioner Bullock stated if the funds are in their budget they are ready to go. They do not need the approval of the Commission. **UPDATE**

### **ROAD & BRIDGE SOUTH**

- 3) **Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge South Department & Other Matters Properly Related Thereto:** No report.

### **ROAD & BRIDGE NORTH**

- 4) **Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge North Department & Other Matters Properly Related Thereto:** Donnie Negro, Road and Bridge North, reported on the Willow Creek Project, the patching of road, and regrinding Skyline road before they pave it. **UPDATE**
- 5) **Discussion For Possible Action Regarding Award Of Bid For The "Two (2) Water Tankers" & Other Matters Properly Related Thereto:** Donnie Negro, Road and Bridge North, reported on the bids received and what he was looking for. Explained the bid price was more than he budgeted for and what he did to bring the price down. Mr. Negro's recommendation to the Board was to accept the bid on the trailer for \$150,000.00 from RANDCO Tanks.

Commissioner Garner moved to accept the bid as set for \$150,000.00 to RANDCO. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

- 6) **Discussion For Possible Action Regarding Award Of Bid For The Battle Mountain 2013 Paving Project & Other Matters Properly Related Thereto:** Donnie Negro, Road and Bridge North, stated he had two bidders on this job and Hunewill was the lowest bidder at \$1,756,684.80. Mr. Negro's recommendation was to accept the bid from Hunewill. They would start after July 1<sup>st</sup> and they have 45 days to get their paving complete. Appaloosa Road will be started in June because it was not finished last year.

Commissioner Stienmetz moved to accept the bid from H.E. Hunewill Construction for the Road Paving Project in the amount of \$1,756,684.80. Seconded by Commissioner Garner, the motion was voted and carried. **APPROVED**

Lander County Board of Commissioners

Meeting of May 23, 2013

Prepared By: Cathy Myers, Deputy Clerk

## PUBLIC WORKS

- 7) Discussion For Possible Action Regarding Operations & Projects For The Public Works Department & Other Matters Properly Related Thereto: Jake Edgar, Public Works Foreman, updated the Board on the parks.

There was discussion on the freeze less faucet in Elquist Park.

Mr. Edgar also updated the Board on the pool, and the plan to open on June 8<sup>th</sup>. The pumps from Floway should be here by the end of the following week, and it should take three days to switch both pumps. The well six operating panel has been fixed, and they have a digital recorder recording the information on the power coming into the sewer plant. They are checking the water quality at the airport. Mr. Edgar also reported on the new greens at the golf course. **UPDATE**

## COMMISSIONERS

- 8) Discussion For Possible Action Regarding The Proposal Submitted By McGinley & Associates, Inc. (MGA) To Conduct A Limited Phase II Environmental Site Assessment (EAS) Of The Fuel System Containment Area At The Battle Mountain Airport, In An Amount Not To Exceed \$3,032.00, Dependent Upon Nevada Department Of Environmental Quality (NDEQ) And/Or Nevada Environmental Protection Agency (NEPA) Requesting Testing Of The Soils, & Other Matters Properly Related Thereto: J.D Heithoff, J-U-B Engineers, (via telephone) explained unless the DEQ or the EPA request additional evidence regarding the containment of the spill, they would just repair the fuel leak and proceed forward.

Commissioner Bullock stated there was no need to approve this if they are not going to do it.

Commissioner Garner moved to defer. Seconded by Commissioner Stienmetz, the motion was voted and carried. **DEFERRED**

- 9) Discussion For Possible Action Regarding Approval/Disapproval Of The Tentative Agreement Between Lander County & The Lander County Law Enforcement Employees Association From July 1, 2013 Through June 30, 2016 & Other Matters Properly Related Thereto: Commissioner Garner moved for the Commission to approve the agreement for Lander County and the Lander County Law Enforcement Employees Association from July 1, 2013 through June 30, 2016. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

Lander County Board of Commissioners

Meeting of May 23, 2013

Prepared By: Cathy Myers, Deputy Clerk

- 10) Discussion For Possible Action Regarding Approval/Disapproval Of The Tentative Agreement Between Lander County & Operating Engineers, Local 3 From July 1, 2013 Through June 30, 2016 & Other Matter Properly Related Thereto: Commissioner Garner moved for the Commission to approve the agreement between Lander County and Operating Engineers, Local 3 from July 1, 2013 through June 30, 2016. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**
- 11) Discussion For Possible Action Regarding Approval Of The Tentative Agreement Between Lander County & The Lander County Sheriff's Association From July 1, 2013 Through June 30, 2016 & Other Matters Properly Related Thereto: Commissioner Wait moved for the Commission to approve the agreement between Lander County and the Lander County Sheriff's Association from July 1, 2013 through June 30, 2016. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**
- 12) Discussion For Possible Action Regarding Approval/Disapproval Of The Emergency Facilities & Land Use Agreement Between Lander County & The Bureau Of Land Management (BLM) For Use Of The Austin Airport As A SEAT (Single Engine Air Tanker) Base By BLM During The 2013-2018 Fire Seasons; & Other Matters Properly Related Thereto: Commissioner Waits explained she signed to show they did take the pictures with BLM at the airport. The BLM requested to do a five year agreement. She questioned if the BLM could pay anything to Austin for use of the airport.

Ray H. Williams Jr., Austin Airport Board, explained the terms of the previous agreement was for \$1 a day and to be renewed every year.

Commissioner Garner stated he does not like long term agreements due to changes and would like it renewed each year.

Mr. Williams agreed a one year would better as well because there is no out clause.

Mike Sabalta and Josh Tibbetts of the BLM explained why they were looking for a five year contract, and the services they would provide.

Commissioner Waits moved for the Commission to go back to the BLM on their Emergency Facilities and Land Use Agreement and ask them to change the Austin Airport as a SEAT Base using the 2013-2014 fire season. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

Lander County Board of Commissioners

Meeting of May 23, 2013

Prepared By: Cathy Myers, Deputy Clerk

**13) Discussion For Possible Action Regarding The Request Of Ami Rogers, President Of The Battle Mountain Arts Presenters (BMAP), For Approval Of The Temporary Closure Of Front Street & Highway 305 (From 424 E. Front Street To 625 S. Broad Street) On July 4, 2013 For The Fourth Of July Parade; Approval For The Chairman To Sign The Nevada Department of Transportation (NDOT) Application & Permit For Temporary Occupancy Of The NDOT Right-Of-Way Paperwork; & Other Matters Properly Related Thereto:** Commissioner Bullock asked if a time needed to be specified.

Ami Rogers explained she does have to specify a time on the application. She stated they would line up at Etcheverry's at 9:00 a.m., the parade would start at 10:00 a.m. and run until approximately 10:30 a.m. depending on the number of entries.

The Commissioners, expressed appreciation for scheduling this ahead of time and not waiting until the last minute, and for forming this Fourth of July Committee again.

Commissioner Garner moved for the Commission to approve the temporary closure and to authorize Ami Rogers to submit to NDOT the application and permitting for temporary occupancy of the NDOT right-of-way, and approve the Chair to sign. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

**14) Discussion For Possible Action Regarding Approval/Disapproval Of The Interlocal Agreement Between Lander County & The Department Of Health & Human Services, Aging & Disability Services Division, For Services Provided To Children With Developmental Disabilities; Authorization For The Chairman To Sign The Agreement, Confidentiality Addendum & Business Associates Addendum; & Other Matters Properly Related Thereto:** Barbara Legier, Aging and Disability Services Division, stated this is a renewal contract and has been before the Commission in past years. She informed the Board of the changes in the confidentiality requirements.

Commissioner Garner asked if this has been reviewed.

Nicole Ting, Deputy District attorney said it had.

Commissioner Stienmetz moved for the Commission to approve the Interlocal Agreement between Lander County and the Department of Health and Human Services Aging and Disability Services Division for services provided to children with developmental disabilities, authorizing for the Chair to sign the agreement, Confidentiality Addendum, and Business Associates Addendum. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

Lander County Board of Commissioners

Meeting of May 23, 2013

Prepared By: Cathy Myers, Deputy Clerk

15) Discussion For Possible Action Regarding Approval/Disapproval Of The Sustainable Community Development Case History Agreement Between Lander County & The Board Of Regents, NSHE, obo University Of Nevada, Reno (UNR), In The Amount Of \$6,300.00, For Creation Of A Sustainable Community Development Case History, & Other Matters Properly Related Thereto: Commissioner Bullock explained this was part of the FIND project, and it was his understanding the funds would come from the LEDA's grant money.

Commissioner Garner moved to defer. Seconded by Commissioner Stienmetz, the motion was voted and carried. **DEFERRED**

*Commissioner Bullock reopened this item*

Gina Little, Community Services Officer, explained the Commissioners have already approved this agreement. The date is being extended but there are no other changes. It just needs signatures.

Nicole Ting, Deputy District Attorney, confirmed it has been reviewed by the District Attorney's Office.

Commissioner Stienmetz moved for the Commission to approve the sustainable Community Development Case History Agreement Between Lander County and the Board of Regents, NSHE, obo University of Nevada Reno (UNR), in the amount of \$6,300.00, for creation of a Sustainable Community Development Case History, funding provided through the FIND Grant, to extend the completion date through June 30, 2013, and authorize the Chair to sign the agreement. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

#### YUCCA MOUNTIAN REPOSITORY PROGRAM

16) Discussion For Possible Action Regarding The Yucca Mountain Oversight Program Update; Presentation Of The 2013 Community Survey Results; & Other Matters Properly Related Thereto: Rex Massey, Yucca Mountain Oversight Program, provided the Board an update on the Oversight Program, their projects and activities, Court actions, meetings, and the community survey report.

Commissioner Bullock asked Mr. Massey if he had a comparison on how people feel on the Coal Fire.

Mr. Massey said he did not, but he could do something like that next year. **UPDATE**

Lander County Board of Commissioners

Meeting of May 23, 2013

Prepared By: Cathy Myers, Deputy Clerk

## COMMUNITY HEALTH NURSE

- 17) Discussion For Possible Action Regarding Presentation By Community Health Nurse Brenda Keller Concerning The Program Update On STD, Take Back, Immunization Award & Nurse Of Achievement Award, & Other Matters Properly Related Thereto: Brenda Keller, Community Health Nurse, updated the Board on Communicable Disease Program and the Mandates passed through Legislation. Ms. Keller also reported on the Take Back Program, the Immunization Award, immunizations, and the Nurse of Achievement Award. **UPDATE**

## COMMISSIONERS

- 18) Discussion For Possible Action To Go Into Closed Meeting Pursuant To Nevada Revised Statutes (NRS) 241.030 To Consider The Performance Of The Lander County Human Resource Director, Soveida Robinson, Based Upon A Complaint – Discussion Only With The Only Action Being The Motion To Go Into Closed Session: Commissioner Stienmetz moved to go into closed session. Seconded by Commissioner Garner, the motion was voted and carried. **CLOSED SESSION**
- 19) Discussion For Possible Action Regarding Approval/Disapproval Of A Resolution Expressing Concern Over The Ongoing Drought Conditions In Northern Nevada; Encouraging Expeditious Cooperation Among Agencies Of The US Department Of Agriculture, US Department Of Interior, State Of Nevada & Local Governments To Identify & Implement Appropriate Action To Avoid, Minimize & Mitigate The Adverse Economic & Environmental Consequences Of Said Drought & Requesting Nevada Governor Brian Sandoval To Declare A Drought Emergency Within Lander County; & Other Matters Properly Related Thereto: Nicole Ting, Deputy District Attorney, addressed the Board and explained she discussed this Resolution with Commissioner Waits. The District Attorney's Office does not have a legal opinion on this matter.

Eddy Ann Filippini, representing Badger Ranch in Battle Mountain, Nevada, stated after her public comment earlier, they were issued a decision, full force and effect and their two allotments will be closed.

Pete Tomera, stated, if this is called a Drought Management Decision; it does not give the BLM authority to shut down these allotments. The BLM will put the Ranchers out of business. He requested, if the Commissioners do approve the Resolution, to put something in the Resolution that this will not affect the grazing of cattle on the range.

Lander County Board of Commissioners

Meeting of May 23, 2013

Prepared By: Cathy Myers, Deputy Clerk

Eddy Ann Filippini clarified the growing season, according to the BLM, is April 1<sup>st</sup> through July 15<sup>th</sup>.

Grant Gerber, Elko County Commissioner and Attorney, explained how the BLM has cut grazing by 50%, and as a result we are having huge wild fires which are killing off the wild life. Mr. Gerber states he was going to recommend to the Elko County Commission to agree we are in a drought, but to put in the language of the Resolution this is not in any way an endorsement to the reduction in grazing. He would also recommend adding, in the Resolution, the demand for additional grazing to stop the wild fires.

Commissioner Waits asked Mr. Gerber if he was familiar with the State of Nevada Drought Response Committee.

Rob Strokes, Elko County Manager, stated he is not familiar with this committee.

Commissioner Bullock questioned what we would get if they did declare a state of drought emergency.

Mr. Gerber stated there is some Drought Relief Aid provided by the Federal Government under certain circumstances of a designation of a drought.

Commissioner Bullock shared his concerns on where the money would go, and the possibility it would go to the BLM and not the Ranchers. He explained this Resolution was brought before the Board last year, and was voted down because of these concerns.

Lynn Tomera, read a section from the Progressive Rancher publication where it stated the various Counties in Northern Nevada that have been designated as a natural disaster area due to the drought. Ms. Tomera explained the ranchers are already eligible for Drought Relief Aid. Her concern is the Federal agencies are trying to use this Resolution as a way to take all the cattle off the ranges, and does not feel this Resolution is needed.

Commissioner Stienmetz explained that is why it was turned down last year.

Mr. Gerber suggested postponing a decision on this, and have a Lander County Commissioner attend the Elko County Commission meeting to discuss their concerns.

*Lander County Board of Commissioners*

*Meeting of May 23, 2013*

*Prepared By: Cathy Myers, Deputy Clerk*

Hank Filippini addressed the Board and expressed his thoughts by saying the ranchers know when to take their cattle off and put them on. He doesn't feel the BLM needs to tell them what to do.

Commissioner Garner moved to defer until further notice. Seconded by Commissioner Waits, the motion was voted and carried. **DEFERRED**

- 20) Discussion For Possible Action Regarding Approval Of The Final Draft Of The Memorandum Of Understanding (MOU) Between Lander County & The Bureau Of Land Management (BLM) For Cooperating Agency Status In The Development Of The Resource Management Plan (RMP) Amendments & Environmental Impact Statement (EIS) For The Proposed Greater Sage Grouse National Planning Strategy, Great Basin Region Nevada-Northeast California Subregion, Previously Approved On July 26, 2012, & Other Matters Properly Related Thereto: Commissioner Bullock explained this was approved, but due to some changes in the language it was never brought back to be signed.

Georgia Black addressed the Board and encouraged them to strike the cooperation and inserting the word coordination. She explained the definitions.

Kent Bloomer, BLM and PLUAPC Representative, addressed the Board explained the purpose of this MOU. The preliminary EIS draft is in the latter stages of development and will be released in September.

Mr. Gerber provided a power point presentation, to the Board, on what Elko County is doing regarding this MOU and the sage grouse.

Commissioner Stienmetz moved to approve the final draft of the Memorandum of Understanding (MOU) between Lander County and the Bureau of Lander Management for coordinating agency status in the development of the Environmental Impact Statement (EIS) with the with the proposed Greater Sage Grouse National Planning Safety Strategy, Great Basin Regional Nevada – Northeast California Sub regions, previously approved in July with the correctional and to go through and change cooperating with coordination. Seconded by Commissioner Garner.

Dan Tomera, PLUAPC, requested a copy of this MOU.

The motion was voted and carried. **APPROVED**

Lander County Board of Commissioners

Meeting of May 23, 2013

Prepared By: Cathy Myers, Deputy Clerk

21) Discussion For Possible Action Regarding The April 22, 2013 Letter From Ray H. Williams, Jr., Member Of The Austin Airport Advisory Board, Concerning The Possible Health & Safety Issue Created By Removal Of The Portable Toilet From The Austin Airport & Other Matters Properly Related Thereto: Ray H. Williams Jr., Airport Board Member, requested the Board move to item #22. If that item is approved there will be no need to discuss this item.

22) Discussion For Possible Action Regarding The Possibility Of Acquiring A Modular Classroom With Bathrooms From The Lander County School District For Use At The Austin Airport; Funds In The Amount Of \$22,000.00 To Be Appropriate From Fund 031, Capital Acquisition, Prior To June 30, 2013 For Commercial Septic & Relocation Expenses; & Other Matters Properly Related Thereto: Commissioner Waits addressed this issue. She explained the Lander County School District has modular classrooms they are selling. They have requested one with restrooms. It is in excellent condition and has been looked at by the building department.

There was discussion on where the funds would come from and where the estimate came from. There was also discussion of who would maintain the building and security.

Commissioner Garner moved for the Commissioner to approve the modular classroom, and accept the free modular unit from Lander County School District, and appropriate the funds of \$22,000.00 with the funds from Fund 031 Capital Acquisition in the amount of \$21,500.00 to be moved. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

23) Discussion For Possible Action Regarding Status Of the Unsigned Contract Between Lander County & Bank Of America For the Automated Teller Machine Located At The Battle Mountain Learning Center Building & Other Matters Properly Related Thereto: Commissioner Bullock explained he had this put on the agenda because we still do not have a signed contract from Bank of America. They are still paying according to the old contract, but the rental fee had been raised two years ago. Commissioner Bullock suggested setting a time limit be set for Bank of America to respond and to pay the back rent owed.

Commissioner Garner moved for the Commission to direct staff [Finance Director] to give them [Bank of America] 60 days, return receipt request from the bank, a demand letter for a new draft signed or the power will be cut or the locks changed, and to inform them they are in arrears. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

Lander County Board of Commissioners

Meeting of May 23, 2013

Prepared By: Cathy Myers, Deputy Clerk

**24) Discussion For Possible Action Regarding Renewal Of The Agreement Between Lander County & The Austin Roping Club For Use Of The Austin Rodeo Grounds Located On Highway 50 In Austin, Nevada; & Other Matters Properly Related Thereto:** Commissioner Waits stated she had some concerns on this item.

Let the record reflect Burt Ramos, Vice President, of the Roping, was present via telephone conference.

Commissioner Waits explained the insurance would not renew the policy due to a lawsuit that has been filed. There are other concerns that need to be dealt with locally, and Commissioner Waits suggested deferring this item.

Commissioner Bullock shared his concerns about this being a Lander County facility, but people not being able to use this facility unless they pay a membership to the Austin Roping Club.

Mr. Ramos stated most of what Commissioner Bullock was saying was true.

There was more discussion on these and other issues.

Commissioner Waits moved for the Commission to defer this agreement with the Austin Roping Club for use of the Austin Rodeo Grounds. Seconded by Commissioner Stienmetz, the motion was voted and carried. **DEFERRED**

**25) Discussion For Possible Action Regarding Creation Of An Emergency Preparedness Fund & Other Matters Properly Related Thereto:** Commissioner Stienmetz explained he had this put on after the LEPC meeting, but after talking to Rogene Hill, Finance Director, he found out the County already has an emergency fund.

There was discussion on what may be needed in the event of an emergency or a tragic event, and the costs that could be involved. **NO ACTION**

**26) Discussion For Possible Action Regarding Appointing Mark Brethauer, Lander County Engineer, As Airport Administrator For The Battle Mountain & Austin Airport & Other Matters Properly Related Thereto:** Commissioner Bullock explained to Mark Brethauer, County Engineer, the reason they need him to be appointed as the Airport Administrator.

Commissioner Garner moved to the commission to appoint Mark Brethauer, Lander County Engineer, as the Airport Administrator for the Battle Mountain and Austin

*Lander County Board of Commissioners*

*Meeting of May 23, 2013*

*Prepared By: Cathy Myers, Deputy Clerk*

Airports. Seconded by Commissioner Stienmetz, the motion was voted and carried.

**APPROVED**

27) Discussion For Possible Action Regarding Appointing Rogene Hill, Lander County Finance Director, As Acting Office Administrator For Lander County & Other Matters Properly Related Thereto: Commissioner Bullock explained there needs to be a go between and suggests there be an increase in pay for the added duties. There are situations that need to be made that cannot wait for a Commission meeting. The administration office also needs to be pulled together. Commissioner Bullock's thoughts are Rogene Hill, Finance Director, would be over Finance, Executive Secretary, Human Recourses, and Community Services Officer. Ms. Hill would be the one to direct information that the Commissioners need to know right away. Commissioner Bullock explained that people do not know who to go to when they have a question. Ms. Hill would be that go to person and would make day to day decisions and direct people to the appropriate department. Commissioner Bullock also stated it would be fair to offer an extra \$1000.00 a month to take on this position.

Commissioner Garner asked if she could make things more coordinated, so when he shows up at the door, like he has three times in the last month, there is not a sign on the door saying the office is close due to lack of staff.

Commissioner Bullock said this would put someone there to sign for time off. He needs to protect himself as the Chair. This is an acting role until they can figure something else out.

Commissioner Garner likes this idea, but he feels the Building Department, the Safety Manager, and the Engineer need to have someone to answer to as far as to when they show up, when they leave, their days off, and days on. He said there eleven people in the Administrative office and there should be no reason to have a sign on the door closing the office for a shortage in staff. He stated this was unacceptable.

Commissioner Garner moved for the Commission to appoint Rogene Hill as the acting Office Administrator of Lander County for the HR Services [Human Resources], Community Services Officer, Executive Secretary, and Finance Department and Trainee; with the coordination of work scheduling and/or time off and sick leave with the Engineering Department, the Safety Department, and the Building Department and to increase her wages to \$1000.00 a month. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

*Lander County Board of Commissioners*

*Meeting of May 23, 2013*

*Prepared By: Cathy Myers, Deputy Clerk*

Commissioner Garner amended his motion to have the pay increase become effective May 27, 2013, and the job duties to be effective at 5:24 a. m. May 24, 2013. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**  
Jake Edgar, Public Works Forman, asked if he could be added to those reporting to Ms. Hill on his schedule and time.

Commissioner Garner amended his motion to incorporate Public Works, Road and Bridge North and South, for time purposes only. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

#### **ARGENTA JUSTICE OF THE PEACE**

**28) Discussion For Possible Action Regarding Request From Argenta Justice Of The Peace, Max Bunch, To Allow For A Part-Time Employee In His Office Of Up To Two hundred (200) Hours Per Fiscal Year & Other Matters Properly Related Thereto:** Max Bunch, Argenta Justice of the Peace, addressed the Board this is just a relief employee that would be a current employee that is leaving. She would cover if people are sick or or due to surgery.

Commissioner Bullock asked why it would be strictly for that employee. If that person was not available the position should be open to anyone.

Judge Bunch answered it is because she is already trained, but that was fine if that is how they wanted to approve it. The amount budgeted is at the rate the current employee leaving is at, but would not necessarily be what someone with less experience would be paid.

Commissioner Waits moved for the Commission to approve the relief position for the Argenta Justice Court up to 200 hours effective with the new fiscal year. Seconded by Commissioner Stienmetz, the motion was voted and carried. **APPROVED**

#### **COURTHOUSE/ADMINISTRATION BUILDING PROJECT**

*Let the record reflect the presence of Brad VanWoert, VanWoertBigotti via telephone conference.*

**29) Discussion For Possible Action Regarding Status Of The Lander County Courthouse/Administration Building Project & Other Matters Properly Related Thereto:** No update at this time.

Lander County Board of Commissioners

Meeting of May 23, 2013

Prepared By: Cathy Myers, Deputy Clerk

**30) Discussion For Possible Action Regarding Approval Of A Contract Between Lander County & VanWoertBigotti Architects, In An Amount Not To Exceed \$1.388 Million, For Architectural Design & Engineering Services For The Lander County Courthouse/Administration Building Project & Other Matters Properly Related Thereto:** Let the record reflect the presence of Brad VanWoert, VanWoertBigotti, via telephone conference.

Judge Max Bunch, addressed the Board stated between the POOL/PACT Attorney, Mr. Hardy, Mr. VanWoert, and Judge Bunch explained there where a few changes that needed to be made to the contract.

Mr. VanWoert confirmed the changes stated by Judge Bunch and asked, Judge Bunch to initial those changes on his behalf.

Judge Bunch provided the contract to the Board for signature by the Chairman if the Board is ready to approve the contract.

Commissioner Stienmetz moved for the Commission to approve the contract between Lander County and VanWoertBigotti Architects, in an amount not to exceed \$1.388 million, for the Architectural Design and Engineering Services for the Lander County Courthouse/Administration Building project. Seconded by Commissioner Garner, the motion was voted and carried. **APPROVED**

Mark Brethauer clarified that mylar record drawing would be provided when the building is complete.

**31) Correspondence/Reports/Potential Upcoming Agenda Items:**

The Board reviewed the following correspondences that are retained in the Clerk's Office:

1. DAVID B. PALLEY, PENN VALLEY, CA, to Commissioner Dave Mason & the Lander County Board of Commissioner, letter regarding offer of easement.
2. CHRISTOPHER J. COOK, BUREAU OF LAND MANAGEMENT, to Interested Public, letter regarding Public Consultation for the Battle Mountain Complex Proposed Drought Response Actions, Mount Lewis Office.

Lander County Board of Commissioners

Meeting of May 23, 2013

Prepared By: Cathy Myers, Deputy Clerk

3. VERN GRAHAM, BUREAU OF LAND MANAGEMENT, to Interested Public, letter regarding completion of Snowstorm Exploration LLC's, Snowstorm Exploration Project preliminary Environmental Assessment (EA).

Commissioner Waits said they need to have it put on the agenda to appoint a representative of Lander County for Western County Alliance.

**PUBLIC COMMENT**

No public comment.

**ADJOURNMENT**

There being no further business before the Board at this time, Commissioner Stienmetz moved to adjourn the meeting of May 23, 2013. Seconded by Commissioner Garner, the motion was voted and carried. **ADJOURNED**

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

ATTEST:   
\_\_\_\_\_  
**LANDER COUNTY CLERK**

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

Lander County Board of Commissioners

Meeting of May 23, 2013

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