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 October 8, 2015, at 9:00 a.m. Transcript produced by Tiffany Elkington, C.C.R., #930.

PRESENT: STEVEN STIENMETZ, COMMISSIONER
PATSY WAITS, COMMISSIONER
SEAN BAKKER, COMMISSIONER
ART CLARK III, COMMISSIONER
DOUG MILLS, COMMISSIONER
KEITH WESTENGARD, EXECUTIVE DIRECTOR
SADIE SULLIVAN, COUNTY CLERK
THEODORE HERRERA, DISTRICT ATTORNEY
NAN ANCHO, FINANCE DIRECTOR
BECKY JOHNSON, HUMAN RESOURCES DIRECTOR

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

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

CHAIRMAN STIENMETZ: I'd like to call the October 8th, 2015, Lander County Commission meeting, Town Board of Battle Mountain, and Austin Board of County Highway Commissioners to order.

And will you follow me in the pledge, please.

(Pledge of Allegiance)

CHAIRMAN STIENMETZ: We'll now have a moment of silence, please.

(Moment of silence)

COMMISSIONER REPORTS

CHAIRMAN STIENMETZ: Now we'll go to commissioners' reports on meetings, conferences, and seminars attended.

Doug.

COMMISSIONER MILLS: Okay. Yesterday, Keith and I had a conference call with FEMA. And after that phone call, I'm feeling pretty encouraged that I think maybe next year we could probably get our southern -- at least our southern portion of the levee completed. And if things go well with Corps of Engineers and our 408 process, that northern portion could also be completed next year. I think it looks encouraging. They -- FEMA seemed like they were quite a bit easier to work with than Corps of Engineers. It was kind of cool.

Had a meeting with LEDA yesterday. And they have some things going on that are -- they're going to be helping the museum with some -- with a mine museum over there, their property. And all they're going to be working on a marketing package for the bank building down on Front Street. So trying to get that rented out and get some revenues off of that building.

So had a hospital board meeting yesterday. It was a marathon meeting. It was six hours. But we got a lot of stuff done.

We did find out from the state that our critical needs assessment that is required in order do the addition, phase two of the additions at the hospital, the critical needs assessment was -- wasn't denied, but it was returned for more information. So they're looking to get some more complete numbers. They're concerned about the financial status of the hospital. So we're -- we're working on getting that back to the state. And so the construction right now is on hold for a little while.

We will be doing a special meeting -- a special board meeting next week because we've had difficulty in coming together on the process for hiring a new CEO. So we're going to meet next week and hammer that out and -- because we need to get moving on that. So we're going to -- we're going to work that one out and get moving.

Karlene Andreola, who is a board member at the hospital, submitted a resignation letter. So that'll be coming to us to

find another hospital board member. And it'll -- it's going to be -- according to the bylaws, it'll be somebody from the southern part of the county.

COMMISSIONER WAITS: Correct.

COMMISSIONER MILLS: So we'll be looking for -- at getting a new board member at the hospital.

I think that's it. That's all I got.

COMMISSIONER BAKKER: That it?

CHAIRMAN STIENMETZ: Okay.

COMMISSIONER MILLS: That's it.

COMMISSIONER BAKKER: Okay. We had a Livestock Events Center meeting.

COMMISSIONER MILLS: Oh, I forget about that.

COMMISSIONER BAKKER: Yeah. Doug and I were there. We set up another meeting to kind of go over process and procedures, which will be on the next one.

We had an IT card meeting. And I'm sure Max will give that update when he's here.

Had a rec center meeting. But we have CORE here, who's going to do a presentation at the end.

Had a conservation district meeting, but there wasn't a quorum. So we rescheduled it for this coming Tuesday.

COMMISSIONER CLARK: I attended a public lands meeting. And I have some information, but I'm going to withhold any information right now in lieu of the fact I was just informed by the DA about some additional things attached to the issues. So we're -- we're going to wait till the next meeting when the dust clears on the issues that we talked about in the public lands.

COMMISSIONER WAITS: Thank you. I have a few things to share with you this morning.

We had our NACO annual conference this past month, September 29th to October 1st. And the theme this year was excellence, innovation, and collaboration. And I think that's one of our keywords. That's what they tried to emphasize all the way through.

We started out with an actual summit meeting that was hosted by Lieutenant Governor Mark Hutchinson. It's called Public Land Summit. And a lot of speakers there. It was five hours and mostly all panels and discussion and speakers on collaboration and what we can do. Most of it was strength --

how we could strengthen Nevada in our role in management and the sustainability of our public lands.

J.J. Goicoechea, our commissioner from Eureka who also sits on the sage grouse state meeting, gave one of the best speeches, actually.

And Amy Lueders was there on the panel. And everybody around the table said she just got appointed as the new state director. And that was on Tuesday. And we went, ah, ah, ah. And she represented it. And then Wednesday the announcement comes out that was she moved to New Mexico and John Reus is our new state director. And I'm sure she knew that. And I'm sure it wasn't a surprise to her to read in the paper. But it wasn't anything she could do until they announced it. So there wasn't very much she could actually do on -- on any part of it for Nevada because John Reus wasn't there.

On October 5th, I attended an RV informational community meeting in Las Vegas [verbatim] regarding our RV ordinances that was very well attended. It was put on by the building committee. And then we had over 35 people that actually attended on the storage and the use of an RV in the Lander County area. Hopefully that -- that handled a lot of misconceptions that have been out there. And -- and people had a few questions, of course. And some were outside the realm of exactly what -- what was -- she was there to address. But it was an excellent meeting.

On October 6th, I had a Division for Aging meeting. And I will try and cut some of this really, really short for you because it's -- it makes it really long. But there's so many things coming up on Division for Aging. And one of their -- their real initiatives this year, and I had mentioned it, was called No Wrong Door, meaning it's a one-stop shop. If a consumer calls, whether it's a family member or senior, and asks a question -- that they can direct them to the right person, connect with them with everything so they will have access to all the different services available. They might be specifically asking for one thing, but they might be eligible for many other things. So that's a really strong initiative this year.

And she also -- she, our director -- gave a presentation of NACO on that too. I wasn't able to attend that one. Although

I've gone through it many, many times.

But I was actually asked to sit in on a panel regarding our on-camera -- the on-camera body cameras for our different departments. And since the NHP has had that regulated, that's -- that was a very strong thing with the counties on how they could actually access that. And it was excellent. We had one of our speakers that is from metro that handles it, also approves all the grants that are put in for it. It's become a very, very hot topic since the President got involved and gave us millions of dollars throughout the country to do.

Back to the Division for Aging, another initiative is what they call the Face of Mental Health. It's an initiative for training and recognizing depression in the seniors.

And interestingly enough, we also had another program that I moderated on the mental health in our jails. And this, of course, affects all of us budget-wise on what's been happening. In the 1950s, we had over 500,000 people that actually were in mental health facilities. In the 1980s, that had dropped to 70,000, not that they were all healthy. But most of them were incarcerated in one way or another. So we're picking up some big expenses.

So NACO has come out with a nice program they call Stepping Up, with six different steps. And it's localized to the different areas. And they're asking for resolutions from the counties. So we'll be doing more on that part to see what we can do to handle that for Lander. But the initiative of the mental health is extremely important.

As you know, Nevada is one of the highest populations of seniors. They're still coming in. And we're still getting higher and higher in our population. And we're also one of the highest in the suicides. So we have to really look at that.

And they're going to be doing additional training to senior centers and other areas where seniors can be picked out and recognized, that we definitely have a depression here or some -- some kind of a situation we need to look at a little more carefully.

The other one is on the Care Act. The Care Act was approved. And the Care Act program, if you're not familiar with that, is for folks being released from the hospital. And the -- the representative from the hospital can talk in length with any

caregiver that the patient actually approves. So if they designate someone -- it used to be, oh, no, HIPAA, all the privacy, and whatever. But now they can really go through the program. So when a senior is actually discharged, that that caregiver has all the information on how to follow through and what to do.

In the places where there is no caregiver identified -- and it's amazing how many in the rural areas still that's important to -- they were sitting in the lobby. And in the rural areas, we know sometimes it's not our local hospital here that they're sitting in the lobby of.

So they are -- they, Division for Aging -- is working with a lot of the senior groups to identify a volunteer that can, again, get all the information, get them back home, work with them on that. So extremely important. Thank you.

CHAIRMAN STIENMETZ: Thank you, Patsy.

I have nothing to report that's not already on the agenda.

STAFF REPORTS

CHAIRMAN STIENMETZ: So let's go the staff reports on meetings, conferences, and seminars attended.

KEITH WESTENGARD: Good morning. I also attended the NACO conference mys- -- with Nan and Commissioner Waits and the RV meeting as well. So that's been touched on.

I did want to go into a little more detail on our FEMA call. I -- in the next agenda, I'm going to have an agenda item to address specifically the levee and the direction that the commission wants to go with it. With this, I guess, renewed interest or -- or moving forward aggressively with it, there seems to be several different paths that we can take.

In our call yesterday with FEMA, they referred to a CLOMAR, which is a letter that we need to submit to FEMA with plans to see if we even can get the reduction in the flood insurance. That's one of the paths.

As well as if we can build it, we do it with the Corps or without the Corps.

So I'll put together a package with all of these options as I see them and see which way the commission wants to go. So

that will be on the next agenda.

You guys touched on pretty much everything.

One of the things I did want to bring forward is we did get a letter from Newmont yesterday regarding the rec center. They've committed to a hundred-thousand-dollar donation, 50,000 this year and 50,000 next year. So we haven't heard from any of the other potential donors, but we should start hearing from them.

DISTRICT ATTORNEY HERRERA: Is that fiscal year or calendar year?

KEITH WESTENGARD: Let's see. What does it say here? Over a two-year period. Two installments over a two-year period. I'm guessing it would probably be the fiscal year, though.

COMMISSIONER BAKKER: Good deal.

KEITH WESTENGARD: We get an update from Synergy at our next meeting.

And that's -- that's all I have. The rest of the items are on the --

PUBLIC COMMENT

CHAIRMAN STIENMETZ: All right. Let's go to public comment for non-agendized items only. Do we have any?

BOB REAKSECKER: My name is Bob Reaksecker. And I've been a resident of Battle Mountain for about 25 years now.

The reason I'm here today is I've got a concern about the overall economy of the United States. I think we're walking on pretty thin ice.

And I wanted to put forth a possibility of storing extra fuel for our water and our sewage systems.

At the airport, we've got two 50,000-gallon tanks. And they're going to be decommissioned, as I understand. And I'm sorry that I didn't see that they've gone out for bid before this.

However, if there's a chance that we can retrieve -- or at least a portion of it and save those tanks and use those for storage of diesel to run our generators, then I think it would be a proactive step.

That's contingent upon whether or not we can get them back

at all so that they'll pass a survey so they'll be safe to use. That's my concern today.

COMMISSIONER WAITS: Thank you, Bob. We appreciate you coming in.

COMMISSIONER BAKKER: Thank you.

COMMISSIONER MILLS: Thanks.

CHAIRMAN STIENMETZ: Do we have any other further comment?

CONSENT AGENDA

CHAIRMAN STIENMETZ: All right. Let's go to consent agenda.

All matters listed under the consent agenda are considered routine and may be acted by the Board of County Commissioners with one action, without extensive discussion.

Any member of the board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during this meeting.

Consent agenda materials are available at the Lander County Clerk's Office for viewing. And copies are available for a nominal charge.

The items are one, agenda notice, October 8th, 2015; two, the September 10th, 2015, regular minute meeting -- meeting minutes; three is September 24th, 2015, regular meeting minutes; four is payment of the bills; and five is payroll change requests.

Do we have any items anybody wants to pull from the --

COMMISSIONER WAITS: Hearing none, I will make a motion that we approve --

COMMISSIONER MILLS: Go ahead.

COMMISSIONER BAKKER: Go ahead.

COMMISSIONER WAITS: -- the consent agenda.

COMMISSIONER BAKKER AND COMMISSIONER MILLS: Second.

CHAIRMAN STIENMETZ: All right. Do we have any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER MILLS: Aye.

COMMISSIONER BAKKER: Aye.

CHAIRMAN STIENMETZ: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.

FINANCE

1) Update on budget review, contracts, financial update, and other matters properly relating thereto.

CHAIRMAN STIENMETZ: We'll go to financial n- -- Item 1. Update on budget review, contract, financial updates, and other matters properly relating thereto. Good morning, Nan.

COMMISSIONER WAITS: Good morning, Nan.

NAN ANCHO: Nan Ancho, Finance.

I didn't -- we didn't get the month of September closed out in time to get the information in the packets. So I'll have that quarterly information for you at the next meeting. So be prepared to sit a little longer.

I do have for you today a transfer that I would like to read into the minutes. And the Assessor Lura Duvall has requested per a memo to move funds from the Technology Fund to the CCP Fund for the new administrative building technology. So please read into the minutes a debit of $90,079 from account 300-068-54010 to credit the General Fund 001-000-39003 to transfer in the revenue and then debit the General Fund to transfer it back out of the revenue, 001-050-59980 to transfer to the CCP to credit CCP 005-000-39097. And that's all $90,079.

It has to go from the Technology Fund through the General Fund and then back out into the CCP. That's why I have to read it in that way.

COMMISSIONER BAKKER: Sounds good. Thank you, Nan.

NAN ANCHO: That's all I have.

COMMISSIONER MILLS: Thanks.

COMMISSIONER BAKKER: Thank you.

NAN ANCHO: Thank you.

LANDER COUNTY EMERGENCY MEDICAL SERVICES

2) Discussion for possible action allowing street closures of the west end of Stone Street, Watts Street, Palmer Street, and North Humboldt Street at Sixth Street on October 17, 2015, from 6:30 a.m. to 12:00 p.m. (noon) for the annual Point of Dispense (POD), and other matters properly related thereto.

CHAIRMAN STIENMETZ: Now go to Item 2. Discussion for possible action allowing street closure of the west end of Stone Street, Watts Street, Palmer Street, and North Humboldt Street at Sixth Street on October 17th, 2015, from 6:30 a.m. to 12:00 p.m., noon, for the annual Point of Dispense, POD, and other matters properly relating thereto.

RICHARD BELL: Richard Bell, Lander County EMS. I got you commissioners a map and a list of --

Commissioner Bakker.

COMMISSIONER BAKKER: Thank you.

RICHARD BELL: This is for (indiscernible).

COMMISSIONER CLARK: Thanks, Rick.

COMMISSIONER WAITS: Good morning, Commander.

UNIDENTIFIED PARTICIPANT(S): (Indiscernible.)

RICHARD BELL: What I'm requesting is the Lander County Health nurse, Abby Burkhart, in partnership with Lander County EMS, Lander County Sheriff's Office, Battle Mountain Volunteer Fire Department, Silver Standard, Newmont, Lander County Road and Bridge North, Battle Mountain General Hospital, Search and Rescue, Barrick, and other entities, on Saturday, October 17th, 2015, will integrate and serve people in Lander County the annual flu POD we normally do.

The flu POD is going to run from 700 hours to 1100 hours that morning. We'd like to close the roads at about 6:30, the ones we're requesting, and reopen them at no later than 11:30.

To facilitate that, we're asking for road closures that were read in the minutes as listed on your sheets.

Sheriff Unger and Undersheriff Quick and I went through the whole thing and figured out the best way. And they changed the route, which I think is going to work out better.

Just FYI, also, we're going flu POD the following Monday on

October 19th in Austin beside the ambulance station. The POD -- that POD will be open from 1100 hours to 1400 hours, and no street closures will be necessary for that then.

COMMISSIONER BAKKER: Okay. Good deal.

Any questions?

COMMISSIONER MILLS: Nope.

COMMISSIONER BAKKER: I'll make a motion that we approve allowing the street closures of the west end of Stone Street, Watts Street, Palmer Street, and North Humboldt Street at Sixth Street on October 17th, 2015, from 6:30 a.m. to noon.

COMMISSIONER MILLS: Second.

COMMISSIONER WAITS: For the record, I'm also going to add that we had the same point of dispense, actually. And the flu shots will be given in the southern end of Lander County on October 19th. And that will be at the ambulance barn in Austin and also in Kingston at the clinic.

COMMISSIONER BAKKER: Good deal.

RICHARD BELL: No, I don't think -- I think there's a conflict with Kingston.

COMMISSIONER MILLS: Right.

RICHARD BELL: And the last I heard from Abby Burkhart was they couldn't do it in Kingston.

COMMISSIONER WAITS: You going to change that then? Because the flyers are still out.

RICHARD BELL: The -- I'll check into that, Patsy. I don't know.

COMMISSIONER WAITS: Yeah, check with Miteshell, if we need to get new flyers out and change them or whatever.

COMMISSIONER BAKKER: Okay.

COMMISSIONER WAITS: Thank you.

CHAIRMAN STIENMETZ: All right.

COMMISSIONER BAKKER: Thanks.

CHAIRMAN STIENMETZ: I have a motion and a second. Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

CHAIRMAN STIENMETZ: Aye.

COMMISSIONER WAITS: Aye.
RICHARD BELL: Thank you.
COMMISSIONER MILLS: Thank you.
COMMISSIONER WAITS: Thank you.
COMMISSIONER BAKKER: Thank you.

CHAIRMAN STIENMETZ: And now we need to recess the meeting of the Lander County Board of Commissioners and convene the meeting of the Lander County License & Control Board.
And we'll have the sheriff's department.

(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS RECESSED.)

(MEETING OF THE LANDER COUNTY LICENSING & CONTROL BOARD CONVENED.)

SHERIFF'S DEPARTMENT

3) Discussion for possible action regarding approval of liquor license for the Battle Mountain race track, and other matters properly related thereto.

CHAIRMAN STIENMETZ: Discussion for possible action regarding approval of the liquor license for the Battle Mountain race track, and other matters properly related thereto.
COMMISSIONER BAKKER: Good morning, Ron.
SHERIFF RON UNGER: Good morning.
COMMISSIONER WAITS: Good morning, Sheriff.
CHAIRMAN STIENMETZ: Good morning.
SHERIFF RON UNGER: We've done all the research, checking out the background on this, and we have nothing. We suggest we give these folks their liquor license. We recommend that.
COMMISSIONER WAITS: My only question was -- I see they're doing on site and off site both. Is -- is that kind of a concern with off site that they're competing with anyone else in town and other businesses? And why they would be buying it and taking it somewhere else?

SHERIFF RON UNGER: It doesn't concern us at this point. I've got Angie Gonzales here with us. She's the one who's going to get it. She may be able to answer those questions.

ANGIE GONZALEZ: We'll be -- my name is Angie Gonzalez with the Battle Mountain Raceway. I'm the president.

What we do off site is if, like, the class reunion, they came up and asked us if we would be able to do margaritas. We did that. Just what- -- whenever they ask us, like, the Fourth of July sometimes we sell margaritas with the burgers and stuff like that.

COMMISSIONER WAITS: Okay. Do you sell in quantities, then? I guess that's what I'm asking.

ANGIE GONZALEZ: No.

COMMISSIONER WAITS: Yes, I'd like a six pack, not just --

ANGIE GONZALEZ: No.

COMMISSIONER WAITS: Okay.

ANGIE GONZALEZ: No, no. No, no.

COMMISSIONER WAITS: Okay.

ANGIE GONZALEZ: No, no. No, no.

COMMISSIONER WAITS: Okay. Got it.

ANGIE GONZALEZ: I wouldn't know how to do a margarita in a six pack. But that's what we usually sell is --

COMMISSIONER WAITS: It's okay.

UNIDENTIFIED PARTICIPANT: (Indiscernible.)

ANGIE GONZALEZ: You're being a smart aleck. Yeah.

COMMISSIONER WAITS: Thank you.

ANGIE GONZALEZ: We -- no Spanglish. Okay. No Spanglish. Okay. But we usually do just mainly, like, sometimes for fundraisers we do margarita bingo in the park. And I sell margaritas while we do bingos and stuff like that, just to do some fundraiser-type things.

COMMISSIONER BAKKER: Good deal.

COMMISSIONER MILLS: Is -- is this an annual thing that you do? Or is it -- how long is this permit good for?

ANGIE GONZALEZ: Well, --

COMMISSIONER MILLS: One -- it's a one-year permit.

ANGIE GONZALEZ: Usually I get a --

SHERIFF RON UNGER: It's a one-year deal.

ANGIE GONZALEZ: It is now --

COMMISSIONER MILLS: Because I didn't see anything in

here --

ANGIE GONZALEZ: -- because --

COMMISSIONER MILLS: -- where it would fit any length of time.

ANGIE GONZALEZ: I usually go in at the beginning of the season and it ends. And then I got to go in and keep getting -- what do you call it? -- off-thing ones too. Yeah. It's just easier to just get one annually --

COMMISSIONER MILLS: Oh. Okay.

ANGIE GONZALEZ: -- and just not stress over it.

COMMISSIONER CLARK: I'll make a motion to approve the liquor license for the Battle Mountain race track.

COMMISSIONER BAKKER: Second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

CHAIRMAN STIENMETZ: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

CHAIRMAN STIENMETZ: Thank you.

COMMISSIONER WAITS: Thank you.

SHERIFF RON UNGER: Thank you.

ANGIE GONZALEZ: I'm done?

CHAIRMAN STIENMETZ: All right. Now we'll adjourn -- adjourn the meeting of the -- of the liquor control -- the Licensing & Control Board and convene the meeting of the Lander County Board of Commissioners.

(MEETING OF THE LANDER COUNTY LICENSING & CONTROL BOARD ADJOURNED.)

(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS RECONVENED.)

COMMISSIONERS

4) Update by Jason King, state engineer, or his representative, on groundwater basin water rights assessment changes, and other matters properly related thereto.

CHAIRMAN STIENMETZ: Update by Jason King, state engineer, or his representative, on groundwater basin rights assessment changes, and other matters properly related thereto.

COMMISSIONER WAITS: Good morning.

CHAIRMAN STIENMETZ: Good morning.

KELVIN HICKENBOTTOM: Good morning, Commissioners.

COMMISSIONER BAKKER: Good morning.

KELVIN HICKENBOTTOM: My name's Kelvin Hickenbottom. And I'm deputy administrator for the Division of Water Resources.

The reason we wanted to get on the agenda was not to blindside any -- any of the counties with our increase to the groundwater basin assessments that we currently already send to the counties every December.

We're also adding four additional basins within Lander County to our assessment rolls.

The biggest issue is in the Humboldt region. Senior surface water holders are alleging that groundwater pumping is affecting flows in the Humboldt River.

So in order to determine what those impacts may be and to protect both the surface and the groundwater right holders, we are going to conduct three groundwater models within the Humboldt region.

The upper reaches from Palisades to the upper reaches of the Humboldt. The second study is between Palisades and Comus. And then Comus to Imlay is the third component.

These studies will determine what impacts groundwater pumpage by individual wells has on the flows of the Humboldt to determine, you know, what -- what their actual impacts are or aren't depending on how far away from the river they are and different geologic formations.

So our proposal and what we'll send in December is to raise all of our assessments -- for all groundwater users in the Humboldt region to 50 cents an acre-foot to cover the st- -- two -- well, three studies. Two of them are going to be done by

the USGS at about a million dollars. And the upper reach from Palisades upstream will be done by the Desert Research Institute. And it's about a $400,000 study, which hopefully they'll all be completed within a four-year period.

The Desert Research Institute model should be done probably within two years because most of it's already done. We just need to have them modify it in order to give us -- you know, to give us the information that we need to determine what s- -- sort of regulation that we may or may not have to do in the, you know, to groundwater pumpers or --

And the USGS models will be done within a four-year period. There's a little bit more work that needs to be done. One stretch has -- the middle portion has a lot of work that's already been done. The lower portion is -- needs to be completely studied and data collected to do it. So that'll be about a four-year project for that.

So basically we're just here to be upfront and let you know because last year, I think, in most of -- we created -- I don't remember -- another 20 assessments statewide. And it kind of blindsided some of the counties and stuff. So we just, you know, wanted to come and tell you what we're up to and not to make a big surprise when you see that our assessments have increased in some basins pretty significantly.

COMMISSIONER BAKKER: What do they pay now?

KELVIN HICKENBOTTOM: It depends. I mean, there's two -- two of the basins -- I can't remember. Boulder and one other. Boulder Valley and one other pay like 15 cents an acre-foot. The rest pay 20 cents an acre-foot. So it's going to be -- they're going to be increased up to the 50 -- 50 cents per acre-foot for a period of four years such --

COMMISSIONER BAKKER: So after the four years that goes away?

KELVIN HICKENBOTTOM: Well, it'll go back down to the levels that it needs for us to do the work that we perform in the basins: groundwater levels measurements, pumpage inventories, you know, investigations on well drilling, and things like that.

So it'll go back to a level just to sustain our staffing, you know, and travel costs and stuff like that.

COMMISSIONER BAKKER: What's the four basins?

KELVIN HICKENBOTTOM: Well, let's see. Rock Creek is one. Upper Reese, which really -- upper Reese is only going to go to ten cents because it doesn't really have an impact on the Humboldt River itself. Big Smoky, again, is outside the Humboldt. But we do -- we do water levels. And we do inventories there. And it's going to be at ten cents an acre-foot. And the other is -- yeah -- Rock Creek, which will be at 50 cents. So those are the four new basins.

COMMISSIONER BAKKER: What about Lower Reese?

KELVIN HICKENBOTTOM: The Lower Reese we already assessed. We already -- we already have a basin account set up for them.

COMMISSIONER BAKKER: So at the end of four years, your model -- say it says everyone's pumping too much or what is going to be the impact to the water right users in those basins?

KELVIN HICKENBOTTOM: Well, that -- we'll have to develop some strategies to -- to, you know, address those issues. If, you know, if -- if you're impacting them significantly, they may have to be curtailed completely or they may have to augment, you know, their groundwater pumpage by, you know, leasing or buying senior surface water rights in order to reduce those impacts to the river.

So it'd be like kind of an exchange. They wouldn't be taking it out of the river, but they'd be taking some percentage of it out of the groundwater. And they'd have to make up that difference.

That's what we need to find out is, you know, what kind of -- what kind of, you know, management strategies are we going to use. I mean, you know, we get a lot of suggestions, you know, use Colorado or use Idaho or whatever. But our system's not quite like that.

COMMISSIONER MILLS: No, we're not Colorado.

KELVIN HICKENBOTTOM: We don't have upstream storage. We don't have, you know, the flows, you know. So we need to develop the strategies. And we'll do those over the four years. And we're going to be very open with this process. I think, you know, in November 2nd and 3rd, we're going to be scheduling meetings to go over the scope of work of the models. And I'm not sure exactly what communities we're going to visit yet. Our hydrology section is still working on getting the scope of work completed with both the USGS and DRI, you know. And then it'll

just take a little bit of process to get it through, you know, our, you know, attorneys and then signed off at the board of examiners on approving the contracts with -- with the two agencies.

COMMISSIONER WAITS: So are you increasing your rate right away --

KELVIN HICKENBOTTOM: It'll be for --

COMMISSIONER WAITS: -- to help fund?

KELVIN HICKENBOTTOM: Well, the increase will be for FY '17.

COMMISSIONER WAITS: Okay.

KELVIN HICKENBOTTOM: So we'll send out our budgets in December. And, you know, then they won't go into effect until July 1st of '16, which is FY '17.

COMMISSIONER MILLS: And what prompted the study?

KELVIN HICKENBOTTOM: Just the allegations that the groundwater users are impacting --

COMMISSIONER MILLS: Allegations --

KELVIN HICKENBOTTOM: -- the flows.

COMMISSIONER MILLS: -- by?

KELVIN HICKENBOTTOM: Well, I mean -- we -- it's not anything new, I mean, --

COMMISSIONER MILLS: Right.

KELVIN HICKENBOTTOM: -- most surface water users probably believe that the groundwater pumpers do impact their flows. Obviously, the Lower Humboldt, which is, you know, Lovelock. I mean, they're --

COMMISSIONER MILLS: Okay.

KELVIN HICKENBOTTOM: -- the biggest, you know --

COMMISSIONER MILLS: That's what I was trying to get. Is this -- is this Pershing County Water District?

KELVIN HICKENBOTTOM: It's not driven just by them. I mean, it's --

COMMISSIONER MILLS: Okay.

KELVIN HICKENBOTTOM: -- really something that needs to be done. It's being done on the Walker River as we speak. We tried to curtail them last year to 50 percent of their supplemental groundwater. They took us to court. And the state was put on our order to curtail.

And so this year we've been making a lot of effort to get

out in front of them. This past week we -- well, yesterday, we had a hearing on our proposed order for Smith valley. Monday we had one for Mason Valley to tell -- to show them what we're going to use in order to determine what the curtailment's going to be. And more scientific than --

COMMISSIONER MILLS: Than just saying -- right.

KELVIN HICKENBOTTOM: -- that we're going to go across the board 50 percent.

So it's not just here. And I'm sure it'll be on the Truckee and the Carson in the near future. You know, it just -- there is a lot of --

COMMISSIONER BAKKER: So say we have a really good winter and get all the water in the world that we need, then will you reassess your assessment or --

KELVIN HICKENBOTTOM: No.

COMMISSIONER BAKKER: You're still going to go forward with it?

KELVIN HICKENBOTTOM: The models are still going to forward. We have to. I mean, I -- you know, we don't know what the future's going to bring in terms of impacts, you know, whether the climate change or El Niños and all that. So, I mean, we still need these models to protect both sides. I mean, it's not just a sort of a one-sided issue because there's groundwater pumpers who aren't impacting the river. They're a significant distance away and, you know, so why would you curtail any of their use as opposed to somebody who's right on the river?

You know, I mean, so, no, we're still going forward. Once we get the contracts signed, I mean, it's kind of a done deal.

Like I said, our goal is after the models are done and we've paid for them, we'll lower the assessments back down to whatever -- to what it takes to maintain the work that we already do. And, you know, to be honest with you, if -- if it shows that we have to do more work, I mean, obviously the -- the assessments will not be probably at 50 cents, but someplace above where they currently are. So --

DISTRICT ATTORNEY HERRERA: So I have a question. So this --

KELVIN HICKENBOTTOM: Sure.

DISTRICT ATTORNEY HERRERA: -- special assessment that

you're levying, it's not just for four years.

KELVIN HICKENBOTTOM: We -- the raising it up to 50 cents, yes.

DISTRICT ATTORNEY HERRERA: That's a four-year special assessment.

KELVIN HICKENBOTTOM: Yes. And we already assess twenty-- twenty-four, I believe, of the basins within the Humboldt region already.

DISTRICT ATTORNEY HERRERA: Right.

KELVIN HICKENBOTTOM: Which is not -- which you can call it a special assessment --

DISTRICT ATTORNEY HERRERA: No, but --

KELVIN HICKENBOTTOM: -- now if you want.

DISTRICT ATTORNEY HERRERA: -- that's what you're using. You're using the statutes --

KELVIN HICKENBOTTOM: Well, --

DISTRICT ATTORNEY HERRERA: -- with your special assessment. So I'm asking you specifically on that statute: Do you contemplate the special assessment to be in place for four years or longer?

KELVIN HICKENBOTTOM: We contemplate the raising from what the current levels are to 50 cents to be for four years. And then we -- as I said, reevaluate everything and if -- and all we -- all we want to do is collect what it -- you know, takes to do our work, pay for our well supervisors, to pay for their per diem, their travel. You know, so as I said, it'll be 50 cents for the four years to pay for the modeling. And then after that, the assessments will generally go down, probably not to 15 cents or whatever, but somewhere in that neighborhood, I would suspect, just to pay for our costs.

DISTRICT ATTORNEY HERRERA: What? Are you costs being paid for now? Without the --

KELVIN HICKENBOTTOM: Yes, they're being paid for out of the groundwater assessments. Under 534.030, the state engineer can designate basins.

DISTRICT ATTORNEY HERRERA: Right.

KELVIN HICKENBOTTOM: Under 534.040, the state engineer can --

DISTRICT ATTORNEY HERRERA: Levy a special assessment.

KELVIN HICKENBOTTOM: -- a special assessment.

DISTRICT ATTORNEY HERRERA: And that's all I'm talking about, the special assessment.

KELVIN HICKENBOTTOM: Well, they're -- they're assessments. I don't know if we want to call them --

DISTRICT ATTORNEY HERRERA: You call them special. You call them special in your application.

KELVIN HICKENBOTTOM: Okay. Well, in -- they are assessments. They're special in this case because we're raising them temporarily to a higher level than what we actually need to send people out to do the work, to pay for the model.

So they are assessments. We've been doing them since, like, 1941, starting in Las Vegas and then Pahrump and statewide. We have groundwater basins, somewhere in the neighborhood of 75 and another 10 surface water assessments for distribution, just like we have on the Humboldt. We pay for our water commissioners out of Elko and Winnemucca to distribute water. So it's a little bit different, but, you know, they're all the same thing. They're all an assessment to carry out the work that the state engineer's office needs to do.

DISTRICT ATTORNEY HERRERA: Okay.

COMMISSIONER BAKKER: This model could -- if this model comes back in four years and shows everyone's pumping too much, it could cripple some counties in the agricultural production and statewide.

KELVIN HICKENBOTTOM: Yeah. But, you know, we'll end up in court one way or another over this. So we might as well have the --

COMMISSIONER MILLS: Yeah, it's coming.

KELVIN HICKENBOTTOM: -- we might as well have the tools in front of us and in --

COMMISSIONER MILLS: Right.

KELVIN HICKENBOTTOM: -- front of the court to show that we've used all the best science that we can to determine what the impacts.

We don't want to impact any -- the economics of any county. But we see it coming. We have to be proactive in this --

COMMISSIONER MILLS: Right.

KELVIN HICKENBOTTOM: -- to protect those other users that may not be impacting the surface water flows. And we have to look at the senior surface water right holders. You know,

they've been out there since the 1860s and on.

COMMISSIONER MILLS: So how much of the water from the Humboldt River is actually getting to Lovelock?

UNIDENTIFIED PARTICIPANT: Right now?

KELVIN HICKENBOTTOM: Right now?

COMMISSIONER MILLS: Right now.

KELVIN HICKENBOTTOM: Last time --

COMMISSIONER MILLS: Is it, like, zero?

KELVIN HICKENBOTTOM: -- I looked was a couple of weeks ago and it was zero.

COMMISSIONER MILLS: Okay.

KELVIN HICKENBOTTOM: And I -- same was the --

COMMISSIONER MILLS: And do they have --

KELVIN HICKENBOTTOM: -- the Palisades was probably 32nd feet, you know. It should go up a little bit now since it's, you know, --

COMMISSIONER MILLS: And the --

KELVIN HICKENBOTTOM: -- cooler temperatures.

COMMISSIONER MILLS: -- season. Right.

KELVIN HICKENBOTTOM: Right. So, I mean, I -- just driving up here this morning I still see people --

COMMISSIONER MILLS: It's pretty dry, huh?

KELVIN HICKENBOTTOM: -- still pumping and irrigating, you know, along 80.

COMMISSIONER MILLS: And does Love- -- does Lovelock still have groundwater?

KELVIN HICKENBOTTOM: No.

COMMISSIONER MILLS: Or does that not --

KELVIN HICKENBOTTOM: They have -- well, they have groundwater, but it's such terrible quality that -- probably without some expensive treatment or whatever they, you know, they --

COMMISSIONER MILLS: It would just kill crops if they pump --

KELVIN HICKENBOTTOM: Yeah.

COMMISSIONER MILLS: -- it.

KELVIN HICKENBOTTOM: I mean. So -- so, yes, they do. Some claim they have technology now that isn't that expensive to treat. But, you know -- and again, if they are close to the river, they're going to have the same impact to themselves as

they're claiming others have. So they'll -- you know, so we're -- we're leveling an assessment against the lower basins that we hadn't assessed before either. Not --

COMMISSIONER MILLS: So --

KELVIN HICKENBOTTOM: -- to the greatest. Not to the -- probably 50 cents. Might be more in the neighborhood of 20 cents or something like that. But --

COMMISSIONER MILLS: So the -- you're just doing four basins in Lander County?

Are there other counties --

KELVIN HICKENBOTTOM: Oh.

COMMISSIONER MILLS: -- you're doing these assessments on?

KELVIN HICKENBOTTOM: Oh, this -- I've been to all -- well -- we've been to all the other counties that have a bas- -- that have basins in the Humboldt region.

COMMISSIONER MILLS: Okay.

KELVIN HICKENBOTTOM: Even White Pine County, they have one and it's probably a very small portion of one basin. But we've been to Elko, been to Pershing. I've been to Humboldt. I've been to Eureka. I had staff go to Elko because, you know, we have an office there.

COMMISSIONER MILLS: Right.

KELVIN HICKENBOTTOM: Unfortunately, I probably should have gone, but, you know --

COMMISSIONER MILLS: I'm kind of curious. If there's -- if there's, like, zero water pull in the river in Pershing County and you do an assessment there, how do you get any useful information?

KELVIN HICKENBOTTOM: Well, we --

COMMISSIONER MILLS: Is that?

KELVIN HICKENBOTTOM: Actually, for the -- the Lovelock -- for Lovelock, we do an inventory. And that's what we're going to assess them is to cover the cost for us to do groundwater monitoring inventory.

There are some small uses. The Oreana Sub-Area is another one where Lovelock Meadows gets their water to serve Lovelock.

COMMISSIONER MILLS: Okay.

KELVIN HICKENBOTTOM: So we're assessing them as well. I mean, they have the same potential impact as anybody else does to --

COMMISSIONER MILLS: Right.
KELVIN HICKENBOTTOM: -- the river.
COMMISSIONER MILLS: Right.
KELVIN HICKENBOTTOM: So it's almost all but maybe two basins or three basins that have less than a thousand acre-feet of water appropriated in them are being assessed. It's just too costly for -- you know -- for what we get and what work it causes the counties, it's not worth assessing, you know, something less than a thousand acre-feet. So --
COMMISSIONER MILLS: All right.
KELVIN HICKENBOTTOM: -- we need --
COMMISSIONER MILLS: Interesting.
KELVIN HICKENBOTTOM: -- that determination. So every basin within the Humboldt, other than the ones with less than a thousand acre-feet of appropriations, will be assessed.
You know, some again, you know, like Upper Reese and -- and the Lovelock area. Basically to pay just the costs for us to do our monitoring and stuff. So...
COMMISSIONER WAITS: Just a clarification for me. When you're doing these assessments, are you -- are you staggering them? Or are you like opening all the basins at one time and spending four years to assess? Or are you taking some and assessing in one year? Or -- how long you're looking at this --
KELVIN HICKENBOTTOM: We're doing --
COMMISSIONER WAITS: -- this basin?
KELVIN HICKENBOTTOM: We're doing them all over the four-year period just to --
COMMISSIONER WAITS: Okay.
KELVIN HICKENBOTTOM: -- make it easy.
COMMISSIONER WAITS: So it's four years' data on each one?
KELVIN HICKENBOTTOM: Right.
COMMISSIONER WAITS: Thank you.
KELVIN HICKENBOTTOM: Yes. Yeah. I mean, it just seems that's the best way --
COMMISSIONER MILLS: Well, we were --
KELVIN HICKENBOTTOM: -- to do it.
COMMISSIONER WAITS: hoping it would be longer. Yeah.
KELVIN HICKENBOTTOM: You know, well, I know. But we -- we -- we have to pay for these studies, you know, as we go along.

We -- we have some reserve built up. So that's why we don't -- you know, that's why we didn't anticipate all this in the first place, until a couple -- until recently.

COMMISSIONER WAITS: So have you moved everybody's up to the 50 cents or just our basin?

KELVIN HICKENBOTTOM: We moved everyone's -- no, no, everyone's. But like I said, the Upper Reese, which really doesn't have --

COMMISSIONER WAITS: Everybody you're --

KELVIN HICKENBOTTOM: -- and impact.

COMMISSIONER WAITS: -- doing is paying the same?

KELVIN HICKENBOTTOM: Everybody that -- every basin that we believe has an impact or more of a direct impact on the Humboldt River is being assessed at 50 cents.

COMMISSIONER WAITS: Okay. Thank you.

KELVIN HICKENBOTTOM: Other than, like I said, there's two or three basins that only have a thousand acre-feet of appropriations, and it's more work for the counties than we're willing to put them through for what, you know, benefit we get.

So I mean, we understand that the counties have to, you know, by statute are required to do this. And -- and we try to help as much as we can to give them the information they need. If there's a questions or if they need something, if they need us to provide all the APN numbers, which in most cases we do when we do it by individual water rights, we'll give it the na-- the owner name and then the parcel. And our guy that does this -- and I feel more sorry for him than anybody -- because he does all 84 basins by himself for the most part. He's in contact with the county, you know, the treasurer or the assessors a lot. And he's given out his name and number, and I have too.

COMMISSIONER WAITS: Okay.

KELVIN HICKENBOTTOM: So, I mean, we're here to help as much as we can so, I mean, and to answer all the questions we can, you know.

COMMISSIONER MILLS: Okay.

COMMISSIONER WAITS: Well, we appreciate the heads up. Thank you.

KELVIN HICKENBOTTOM: So...

CHAIRMAN STIENMETZ: Thank you.

COMMISSIONER BAKKER: Thank you.

KELVIN HICKENBOTTOM: Okay. So if you have any other questions, I'm glad to answer them.

COMMISSIONER MILLS: All right.

COMMISSIONER BAKKER: Okay.

COMMISSIONER MILLS: Appreciate your time.

CHAIRMAN STIENMETZ: Yeah. Thank you.

KELVIN HICKENBOTTOM: Okay. Thank you.

COMMISSIONER WAITS: Thank you. Travel safely.

KELVIN HICKENBOTTOM: Thanks.

5) Update by Ron Leiken and Tim Crowley regarding basic background on extending Marigold Mining mine life, and other matters properly related thereto.

CHAIRMAN STIENMETZ: Now we'll go to 5. Update by Ron Leiken and Tim Crowley regarding basic background on extending Marigold mine life and other matters properly relating thereto.

KEITH WESTENGARD: We're going to need to set up the --

CHAIRMAN STIENMETZ: Projector? All right.

KEITH WESTENGARD: -- projector.

TIM CROWLEY: I have some slides I'd like to show you. So bear with me for a second.

COUNTY CLERK SULLIVAN: This direction --

TIM CROWLEY: Oh, sure. Yeah, sure.

COUNTY CLERK SULLIVAN: There's a power button on that remote.

TIM CROWLEY: No problem.

COUNTY CLERK SULLIVAN: There's this.

TIM CROWLEY: Is that just a recorder?

COUNTY CLERK SULLIVAN: Right.

TIM CROWLEY: Okay. It's just for the recording system. And Austin is on line.

CHAIRMAN STIENMETZ: Would you please, Tim, state your name and that --

TIM CROWLEY: Sure.

CHAIRMAN STIENMETZ: -- for the record?

TIM CROWLEY: Sure, Mr. Chairman. I'm Tim Crowley. I'm a consultant for Silver Standards/Marigold Mine.

I'm here with Duane Peck who's the general manager. Duane

sitting in the back with the baseball cap on, probably a Wolf Pack cap.

DUANE PECK: Not a -- not at all.

TIM CROWLEY: Associated with the university, Mackay School of Mines cap.

And we appreciate the opportunity to come and give you a 20-minute overview of what we're doing at the mine and have a nice open dialogue with you about some really positive developments at Marigold.

COMMISSIONER BAKKER: Well, thank you for coming.

CHAIRMAN STIENMETZ: Yeah, thanks, Tim.

TIM CROWLEY: So I do pull this up on this laptop?

COUNTY CLERK SULLIVAN: Yeah.

TIM CROWLEY: Okay.

COMMISSIONER CLARK: Is this the first mine or the second mine going towards Winnemucca?

TIM CROWLEY: There we go.

COMMISSIONER BAKKER: The first one.

COMMISSIONER CLARK: The first mine? The one at Valmy?

COMMISSIONER BAKKER: Yeah.

COMMISSIONER CLARK: Okay.

TIM CROWLEY: Let's see if I can get this to maximize. Is that okay for everybody there?

COMMISSIONER MILLS: Sure.

TIM CROWLEY: Okay.

CHAIRMAN STIENMETZ: Yeah.

TIM CROWLEY: So what we've -- what I want to talk to you about today is what we're calling the Mackay Optimization Project.

Usually we hear mines talk about their expansions. And we thought that the word "expansion" conjures up images of going into new areas and developing new -- new parts of a mining operation.

What we're talking about today is extending our plan of operations to optimize the footprint that we exi- -- that we operate on today.

And so --

Let me see if I can figure out how to change the slides here. Oh, I see. It's a PDF. Sorry about that.

So the main things we'd like to accomplish today is just

express to you our support or our -- our commitment to you to have an open dialogue as we go through the EIS process. It's a -- it's a long process as you know, although the BLM has just been exceptional. And it's -- they truly have. I just came from a meeting in Winnemucca with Jean Black at the BLM. And she's doing a magnificent job.

We're going to move swiftly on this. But nonetheless, it's going to -- it's going to take a couple of years for us to get through. And throughout that process, we want to have an open dialogue with you, come out to the mine, see what you want, ask whatever questions, and -- and learn -- learn as much as you can. We -- we want to share as much as we can with you.

Throughout the process, we'll be doing comprehensive analyses of our impacts. And as we update those -- those studies, we'll share those with you.

And then we have a commitment to just remaining safe. We're -- we're proud of our safety standards and our safety record and our environmental stewardship. That's not going to change. And in fact, it's going to be positive and -- and something we're proud of going forward into the future.

And then, of course, we provide great benefits to our employees, this community, surrounding communities, and the state. And that's going to continue as we go through this optimization program.

Marigold, I think most may know, is just west of here on I-80. If you get to the Valmy exit, you see the Valmy power plant on your right to north. You look to the south and you'll see the mine there. It's often -- I suspect very few motorists going on I-80 see Marigold. But it's there. You see Lone Tree, of course, because it's right on the road. But just tucked behind it, a little bit to the east and up on the hill, is -- is Marigold.

We've been around. That mine site has been around for a long, long time. We -- gold was discovered there in the 1920s. And it's still going today. But I think there's a distinction need -- that needs to be drawn between the historic mining up until the late '80s and what we're doing today.

Back prior to the -- to the late '80s, early '90s, what was being mined there was gold that was tied to some kind of a quartz deposit and it was visible gold. Miners at that point

had to follow anomalies on the surface down -- down below the surface and mine -- mine out that ore body. What they didn't know back then is that that was just an indication of much vast -- much greater trend of disseminated gold, microscopic gold that is infused in the ore post rock. And that was discovered at Marigold in the late '80s. And that's what we're mining today. We're -- we're mining deeper and at much greater quantities.

Marigold, you may know, was -- the mine site itself was purchased by a company called Silver Standard a couple of years ago. Silver Standard is a global operation with a couple of productions in South America -- one in South America, one in Nevada. Those are their marquee properties. But they're also doing some development and production around the Americas in Mexico and South America, even -- even in -- even in Canada.

It's a publically traded company. You can -- you can check it out on the -- mostly on the Toronto Stock Exchange and NASDAQ.

And we've just had great growth. Since the -- since 1980, one indicator of this growth is just employment. It's been steady from 100 employees in 1995 to really we're at over 370 employees today. And despite the -- we've overlaid the price of gold on this employment chart -- despite the ups and downs of gold, employment continues to rise. I think that's a testament to -- to Duane and his -- his operations team of operating an extremely efficient mine that has been able to keep employing more and more people, keep producing more and more, even with the downturn in gold prices today.

We're -- we have a great footprint. We have a great presence, I should say, in Battle Mountain and in Lander County. There are 124 employees here, mostly right here in this town. That's about a third of the total work force.

We're -- we're the third largest employer in -- in Lander County. With that employment come direct and induced jobs. Indirect are vendors that -- that -- that supply goods and services directly to the mine site. Induced jobs are all of the services that we rely on, everything from getting fried chicken, like I had last night at the Owl Club.

Our presence has a multiplier. And the employees at the -- at the Owl Club, for instance, are -- are making a living off of

Marigold. So you bundle that all up and you get another 175 jobs in Lander County on top of the 125. Or -- I'm sorry. That's a total, including the 125 -- 124. The payroll in this county is just under $20 million.

Taxes have been on people's minds. Of course you have overhead. And we appreciate that. The -- the most talked about tax in the mining industry tends to be the net proceeds tax. And Marigold's paid -- this is 2014 data, which is the most up-to-date data that we have. We paid a little over 2 million bucks in net proceeds. Net proceeds is wonderful. It's a great source of revenue, but it's probably the most volatile revenue source from mining. It trends with -- not just with the price of gold. It also trends with the efficiency of the mines. If they're in a development stage, their costs are real high and they're netting out very little in terms of profit. If they're at the tail end of a mine operation, their costs are, again, very high, driven by closure costs. And their net is very small. You couple all those together and you get waves in the net proceeds tax.

Nonetheless, despite gold being down right now, we're still generating -- we, Marigold, are still generating north of $2 million a year in net proceeds and minerals taxes.

The -- the constant -- the constant taxes are the ones below that on this chart. Sales taxes tend to be pretty constant. And that's a bigger number today. That's because our consumables can't go up and down. We depend on tires. And at 40,000 bucks a tire, we're paying sales tax on each one. A truck has six of them. And generally they get a full set of new tires every year. And you do the math on that and you carry that out and add sales tax to it, you get to a pretty big number. In fact, you get to more than three -- $3.2 million per year. And that's just one example, are tires. But other consumables like -- like fuel and those types of things also have a tax associated with them.

The modified business taxes are payroll tax at $300,000 a year, and then property tax is also very consistent. And we're private property owners as well as public pro- -- we -- we operate on both private and public land and pay a pretty hefty property tax bill as well.

We're proud of our -- what we're doing in this community.

That is going to -- going to get stronger as we move forward with -- with our operations and our optimization plan. We've done some great things with the rodeo here in Battle Mountain. The school district, we're -- we're really pleased to have entered into a new support of this -- the sports complex? And -- and that would -- that's something that you'll all be seeing. And we're -- we're pleased about it. And then you can -- you can read the rest. We've done some great things with Fandango and Buckaroo and on and on. So we're pleased with those.

Ron Leiken is here with me. Ron Leiken. And he is running this optimization program. He's getting us through the permit process. He just walked in because he came from that meeting I was at with Jean Black and -- at the BLM. Ron is -- is going to take --

You want to go through the rest of the slides, Ron?

TIM CROWLEY: So I'm going to hand the presentation over to Ron at this point. And we'll tell you a little bit more specifically about the optimization program.

RON LEIKEN: So I'm Ron Leiken. It's L-E-I-K-E-N. I'm environmental project manager with Marigold.

As Tim said, I'm managing this -- this project and the -- the plan of operations and permitting of it.

So I'm just following the presentation here, just wanted to point out that we have a very safe culture -- safe -- very strong safety culture there. We have several programs to enhance, go beyond the requirements. As you know, the mining industry is heavily regulated by MSHA. And -- but we go beyond that with some programs to keep a very strong safety culture there. We have a program called Face Time where we -- management and supervisors meet with people in the field to just kind of help drive that culture and show that -- that everybody's interested in it. And the safety programs extend to our contractors as well.

We also have a very strong environmental stewardship program there. We have 35 permits that cover all spectrums of meeting the environment, including air and water and groundwater and soil, waste. And we have an excellent record with complying with all of those permit requirements and the regulations. And same thing as safety, we go above and beyond what's required by

the regulations.

An example would be, we were the first in the world to implement and receive certification in the International Cyanide Management Code. That's now -- that was in 2006 that we got certified in that program. And that program is now -- there's -- I think I heard over a hundred companies worldwide that are complying with that. But we were the first. So that's a proud accomplishment.

We've also -- another example where we went above and beyond was with mercury control in the processing plant. We installed -- it was around the same time period in the two thousands, 2006 to '08 -- we went above and beyond with reducing mercury emissions from the processing plant. And it's -- it's just in the number of pounds, like less than a pound per year now. And that -- we did that about five years before regulations were implemented for the industry across the state. So that's another proud achievement of going above and beyond.

So the Mackay Optimization Project itself. That's what we -- what we want to inform you about as far as what our plans are.

This is a -- an amendment to our existing plan of operations. We're not going to be expanding our plan of operation boundary, it's -- so we're not calling it expansion project. It's called optimization because we're optimizing the -- the use within our plan boundaries. So we're going to be moving some things out of the way to make room for expanding the footprint of the mines.

TIM CROWLEY: That -- can I interject a little bit? That's a very busy slide. We -- we recognize that. And just so you can put your mind around what you're looking at, on the left is what you're -- what you would see today at the mine. And in gray, those are active mining areas. That's where we're mining on the surface. And you have to do something with that material; right? So the material that doesn't have any gold in it is called waste rock or overburden. That -- that gets moved to the -- the brown areas on that slide.

The ore, the rock that does have ore in it, that does have gold in it, gets processed on what's called leach pads -- heap leach pads. And that's in the green on the right. And so as you move forward and we get the permit for this optimization

program, you'll see that the -- the gray has expanded. That -- and that's where we're going to be mining. We're going to be going deeper and really make, instead of a series of mining operations, one, it's -- I'm oversimplifying it a little bit. But it's more of a contiguous mining area. And then expanding both where we put the overburden on the left in brown and the processing in green on right.

RON LEIKEN: So we're -- so keyword is expansion. We're -- we are expanding the depth and footprint of the mine areas, combining some of the existing pits. But we're not -- we're not going to be mining in entirely new areas. It's more just optimizing the use within the property. So it's -- so we'll be expanding the pits a bit, but it's not -- the other thing to point out, it's not like an expansion of a work force. We're not saying we're going to be doubling our mining and doubling our work force or something like that. It's -- we're going to be maintaining our current work force to just optimize the mining and extending the mine life by another ten years. So it -- this will bring it out for -- extend our mine life by about another 20 years that we'll be operating.

TIM CROWLEY: I'd like to interject one more thing just so everybody's clear. It scares people sometimes when we say our mine life is ten years. And those dates, they -- that's not long; right? I -- I've got socks that are 20 years old that I love and still wear. Ten years is -- is a blip.

But we operate in a world where we ha- -- we can only talk about the ore bodies that we -- that we have proven and -- and are probable ore bodies. And we can only operate in a world that we're permitted to operate within. So we have these ten-year windows based on a couple things: one, our permit and two, on the exploration that we've done, which takes a lot of capital to find more resources.

So I just think it's important to tell you. We're not closing at the end of this permit. Ideally what we're doing is we will have found more resources. As we pull revenue out of -- out of the -- the earth, we're going to put it right back into the ground through exploration and find more resources. And we'll be, hopefully, coming to you and telling you about our next expansion and our next permit.

RON LEIKEN: And that -- that is a continuous operation

with -- you know, process within mining. And it's been particularly good at -- at Marigold Mine. I think when they started the modern operations in 1988, they -- they didn't expect that we'd still be operating today. Did you point out our anniversary?

TIM CROWLEY: Nope.

RON LEIKEN: We just --

TIM CROWLEY: Not our anniversary.

RON LEIKEN: We just -- we just celebrated our 25th anniversary and three million ounce of gold that we just produced at -- at Marigold. And when they opened --

TIM CROWLEY: Yesterday, right?

RON LEIKEN: Yeah.

TIM CROWLEY: It was the three million ounce.

RON LEIKEN: When they opened in 1988, I don't think that anybody ever thought it would get this far. But with mining and exploration, it could just keep going and going in some ways.

So I was -- I said we'll be expanding the footprint a bit of some of these mine -- of some of the existing mines, some of the existing pits, both in width and depth.

And so by increasing the depth, we're going to be going below the groundwater table in -- in some areas. And to deal with that, we have to install wells to dewater the -- they're called dewatering wells -- to lower the water table. So we -- when we mine, we're not getting wet down there. And we estimate that's about 6,000 gallons per minute of dewatering. And so what we do is we pump it up and then send it through a pipeline system to a rapid infiltration basin -- RIBS, they call it in the industry -- which will be about two miles downhill toward Valmy. And -- and we've done some infiltration tests there. And it's -- it's -- water infiltrates there very, very quickly. So it's a really good -- good place. So we're basically just be moving the groundwater from one location to another location within the same groundwater basin.

So we'll be going below groundwater in seven areas. And for six of those seven areas, we'll be backfilling those. So there won't be any -- so there won't be any -- it will be backfilled above the water table. So there wouldn't be any water remaining. But the pit that we'll be mining wouldn't be economical to backfill that. So there'll be one pit lake

remaining. And that's shown on that map there in the turquoise.

TIM CROWLEY: But one additional thing on that. I call it leapfrogging. I'm sure every -- every real mining engineer cringes when they hear me use that term, including Duane. But what I -- what happens and enables the mine to backfill the smaller pits is as -- as they're -- they'll mine out one. And then they'll go to the next one. And when they have overburden, they take that overburden and move it to the first one that they just mined. And then they go to the next pit and then they take the overburden and move it to the one that they just left. And it's an -- it's an efficiency measure. It helps keep the costs down at the mine and it helps with -- it helps with the closure of that mine. It's a -- it's a win/win in several different ways. When you come to the last pit, you -- you don't have overburden to put back into that -- into that -- into that surface mine.

RON LEIKEN: And the timing on that -- the -- the -- go back to one.

TIM CROWLEY: Oh, sorry.

RON LEIKEN: That's not something that's going to happen next year. That's going to be in 20, 30, 40 years from now is when that pit would -- would fill up with water.

And preliminary modeling shows up at the water quality of that pit is would be --

TIM CROWLEY: Sorry. I keep going back.

RON LEIKEN: -- it's all right -- would be benign and neutral, meaning -- so it's not acidic. Because we're saying in the oxide above, which is the neutral area when water goes in that rock. If we went deeper into sulfide ores, then the combination of the water and the sulfide -- sulfur would create sulfuric acid, which would generate an acidic lake. But we're not going that deep, so it would be benign water quality, neutral this -- in that lake.

You know, the timing on the process. So we have submitted the plan of operations in June, a couple -- a few months ago. Plan of oper- -- BLM deemed the plan of operations complete earlier in September. And we're now in the early beginning stages of NEPA. That's where I was just before here was working on the MOU with BLM.

We expect the public scoping period will start in --

sometime in quarter one of next year. And then they'll be preparing the EIS. And then it will be out for public comment in -- what was that? -- I can't see it -- quarter -- I think it was in quarter three of 2017. And then the process will be complete by the end of 2017, which the process means the BLM signs the record of decision.

So you're going to be seeing this again in -- in -- being -- the public will have an opportunity to participate in the process with BLM on the EIS.

Before we even started the EIS, we -- we've been doing quite a few baseline background studies. We have all the biological surveys done that are required or necessary for this area. So we did raptor surveys. And we're at plant surveys, burrowing owl, pygmy rabbits, all the different species-specific surveys that -- that are required. And -- but most of all, we've also done quite a bit of -- and still in the process of doing quite a bit on studies on groundwater and geology, geochemistry, to look at -- study the effects of the dewatering and the resulting pit lake at the end of mine life.

And all of this information will be provided to BLM and reviewed by the third party consultant for the EIS.

TIM CROWLEY: And -- and it's open, you know. It's available to you. Anything you want to see, no problems.

RON LEIKEN: What this project will do -- like I said, we're not going to be expanding the work force on this project. It's a continuation of what we've been doing. So we'll be continuing the employment of 380 or so employees.

All of our economic contributions and community partnerships will continue. And we'll be continuing our outstanding record on safety and environmental compliance.

I also wanted to mention our recent acquisition of additional properties surrounding the Marigold Mine. You might have heard or seen us in the newspapers. We just acquired about 7,000 acres of new land surrounding our mine, well, primarily in the southern part of our property.

Right now, that's only exploration lands. And it's permitted separately than -- than the Mackay Optimization Project that I've been talking about.

All we're -- it's going to take a couple years to explore those lands and -- and determine the potential for -- for mining

or other uses of that land.

But it's -- it's basically provide us some operational flexibility in the future is -- is what those -- is what the benefit of that project is.

TIM CROWLEY: So I guess just to sum it all up, we're -- we're -- we have some positive news. And there's -- there's a lot of concern, I think, about mining right now. It was -- it was a bad, terrible thing when Allied went bankrupt. There's some other properties that are struggling. Gold price is down. But amidst that, because Silver Standards/Marigold is run well, it's efficient, we're -- we're able to have a very positive story and our future looks bright.

We're expanding with -- or we're going through this optimization project, as Ron mentioned. We've got -- we're acquiring more properties. And hopefully we'll be growing in addition to this. And along that journey, along that whole path, our commitment to you, as we've said a few times, is just to have an open dialogue. Our door is open. You can come to the mine. You can -- you can -- we are happy to come before this body and talk with you any time.

We're going to continue studying the impacts that we have at Marigold. And we'll share those with you. And -- and we're going to keep employing Nevadans, putting them into good jobs, building this community, and making our state a better place. And we'll do it safely and with a great environmental stewardship.

So thank you very much. I know that was a very broad-stroke presentation. And we would sure like the opportunity to come back and put some more meat on the bones as we proceed with our permitting process.

COMMISSIONER BAKKER: Sounds good.

COMMISSIONER CLARK: Thank you.

COMMISSIONER BAKKER: Thank you, guys.

COMMISSIONER MILLS: Thank you.

TIM CROWLEY: Thank you.

COMMISSIONER CLARK: That was good.

CHAIRMAN STIENMETZ: Thank you very much.

COMMISSIONER CLARK: I appreciate knowing how many people you employ from Lander County. That's important.

TIM CROWLEY: Yeah.

COMMISSIONER CLARK: Steve.
COMMISSIONER WAITS: Tim.
COMMISSIONER CLARK: Can we get a break?
COMMISSIONER WAITS: Ron. Duane. Thank you, all, for coming. And we share your excitement. This is --
TIM CROWLEY: Great.
COMMISSIONER WAITS: Thank you.
COMMISSIONER BAKKER: Thank you.
CHAIRMAN STIENMETZ: We'll take a five-minute break, please.

(Break taken from 10:20 a.m. to 10:31 a.m.)

6) Discussion non-action item regarding Great Basin College purchasing, leasing, or renting the current administration building located at 825 North Second Street, Battle Mountain, Nevada 89820, and other matters properly related thereto.

CHAIRMAN STIENMETZ: And we'll go to Item 6. Discussion non-action item regarding Great Basin College purchasing, leasing, or renting the current admin- -- administrative building located at 825 North Second Street, Battle Mountain, Nevada 89820, and other matters properly related thereto.
MARK CURTIS: Good morning.
CHAIRMAN STIENMETZ: Good morning.
COMMISSIONER CLARK: Good morning.
COMMISSIONER WAITS: Good morning.
MARK CURTIS: My name is Mark Curtis. I'm president of Great Basin College. And have Jill Chambliss here, who is our director at our Battle Mountain center.
And recently, we were made aware that the county is vacating the building that's adjacent to our current location and might be interested in having us take that over in some fashion.
And our vice president of academic affairs, Dr. McFarland and Jill have toured the building. I have not. But they give me a good report and say it would be very, very good for us.
And as you know, we've suffered along with the state with many budget cuts over recent years. But we've decided that our way out of the problem is growth, not -- not curtailing our

operations.

So we're interested in that building although we don't have a lot of money to spend. But if -- if there's some way that an arrangement can be made, we would love to have it.

Of course, there's certain procedures that I have to follow, as you do. And you'll have to return this to an action item in a future meeting. And I'll have to send in a briefing paper to the boar- -- Nevada System of Higher Education Board of Regents and get it on their agenda for us to take over a building or purchase a building and so on. Which -- probably the earliest that could possibly happen for us would be -- I have a briefing paper by October 27th. It would go to the facilities and investment committee at the December board meeting. And potentially it could be even approved then.

But in the meantime, before then, if -- if that's too long or if it got delayed to the March board meeting, we would certainly be interested in some other arrangement: rent or lease to buy or something of that nature.

But beyond that, I'm not sure where else to go. But I'd be happy to answer your questions.

COMMISSIONER WAITS: Mr. Curtis, this building would be in addition to one you have next door; right? You're not vacating that one?

MARK CURTIS: That's -- that's correct. That's my understanding that we would still be using that main building. I think there's some other discussions in the works about the -- the kind of portable classrooms on the -- I guess it would be the west side of the building.

But for -- for certain, we would be continuing to use the building we're in now, the main building we're in now. And -- but we would probably move the primary operations over into the newer building.

COMMISSIONER WAITS: And you're going to stop and look at it on your way back? Today?

MARK CURTIS: I will if I'm allowed to go in -- to go in to --

COMMISSIONER MILLS: Yeah, no problem.

MARK CURTIS: -- disrupt and look around. Yes.

COMMISSIONER WAITS: Please do.

COMMISSIONER MILLS: Did -- did we ever find out if -- do

schools pay property tax or are they --

MARK CURTIS: They --

COMMISSIONER MILLS: -- exempt from that?

MARK CURTIS: -- do not.

COMMISSIONER MILLS: They do not pay property tax.

MARK CURTIS: They do not pay --

COMMISSIONER MILLS: Okay.

MARK CURTIS: -- property tax. And I would also --

COMMISSIONER CLARK: They do not pay any tax.

MARK CURTIS: -- suggest if we purchase the building in some sort of arrangement what the utility costs are on that building because that would be an added expense that we don't have now.

DISTRICT ATTORNEY HERRERA: If -- if you were going to contemplate either a lease or sale, we'd have to adopt a resolution. And if -- if the building is less than 25,000 square feet, in the resolution which would have to be published -- we have a procedure we have to go through --

CHAIRMAN STIENMETZ: Yeah.

DISTRICT ATTORNEY HERRERA: -- too. And it -- then it's in the best interest of the county that we would either sell or lease this building. And we would specify the location and things like that and the amount. And then that has to be published. You'd -- you'd have to approve the resolution and adopt it. That'd have to go through a published two-, three-week period --

COMMISSIONER WAITS: Uh-huh.

DISTRICT ATTORNEY HERRERA: -- publication and (indiscernible) could even do that.

CHAIRMAN STIENMETZ: Would we consider any of the other property with it? Or would it be a the whole thing or --

DISTRICT ATTORNEY HERRERA: That's what you'd have to do.

CHAIRMAN STIENMETZ: You'd have to turn it in?

DISTRICT ATTORNEY HERRERA: So -- so what I would suggest first is that you get some type of an offer. And -- and then you can discuss the offer. And then we can do up a resolution for your approval. But without an offer, you know, --

CHAIRMAN STIENMETZ: Yeah.

DISTRICT ATTORNEY HERRERA: -- it's hard to put together a resolution that -- that it's in the best interest of the county.

And it has to go through a -- you have to do a resolution. You have to publish it. And then you have to put no less than ten or no more than twenty days. You have to open it up for public comment. And so this is the process.

So without some type of offer on the exact building and what they want do, buy or lease, it'd be hard to put that resolution together.

COMMISSIONER BAKKER: Do you guys plan on doing any more -- bringing any more programs if you buy the building?

MARK CURTIS: Well, the -- I talked to Jill this morning. And we have about 70 or 75 students ongoing at the Battle Mountain facility at any given time.

And in -- in terms of bringing whole programs to this location, the numbers probably don't warrant that.

But -- but we'd -- we do -- at the current time about 55 percent of all of our courses are delivered online and another 17 percent are delivered through interactive video.

Now there are some courses that we simply can't do that way, like a biology course or chemistry course where there would be labs associated with them. And in those cases, people would have to come to Elko and we'd make cer- -- certain arrangements in which we would teach the -- the lecture portion of the class online and people would have -- would only have to come to Elko possibly once a month or twice during a semester for -- for a weekend and stack up a lot of labs in one -- one long day.

But I'm not -- I'm not sure what program you might be interested in, but --

COMMISSIONER BAKKER: How many kids from Lander County go to Elko now?

MARK CURTIS: Well, that'd be a guess for me. I would -- I would probably guess in the neighborhood -- neighborhood of 200, 250.

COMMISSIONER BAKKER: Because those kids would most likely -- if you brought more like a diesel program or whatever here, those kids would most likely stay here and just attend the college here.

MARK CURTIS: That's true. As a matter of fact, when we opened up an electrical program in our Winnemucca facility, many of the students that used to come take the trip to Elko, stayed in -- so we actually lost students. There was no net gain. We

had a -- we had a cost to start the program in Winnemucca. But there was no net gain in terms of students for us. But it was more convenient and better to do it that way.

So we're always willing to, you know, establish a beach head, take a loss for a while in anticipation of growing in the future. So we -- we wouldn't discount that.

COMMISSIONER BAKKER: Okay.

COMMISSIONER WAITS: Do we have enough information, then, to go before -- what? -- the 27th you need a letter to --

MARK CURTIS: Well, --

COMMISSIONER WAITS: -- the board of regents?

MARK CURTIS: -- I contacted our legal counsel, who is John Albrecht that's attached to the college and a couple of other colleges he serves in the system. And he referenced two NRS statutes that -- that you would have to deal with. And I made a few copies of those.

DISTRICT ATTORNEY HERRERA: I'm familiar with those statutes.

MARK CURTIS: Do you --

DISTRICT ATTORNEY HERRERA: I just --

MARK CURTIS: You're -- you're familiar with those?

DISTRICT ATTORNEY HERRERA: That's the one I just briefed the commission on.

MARK CURTIS: Yes. So -- the -- and in terms of timing, it isn't necessarily a rush for us. We have a facility. We -- and -- and this just came available and known to us in the last month or so.

So we have plans to deal with the -- with the programs we're offering in the facility we have now. So as long as we got this taken care of this academic year and probably make the move in the summer sometime and --

DISTRICT ATTORNEY HERRERA: Yeah.

MARK CURTIS: -- we'll be ready to go next academic year.

DISTRICT ATTORNEY HERRERA: See, if it's -- if it's less than 25,000 square feet, you can actually lease -- you can find that it's in the best interest of the county to lease to a specific person or -- or like Great Basin, rather than putting it out for bid.

If it's over 25,000 square feet, you have to put it out to bid. But less than 25,000 square feet, if we had some type of

an offer so we know how to do up the resolution, then we can do a resolution for a specific buyer or lessee.

COMMISSIONER BAKKER: Good deal. Okay.

COMMISSIONER WAITS: Thank you.

MARK CURTIS: Thank you.

COMMISSIONER BAKKER: Thank you.

COMMISSIONER MILLS: Thank you.

CHAIRMAN STIENMETZ: Thank you so much. Appreciate it.

7) Discussion for possible action regarding a spay/neuter voucher program for cats within Lander County, and other matters properly related thereto.

CHAIRMAN STIENMETZ: Go to Item 7. Discussion for possible action regarding a spay/neuter voucher program for cats within Lander County and other matters properly related thereto.

COMMISSIONER CLARK: This is an item that I asked to have an ad hoc committee about. We came up with some ideas.

The cat issue is a national issue. We have an issue here also.

Legislation passed in Nevada last session that if you live in a city with a population more than 100,000 people, you have to address feral colonies.

So what we've come up with is a request. And the program that we have, that we would like to have, is a $50 spay/neuter voucher for people that come for a voucher. And we have a list of veterinarians they can go to.

They'll be a limit of three vouchers per household.

And then the Sheriff's Office will get back to us if they run out of money or within six months at the longest so that we can see how this is -- how this program is being accepted by the community.

Now, we can track the vouchers and the people that come in through an existing computer program called Pet Point. We can get all their information. And we can make sure that no household gets more than three vouchers per year.

This would be the first phase. The second phase -- well, this phase will allow us to have a subcommittee look into grants. Because you can't get grants unless you have something in place. So if we put this in place, we can apply for grants,

and then we can address bigger issues of feral cat colonies.

When I worked at the Sheriff's Office, many complaints about cats, we couldn't do anything. So hopefully we're on the right track now.

So what I'm asking the commissioners for is $2500 in seed money for this program. And then have Sheriff Unger report back to us if the money runs out or within six months, whichever is sooner.

This is a one-time program, not longer than a year. If we go longer than that, it's my understanding that we'll have to change the ordinance. And I'm -- I'm not even trying to address that issue.

There'll be no enforcement. Law enforcement will not be going out and gathering cats. We just -- we just can't do that.

So what I'm asking for is $2500 to start this program. This will allow Sheriff Unger to look at the program and address it in his next budget.

COMMISSIONER WAITS: I have a comment on that since I also sat on the committee. And besides the feral cat program of what we're looking at, which is countywide. Another concern was our -- many of our senior citizens that could not afford -- sometimes they can't afford the food, but certainly cannot afford to have their animal spay and neutered. And that leads to more feral cats and much -- much more with kittens everywhere.

So we're also looking at our senior citizens who might not be able to do this and that -- so it isn't just the feral cat issue. It's you having your own pet cat and getting that one taken care of so we don't have more feral cats.

COMMISSIONER CLARK: Unwanted litters. And if there's anything over the $50, the owner would be responsible for that. And we actually have one vet, I think, in Silver Springs that would do a spay/neuter for less than $50. Sheriff?

SHERIFF UNGER: That may be correct. The spay/neuter programs that we looked at -- I contacted as many vets as I could throughout Eureka, Elko, Lander, Churchill County. And they all vary. All the costs vary immensely from $35 to $70, just it's all over the board depending on the size of the cats.

But you are correct. I believe that there was one in the Spring Creek area.

COMMISSIONER WAITS: And we have one in Fallon.
SHERIFF UNGER: Judie had that, I believe.
COMMISSIONER CLARK: Fallon and Silver Springs.
SHERIFF UNGER: Yeah.
COMMISSIONER WAITS: We have --
SHERIFF UNGER: Yeah. Yes. The Fallon that was -- yeah. Some of them --
COMMISSIONER MILLS: Were these --
SHERIFF UNGER: -- wanted 105.
COMMISSIONER MILLS: Are these vets going to accept these vouchers?
COMMISSIONER CLARK: Pardon me?
COMMISSIONER MILLS: Are the vets going to accept --
COMMISSIONER CLARK: We already --
COMMISSIONER MILLS: -- these vouchers?
COMMISSIONER CLARK: -- checked into that. Yes.
COMMISSIONER MILLS: Okay.
COMMISSIONER BAKKER: Where's the money coming from?
SHERIFF UNGER: Your pockets, buddy.
COMMISSIONER BAKKER: Oh, man. Sorry.
SHERIFF UNGER: That's what -- that's what Commissioner Clark is asking for is $2500 --
COMMISSIONER BAKKER: You have a --
SHERIFF UNGER: -- seed money.
COMMISSIONER BAKKER: You have a neuter program already? For dogs?
COMMISSIONER CLARK: For dogs.
CHAIRMAN STIENMETZ: Dogs.
SHERIFF UNGER: For dogs.
COMMISSIONER BAKKER: How much money is in that budget?
SHERIFF UNGER: I can't tell you. I didn't look it up.
COMMISSIONER CLARK: That's already set. I'm asking for $2500 --
COMMISSIONER BAKKER: I know.
COMMISSIONER CLARK: -- for cats.
COMMISSIONER BAKKER: I know.
COMMISSIONER CLARK: I know you like cats out --
SHERIFF UNGER: See.
COMMISSIONER CLARK: -- on the --
SHERIFF UNGER: I see what you're --

COMMISSIONER CLARK: -- farm.
SHERIFF UNGER: -- doing here, buddy.
COMMISSIONER BAKKER: Oh, man. Okay.
COMMISSIONER WAITS: I didn't know we still had the one for dogs. We asked a while back --
SHERIFF UNGER: I think --
COMMISSIONER WAITS: -- I don't believe --
SHERIFF UNGER: You know, there for a long time we --
COMMISSIONER WAITS: We did.
SHERIFF UNGER: -- did it.
COMMISSIONER WAITS: But I don't believe we do --
SHERIFF UNGER: And --
COMMISSIONER WAITS: -- yet; do we?
SHERIFF UNGER: I think it's kind of --
CHAIRMAN STIENMETZ: Went by the wayside.
SHERIFF UNGER: It's for if -- if you adopt -- if we -- if you --
COMMISSIONER CLARK: Right.
SHERIFF UNGER: -- adopt a dog out, --
COMMISSIONER WAITS: It's for our shelter.
CHAIRMAN STIENMETZ: Yeah.
COMMISSIONER WAITS: It's for our shelter.
CHAIRMAN STIENMETZ: If you adopt a dog --
COMMISSIONER WAITS: It's not --
CHAIRMAN STIENMETZ: -- out of the --
COMMISSIONER WAITS: -- for individual --
CHAIRMAN STIENMETZ: -- the dog pound, --
SHERIFF UNGER: And there's a --
CHAIRMAN STIENMETZ: -- you get the --
COMMISSIONER BAKKER: Is this --
SHERIFF UNGER: -- spay/neuter --
COMMISSIONER BAKKER: Is this --
CHAIRMAN STIENMETZ: -- voucher.
COMMISSIONER BAKKER: -- going to --
SHERIFF UNGER: -- program.
COMMISSIONER BAKKER: -- augment the budget?
CHAIRMAN STIENMETZ: That's what I've always thought.
COMMISSIONER BAKKER: No?
CHAIRMAN STIENMETZ: I've -- I've --
COMMISSIONER BAKKER: Okay.

COMMISSIONER CLARK: We're okay.
CHAIRMAN STIENMETZ: -- adopted a couple out --
COMMISSIONER BAKKER: Just --
CHAIRMAN STIENMETZ: -- there and got a voucher for --
COMMISSIONER MILLS: It's pretty --
SHERIFF UNGER: Correct.
CHAIRMAN STIENMETZ: -- spay/neuter.
COMMISSIONER MILLS: -- small.
SHERIFF UNGER: If you adopt from --
COMMISSIONER MILLS: There are a lot --
SHERIFF UNGER: -- us, then --
COMMISSIONER MILLS: -- of places --
SHERIFF UNGER: -- we'd pay -- we'll --
COMMISSIONER MILLS: -- we can --
SHERIFF UNGER: -- give you --
COMMISSIONER MILLS: -- grab that money.
SHERIFF UNGER: -- a $50 voucher.
COMMISSIONER BAKKER: I was hoping she'd say, yeah, and then --
SHERIFF UNGER: If you bring --
COMMISSIONER MILLS: Yeah.
SHERIFF UNGER: -- your pet dog in and want a voucher, you've got to pay for it.
CHAIRMAN STIENMETZ: Well, it's got to be an adopted dog.
COMMISSIONER CLARK: I have -- I have also been told -- it's unconfirmed -- but I've been told that there is a vet in Elko that will accept up to 20 feral cats a day --
CHAIRMAN STIENMETZ: Yeah.
COMMISSIONER CLARK: -- and spay/neuter them for $40 a piece. Now this is -- it's hearsay at this time. But if we get into the second phase and there's grants and there's volunteers that want to address these feral cats, we'll be able to put a real dent in -- in the population.
LESLEY BUNCH: Lesley Bunch. We -- our little office kind of got a group of cats over here that we're trying to not let die.
And we did the same research project. There's a vet in Spring Creek -- I'm so sorry, I can't remember her name. She will take four cats once a month that are feral and fix for $40 a piece. But she's out in Spring Creek.

If anybody's interested, I'll get the name of the vet and let you know from there.

COMMISSIONER WAITS: We may have --

SHERIFF UNGER: Lesley.

COMMISSIONER WAITS: -- it, Lesley.

SHERIFF UNGER: Was it this one?

LESLEY BUNCH: Yes. I think that's it. Aspen. And she does it once a month. And you have to put in ahead of time and say, I'm going to bring four cats over, or whatever. And she will do four at a time, one day a month.

SHERIFF UNGER: This is what they quoted us.

LESLEY BUNCH: It's onl- -- it's 40, we just got the quote. I'm sorry. We just got the quote the other day. So I --

COMMISSIONER CLARK: Okay.

LESLEY BUNCH: -- I don't know if --

SHERIFF UNGER: I think Judie Allan had some information on that --

COMMISSIONER CLARK: Okay.

SHERIFF UNGER: -- at our last meeting; didn't she?

COMMISSIONER CLARK: Yeah, that -- that --

LESLEY BUNCH: Just.

COMMISSIONER CLARK: What I plan on doing is forming a subcommittee next time to take care of the feral issue. I'm sure that I have some passionate people on the committee that'll look into grants.

COMMISSIONER BAKKER: I'll make a motion. I'm going to the make a motion that we approve the spay/neuter voucher program for cats within Lander County not to exceed one year and only three vouchers per household per year.

COMMISSIONER WAITS: Up to.

COMMISSIONER MILLS: And fund --

COMMISSIONER CLARK: 2500.

COMMISSIONER MILLS: -- 2500.

DISTRICT ATTORNEY HERRERA: 2500.

COMMISSIONER BAKKER: And up to -- or to fund $2500 to the program.

COMMISSIONER WAITS: I'll second that motion.

CHAIRMAN STIENMETZ: Any pu- --

COMMISSIONER WAITS: Nan, you said it was coming out of what --

NAN ANCHO: We -- it can -- we have a line item where you have some emergency maintenance money where we could get that.

COMMISSIONER WAITS: Emergency maintenance?

CHAIRMAN STIENMETZ: Yeah, that's --

COMMISSIONER WAITS: Good enough.

NAN ANCHO: (Indiscernible.)

CHAIRMAN STIENMETZ: All right. Any public comment?

COMMISSIONER BAKKER: I have one question. How are we going to advertise this program to the people in our com- --

COMMISSIONER CLARK: I am sure that Heather Hill will advertise this in the Bugle as she is taking copious notes.

HEATHER HILL: I will.

COMMISSIONER CLARK: Thank you, Heather.

HEATHER HILL: Sure.

COMMISSIONER CLARK: And we can also post this where we post the lost dog postings --

CHAIRMAN STIENMETZ: Yeah.

COMMISSIONER CLARK: -- around town.

CHAIRMAN STIENMETZ: And the bulletin boards.

SHERIFF UNGER: When would you want to start this program? Because we do have some vouchers, you know, that we used to have. We're going to have to make up the vouchers and get our Pet Points program --

COMMISSIONER CLARK: As soon as --

SHERIFF UNGER: -- set up so...

COMMISSIONER CLARK: -- you're ready, Sheriff. And that'll be our -- our one year --

CHAIRMAN STIENMETZ: Start.

COMMISSIONER CLARK: -- starting date.

COMMISSIONER MILLS: And these --

CHAIRMAN STIENMETZ: Whenever --

COMMISSIONER MILLS: -- and these vouchers are being re- -- reimbursed through the Sheriff's Office? And you've got a system in place --

SHERIFF UNGER: The --

COMMISSIONER MILLS: -- to do that?

SHERIFF UNGER: -- vouchers are going to be reimbursed out of this $2500 that we're getting.

COMMISSIONER MILLS: Right. But it's going to be handled through the Sheriff's Office?

SHERIFF UNGER: Through the animal control.
COMMISSIONER MILLS: So when the --
SHERIFF UNGER: We'll handle --
COMMISSIONER MILLS: When the --
SHERIFF UNGER: -- them --
COMMISSIONER MILLS: -- the vet's going to send you the voucher and you're --
COMMISSIONER CLARK: Right.
COMMISSIONER MILLS: -- going to send them the --
COMMISSIONER CLARK: And then they get --
COMMISSIONER MILLS: -- a check or whatever.
COMMISSIONER CLARK: -- a check.
COMMISSIONER MILLS: And that's going to be handled by your office?
COMMISSIONER CLARK: Yeah.
SHERIFF UNGER: We'll have to iron that out, but yeah.
COMMISSIONER MILLS: You've got that --
SHERIFF UNGER: It's going to --
COMMISSIONER MILLS: You've got that --
SHERIFF UNGER: -- go to Nan.
COMMISSIONER MILLS: -- blank look like --
COMMISSIONER CLARK: This --
SHERIFF UNGER: We may -- we'll probably get an invoice from these doctors is what is going to happen.
CHAIRMAN STIENMETZ: Yeah.
SHERIFF UNGER: And once we get the invoices in, we'll put in an account number, however we're going set up this $2500. And every bit of that will go down to our finance department.
COMMISSIONER CLARK: Doug, the way --
SHERIFF UNGER: I do not --
COMMISSIONER CLARK: The way --
SHERIFF UNGER: -- write checks at the fire -- sheriff's office.
COMMISSIONER CLARK: The way it works now is the vet will send a bill to the Sheriff's Office. Sheriff's Office will send the money to the vet. That's how it's going for the dogs.
SHERIFF UNGER: Oh, yeah.
COMMISSIONER MILLS: If the --
SHERIFF UNGER: Because that's in my budget. So it depends on how --

COMMISSIONER CLARK: Okay.
SHERIFF UNGER: -- we set this up.
CHAIRMAN STIENMETZ: Yeah.
COMMISSIONER MILLS: Well, that's what I was wondering. Because you've got one for the dogs. Is the cat --
SHERIFF UNGER: Right.
COMMISSIONER MILLS: -- one going to be the same way?
SHERIFF UNGER: Right.
COMMISSIONER MILLS: Is that --
SHERIFF UNGER: And that -- like I say, --
COMMISSIONER WAITS: No.
SHERIFF UNGER: -- we don't write the checks. We just code it --
COMMISSIONER MILLS: You just -- you just --
SHERIFF UNGER: -- to our account.
COMMISSIONER MILLS: Okay.
SHERIFF UNGER: And it goes down to them --
COMMISSIONER MILLS: So we have a --
SHERIFF UNGER: -- for a check.
COMMISSIONER MILLS: We've got a system in place.
SHERIFF UNGER: Absolutely.
COMMISSIONER MILLS: We're --
COMMISSIONER CLARK: We have --
COMMISSIONER MILLS: -- going to make it work.
COMMISSIONER CLARK: We have a great tracking system.
COMMISSIONER WAITS: So if we used an approximate date of, say, November 1st?
SHERIFF UNGER: I can get stuff going by then. That's what --
COMMISSIONER WAITS: Would that --
SHERIFF UNGER: -- I need.
COMMISSIONER WAITS: Would that give you time? That way --
SHERIFF UNGER: Sure.
COMMISSIONER WAITS: -- when she puts it in the paper, we have an idea.
SHERIFF UNGER: That gives people time and Heather plenty of time to do it.
CHAIRMAN STIENMETZ: All right. Can you add that to your amendment to start on November 1st or --
COMMISSIONER BAKKER: I'll amend the motion to start on

November 1st .

COMMISSIONER WAITS: I'll change my second to include his amendment.

CHAIRMAN STIENMETZ: All right. Any other public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

CHAIRMAN STIENMETZ: Aye.

COMMISSIONER WAITS: Aye.

COMMISSIONER CLARK: Thank you.

CHAIRMAN STIENMETZ: Thank you.

COMMISSIONER WAITS: Thank you, Ron.

8) **Discussion for possible action regarding approval for the executive director to execute the FAA grant application and follow-up on FAA grant offer for the Battle Mountain Airport pavement rehabilitation project, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: Number 8 is discussion for possible action regarding approval for the executive director to execute the FAA grant application and follow-up on FAA grant offer for the Battle Mountain Airport pavement rehabilitation project, and other matters related thereto.

KEITH WESTENGARD: This is an ongoing project. We're finally coming to -- to a point where we can start on it. So what I'm asking is that the commission approves that I submit for the grant. And we'll pay ninety -- 93.75 percent of the cost of the project. So this is a request to --

COMMISSIONER BAKKER: Initiate the grant.

KEITH WESTENGARD: -- start the -- initiate the grant.

COMMISSIONER WAITS: The contract that you're talking about would be the contract with FAA?

DISTRICT ATTORNEY HERRERA: The contract we have, Commissioner Waits, was a five-year contract. And that no longer is in existence. However, within the body of that contract, it states that -- that should you be able to perform said services as followed -- and basically for five years,

commencing on the date of the signed master agreement or as directed by the client. And this is the pertinent part: or to complete a task order which is in progress. So even though the five-year contract has ended, the task order for this particular project is in progress so it falls within the confines of the contract.

COMMISSIONER WAITS: Okay. But the contract we're renewing then is -- is with J-U-B?

DISTRICT ATTORNEY HERRERA: No, we're not --

COMMISSIONER MILLS: We're not --

DISTRICT ATTORNEY HERRERA: -- renewing --

COMMISSIONER MILLS: -- renewing the contract.

COMMISSIONER WAITS: Oh, okay.

DISTRICT ATTORNEY HERRERA: We're giving --

COMMISSIONER WAITS: Well, it says on the contract, as noted above, to execute the contract.

DISTRICT ATTORNEY HERRERA: What we're asking for is permission for the executive director to basically engage in the FA- -- FAA grant application.

CHAIRMAN STIENMETZ: And once we get the grant, then we go out and get a contractor to do the work; right? Or --

DISTRICT ATTORNEY HERRERA: Yes. Then we can go to -- well, once we get --

CHAIRMAN STIENMETZ: Well, go --

DISTRICT ATTORNEY HERRERA: -- the grant, --

CHAIRMAN STIENMETZ: -- for it.

DISTRICT ATTORNEY HERRERA: -- then we'll get to 9 and 10. Nine and ten. When we can talk about that on 9 and 10.

CHAIRMAN STIENMETZ: All right.

DISTRICT ATTORNEY HERRERA: Eight is just to give him --

CHAIRMAN STIENMETZ: Permission to go out for the grant.

COMMISSIONER WAITS: But it's the wording that I was -- I need the clarification on. You said, grant approval for the executive director to execute the grant application, grant offer -- yes -- and the contract as noted above. And I'm asking --

DISTRICT ATTORNEY HERRERA: Well, it doesn't say contract.

COMMISSIONER BAKKER: In your packet, Ted.

COMMISSIONER WAITS: In -- in our packet, it says, in the contract. And so I thought -- and that's what I was asking.

DISTRICT ATTORNEY HERRERA: Okay.
COMMISSIONER WAITS: So you don't need that?
COMMISSIONER BAKKER: No.
DISTRICT ATTORNEY HERRERA: Not on Number 9. Or not on Number --
COMMISSIONER WAITS: Okay.
DISTRICT ATTORNEY HERRERA: -- 8.
COMMISSIONER WAITS: Okay.
KEITH WESTENGARD: I just -- I just want to start the grant process.
COMMISSIONER WAITS: Okay.
DISTRICT ATTORNEY HERRERA: (Indiscernible.)
COMMISSIONER BAKKER: I'll make a motion to approve the executive director to execute the FFA -- FAA grant application for the Battle Mountain Airport pavement project.
COMMISSIONER MILLS: Second.
CHAIRMAN STIENMETZ: Any public comment?
(No comment.)
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER BAKKER: Aye.
COMMISSIONER MILLS: Aye.
COMMISSIONER CLARK: Aye.
CHAIRMAN STIENMETZ: Aye.
COMMISSIONER WAITS: Aye.

9) **Discussion for possible action regarding approval for the executive director to execute the selected contractor's contract, not to exceed $1,300,000 for the actual costs related to the Battle Mountain Airport pavement rehabilitation project, and other matters properly related thereto.**

CHAIRMAN STIENMETZ: Now we'll go to 10 -- or 8 -- 9, I mean.
Discussion for possible action regarding approval for the executive director to execute the selected contractor's contract, not to exceed 1 point -- $1.3 million for the actual costs related to the Battle Mountain Airport pavement rehabilitation project, and other matters properly related thereto.

KEITH WESTENGARD: This is contingent on us getting the grant. We don't get the grant, we won't -- of course, we won't do the project. So this is contingent on getting the grant. And then we'll start the process. Of course, we'll bring -- I'll bring everything to you for final approval once we get to that point, once we get the grant.

COMMISSIONER WAITS: And we did have bidders?

KEITH WESTENGARD: Yes.

COMMISSIONER WAITS: How many?

KEITH WESTENGARD: Four, I believe, is what we ended up with. Yes.

COMMISSIONER WAITS: Thank you.

KEITH WESTENGARD: So like --

COMMISSIONER BAKKER: It's --

KEITH WESTENGARD: -- I said, once the package is complete, I'll bring it to --

COMMISSIONER WAITS: Okay.

KEITH WESTENGARD: -- for your final signature -- or approval.

COMMISSIONER WAITS: So there again, it says, approval of the contract. But that's not what you want.

DISTRICT ATTORNEY HERRERA: So probably we -- we should probably table 9 and 10 unless you need some -- some type of authority on it. Because it's all -- 9 and 10 are both contingent on --

KEITH WESTENGARD: On the grant.

DISTRICT ATTORNEY HERRERA: -- on the grant. So if you approve 9 and 10 right now, you're approving the executive director --

COMMISSIONER WAITS: To do the contract.

DISTRICT ATTORNEY HERRERA: To do the contract.

COMMISSIONER WAITS: And we do the contract.

DISTRICT ATTORNEY HERRERA: Right. So -- so 9 and 10, probably --

You don't need that authority. You should be bringing it in front of the --

So -- so I would suggest --

COMMISSIONER BAKKER: I'll make a motion to table Agenda Item Number 9.

COMMISSIONER MILLS: Second.

COMMISSIONER BAKKER: And --
DISTRICT ATTORNEY HERRERA: Ten.
COMMISSIONER BAKKER: And 10.
COMMISSIONER MILLS: Ten.
COMMISSIONER BAKKER: Yep.
COMMISSIONER WAITS: I have a --
COMMISSIONER MILLS: Can we do those in one?
COMMISSIONER WAITS: -- question on 10 because --
COMMISSIONER BAKKER: Well, we can't table 10 until he reads it into --
COMMISSIONER WAITS: Yeah.
COMMISSIONER BAKKER: -- the minutes.
COMMISSIONER WAITS: Right. Let's just do 9.
COMMISSIONER BAKKER: Yep. Okay. Just --
COMMISSIONER MILLS: Just 9.
CHAIRMAN STIENMETZ: All right. Any public --
COMMISSIONER MILLS: Second.
CHAIRMAN STIENMETZ: -- comment?
(No comment.)
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER MILLS: Aye.
COMMISSIONER BAKKER: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.

10) Discussion for possible action regarding approval for the executive director to execute J-U-B Engineering's contract not to exceed $180,000 for the additional design work, bidding, and construction services for the Battle Mountain Airport pavement rehabilitation project, and other matters properly related thereto.

CHAIRMAN STIENMETZ: Now we go to 10. Discussion for possible action regarding approval for the executive director to execute J-U-B Engineering's contract, not to exceed $180,000 for the additional design work, bidding, and construction services for the Battle Mountain Airport pavement rehabilitation product -- project, and other matters properly related thereto.
COMMISSIONER WAITS: Okay. So this is the one to extend J-U-B?

Or just --

COMMISSIONER MILLS: No.

COMMISSIONER BAKKER: No.

COMMISSIONER MILLS: We don't have a bid from J-U-B to extend the contract.

KEITH WESTENGARD: This is once again --

COMMISSIONER WAITS: We don't -- they don't bid. Engineers --

COMMISSIONER MILLS: Right.

COMMISSIONER WAITS: -- don't bid.

KEITH WESTENGARD: This is all contingent on our --

CHAIRMAN STIENMETZ: Us approving.

KEITH WESTENGARD: -- grant. And we can table it for now.

CHAIRMAN STIENMETZ: Right.

COMMISSIONER MILLS: Just a question on this is: Is this for both runways? Or just the crosswind runway?

KEITH WESTENGARD: No, this -- this would be for both runways.

COMMISSIONER MILLS: Both runways.

KEITH WESTENGARD: Runways. And it's actually -- it would be to start with the chip seal or a seal coat and then new striping. And then complete the project next year.

COMMISSIONER MILLS: Okay.

COMMISSIONER BAKKER: I'll make a motion to table Agenda Item Number 10.

COMMISSIONER MILLS: Second.

COMMISSIONER WAITS: Okay, then. I still need a clarification on this. Because what it says is -- is you still need to go to FAA for the approval. But we have to have other before we do this to go for the approval? Or can we go for the approval on this one at the same time we do the others?

DISTRICT ATTORNEY HERRERA: No.

COMMISSIONER WAITS: We can't?

DISTRICT ATTORNEY HERRERA: No.

COMMISSIONER WAITS: So it will have to wait?

CHAIRMAN STIENMETZ: Yeah.

DISTRICT ATTORNEY HERRERA: You don't want to put Lander County's money --

COMMISSIONER WAITS: No, no, no, no, no. No, that's not -- that's not what I'm asking. This one right here.

DISTRICT ATTORNEY HERRERA: Number 10? Are you talking about 10 or 9?

CHAIRMAN STIENMETZ: Ten.

COMMISSIONER WAITS: I'm talking about 10. I -- was talking about 11. I'm sorry. Yep. Go ahead.

COMMISSIONER MILLS: Eleven?

DISTRICT ATTORNEY HERRERA: You're talking about 11?

COMMISSIONER WAITS: I was talking about 11. So...

DISTRICT ATTORNEY HERRERA: Okay. Eleven --

COMMISSIONER WAITS: Yeah. Got it.

DISTRICT ATTORNEY HERRERA: -- is different.

COMMISSIONER WAITS: Got it. Got it.

CHAIRMAN STIENMETZ: All right. Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

CHAIRMAN STIENMETZ: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye. Okay this is the one that looked like we still had to go to FAA.

CHAIRMAN STIENMETZ: All right.

DISTRICT ATTORNEY HERRERA: We have to -- we have to approve --

COMMISSIONER WAITS: I didn't realize we had four. I was thinking we had three. And I was --

CHAIRMAN STIENMETZ: All right.

COMMISSIONER WAITS: Thank you.

11) Discussion for possible action regarding approval for the executive director to execute an Independent Fee Estimate contract not to exceed $3,000. The Independent Fee Estimate (IFE) is required by the FAA for engineering contracts that exceed $100,000, and other matters properly related thereto.

CHAIRMAN STIENMETZ: All right. Let's go to discussion for possible action regarding approval for the executive director to execute an Independent Fee Estimate contract not to exceed $3,000. The Independent Fee Estimate (IFE) is required by the FAA for engineering contracts that -- that exceed a hundred

thousand, and other matters properly related thereto.

KEITH WESTENGARD: This is a requirement by the FAA that we have to have a third party look over the bids and make sure that they're not out of line, that they are in -- in -- in line with the cost of the project and that they're not overbid.

There's a project here -- or I mean, a contract here. The DA has looked it over. I have a copy if you guys would like to look it over. One was faxed to the office this morning as well.

DISTRICT ATTORNEY HERRERA: And this is necessary.

KEITH WESTENGARD: We have to do this.

DISTRICT ATTORNEY HERRERA: But we have to do this before we can get the -- the FA- -- FAA to give us --

CHAIRMAN STIENMETZ: The money.

DISTRICT ATTORNEY HERRERA: -- the money.

CHAIRMAN STIENMETZ: Or approve it.

DISTRICT ATTORNEY HERRERA: Right.

KEITH WESTENGARD: And what happens with this is the -- the $3,000 will initially come out of our General Fund. The county will pay for it. But once we get the grant, it will be reimbursed through the grant. If we don't get the grant, then what happens is we will be out the $3,000.

DISTRICT ATTORNEY HERRERA: Correct.

COMMISSIONER WAITS: I'll make a motion that we approve the executive director to execute the grant application for -- Do you want the name of the company in here, Ted?

DISTRICT ATTORNEY HERRERA: Well, not the grant. He's already approved --

COMMISSIONER WAITS: Okay, for the grant --

DISTRICT ATTORNEY HERRERA: For the grant. You need to approve the executive -- executive director to execute --

COMMISSIONER WAITS: Okay.

DISTRICT ATTORNEY HERRERA: -- an Independent Fee Estimate contract.

COMMISSIONER CLARK: Up to.

COMMISSIONER WAITS: Okay. For the Independent Fee Estimate up to $3,000 for --

COMMISSIONER CLARK: Okay.

COMMISSIONER WAITS: -- FAA.

COMMISSIONER BAKKER: Second.

COMMISSIONER WAITS: No, I wondered if you wanted the

company in there since --

CHAIRMAN STIENMETZ: No.

DISTRICT ATTORNEY HERRERA: I don't think we need the --

COMMISSIONER WAITS: Okay.

DISTRICT ATTORNEY HERRERA: -- company.

CHAIRMAN STIENMETZ: First and second. Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER AND COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

CHAIRMAN STIENMETZ: Aye.

COMMISSIONER WAITS: Aye.

12) Discussion for possible action regarding an appeal of a special-use permit approved by the Lander County Planning Commission at its regular meeting on September 9, 2015, for Michael Zacharias to construct and operate an RV park on property zoned C-1 located at 101 Kingston Drive, Kingston, LC APN 003-101-31, and other matters properly related thereto.

CHAIRMAN STIENMETZ: All right, let's go to Item 12. Discussion for possible action regarding an appeal of a special-use permit approved by the Lander County Planning Commission at its regular meeting on September 9th, 2015, by Michael Zac- --

COMMISSIONER WAITS: Zacharias.

CHAIRMAN STIENMETZ: -- Zacharias to construct and operate an RV park on property zoned C-1 located in -- at 101 Kingston Drive, Kingston, LC APN 003-101-31, and other matters properly related thereto.

DISTRICT ATTORNEY HERRERA: Now, Commissioners, on this, the -- the planning commission has given a special-use permit at their regular meeting. And that was appealed by people opposed to that. And that's what we're here for today. So...

COMMISSIONER CLARK: Hello, again.

MICHAEL ZACCHARIAS: Hello, again. How you doing?

Commissioners, ladies and gentlemen. Hello, my name is Mike Zacharias. I'm here for a special-use permit.

I started this project because people would come to my bar

and ask about an RV park.

I didn't think it would start the battle of Kingston. So rather than cause anymore problems, I'm withdrawing my application and would like to thank everybody for their hard work on this project.

COMMISSIONER MILLS: Wow.

MICHAEL ZACCHARIAS: So no hard feelings. Come to the bar. I'll buy you a drink. And we'll see what we can do from now on.

COMMISSIONER BAKKER: All right.

UNIDENTIFIED FEMALE PARTICIPANT: Thank you, Zach.

CHAIRMAN STIENMETZ: Thank you.

COMMISSIONER BAKKER: Thank you.

MICHAEL ZACCHARIAS: That's it?

COMMISSIONER BAKKER: Yep, you're good.

MICHAEL ZACCHARIAS: All right. Hopefully we'll see you on better terms next time. See you later.

COMMISSIONER MILLS: I didn't see that one coming.

COMMISSIONER WAITS: Did you gentlemen read all the minutes on this one?

COMMISSIONER MILLS: Most -- most of them.

COMMISSIONER BAKKER: Oh, no. Oh, no.

COMMISSIONER WAITS: That's was a very sad part was the --

COMMISSIONER CLARK: So he's not going to build it, huh?

13) Discussion for possible action regarding Battle Mountain joining Elko and Eureka in a lawsuit regarding the sage grouse plans, and other matters properly related thereto.

CHAIRMAN STIENMETZ: All right. Item 13, --

COMMISSIONER WAITS: -- Kingston community.

COMMISSIONER MILLS: I know.

CHAIRMAN STIENMETZ: -- discussion for possible action regarding Battle Mountain joining Elko and Eureka Counties in a lawsuit regarding the sage grouse plans, and other matters properly related thereto.

COMMISSIONER BAKKER: We can skip that one too; right?

CHAIRMAN STIENMETZ: All right. Do I need a motion to table that?

COMMISSIONER BAKKER: I'll make motion to table --

CHAIRMAN STIENMETZ: Item 13.

COMMISSIONER WAITS: Excuse me. But we really don't need to table this. We are already part of the lawsuit. We've already done this action. So we just take it off.

CHAIRMAN STIENMETZ: Oh.

DISTRICT ATTORNEY HERRERA: We -- we should probably take it off. The action that we committed to was to drum up $10,000 (indiscernible), not to be a named party.

COMMISSIONER WAITS: Oh, no. It was to be a named party too.

DISTRICT ATTORNEY HERRERA: Oh, it wasn't a name. We didn't approve to being a named party.

COMMISSIONER WAITS: Yeah, you should -- can we look at the minutes? Can we --

DISTRICT ATTORNEY HERRERA: You certainly may.

COMMISSIONER WAITS: Do you want -- do you want us to take a few minutes break.

COMMISSIONER CLARK: Yeah, let's take -- let's take a break and clear this up right now.

COMMISSIONER WAITS: Absolutely.

(Break taken from 11:04 a.m. to 11:16 a.m.)

CHAIRMAN STIENMETZ: All right. I'd like to call the meeting back to order and go back to Item 13 for further discussion.

COMMISSIONER BAKKER: Dun dun.

COMMISSIONER WAITS: Okay. Reading through the minutes of September 10th, we did have two agenda items.

The first one was support of the injunction. And the timeliness was extremely important. Because if the sage grouse was listed or wasn't listed, either way, the management plans of BLM encompass 16 million acres in Nevada. And if you take a look at the map on Lander County, it's every road we have. Every single one is impacted. So at that time, we voted to be part of the lawsuit.

And then in the next item, we voted to give up to $10,000.

Now, from that point, our DA says we still need to talk about this.

DISTRICT ATTORNEY HERRERA: And the reason we need to talk about it is -- is -- 15. When we agreed up to $10,000 on 15,

that didn't take into account that Number 14 you approved to be a named part of the lawsuit.

And if you're part of a lawsuit, if you're a plaintiff in a lawsuit, then you've committed to a lot more than $10,000.

We -- we don't have any -- we don't have any letters from the -- from the attorney doing this. We don't have any understanding of how much it's going to cost us. We have nothing.

So we may have committed ourselves for a 70-, $80,000 expenditure on Number 14, even though 15 we said up to $10,000. I -- I personally don't think we should've -- we should be a named participant because -- because it looks bad for the lawsuit if we withdraw our name after we spend $10,000, if they're proceeding with the --

This is just a preliminary injunction. If you get a preliminary injunction, it's based on -- on a lawsuit that you have to file. Then you file the lawsuit -- and because you've enjoined them from doing it and then you sue them, this is a four- or five-year, at the minimum, lawsuit. And -- and this could be extensive money.

If -- if 68-, $70,000 is the cost for the injunction, you could -- you can factor that in on how much the lawsuit's going to cost, which is four to five times as much.

COMMISSIONER BAKKER: So we need to remove our name.

DISTRICT ATTORNEY HERRERA: Well, we --

COMMISSIONER WAITS: Well, --

DISTRICT ATTORNEY HERRERA: -- need --

COMMISSIONER WAITS: -- not -- not necessarily. It's --

DISTRICT ATTORNEY HERRERA: Not necessarily.

COMMISSIONER WAITS: -- something he's suggesting. But other thing is -- don't forget -- you've got other counties involved. We have 17 counties here plus NACO that's putting in and plus some of the private people.

So if goes a million or more, you still -- your 10,000 is still adequate in there and you're okay.

The -- and I understand what the DA's saying. My goodness, it could cost us money.

Have you looked at that map we passed out to you all? You think that's not going to devastate this county?

I mean, I -- I understand what you're saying. And -- and

from a legal point, that's what you're supposed to do is -- is to give us your information, legally what we should and should not do.

But I think this is one critical thing. I mean, it's practically, like I said, on every road the sage grouse has -- they have mapped over. And even if you go 10 feet into that area, it's going to take that area. I mean, we've lost Lander County, if they get their -- their BLM plan management on, ignoring all of our land plans.

COMMISSIONER BAKKER: We -- okay, so we dedicate 10 grand. Can we remove our names an then join the lawsuit later if we wanted to?

DISTRICT ATTORNEY HERRERA: Well, you can always participate. You don't have to be a named party.

You guys voted to be a named party. And then you voted to put $10,000 up.

What -- what hap- -- law- -- at the end of the injunction when the lawsuit starts and they start sending invoices for over $10,000, what are we going to do?

You're either going to pay it or you're going to weaken the lawsuit by saying, no, pull our name off of it.

So you can certainly help participate in a lawsuit, help paying for it, without being a named person.

But we've already agreed to be a named person. And we already agreed --

The two are inconsistent. Up to $10,000 and named person are inconsistent.

And -- and I would ask that we -- we bring this in front of the board again, either by special meeting or --

And -- and let me get the information from these other counties on that so we would know and get -- get the attorney -- we could maybe get a letter from the attorney -- so we know if we're named how much it's -- more it's going to cost us.

Otherwise it's -- it's just --

COMMISSIONER BAKKER: A blank check.

DISTRICT ATTORNEY HERRERA: -- a blank check.

COMMISSIONER CLARK: Well, I'm sure that we all realize the impact of the sage hen and the BLM restrictions. And that's why I pushed for the natural resource half-time position, which turned into a really good deal for us with Synergy, and we'll

have a report on how it's going to affect us at the next meeting. And you got a copy of the -- of the maps.

COMMISSIONER WAITS: Yes, I --

COMMISSIONER CLARK: Okay.

COMMISSIONER WAITS: -- gave everybody a copy of the maps in your -- yeah.

COMMISSIONER CLARK: You got it from Martin Paris last night?

COMMISSIONER WAITS: No. No, I did not --

COMMISSIONER CLARK: Well, --

COMMISSIONER WAITS: -- see that one.

COMMISSIONER CLARK: Well, you --

COMMISSIONER WAITS: But I --

COMMISSIONER CLARK: -- should have.

COMMISSIONER WAITS: -- passed -- I passed -- no, I have not gotten that one.

But I passed out the other ones to you at the last meeting. It was all in your boxes.

And I -- I just think this is too critical to Lander County to just let go. However, what's the deadline you need on it, Ted?

DISTRICT ATTORNEY HERRERA: Seventh.

JEANNE FALZONE: Sixteenth.

DISTRICT ATTORNEY HERRERA: Sixteenth. We -- so we need to do a special meeting between now and the 16th to discuss this. And if --

COMMISSIONER BAKKER: Let's do it.

DISTRICT ATTORNEY HERRERA: -- you guys decide to continue on as is. But I would feel really bad if you didn't have all the information available to you.

COMMISSIONER BAKKER: This thing could become, like, multimillion dollar --

DISTRICT ATTORNEY HERRERA: It could.

COMMISSIONER BAKKER: -- lawsuit.

And I think that'd be more crippling to our county if we had to pay three, four million dollars.

DISTRICT ATTORNEY HERRERA: Well, if we have to pay even hundreds of thousands, it would be -- I mean, it's just --

I don't think you have enough information. You have enough information about why we want to fight it. I would concur.

But you don't have any -- enough information -- you don't have any information on any agreement we have with the attorney.

If we're a named participant, you need to do up a letter of understanding so that, I'm going to have to pay up to this much money. We don't have any of that.

COMMISSIONER BAKKER: So we need to get that for our special meeting?

DISTRICT ATTORNEY HERRERA: Yes.

COMMISSIONER BAKKER: Can we do that?

DISTRICT ATTORNEY HERRERA: I can get the information.

COMMISSIONER BAKKER: Okay. Let's do that.

DISTRICT ATTORNEY HERRERA: I can get a copy of the --

JUDGE MAX BUNCH: Should -- should NACO not be here?

I mean, I think bringing NACO in so you can ask questions of NACO.

DISTRICT ATTORNEY HERRERA: Why do we need to ask questions of NACO?

JUDGE MAX BUNCH: They may have some information that --

DISTRICT ATTORNEY HERRERA: Well, they don't or they would have provided it to us. That's the problem.

JUDGE MAX BUNCH: Okay.

DISTRICT ATTORNEY HERRERA: That the people that have the information are -- are the Elko County District Attorney's Office, the -- the Eureka County District Attorney's Office, the Humboldt County DA's office, including the complaint, and any -- and we need a letter from the attorney who's carrying this lawsuit on, supposedly on our behalf and we've never received one correspondence from that person.

JUDGE MAX BUNCH: Well, the -- the -- the only -- the only question that I had is that Patsy talked about all 17 counties and NACO. So if you've got an attorney representing 17 counties, --

DISTRICT ATTORNEY HERRERA: They're not.

JUDGE MAX BUNCH: Okay.

DISTRICT ATTORNEY HERRERA: They're representing two --

JUDGE MAX BUNCH: Okay.

DISTRICT ATTORNEY HERRERA: -- at this point.

JUDGE MAX BUNCH: So are they also representing NACO?

DISTRICT ATTORNEY HERRERA: No. They're not a named person.

JUDGE MAX BUNCH: And that's why I suggested having NACO here at that special meeting in case there's questions of them. That's all I'm saying.

DISTRICT ATTORNEY HERRERA: I don't care who's here. I just know that I -- and I -- I doubt if NACO can provide us with anything we don't know at this point.

But if the county commissioner would like to have a representative from NACO, then it certainly wouldn't be bad. But -- but I'm --

COMMISSIONER BAKKER: Patsy's our representative.

DISTRICT ATTORNEY HERRERA: Yeah. So that -- I know. That's what I'm saying. If Patsy wants to invite anybody else, that's fine.

I don't think they can provide us with any more information than Patsy can provide us with.

COMMISSIONER WAITS: Unfortunately, I'm leaving on vacation at the end of this meeting. And I won't be back --

DISTRICT ATTORNEY HERRERA: But I think we --

COMMISSIONER WAITS: -- until our next --

DISTRICT ATTORNEY HERRERA: -- need to --

COMMISSIONER WAITS: -- commissioners' meeting.

DISTRICT ATTORNEY HERRERA: We need to have a special meeting next week before the 16th. And I'll get all the information from the other DA's offices.

The named parties -- so I'm talking about the important information that -- that have a letter of agreement or understanding between the -- the Reno attorney that's bringing this lawsuit, supposedly on our behalf and we have no letter of understanding.

COMMISSIONER WAITS: But the timeframe is what's really important here because that attorney asked the other counties to be involved, saying, what it was going up to, to start with the injunction.

DISTRICT ATTORNEY HERRERA: Through NACO. Not through the individual --

COMMISSIONER WAITS: Yes. Yes. And we all came back to our separate counties. That's all we have.

What I'm saying is, when the complaint came out, it named Elko, Eureka, --

DISTRICT ATTORNEY HERRERA: And two mines.

COMMISSIONER WAITS: -- and some of the mining companies.

And when NACO had their meeting, they said, we voted to be named. And they said -- and we should be named. We're voted to. But we want them to know Lander County is upset about this. And yes, we are going to be on the hook. But not to devote that kind of money? Because, like I said, we've got 20 people, minimum, involved and -- and right off the bat, you know. But it could cost us more money.

DISTRICT ATTORNEY HERRERA: When -- when a county --

COMMISSIONER WAITS: But we're --

DISTRICT ATTORNEY HERRERA: -- hires an attorney, there has to be letter of understanding --

COMMISSIONER WAITS: Right. But --

DISTRICT ATTORNEY HERRERA: -- to (indiscernible).

COMMISSIONER WAITS: -- they're just now doing that. So that will be coming out to us.

DISTRICT ATTORNEY HERRERA: After we've already agreed to participate, --

COMMISSIONER WAITS: Yes.

DISTRICT ATTORNEY HERRERA: -- Patsy.

COMMISSIONER WAITS: Yes.

DISTRICT ATTORNEY HERRERA: You're closing the barndoor behind you.

COMMISSIONER WAITS: But we had to -- we had to bring it before the county to see if we wanted to participate. How can --

DISTRICT ATTORNEY HERRERA: Yeah, but you don't participate unless you know what you're participating in.

COMMISSIONER WAITS: Well, we know what we're participating in. The question is: What kind of cost? And you -- you don't know until --

DISTRICT ATTORNEY HERRERA: We don't know. We know -- you don't hire an attorney and just say, yeah, whatever it costs. You don't do that.

COMMISSIONER WAITS: Okay, but we --

DISTRICT ATTORNEY HERRERA: No one does.

COMMISSIONER WAITS: -- do know what we're doing. It's just the amount of money that --

DISTRICT ATTORNEY HERRERA: Yes.

COMMISSIONER WAITS: -- that you're -- you're protecting on

--

DISTRICT ATTORNEY HERRERA: And the letter of understanding, a legal agreement between the --

COMMISSIONER WAITS: Okay.

DISTRICT ATTORNEY HERRERA: -- attorney and the county --

COMMISSIONER WAITS: Okay.

DISTRICT ATTORNEY HERRERA: -- so we have an understanding.

COMMISSIONER WAITS: Can we call NACO now and see if they have any such thing and can give us a heads up on it?

DISTRICT ATTORNEY HERRERA: They don't have it because it's between us and the -- and the attorney. It has to be between Lander County and the attorney.

COMMISSIONER WAITS: But they're coordinating all the counties that are going into it, Ted.

DISTRICT ATTORNEY HERRERA: They can't coord- -- coordinate us as a plaintiff. If -- if we're a named plaintiff, we -- we live on our own. We don't go through NACO.

COMMISSIONER WAITS: Well, we did because they were -- they were putting together all of the information from the counties. That is who we're going through.

DISTRICT ATTORNEY HERRERA: Not if we're named. No, Patsy. No.

COMMISSIONER WAITS: No, I -- I understand your point. But I'm also saying, this -- right? -- isn't this our steps of what we did? The declaration that we're writing is sent to the public lands officer, which is an attorney in NACO. And she is coordinating that with --

DISTRICT ATTORNEY HERRERA: Humboldt County's declaration was filed in court. A declaration made by the chairman of Humboldt County commission without -- without going to the commissioners.

Jim French signed a declaration, didn't even ask the board for authority to sign it. And it's filed in court. We don't want that to happen in our county.

COMMISSIONER WAITS: Well, the de- -- the declaration says what the specifics are to your county.

DISTRICT ATTORNEY HERRERA: Well, we're part of the same lawsuit.

COMMISSIONER WAITS: Right. So every county is giving their specifics.

DISTRICT ATTORNEY HERRERA: If we're going to hire an attorney, which -- which we basically did, we're hiring an attorney without knowing how much it's going to cost us.

COMMISSIONER WAITS: Okay.

DISTRICT ATTORNEY HERRERA: And then there's -- there's no getting around that. We did.

COMMISSIONER WAITS: And if they said, gentlemen, it's going to cost you $2 million, --

DISTRICT ATTORNEY HERRERA: You're going to have to rethink your position.

COMMISSIONER BAKKER: Yeah.

COMMISSIONER WAITS: I -- I wouldn't. For $2 million to save this county?

DISTRICT ATTORNEY HERRERA: Well, that's fine, Patsy. That -- that's -- but I don't think the other commissioners had that understanding.

COMMISSIONER WAITS: Well, I don't believe it's going to be that high. But what I'm saying is, everything we're fighting for right now is -- it's too critical on the line. And -- and -- and it's fine. I understand --

DISTRICT ATTORNEY HERRERA: What I'm saying is --

COMMISSIONER WAITS: -- where you have --

DISTRICT ATTORNEY HERRERA: -- that we should know --

COMMISSIONER WAITS: -- to advise us.

DISTRICT ATTORNEY HERRERA: -- what it's going to cost us --

COMMISSIONER WAITS: Yes.

DISTRICT ATTORNEY HERRERA: -- to fight.

CHAIRMAN STIENMETZ: Right.

COMMISSIONER WAITS: But they never know. And they can't give you --

DISTRICT ATTORNEY HERRERA: Of course, they can. That's why you make the letters of understanding.

COMMISSIONER WAITS: Okay.

COMMISSIONER BAKKER: So we need to get a letter understanding --

DISTRICT ATTORNEY HERRERA: We need to get all --

COMMISSIONER BAKKER: -- and then go from there.

DISTRICT ATTORNEY HERRERA: -- the information --

COMMISSIONER BAKKER: Okay.

DISTRICT ATTORNEY HERRERA: -- available to us.
COMMISSIONER BAKKER: So --
DISTRICT ATTORNEY HERRERA: I need to talk to the attorney.
COMMISSIONER BAKKER: Ted, get --
DISTRICT ATTORNEY HERRERA: That only --
COMMISSIONER BAKKER: -- all the information.
DISTRICT ATTORNEY HERRERA: -- (indiscernible) has not talked to any DA's from any counties.
COMMISSIONER BAKKER: Right. I got you. Get all the information. And then we'll proceed from there.
CHAIRMAN STIENMETZ: Have a meeting to go over it.
COMMISSIONER BAKKER: Yeah.
DISTRICT ATTORNEY HERRERA: So -- so I would ask that you set a special meeting for October 13th.
COMMISSIONER BAKKER: Okay. We don't have to make a motion to do that though; do we?
KEITH WESTENGARD: Well, I'll -- I'll set it up.
COMMISSIONER BAKKER: Okay.
COMMISSIONER MILLS: Thirteenth. Tuesday.
COUNTY CLERK SULLIVAN: Normally, we have --
COMMISSIONER MILLS: I'm just trying --
COUNTY CLERK SULLIVAN: -- to have --
COMMISSIONER MILLS: -- to think.
COUNTY CLERK SULLIVAN: -- for a special, we put it on the record.
DISTRICT ATTORNEY HERRERA: Yeah. We should put it on the record.
COMMISSIONER WAITS: Yeah. We need a motion.
COMMISSIONER BAKKER: For October 13th?
KEITH WESTENGARD: Yep.
COMMISSIONER WAITS: What time?
KEITH WESTENGARD: 9:00 a.m.?
COMMISSIONER BAKKER: Do you want to make a motion?
JEANNE FALZONE: An agenda would have to be posted by Friday at -- tomorrow --
KEITH WESTENGARD: Right.
JEANNE FALZONE: -- to have it on --
KEITH WESTENGARD: It's going to be a single item agenda. And we'll --
JUDGE MAX BUNCH: Maybe.

KEITH WESTENGARD: -- get it --
Thanks, Max.
It'll be -- well, what -- what you want on the agenda? Let's go that way. How do you want it?
UNIDENTIFIED PARTICIPANT: Are we (indiscernible).
KEITH WESTENGARD: -- discussion on joining the lawsuit?
COUNTY CLERK SULLIVAN: No, we're not.
KEITH WESTENGARD: -- what's -- what do you -- you've already --
COMMISSIONER WAITS: No, we've already joined it.
KEITH WESTENGARD: Okay.
COMMISSIONER MILLS: We -- we need a motion on whether the county is going to remain on as a plaintiff --
DISTRICT ATTORNEY HERRERA: Yes.
COMMISSIONER WAITS: -- or just as a --
COMMISSIONER MILLS: Supporter.
COMMISSIONER WAITS: -- what do you call it? -- as a supporter?
DISTRICT ATTORNEY HERRERA: As a participant or -- or just as somebody that's --
COMMISSIONER WAITS: Okay.
DISTRICT ATTORNEY HERRERA: -- that's backing it. That -- that's helping pay the --
COMMISSIONER MILLS: Does that make a different in -- if -- in the outcome of the --
DISTRICT ATTORNEY HERRERA: No.
COMMISSIONER MILLS: -- lawsuit? Will that make any --
DISTRICT ATTORNEY HERRERA: Absolutely --
COMMISSIONER MILLS: -- difference.
DISTRICT ATTORNEY HERRERA: -- not.
COMMISSIONER CLARK: No. There's not going to be a difference in the outcome in --
COMMISSIONER MILLS: I mean, as far as -- can they do a thing where only the participants --
DISTRICT ATTORNEY HERRERA: No.
COMMISSIONER CLARK: No.
COMMISSIONER MILLS: -- get relief or anything like that?
DISTRICT ATTORNEY HERRERA: No.
CHAIRMAN STIENMETZ: No.
COMMISSIONER MILLS: Okay.

COUNTY CLERK SULLIVAN: Sadie Sullivan, for the record, in regards to what Jeanne Falzone said.

So for instance, if you want it on Tuesday and you want it at 10:00 a.m., we have to have the agenda posted on the website, around town by 10:00 p.m. So --

KEITH WESTENGARD: Tomorrow.

COUNTY CLERK SULLIVAN: Tomorrow. So --

COMMISSIONER BAKKER: This -- you can --

COUNTY CLERK SULLIVAN: -- taking into consideration --

COMMISSIONER BAKKER: -- get all the --

COUNTY CLERK SULLIVAN: -- the time --

COMMISSIONER BAKKER: -- information by the 13th; can't you, Ted?

DISTRICT ATTORNEY HERRERA: Yes.

COMMISSIONER BAKKER: Yeah, okay.

COUNTY CLERK SULLIVAN: So --

DISTRICT ATTORNEY HERRERA: I'll get the information.

COUNTY CLERK SULLIVAN: You don't want to --

COMMISSIONER BAKKER: You can post it and you still get all the information probably we need.

COUNTY CLERK SULLIVAN: Right, but --

COMMISSIONER BAKKER: -- need.

COUNTY CLERK SULLIVAN: -- I'm just saying the agenda has to be --

COMMISSIONER WAITS: Do you need --

COUNTY CLERK SULLIVAN: -- posted. So if you have your meeting Tuesday at 9:00 a.m., we have to have the agenda posted tomorrow at 9:00. That's all I'm saying so that you know. Cover us legally.

COMMISSIONER CLARK: Let's make it early on the 13th. I need to get out of town.

COMMISSIONER BAKKER: What time?

COMMISSIONER CLARK: 9:00 o'clock.

COMMISSIONER BAKKER: YOu all good then?

COUNTY CLERK SULLIVAN: Can we have the agenda ready?

COMMISSIONER MILLS: 9:00 o'clock.

COMMISSIONER BAKKER: 9:00 o'clock on the --

DISTRICT ATTORNEY HERRERA: Yeah.

COMMISSIONER BAKKER: -- 13th?

KEITH WESTENGARD: Can you work on the wording?

JEANNE FALZONE: Yeah.

KEITH WESTENGARD: Right after the meeting, I'll go have Vicki do it, get it out -- and be done to you guys.

COMMISSIONER BAKKER: Want to make a motion on this meeting?

COMMISSIONER WAITS: Do we have need the declaration on that too?

DISTRICT ATTORNEY HERRERA: Yeah, we need a copy of the declaration.

COMMISSIONER WAITS: No. I mean, for us to authorize it if we stay --

DISTRICT ATTORNEY HERRERA: We should -- if -- yeah -- if -- yeah we, --

COMMISSIONER WAITS: Either way, --

COMMISSIONER CLARK: Falling apart.

COMMISSIONER WAITS: -- as a participant, --

COMMISSIONER MILLS: You don't have to --

COMMISSIONER BAKKER: Don't mess this -- that stuff up.

COMMISSIONER WAITS: We need --

DISTRICT ATTORNEY HERRERA: We should --

COMMISSIONER WAITS: -- the authorization --

DISTRICT ATTORNEY HERRERA: We should --

COMMISSIONER MILLS: Don't break the place down before we move out.

COMMISSIONER WAITS: -- of declaration.

DISTRICT ATTORNEY HERRERA: -- have an authorization of the declaration because --

COMMISSIONER WAITS: Okay.

DISTRICT ATTORNEY HERRERA: -- Humboldt County didn't. And I think it's --

COMMISSIONER WAITS: Okay. So we need the declaration --

DISTRICT ATTORNEY HERRERA: -- it's going to bite them.

COMMISSIONER WAITS: -- and whether --

COMMISSIONER BAKKER: We need --

COMMISSIONER WAITS: -- we participate or --

DISTRICT ATTORNEY HERRERA: Yeah.

COMMISSIONER WAITS: -- be named. Okay.

COMMISSIONER CLARK: What -- what's very bothersome is that the DAs, the legal representatives --

JEANNE FALZONE: They don't know.

COMMISSIONER CLARK: -- of the county commissioners, haven't been involved --

DISTRICT ATTORNEY HERRERA: No, they haven't.

COMMISSIONER CLARK: -- in this.

DISTRICT ATTORNEY HERRERA: NACO didn't involve them at all.

COMMISSIONER CLARK: That --that's very disturbing to me.

COMMISSIONER WAITS: But every --

KEITH WESTENGARD: Let's do that.

COMMISSIONER WAITS: -- DA in every county gets an agenda. And this was very clear what was on the agenda. So I'm --

JEANNE FALZONE: I've never seen an (indiscernible).

DISTRICT ATTORNEY HERRERA: But we relied on your representation --

COMMISSIONER WAITS: And I did.

DISTRICT ATTORNEY HERRERA: -- without -- but you didn't give us all the information because you didn't have it, Patsy. Because they didn't -- they didn't feel fit to call any DAs and ask them.

COMMISSIONER WAITS: They --

COMMISSIONER CLARK: That's the rub.

JEANNE FALZONE: Humboldt County (indiscernible).

COMMISSIONER CLARK: And it seems like somehow we got locked into a position that we really didn't know we were locked into.

DISTRICT ATTORNEY HERRERA: Right. But -- I don't mind you taking a position if you know all the factors.

COMMISSIONER CLARK: Right.

DISTRICT ATTORNEY HERRERA: And all the background. And the fact that, yeah, we're hiring an attorney, they're going to be representing us. They're not going if representing NACO. They're going to represent Lander County.

COMMISSIONER CLARK: Do we even know the name of the attorney?

DISTRICT ATTORNEY HERRERA: No, we don't.

COMMISSIONER CLARK: Oh. Okay.

COMMISSIONER BAKKER: Um. Okay.

COMMISSIONER CLARK: 9:00 o'clock.

COMMISSIONER BAKKER: Let's make a motion. Have a -- I'll make a motion to do a special commission meeting on

October 13th at 9:00 o'clock.

COMMISSIONER CLARK: One item.

COMMISSIONER BAKKER: One item for the stance between Lander County and the lawsuit regarding the sage grouse plans.

COMMISSIONER CLARK: Second.

CHAIRMAN STIENMETZ: Now, all we need is a motion; right?

DISTRICT ATTORNEY HERRERA: Yeah, you would -- then we can work on the agenda.

CHAIRMAN STIENMETZ: Any public comment?

JUDGE MAX BUNCH: Issue.

JEANNE FALZONE: Issue.

COMMISSIONER BAKKER: And only one issue.

JUDGE MAX BUNCH: Instead of one item.

COMMISSIONER BAKKER: Oh.

JUDGE MAX BUNCH: I think it should be an issue. Because it might be multiple things you have to put on there.

COMMISSIONER BAKKER: Okay. Let me amend that to one issue instead of one item.

DISTRICT ATTORNEY HERRERA: Okay.

CHAIRMAN STIENMETZ: All right. Do I have second?

COMMISSIONER WAITS: One item instead of one issue.

COMMISSIONER BAKKER: One issue instead of one item.

COMMISSIONER WAITS: No.

COMMISSIONER CLARK: One item.

COMMISSIONER WAITS: One item instead of one --

COMMISSIONER CLARK: One item.

COMMISSIONER WAITS: -- issue.

JEANNE FALZONE: One issue instead of one item.

JUDGE MAX BUNCH: You might have multiple issues.

DISTRICT ATTORNEY HERRERA: You might have multiple items on that on issue.

COMMISSIONER WAITS: Right. So it wouldn't --

JUDGE MAX BUNCH: Well, it's just one issue.

COMMISSIONER WAITS: -- be one issue.

JUDGE MAX BUNCH: Yeah. One issue. Dealing with all of this.

CHAIRMAN STIENMETZ: All the items.

DISTRICT ATTORNEY HERRERA: Yeah.

JUDGE MAX BUNCH: Because you -- you've got to have --

COMMISSIONER WAITS: Okay.

JUDGE MAX BUNCH: -- certain -- three of four --
COMMISSIONER WAITS: Okay.
JUDGE MAX BUNCH: -- things that --
COMMISSIONER WAITS: Got it.
JUDGE MAX BUNCH: -- you have to do.
DISTRICT ATTORNEY HERRERA: Because we -- we already went through -- we had two items on this issue already in September. So we might have to -- we might have two or three.
COMMISSIONER WAITS: Thank you.
CHAIRMAN STIENMETZ: You did it. Do have a second?
COMMISSIONER BAKKER: Art --
COMMISSIONER CLARK: Second.
COMMISSIONER MILLS: Art did the second.
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER BAKKER: Aye.
COMMISSIONER CLARK: Aye.
CHAIRMAN STIENMETZ: Aye.
COMMISSIONER WAITS: Aye.
CHAIRMAN STIENMETZ: Thank you.
COMMISSIONER BAKKER: Wow.

14) Update regarding status of the Lander County courthouse/administration building project and other matters properly related thereto.

CHAIRMAN STIENMETZ: All right. We'll go to Item 14. Update regarding status of the Lander County --
COMMISSIONER MILLS: Interesting.
CHAIRMAN STIENMETZ: -- courthouse, slash, administrative building project, and other matters properly related thereto.
JUDGE MAX BUNCH: You guys really might want to stay.
COMMISSIONER WAITS: How you doing, Casey?
COMMISSIONER MILLS: (Indiscernible.)
COMMISSIONER CLARK: How you doing, Max?
COMMISSIONER MILLS: Because I don't know if I'm (indiscernible).
JUDGE MAX BUNCH: Great how are you guys?
COMMISSIONER CLARK: Nice shirt.
COMMISSIONER WAITS: Yeah.
COMMISSIONER CLARK: Nice shirt.

JUDGE MAX BUNCH: Thanks. I bet you're talking to Casey.
CHAIRMAN STIENMETZ: Yeah.
JUDGE MAX BUNCH: Nice tie.
KEITH WESTENGARD: Thanks. Nice suit.
COUNTY CLERK SULLIVAN: I love that on the record.
COMMISSIONER MILLS: Say something nice next to you.
JUDGE MAX BUNCH: Max Bunch for the record. Casey Gunther also here from CORE Construction here for the record.

Kind of give you a quick update as to what's going on.

We've got pavement striping is taking place. It's -- I think it's completed in the back. And they're starting to get completion in the front.

The permanent fence is installed for the secured parking in the rear.

The gates will be going live in just a couple of weeks. If you actually look at it now, the fence is up, the gates are just up. We're waiting to get everything hooked up so that they can be operational.

Tri-Signal is -- which is the data and cable company or cable line company -- they're caught up for the most part. And they are installing cell boosters as we are here today.

Interior finishes are ongoing, as slow as two weeks ago.

We have our punch list work, trying to get all the dings and stuff taken care of.

We have the accordion doors, which are the -- on all the counters. They all come together -- they're -- and hook up so you can block the public off from the actual office, sealing up, securing up the offices. Those have been installed, but they're not finalized yet.

The county furniture is ongoing, somewhat. Some trucks have showed up and some trucks are missing in action. And some furniture is missing in action. And they will be here next week. And then I understand they will be back November 9th also to try to finish up the inst- -- installation.

So we are working on county internet, phone, network, which is a very slow, slow, slow process for whatever reason. We are trying to get people to get on the move, but we're having a hard time getting that done. And it's actually due to our own faults -- our own county faults.

COMMISSIONER BAKKER: People going on vacation?

JUDGE MAX BUNCH: Some things. Yes. Yeah. It's -- it's a tough thing, but we're -- we're trying to work through it.

October -- the October 22nd meeting, we may be able to provide a -- a better update on a move-in date. At this point in time, we're thinking it could be in mid-November or early December, just as a -- in general.

I know the last time I was here, I thought we were looking more at the mid-November date, but numerous things have come up at the very end trying to get this done.

We are still -- we are a little bit closer than we were two weeks ago with our two courtrooms, commissioners' meeting room, and the -- the other meeting room that we have, the community meeting room, that need all these fine finishes.

I know that as of today, there was supposed to be a meeting in Reno at noon between the vice president Of CORE Construction and the owner of the people -- the cabinet company that is supposed to be doing all of this. So I know that that's supposed to be happening here in about --

CASEY GUNTHER: It's happening right now, as we speak.

JUDGE MAX BUNCH: Okay. Then that's happening right now in Reno.

So -- and we're trying to get that figured out and trying to get it straightened out so that we can be moving forward. So...

Casey, do you have anything to add?

CASEY GUNTHER: That pretty much sums it up.

Casey Gunther for the record.

We're -- we're waiting for, basically, two subcontractors to -- to show up and really kind of kick it into high gear for us to be able to provide those dates so we can see what kind of manpower and production they're going to produce.

Once that happens, we should know, like Judge Bunch said, on October 22nd, give an actual -- somewhat realistic date on what we're looking at for the county building, when you can move in and turn that building over.

COMMISSIONER MILLS: I'm curious on the -- on the woodwork. Did -- did we order something really difficult? Or they're just having a hard time getting the material? What's -- what's --

JUDGE MAX BUNCH: Some of --

COMMISSIONER MILLS: -- what held that up?

JUDGE MAX BUNCH: Some of it had -- I mean, the material that we ordered is just -- it's not that extrava- -- extravagant. It's just basic --

COMMISSIONER MILLS: Just like --

JUDGE MAX BUNCH: -- panels, wood panels.

COMMISSIONER MILLS: Oak or something? Or was it --

JUDGE MAX BUNCH: I think it's walnut.

COMMISSIONER MILLS: A walnut?

CASEY GUNTHER: It's walnut. If you don't mind, --

JUDGE MAX BUNCH: Go ahead.

CASEY GUNTHER: -- I can go into it. It's not that the materials themselves are extravagant, like Judge Bunch said. It's the materials have to meet our standards.

COMMISSIONER MILLS: Uh-huh.

CASEY GUNTHER: And they have not been meeting our standards. So we've been rejecting some of that material. And they have been slow getting it back to us.

And then the issue is that inside these courtrooms, with these wood panels, you have a certain reveal -- a space between each of these that have to be maintained. And when we're working off of quarter-inch and eighth-inch reveals that have to be same throughout, --

COMMISSIONER MILLS: Okay.

CASEY GUNTHER: -- we -- they're -- you know, it's a natural product and you have natural flaws in that product. So that's been a lot of the issue. It's -- there's lot of it. That's the main -- main --

COMMISSIONER MILLS: Oh, okay. Yeah.

CASEY GUNTHER: -- concern.

JUDGE MAX BUNCH: And then as a result of this, we have to get all the wood in. Then they can come back in and get the flooring done.

CASEY GUNTHER: Uh-huh.

JUDGE MAX BUNCH: I mean, we have furniture on site, staged in different offices just waiting --

COMMISSIONER MILLS: Waiting for the floor --

JUDGE MAX BUNCH: -- waiting --

COMMISSIONER MILLS: -- to be done so we can put the --

JUDGE MAX BUNCH: -- waiting for all this --

COMMISSIONER MILLS: -- furniture on it.

JUDGE MAX BUNCH: -- to be done so --
COMMISSIONER MILLS: Okay.
JUDGE MAX BUNCH: -- they can get in it.
COMMISSIONER MILLS: Uh-huh. And what's the flooring material? Is that a wood also or is that --
CASEY GUNTHER: It's carpet tiles.
COMMISSIONER MILLS: Is it carpet tiles? Okay, that'll -- that should be quick.
JUDGE MAX BUNCH: No, and that won't take long.
COMMISSIONER MILLS: And that's --
JUDGE MAX BUNCH: They've --
COMMISSIONER MILLS: -- where you're still waiting --
JUDGE MAX BUNCH: -- and they've done --
COMMISSIONER MILLS: -- on the wood.
JUDGE MAX BUNCH: -- the whole building.
CASEY GUNTHER: Right.
JUDGE MAX BUNCH: We just got like six -- six rooms --
COMMISSIONER MILLS: Hm.
JUDGE MAX BUNCH: -- to do.
COMMISSIONER MILLS: Okay.
JUDGE MAX BUNCH: And they're -- they're wanting to get here -- I mean, they wanted to be here two weeks ago. And we told they couldn't come because --
CASEY GUNTHER: Uh-huh.
JUDGE MAX BUNCH: -- we're -- we're not there. I don't want to put carpet down and have them working on carpet.
COMMISSIONER MILLS: Right.
JUDGE MAX BUNCH: So -- and I'm sure --
CASEY GUNTHER: Certain -- there's a certain sequence and logic that has to flow through the construction process. And it wouldn't be wise on our part to try to push anything ahead of time --
COMMISSIONER MILLS: Right.
CASEY GUNTHER: -- because then we'd just be destroying product.
JUDGE MAX BUNCH: And I've kind of come to the realization that this building isn't falling in.
And we'd rather -- and I think CORE Construction would rather have the building completed completely to what we want instead of trying to push them to get in.

And so I've explained to them that if we need to move our date back, we can move our date back.

It's just the way it works.

Unfortunately, we're -- we're trying to plan other things for that. But we can't get to that point. So the pre-planning has kind of knocked us backwards a little bit.

So we're -- we're moving forward. It's just a very snail's pace. We'd like to be going at a jackrabbit pace, but it's not happening.

COMMISSIONER BAKKER: You guys are doing a good job.

CHAIRMAN STIENMETZ: Yep.

CASEY GUNTHER: Doing everything in my power to try and meet our dates.

COMMISSIONER WAITS: The turtle --

CASEY GUNTHER: It's just --

COMMISSIONER WAITS: -- won that race anyway, --

JUDGE MAX BUNCH: Yeah.

COMMISSIONER WAITS: -- not the jackrabbit. You're okay.

JUDGE MAX BUNCH: And I guarantee you -- I don't think they're going to meet their date. But that's just my personal opinion.

CHAIRMAN STIENMETZ: And what's -- what's the date again?

CASEY GUNTHER: The --

JUDGE MAX BUNCH: Friday, November 13th.

COMMISSIONER BAKKER: January 1st.

COMMISSIONER CLARK: Friday? November the 13th.

COMMISSIONER MILLS: That's what's really going on.

CHAIRMAN STIENMETZ: Friday the 13th?

JUDGE MAX BUNCH: Is their --

CHAIRMAN STIENMETZ: My birthday's --

JUDGE MAX BUNCH: -- contractural date?

CHAIRMAN STIENMETZ: -- Saturday.

COMMISSIONER BAKKER: Wow.

COMMISSIONER CLARK: Excellent choice.

JUDGE MAX BUNCH: Don't know -- did it like a year and a half ago. Don't think I picked it out. It just was one of those things.

COMMISSIONER CLARK: Not being superstitious or anything.

COMMISSIONER BAKKER: It's how the planning fell in line.

JUDGE MAX BUNCH: That's just how it fell.

COMMISSIONER BAKKER: Yep.
CASEY GUNTHER: Yep.
CHAIRMAN STIENMETZ: Thank you.
JUDGE MAX BUNCH: We're working on it. Going slow. Try to get there as fast as we can.
COMMISSIONER WAITS: We'll know more at the next meeting.
JUDGE MAX BUNCH: Yep.
CHAIRMAN STIENMETZ: Yep.
CASEY GUNTHER: Okay.
COMMISSIONER CLARK: Thank you.
CHAIRMAN STIENMETZ: Thank you, guys.
COMMISSIONER BAKKER: Thank you, guys.
COMMISSIONER WAITS: Thank you.
COMMISSIONER CLARK: Thank you very much.
JUDGE MAX BUNCH: Oh, one other thing. We are having a janitor's walk on -- October 16th? -- on October 16th for all those who wish to be -- to bid on it in the janitor area for the cleanup. So we have a walk with Jan and Keith and myself and numerous other people. Ted.
DISTRICT ATTORNEY HERRERA: Hopefully, we're going to have a walk.
JUDGE MAX BUNCH: We're going to have a walk.
DISTRICT ATTORNEY HERRERA: Hopefully. Hopefully somebody puts in for it.
JUDGE MAX BUNCH: Well, all they have to do is just show up. It -- it's kind of mandatory walk in order to bid on the job.
DISTRICT ATTORNEY HERRERA: Yeah.
JUDGE MAX BUNCH: So you have to walk through the building to know what you're cleaning before you can bid on it.
CHAIRMAN STIENMETZ: Right.
JUDGE MAX BUNCH: So that's going to be scheduled for Friday at 10:00 a.m. on the 16th, I believe. I will be there to do that.
COMMISSIONER BAKKER: Okay. Thanks, Max.

15) Update regarding the status of the Battle mountain recreational center project and other matters properly related thereto.

CHAIRMAN STIENMETZ: All right. We'll go to 15. Update regarding the status of the Battle Mountain recreation center project and other matters properly related thereto.

TRAVIS COOMBS: Good morning, everybody. My name is Travis Coombs. I'm with CORE Construction.

I've got a very brief slide show presentation to show you guys.

Is there a switch that needs to be switched for the projector?

COMMISSIONER WAITS: Three-minute presentation?

CHAIRMAN STIENMETZ: It's a --

COMMISSIONER WAITS: Is that what he said? A three-minute presentation? He's in public comment.

CHAIRMAN STIENMETZ: That's what (indiscernible) slide show.

COMMISSIONER CLARK: Keep it going. Keep it going.

COMMISSIONER BAKKER: Where are you going?

COMMISSIONER CLARK: Where do you think?

JUDGE MAX BUNCH: Come (indiscernible), Travis.

COMMISSIONER MILLS: He can do whatever he wants.

COMMISSIONER BAKKER: He's got bladder problems.

TRAVIS COOMBS: All righty. So just to show you a few slides on the progress of the design for the Battle Mountain recreation and aquatic center.

Feel free to jump in if you have any questions that come up.

So the current site that we're looking at is -- it's been the site we've been having -- had under consideration for some time where the existing swimming pool is here, located near Altenberg Avenue in the park there.

This is the current floor plan layout that we are working with.

You see the aquatic center here with the lap pool and a small kiddy pool, for lack of a better word.

There are two restrooms located over here. This is the adjacency to the existing park.

The current pool facility has those restrooms accessible to it. So we maintained that amenity in this facility.

This section here is the administrative reception area, locker rooms, and -- and restrooms over here and a couple more

restrooms out near the lobby.

This section here is obviously the recreation gymnasium portion of the building with a basketball court, racquetball, and some storage and mechanical spaces.

COMMISSIONER WAITS: Travis, go -- go back to that again. On -- what are you saying those -- are those locker rooms?

TRAVIS COOMBS: Up here in this --

COMMISSIONER WAITS: With the gym. No, I'm sorry.

TRAVIS COOMBS: Here?

COMMISSIONER WAITS: Yeah.

TRAVIS COOMBS: This is -- this is --

COMMISSIONER CLARK: That's the locker room.

TRAVIS COOMBS: -- the proposed racquetball court.

COMMISSIONER WAITS: Racquetball. Okay. So if you're in the gym, you use the lobby restrooms?

TRAVIS COOMBS: Yes.

COMMISSIONER MILLS: Right.

TRAVIS COOMBS: That's correct. Or you could make your way up into the main restrooms here if you had -- if you wanted to change clothing, if you wanted to come into the center your lunch hour or something.

COMMISSIONER WAITS: You go up where?

TRAVIS COOMBS: This is -- these -- these sections here --

COMMISSIONER WAITS: All the --

TRAVIS COOMBS: -- are lockers.

COMMISSIONER WAITS: -- way through there? Is that -- that's a long ways; is it not?

TRAVIS COOMBS: Well the -- I guess the theory would be, you come into the building, use the locker room to change clothing and then either use the swimming pool or the gymnasium facility.

These are restrooms here as well, these two rooms.

COMMISSIONER WAITS: It just seemed like it was a long ways away from the gym. Maybe it's not in reality, but --

TRAVIS COOMBS: It's not -- it's not terribly far.

COMMISSIONER BAKKER: It's not very big -- yeah.

COMMISSIONER MILLS: Basketball players are very athletic. They can walk.

JUDGE MAX BUNCH: Plus they --

COMMISSIONER WAITS: Yeah, but they're always late.

JUDGE MAX BUNCH: Plus they'll have their basketball shoes on and everything.

The -- the concept behind that is making sure that the people going out to the pool that don't have their shoes on are able to easily access it.

COMMISSIONER BAKKER: And use the showers before they --

JUDGE MAX BUNCH: Right, and they have to --

COMMISSIONER BAKKER: -- swim.

JUDGE MAX BUNCH: -- (indiscernible) the showers.

TRAVIS COOMBS: So outside of the pool here, this is proposed to be a -- an overhead door, almost like a garage door, to create a kind of a continuation from the interior space to the outside space here.

This half circle space here is proposed to be a splash pad, which you may have seen at some parks.

This is -- this is a splash pad that was -- I just pulled a photo off the Internet to give you an idea. It's a place for the kids to go outside and play with different water features and such outside.

Exterior elevations. It's a -- the structure we're looking at is a pre-engineered metal building with metal siding.

Here you can see quite a bit of glazing at the pool area. And then this here is the overhead door to create that connection from the interior to the exterior space.

Glazing at the gymnasium space as well, but the UV rays from the sun can oftentimes damage a -- a wood floor in a gym space. So we're proposing a -- kind of an opaque glass at those areas to limit that -- that UV.

And then this is a rendering of what the proposed building is supposed to look like when we're completed with construction.

You can see the splash pad area here and the -- the two primary metal buildings here and here with the administrative space in the middle.

So we're working well with the Lander County team and Van Woert Bigotti architects, the design team. So we're making good progress. And we're still on schedule to go out to bid near the holiday season.

COMMISSIONER BAKKER: Sounds good. Good job, Travis.

CHAIRMAN STIENMETZ: Good job.

COMMISSIONER BAKKER: Thank you.

COMMISSIONER WAITS: Thank you.

TRAVIS COOMBS: Thank you.

16) Correspondence/reports/potential upcoming agenda items.

CHAIRMAN STIENMETZ: All right. Sixteen, correspondence, reports, potential upcoming agenda items.

(The following correspondence was received:

1. BLM to Interested Public, Bureau of Land Management, Mount Lewis Field Office will be preparing an Environmental Impact Statement which will analyze the impacts of the proposed Gold Bar Mine Project in Eureka County, Nevada.

2. State of Nevada to Permittee, Water Pollution Control Permit draft.

3. United States Nuclear Waste Technical Review Board to hold International Technical Workshop on deep borehole disposal of high-level radioactive waste.

4. Correspondence by e-mail, Greater Sage Grouse Conservation in Nevada and Northern California.

5. BLM to Interested Public, Bureau of Land Management is seeking public comment on a Preliminary Environmental Assessment (PEA) for the Twin Creek Vista VIII Pit Expansion Project.

6. BLM to Interested Public, Bureau of Land Management, Mount Lewis Field Office has issued a Decision of Record and Finding of No Significant Impact for the Environmental Assessment of the Amendment to Plan of Operations #NV-067881, Final Plan for Permanent Closure for the Tonkin Springs Mine.)

CHAIRMAN STIENMETZ: Do we have anything?

COMMISSIONER CLARK: Yeah. Get going on OHV ordinance.

KEITH WESTENGARD: I'm just waiting on Ted to give me what he's got. We've --

COMMISSIONER CLARK: Okay, but we discussed contacting NDOW for permission.

COMMISSIONER BAKKER: Oh, yeah. We got to contact NDOW.

COMMISSIONER CLARK: We have to -- I talked to you about this. You need to contact NDOW to get permission for four wheelers to cross.

KEITH WESTENGARD: Right.

COMMISSIONER CLARK: Okay. So that letter needs to precede the ordinance. We have to have permission first.

COMMISSIONER BAKKER: So call NDOW?

COMMISSIONER CLARK: I got it right here.

COMMISSIONER BAKKER: Whatever.

COMMISSIONER CLARK: Got to have written confirmation.

COMMISSIONER BAKKER: I'd make a phone call.

JUDGE MAX BUNCH: I -- I have a quick update. I -- and I forgot to talk about it a little bit, which is the -- the phones -- we're -- we're lagging behind on our end. And Lura is paying for the phone out of the Technology. And we might need to put it on the agenda for the 22nd, I just don't know how to -- we don't have the information now.

But the gentleman, I've give him until tomorrow 2:00 p.m. to call and give me the information.

But I know that you guys are going to be setting the agenda at a certain point.

And I wanted to make sure that approval for -- for the phone system for the new building would be something that we would like to try and put on the agenda.

We may -- we may have to sign, or I may to have to sign on behalf on of the county, for a letter of intent.

And these phone systems are pre-done through the Nevada State Purchasing. So we are getting the Nevada state purchasing price. It's just a matter of a contract.

But in order for him to order the stuff -- so basically order it through state purchasing and for us to get it. And we may have to have that done before the next meeting, and then I'd be bringing that back for the commission to --

UNIDENTIFIED PARTICIPANT: Codify.

JUDGE MAX BUNCH: -- codify?

COMMISSIONER MILLS: What was that $90,000 we just transferred from the Technology Fund today?

NAN ANCHO: I just -- I just noted it was for the Technology. It wasn't specific.

COMMISSIONER MILLS: Because we just transferred $90,000 from the Technology Fund to the CCP. Is that for phones or is that for something else?

JUDGE MAX BUNCH: No. That is for cell phone boosters and IT stuff.

COMMISSIONER MILLS: Okay.
JUDGE MAX BUNCH: We -- we have --
COMMISSIONER MILLS: So we're going to have to do something like that again.
JUDGE MAX BUNCH: We have all the cables. But we have no switch boxes to put them into.
COMMISSIONER MILLS: Oh.
JUDGE MAX BUNCH: Okay?
So this is part of what we have to do.
COMMISSIONER MILLS: Okay.
JUDGE MAX BUNCH: And if we don't get that, it don't matter if you go over there. You ain't -- you're not getting any -- you're not getting anything. You're not getting internet. You're not getting your employees to work. You're not getting anything done.
So until we get those switch boxes -- and that's where we're at. And people are on vacation. I'm trying to pick up the end here. It's kind of fell back to me.
So I want to just advise you that -- that we --
COMMISSIONER MILLS: Okay.
JUDGE MAX BUNCH: -- need to move forward. And I may have to be approving some things and coming back to -- to the commission.
But just keep in mind it is all about the phone system, the IT, so that when we move that we have everything ready to go.
So...
They're -- next to the building, they're probably the most important thing, you know, to have. So...
CHAIRMAN STIENMETZ: Thanks, Max.
COMMISSIONER BAKKER: Sadie? You got anything?
COUNTY CLERK SULLIVAN: No, I just needed the table.
CHAIRMAN STIENMETZ: All right.
COUNTY CLERK SULLIVAN: Sorry.
COMMISSIONER MILLS: So I got -- just a reminder, we're going to be looking at advertising for a new board member for the hospital board as far as Seat B, I believe, --
COMMISSIONER BAKKER: Hey, did you get --
COMMISSIONER MILLS: -- because Austin --
COMMISSIONER BAKKER: -- the conservation district?
COMMISSIONER MILLS: -- area.

COUNTY CLERK SULLIVAN: We were hoping to combine them all in one publication --

COMMISSIONER BAKKER: Okay.

COUNTY CLERK SULLIVAN: -- the conserv- -- conservation, public lands. And we did talk about the hospital board. So you'd like to have that as well?

COMMISSIONER BAKKER: Keith, did you get that?

KEITH WESTENGARD: I'm sorry.

CHAIRMAN STIENMETZ: Do we have --

COMMISSIONER BAKKER: They're publishing --

CHAIRMAN STIENMETZ: -- anything else?

COMMISSIONER BAKKER: -- the conservat- -- hey, Sadie, repeat that.

UNIDENTIFIED PARTICIPANT: (Indiscernible) to publish.

COUNTY CLERK SULLIVAN: Okay. So we could probably add the hospital real quick.

UNIDENTIFIED PARTICIPANT: Do you want me to (indiscernible)?

COUNTY CLERK SULLIVAN: Yeah.

UNIDENTIFIED PARTICIPANT: I already sent them the publication for conservation.

COMMISSIONER MILLS: There's a possibility there will be a second board member from the hospital that is going to resign and need to be replaced.

COMMISSIONER WAITS: Yeah, but without knowing the district, --

CHAIRMAN STIENMETZ: You can't have --

COMMISSIONER MILLS: Right.

COMMISSIONER BAKKER: The conservation?

COMMISSIONER MILLS: I'm just -- I'm just getting you advanced warning. There's a possibility. So that's --

COUNTY CLERK SULLIVAN: Right.

COMMISSIONER MILLS: There may be a second one coming.

COMMISSIONER WAITS: Yeah, because --

COMMISSIONER MILLS: The only --

COMMISSIONER WAITS: -- they go by --

COMMISSIONER MILLS: -- one --

COMMISSIONER WAITS: -- seat --

COMMISSIONER MILLS: -- we're concerned about --

COMMISSIONER WAITS: -- numbers. You know.

COMMISSIONER MILLS: -- the only one -- the only one we need to do something about right now is Seat B. I'm just letting you know there's a possibility there may be a second one.

COMMISSIONER CLARK: Okay. And I remembered something. You might want to get in touch with Ken Brown on the sage hen issue. Because the reason the sage hen wasn't listed, at least the theory is, that it was faulty science. And Ken Brown has a lot of information about the restrictions and so on. So he's a good -- good source.

COMMISSIONER BAKKER: You mean the BLM didn't get the science right?

COMMISSIONER CLARK: Huh?

COMMISSIONER BAKKER: You mean the BLM didn't get the science right?

COMMISSIONER CLARK: Well, jeez, I don't know who didn't.

COMMISSIONER MILLS: And then just -- just a concern. We've got -- we're -- we're out of -- we're out of contract with J-U-B. We need to make sure we get that up.

KEITH WESTENGARD: We're working on that.

COMMISSIONER MILLS: Convention and Tourism is still out of contract. A lot -- I don't know how many more are out there, but --

KEITH WESTENGARD: The --

COMMISSIONER MILLS: We've been trying --

KEITH WESTENGARD: -- Convention and Tourism, is -- that's --

COMMISSIONER MILLS: Yeah.

KEITH WESTENGARD: -- that's Ted's deal.

CHAIRMAN STIENMETZ: Right.

KEITH WESTENGARD: I don't know --

COMMISSIONER MILLS: Right. And I know --

KEITH WESTENGARD: -- about that.

COMMISSIONER MILLS: -- we've got a couple of them. We've been trying to keep up on those and trying to work on those. I just don't want to be, --

KEITH WESTENGARD: Right.

COMMISSIONER MILLS: You know, I want to make sure we're staying up on that.

KEITH WESTENGARD: Okay.

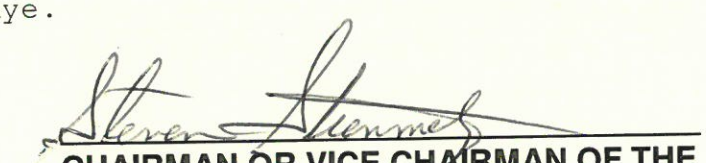
COMMISSIONER BAKKER: It's good when you broke that.
CHAIRMAN STIENMETZ: All right.
COMMISSIONER CLARK: It just was hanging there.
CHAIRMAN STIENMETZ: That's all we've got.
COMMISSIONER BAKKER: I'll make --

PUBLIC COMMENT

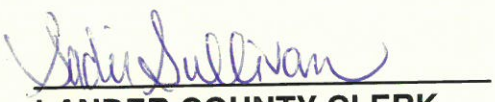
CHAIRMAN STIENMETZ: Then we go to public comment for non-agendized items only.
(No comment.)
CHAIRMAN STIENMETZ: Seeing none, then we'll go to the last item.
COMMISSIONER BAKKER: You guys got anything?

ADJOURNMENT

COMMISSIONER CLARK: Make a motion to adjourn.
COMMISSIONER BAKKER: Second.
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER CLARK: Aye.
COMMISSIONER BAKKER: Aye.
COMMISSIONER MILLS: Aye.
COMMISSIONER WAITS: Aye.



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

ATTEST: 

LANDER COUNTY CLERK

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

STATE OF UTAH)
) ss.
COUNTY OF DAVIS)

I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "FOR THE RECORD" ELECTRONIC AUDIO RECORDING OF A MEETING WHICH TOOK PLACE THE 8TH DAY OF OCTOBER 2015, AND SAID RECORDING AND INFORMATION PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS THE AUDIO RECORDING ALLOWED.

DATED AT SPRING CREEK, NEVADA,
THIS _____ DAY OF OCTOBER 2015.

_____
TIFFANY ELKINGTON, CCR #930

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