

1 The Honorable Board of Lander County Commissioners met in
2 regular session in the Commission Chambers of the Lander County
3 Courthouse in Battle Mountain, Nevada, on October 9, 2014, at
4 9:01 a.m.

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

15 **ABSENT:** STEVEN STIENMETZ, COMMISSIONER
16

17 Let the record reflect the presence of a quorum of four
18 commissioners.
19

20 Let the record reflect the presence of Austin via telephone
21 conference.
22

23 [Meeting commenced on October 9, 2014, at 9:01 a.m.]
24
25

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

29 Nan, will you lead us in the pledge.
30

31 (Pledge of Allegiance.)
32
33

34 **APPROVAL OF AGENDA NOTICE**
35

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

38 COMMISSIONER BULLOCK: I'll make a motion to approve the
39 agenda notice.

40 COMMISSIONER MASON: Second.

1 CHAIRMAN GARNER: Any public comment?

2 (No comment.)

3 CHAIRMAN GARNER: All those in favor?

4 COMMISSIONER MASON: Aye.

5 COMMISSIONER WAITS: Aye.

6 CHAIRMAN GARNER: Aye.

7 COMMISSIONER BULLOCK: Aye.

8
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10 **APPROVAL & ACCEPTANCE OF MINUTES**

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

15 COMMISSIONER WAITS: I just have one correction, actually
16 not on the minutes per se, but they don't say draft on them.

17 So I would make a motion that we approve the regular session
18 September 11th and include the draft on the old copies.

19 COMMISSIONER BULLOCK: I'll second.

20 CHAIRMAN GARNER: Any public comment?

21 (No comment.)

22 CHAIRMAN GARNER: All those in favor?

23 COMMISSIONER MASON: Aye.

24 CHAIRMAN GARNER: Aye.

25 COMMISSIONER WAITS: Aye.

26 COMMISSIONER BULLOCK: Aye.

27 CHAIRMAN GARNER: Have minutes for the 25th?

28 COUNTY CLERK SULLIVAN: Yeah.

29 CHAIRMAN GARNER: I didn't see any.

30
31
32 **COMMISSIONER REPORTS**

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34 CHAIRMAN GARNER: Commissioners' reports on meetings,
35 conferences, and seminars attended.

36 COMMISSIONER MASON: I had a -- do you want me to lead off?

37 CHAIRMAN GARNER: Sure.

38 COMMISSIONER MASON: The Lander County Planning Commission
39 met last night at 6:00 o'clock and approved three items and
40 deferred three items.

1 But the main discussion was over the master plan, Lander
2 County code -- oh, the codes. Lander County codes are -- are
3 being -- Jan Morrison is working on our codes to update them. And
4 three items there were deferred -- for a better discussion.

5 And then we had a -- there was a good discussion on updating
6 the master plan for streets and highways for the Battle Mountain
7 area and also for the water/sewer. I'm lumping those together.
8 That was a good -- excellent discussion. We want to keep going.
9 And they want to continue to have the master plan as an -- a
10 regular agenda item, moving forward with that during the winter.

11 And that's all I have.

12 CHAIRMAN GARNER: Patsy?

13 COMMISSIONER WAITS: Thank you. I have a couple meetings
14 to report on.

15 On October 6th, I did attend the Austin Chamber of Commerce
16 meeting. There was an update by Rick Bell on the EMS service of
17 where they are.

18 And our two ladies that were taking the EMS class have
19 completed that. So now we're waiting for their final exams to
20 be set.

21 And in the interim, we still have a few days a week that
22 Battle Mountain has been handling the southern Lander County
23 area with their -- their folks coming directly down and staying
24 a few days.

25 Also on October 6th, we had the Public Lands Use Advisory
26 Committee meeting. On that one, we found out that there was a
27 new complaint that actually was filed against the Department of
28 Interior and the BLM. And that was from Pershing County who has
29 joined some of the ranchers in their area. And that complaint
30 was filed. And it's for the management -- mismanagement of the
31 wild horses, basically.

32 In the report from the forest service, they told us that
33 they did actually have nine burros that they -- they picked up
34 from private lands. That -- this is one in Smoky Valley they've
35 been complaining about. But they did pick up nine burros. And
36 three of them were -- were little fellows and were immediately
37 adopted. An older one also found a home. And the remaining
38 five went into their -- their area to be checked and -- and put
39 up for adoption at a later time.

40 They're also beginning another coordinating oversight

1 management team on elk. And they've had a team for some time that
2 used to work in conjunction with NDOW. But it hasn't been meeting
3 for the last two or three years. And many of the questions were
4 on our elk and what was going on in -- in the Smoky Valley area
5 especially. But that will be set up. They're just completing the
6 team on that right now. And that will be in service very, very
7 soon.

8 And last night, on the 8th, I attended a special meeting with
9 the Kingston Town Board. And that was just strictly called to
10 approve a letter that the town board wanted to send to the
11 Kingston Fire Department. They did not have a copy of the letter
12 or anything present, but I will read you what the agenda item
13 actually says.

14 Discussion for possible action to approve a letter from the
15 Kingston Town Board to the Kingston Volunteer Fire Department
16 Corporation declaring the Town of Kingston will no longer require
17 nor financially support the corporation services as the town will
18 be using its own volunteers.

19 They also are requiring the return of some of their equipment
20 that is now in the corporation name and barring them from using
21 the fire hall.

22 So that was approved that their letter be sent. And I
23 understand they are now -- Angie had been representing them for a
24 little bit and then received a letter from the Kingston Fire
25 Department Corporation's attorney. And so she backed out. And
26 they are now working with an attorney from POOL/PACT. Not a good
27 situation.

28 And that's all I have.

29 COMMISSIONER BULLOCK: Okay. On the 29th, I was in Carson
30 City and met with the ranchers, followed them on the ride to the
31 capital where we met with the chief of staff of Governor
32 Sandoval. He was in -- away in Afghanistan at the time of the
33 -- we road there. Had a good meeting with them.

34 And the petitions that they previously had left there, they
35 can't seem to find. So hopefully by time they get to D.C., they
36 will have the petitions in the -- in their hands so -- so that
37 they can present them when they get back to Washington, D.C.

38 But it was a real good turnout and a pretty good meeting
39 with -- with the chief of staff.

40 Then on the 1st, I attended the LEDA meeting. Things are

1 going forward. Got things situated. Discussed the new
2 interests that are coming into the town as far as businesses.

3 And we have one very positive, looking at the railhead out
4 by Dyno Nobel, the old FMC place. And also discussed the -- the
5 meetings that were held for business owners in town for the
6 Front Street and Broad Street project that's going on, the
7 gateway project and how probably somewhere around March they
8 will have a meeting with a specialist that will go in and meet
9 with all business owners, evaluate, and see how to improve the
10 appearance of all those businesses on those streets. So that
11 was pretty much -- that was LEDA.

12 On the 2nd, went to Eureka int- -- for a special Great
13 Basin Regional Development Authority meeting that was strictly
14 to hire a firm of grant writers that will be writing grants for
15 the Regional Development Authority and so that was approved.
16 And Beck Consultants out of Las Vegas was approved to -- to go
17 ahead and do the grants for the Regional Development Authority.

18 And that's all I have.

19 CHAIRMAN GARNER: I just sat in on a meeting with Patsy, on
20 the ambulance, and toured the airport. Some interesting things.
21 That's all I've got.

22 23 24 STAFF REPORTS

25
26 CHAIRMAN GARNER: Staff reports on meetings, conferences,
27 and seminars attended.

28 KEITH WESTENGARD: Okay. We -- we had our first department
29 head meeting two weeks ago. We discussed expectations of
30 department heads and the importance of communication.

31 We're currently working on all of our job descriptions to
32 get them all updated. They're -- hopefully, we'll have most of
33 them back to me today for our department head meeting.

34 Planning on having a department head meeting every two
35 weeks after the commission meeting to discuss any -- any issues
36 that come up.

37 So we're working on the job descriptions so I can review
38 them and get them to the commission for approval. And then
39 we'll put those in place.

40 Let me see. We are finalizing our policy manual that was put

1 into place several months ago, but it was more in a template form.
2 So we're just tailoring it to the county. Once we get that
3 tailored, we'll get it to you to look it over once again.

4 I've had several phone conversations with J.D. Heithoff of
5 JUB -- J-U-B Engineering -- regarding the airport. Recently, we
6 were based out of San Francisco. And now it's been moved to
7 Phoenix. So we are continuing forward with the airport projects,
8 the paving, and so forth. We should have something middle of the
9 winter for the commission to look over to get the runways
10 completed at the Battle Mountain Airport.

11 CHAIRMAN GARNER: They're -- they're not proposing getting
12 rid of the crosswind runway --

13 KEITH WESTENGARD: No.

14 CHAIRMAN GARNER: -- anymore?

15 KEITH WESTENGARD: No. What it is, is the one -- one
16 runway that's in very poor shape, they're looking at doing
17 repairs on it to get it back into a safe operation. And then
18 the other two runways, they're going to get those into a
19 maintenance mode so we don't get to the point where we are with
20 the -- that runway that's in poor shape, --

21 CHAIRMAN GARNER: Okay.

22 KEITH WESTENGARD: -- the two -- two point -- or two dash
23 zero -- or 2-13 runway.

24 We did talk a little bit about the contract in Austin. And
25 we're still waiting for that -- the private company contract in
26 Austin. We're still waiting for FAA's opinion on how it would
27 affect our grants. So once I get that, I'll bring it to you guys
28 as well.

29 Last week, I attended a POOL/PACT HR training in Reno. It
30 was very informative. It was a two-day seminar that, like I said,
31 POOL/PACT put on.

32 We've had several meetings on our aquatic center. And a
33 little later on the agenda that is one of the agenda items to
34 discuss the land. And once we get there, we are prepared to move
35 forward with our aquatic center.

36 Last week, I did receive a phone call from a citizen
37 regarding the water pressure in the town being too high. It did
38 cause significant damage to one of his rentals in the amount of
39 about \$2,000.

40 I've spoken with Jake. Jake is calling some surrounding

1 towns to see where their residential water pressure is set at.
2 Once he gets all that research done, I have some ideas to bring
3 to the commission to see how we want to approach this. We've
4 had -- Jake's had a total of about five or six high-pressure
5 water complaints. On the other hand, he's also had some -- some
6 good discussion with people in town who like it. So we have to
7 look at -- at how we're going to approach this. That's pretty
8 significant damage, \$2,000. So once we get the research done, I
9 should have something to you by next commission meeting and some
10 ideas of how -- how to deal with these issues as they come up in
11 the future.

12 Our P.O.D. flu dispense was canceled. I think everybody knew
13 that. We did receive the vaccine this week for it. We should be
14 going ahead with it. The tentative date is October 28th. We'll
15 have some flyers out to get that out to the community. So
16 there'll be more to follow with that.

17 Currently, I'm working with Battle Mountain General
18 Hospital and Lander County EMS on the plan in the unlikely event
19 that we have Ebola outbreak in the area. We're putting together
20 an emergency operations plan to be prepared on how we're going
21 to deal with that if -- if that circumstance arises within our
22 area.

23 Let me see. I have a letter from Senator -- or an e-mail
24 from Senator Heller's office. He's going to be in Austin on the
25 22nd to discuss sage grouse and other natural-related -- natural
26 resource-related issues. So I plan on going down -- and I believe
27 Jan's going down as well -- on October 22nd.

28 COMMISSIONER BULLOCK: Do you have a time on that?

29 COMMISSIONER WAITS: 11:00 o'clock.

30 KEITH WESTENGARD: Was it 11:00?

31 COMMISSIONER WAITS: 11:00.

32 KEITH WESTENGARD: Okay. So anyway, we can ride down
33 together, if anybody would like to go. We have a vehicle and
34 all go down and listen in.

35 We had a visit from POOL/PACT. POOL/PACT has a company they
36 hired to do our insurance or inspections on all our properties
37 throughout the county. He did that Monday and Tuesday here in
38 Battle Mountain. Yesterday he was in Austin and Kingston.
39 Inspected 97 different properties. It's a routine inspection that
40 they do annually on our or semi- -- every two years on our

1 properties.

2 I met with him both days. And like I said, everything went
3 fine. They only record any significant changes in the event a
4 building was upgraded or added on to. And then they make
5 adjustments from there.

6 ARC, the health and wellness trailer, did complete their
7 physicals for the sheriff's office in Battle Mountain VFD over the
8 last two weeks, the part one physical. They will be in Austin on
9 October 18th to do the Austin/Kingston volunteer fire departments,
10 their part one and part two physicals. They're going to do
11 everything in one day.

12 Let me see. As far as safety goes, we have had zero
13 recordable accidents in the last month. So we're doing real good
14 there. We are at six for the year.

15 LEPC, we did a cyanide drill in conjunction with the mine.
16 We had a simulated acid spill -- or I'm sorry -- cyanide spill
17 with exposure to victims. One was treated at the hospital as a
18 drive-in or walk-in. And the other one was transported in by
19 the ambulance. So we met our objective for our LEPC drill this
20 year.

21 The drill went very well. We noted the strong points as
22 well as any of the weak points to improve on in the future with
23 our emergency room, our EMS, and our LEPC.

24 Something to think about, which I'll put on the next
25 schedule, is our holiday schedule for November/December this year.
26 That will be on the next schedule as well.

27 CHAIRMAN GARNER: Thanks, Keith.

28 KEITH WESTENGARD: Thank you.

29 COMMISSIONER WAITS: The meeting tomorrow?

30 KEITH WESTENGARD: Oh, thank you.

31 We have a meeting tomorrow with Senator Reid's office here in
32 Battle Mountain. I believe I spoke with you about it,
33 Commissioner Bullock, and you'll be out of town. We'll meet at
34 the office and we're going to discuss issues within the county.

35 COMMISSIONER WAITS: Thank you.

36 KEITH WESTENGARD: Thanks. I missed that one. It's
37 actually on my list.

38 COMMISSIONER MASON: What time?

39 KEITH WESTENGARD: 11 o'clock at the --

40 COMMISSIONER WAITS: 10:00? You're 10:00 tomorrow.

1 KEITH WESTENGARD: Okay. I had -- I had 11:00. But okay,
2 I will double check on that and phone you.

3 COMMISSIONER WAITS: 10:00 was the one that was set up
4 unless they've changed it.

5 KEITH WESTENGARD: Okay. All right. That's all I have.
6 It's at the DOE -- right now.

7 COMMISSIONER MASON: I have a suggestion. When you -- when
8 you do a review like you -- one of the agenda items is a review
9 of HR --

10 KEITH WESTENGARD: Yes.

11 COMMISSIONER MASON: Highlight what's being changed.
12 Otherwise you've got to read the whole thing. And I don't
13 know still yet what's being changed on the --

14 KEITH WESTENGARD: There's -- well, there was -- there was
15 several different job descriptions that we combined.

16 COMMISSIONER MASON: Well, you're going do a lot of them, I
17 --

18 KEITH WESTENGARD: Right.

19 COMMISSIONER MASON: -- is what you said. I'm just saying
20 make it easier for us to see --

21 KEITH WESTENGARD: Okay.

22 COMMISSIONER MASON: -- what the changes are --

23 KEITH WESTENGARD: All right.

24 COMMISSIONER MASON: -- in our -- in our agenda setting.

25 KEITH WESTENGARD: Okay.

26 COMMISSIONER MASON: Thank you.

27 KEITH WESTENGARD: Thank you.

28
29
30 **PAYMENT OF THE BILLS**

31
32 CHAIRMAN GARNER: Discussion for possible action regarding
33 payment of bills.

34 VICKI PETERS: Vicki with Finance.

35 COMMISSIONER WAITS: Good morning, Vicki.

36 VICKI PETERS: Okay. This meeting we have in bills for
37 checks numbers 49589 through 49660 -- \$2,260,704.81.

38 CHAIRMAN GARNER: Go ahead.

39 VICKI PETERS: The ratified checks this time are check
40 #49547 Basalite Concrete, \$50,257.70.

1 Check #49549, \$1,961,394.24.
2 COMMISSIONER MASON: That's the Lander County complex.
3 VICKI PETERS: Check #49550 for David J. Cormany for
4 10,471.22.
5 Check #49553, Angie Elquist for \$382.76.
6 Check #49560 for Blair Keller for \$320.
7 Check #49562 for LexisNexis -- excuse me -- Risk Data
8 Management for 106.09.
9 Check #49563 to NACO for 975.
10 Check #49566, PERS Administrative Fund for 170.
11 Check #49567, Pezonella for \$15,757.50 -- excuse me.
12 Check #49575, Wells Fargo payment, \$2,217.60.
13 Check #49577, Nolienna Castel- -- excuse me -- Castellanos for
14 \$132.
15 Check #49578, Chase Card Service for 440.
16 Check #49579, Angie Elquist, \$212.09.
17 Check #49582 for Damian McKinney for 132.
18 COMMISSIONER MASON: You've been busy, huh?
19 VICKI PETERS: It was a busy run, yes.
20 Check #49584 for Pezonella for one, one -- excuse me --
21 \$1,657.50.
22 And the last one 49588 to the B. M. Bugle for \$28.60.
23 COMMISSIONER WAITS: I need to abstain from check #49653
24 for travel expenses.
25 COMMISSIONER BULLOCK: I'll be abstaining from check
26 #49597.
27
28 (Commissioners reviewing payment of the bills.)
29
30 COMMISSIONER BULLOCK: Can somebody explain to me why we're
31 paying overtime for the inspection of the courthouse?
32 VICKI PETERS: Overtime?
33 COMMISSIONER BULLOCK: That's what it says. Overtime, out
34 of scope, an extra \$1,657.50.
35 CHAIRMAN GARNER: Who's it to?
36 COMMISSIONER BULLOCK: Pezonella. Seventeen hours
37 overtime?
38 NAN ANCHO: I can talk to Max about that one.
39 COMMISSIONER BULLOCK: I know. And I don't see him.
40 COMMISSIONER MASON: Isn't CORE supposed to be on top of

1 that?

2 CHAIRMAN GARNER: Mm-hm.

3 KEITH WESTENGARD: I will check into it.

4 COMMISSIONER BULLOCK: I didn't think we were that
5 hard-pressed we had to pay overtime, so --

6 KEITH WESTENGARD: It seems like a pretty big project for a
7 thousand. I'll check into it.

8 COMMISSIONER MASON: Maybe a concrete run or something. I
9 don't know, but --

10 KEITH WESTENGARD: Yeah.

11

12 (Commissioners reviewing payment of the bills.)

13

14 COMMISSIONER MASON: It's a lot of money.

15 COMMISSIONER BULLOCK: (Indiscernible.)

16 CHAIRMAN GARNER: Do you want to hold this?

17 COMMISSIONER BULLOCK: No. We're going to have to deal
18 with it --

19 CHAIRMAN GARNER: We don't have to.

20 NAN ANCHO: If you want, we can void that one until the
21 questions have been answered on it.

22 CHAIRMAN GARNER: Apparently they accrued the overtime. I
23 just want to know why.

24 COMMISSIONER BULLOCK: It's not like we can deny it now if
25 they've already incurred it.

26 CHAIRMAN GARNER: We can stop the future.

27 KEITH WESTENGARD: Absolutely.

28

29 **Basalite Concrete Product**

30

31 COMMISSIONER BULLOCK: Okay. I'll make a motion to ratify
32 check #49547 to Basalite Concrete Product in the amount of
33 \$50,257.70.

34 COMMISSIONER WAITS: I'll second the motion.

35 CHAIRMAN GARNER: Any public comment?

36 (No comment.)

37 CHAIRMAN GARNER: All those in favor?

38 COMMISSIONER MASON: Aye.

39 CHAIRMAN GARNER: Aye.

40 COMMISSIONER WAITS: Aye.

1 COMMISSIONER BULLOCK: Aye.

2

3 **CORE Construction**

4

5 COMMISSIONER BULLOCK: I'll make a motion to ratify check
6 #49549 to CORE Construction in the amount of \$1,961,394.24.

7 COMMISSIONER WAITS: I'll second the motion.

8 CHAIRMAN GARNER: Any public comment?

9 (No comment.)

10 CHAIRMAN GARNER: All those in favor?

11 COMMISSIONER MASON: Aye.

12 CHAIRMAN GARNER: Aye.

13 COMMISSIONER WAITS: Aye.

14 COMMISSIONER BULLOCK: Aye.

15

16 **David J. Cormany**

17

18 COMMISSIONER BULLOCK: I'll make a motion to ratify check
19 #49550 to David J. Cormany in the amount of \$10,471.22.

20 COMMISSIONER WAITS: I'll second the motion.

21 CHAIRMAN GARNER: Any public comment?

22 (No comment.)

23 CHAIRMAN GARNER: All those in favor?

24 COMMISSIONER MASON: Aye.

25 CHAIRMAN GARNER: Aye.

26 COMMISSIONER WAITS: Aye.

27 COMMISSIONER BULLOCK: Aye.

28

29 **Angie M. Elquist**

30

31 COMMISSIONER BULLOCK: I'll make a motion to ratify check
32 #49553 to Angie M. Elquist in the amount of \$382.76.

33 COMMISSIONER WAITS: I'll second the motion.

34 CHAIRMAN GARNER: Any public comment?

35 (No comment.)

36 CHAIRMAN GARNER: All those in favor?

37 COMMISSIONER MASON: Aye.

38 COMMISSIONER WAITS: Aye.

39 CHAIRMAN GARNER: Aye.

40 COMMISSIONER BULLOCK: Aye.

1 **Blair E. Keller**

2
3 COMMISSIONER BULLOCK: I'll make a motion to ratify check
4 #49560 to Blair E. Keller in the amount of \$320.

5 COMMISSIONER WAITS: I'll second the motion.

6 CHAIRMAN GARNER: Any public comment?

7 (No comment.)

8 CHAIRMAN GARNER: All those in favor?

9 COMMISSIONER MASON: Aye.

10 COMMISSIONER WAITS: Aye.

11 CHAIRMAN GARNER: Aye.

12 COMMISSIONER BULLOCK: Aye.

13
14 **LexisNexis**

15
16 COMMISSIONER BULLOCK: I'll make a motion to ratify check
17 #49562 to LexisNexis Risk Data Management, in the amount of
18 \$106.09.

19 COMMISSIONER WAITS: I'll second the motion.

20 CHAIRMAN GARNER: Any public comment?

21 (No comment.)

22 CHAIRMAN GARNER: All those in favor?

23 COMMISSIONER MASON: Aye.

24 COMMISSIONER WAITS: Aye.

25 CHAIRMAN GARNER: Aye.

26 COMMISSIONER BULLOCK: Aye.

27
28 **NACO**

29
30 COMMISSIONER BULLOCK: I'll make a motion to ratify check
31 #49563 to NACO in the amount of \$975.

32 COMMISSIONER WAITS: I'll second the motion.

33 CHAIRMAN GARNER: Any public comment?

34 (No comment.)

35 CHAIRMAN GARNER: All those in favor?

36 COMMISSIONER MASON: Aye.

37 COMMISSIONER WAITS: Aye.

38 CHAIRMAN GARNER: Aye.

39 COMMISSIONER BULLOCK: Aye.

1 **PERS Administrative Fund**

2
3 COMMISSIONER BULLOCK: I'll make a ro- -- a motion to
4 ratify check #49566 to PERS Administrative Fund for \$170.

5 COMMISSIONER WAITS: I'll second the motion.

6 CHAIRMAN GARNER: Any public comment?
7 (No comment.)

8 CHAIRMAN GARNER: All those in favor?

9 COMMISSIONER MASON: Aye.

10 CHAIRMAN GARNER: Aye.

11 COMMISSIONER WAITS: Aye.

12 COMMISSIONER BULLOCK: Aye.

13
14 **Pezonella Associates, Incorporated**

15
16 COMMISSIONER BULLOCK: I'll make a motion to ratify check
17 #49567 to Pezonella Associates, Incorporated, in the amount of
18 \$15,757.50.

19 COMMISSIONER WAITS: I'll second the motion.

20 CHAIRMAN GARNER: Public comment?
21 (No comment.)

22 CHAIRMAN GARNER: All those in favor?

23 COMMISSIONER MASON: Aye.

24 CHAIRMAN GARNER: Aye.

25 COMMISSIONER WAITS: Aye.

26 COMMISSIONER BULLOCK: Aye.

27
28 **Wells Fargo**

29
30 COMMISSIONER BULLOCK: I'll make a motion to ratify check
31 #49575 to Wells Fargo payment in the amount of \$2,217.60.

32 COMMISSIONER WAITS: I'll second the motion.

33 CHAIRMAN GARNER: Any public comment?
34 (No comment.)

35 CHAIRMAN GARNER: All those in favor?

36 COMMISSIONER MASON: Aye.

37 CHAIRMAN GARNER: Aye.

38 COMMISSIONER WAITS: Aye.

39 COMMISSIONER BULLOCK: Aye.

1 **Noliena Castellanos**

2
3 COMMISSIONER BULLOCK: I'll make a motion to ratify check
4 #49577 to Noliena Castellanos in the amount of \$132.

5 COMMISSIONER WAITS: I'll second the motion.

6 CHAIRMAN GARNER: Any public comment?

7 (No comment.)

8 CHAIRMAN GARNER: All those in favor?

9 COMMISSIONER MASON: Aye.

10 COMMISSIONER WAITS: Aye.

11 CHAIRMAN GARNER: Aye.

12 COMMISSIONER BULLOCK: Aye.

13
14 **Chase Card Service**

15
16 COMMISSIONER BULLOCK: I'll make a motion to ratify check
17 #49578 to Chase Card Service in the amount of \$440.

18 COMMISSIONER WAITS: I'll second the motion.

19 CHAIRMAN GARNER: Any public comment?

20 (No comment.)

21 CHAIRMAN GARNER: All those in favor?

22 COMMISSIONER MASON: Aye.

23 COMMISSIONER WAITS: Aye.

24 CHAIRMAN GARNER: Aye.

25 COMMISSIONER BULLOCK: Aye.

26
27 **Angie M. Elquist**

28
29 COMMISSIONER BULLOCK: I'll make a motion to ratify check
30 #49579 to Angie M. Elquist in the amount of \$212.09.

31 COMMISSIONER WAITS: I'll second the motion.

32 CHAIRMAN GARNER: Any public comment?

33 (No comment.)

34 CHAIRMAN GARNER: All those in favor?

35 COMMISSIONER MASON: Aye.

36 CHAIRMAN GARNER: Aye.

37 COMMISSIONER WAITS: Aye.

38 COMMISSIONER BULLOCK: Aye.

1 **Damian McKinney**

2
3 COMMISSIONER BULLOCK: I make a motion to ratify check
4 #49582 to Damian McKinney in the amount of \$132.

5 COMMISSIONER WAITS: I'll second the motion.

6 CHAIRMAN GARNER: Any public comment?

7 (No comment.)

8 CHAIRMAN GARNER: All those in favor?

9 COMMISSIONER MASON: Aye.

10 CHAIRMAN GARNER: Aye.

11 COMMISSIONER WAITS: Aye.

12 COMMISSIONER BULLOCK: Aye.

13
14 **Pezonella Associates, Incorporated**

15
16 COMMISSIONER BULLOCK: I'll make a motion to ratify check
17 #49584 to Pezonella Associates, Incorporated, for \$1,657.50.

18 COMMISSIONER WAITS: I'll second the motion.

19 CHAIRMAN GARNER: Any public comment?

20 (No comment.)

21 CHAIRMAN GARNER: All those in favor?

22 COMMISSIONER MASON: Aye.

23 COMMISSIONER WAITS: Aye.

24 CHAIRMAN GARNER: Aye.

25 COMMISSIONER BULLOCK: Aye.

26
27 **Battle Mountain Bugle**

28
29 COMMISSIONER BULLOCK: I'll make a motion to ratify check
30 #49588 to the -- the Battle Mountain Bugle in the amount of
31 \$28.60.

32 COMMISSIONER WAITS: I'll second the motion.

33 CHAIRMAN GARNER: Any public comment?

34 (No comment.)

35 CHAIRMAN GARNER: All those in favor?

36 COMMISSIONER MASON: Aye.

37 CHAIRMAN GARNER: Aye.

38 COMMISSIONER WAITS: Aye.

39 COMMISSIONER BULLOCK: Aye.

1 **Submitted Expenditures**

2
3 COMMISSIONER BULLOCK: Okay, if there's nothing further on
4 the submitted expenditures, I make a motion to approve submitted
5 expenditures in the amount of \$2,260,704.81 from check #49589
6 through check #49660.

7 COMMISSIONER WAITS: I'll second the motion.

8 CHAIRMAN GARNER: Any public comment?

9 (No comment.)

10 CHAIRMAN GARNER: All those in favor?

11 COMMISSIONER MASON: Aye.

12 CHAIRMAN GARNER: Aye.

13 COMMISSIONER WAITS: Aye.

14 COMMISSIONER BULLOCK: Aye.

15
16 COMMISSIONER MASON: Do you feel spent?

17 VICKI PETERS: No, not yet. Getting close.

18
19
20 **PAYROLL CHANGE REQUESTS**

21
22 CHAIRMAN GARNER: Discussion for possible action regarding
23 payroll change requests.

24 We have an additional one brought to us.

25 COMMISSIONER WAITS: I'll make a motion we approve employee
26 change request #1151, effective September 25th, 2014; and
27 employee #1336, effective September 30th, 2014; and employee
28 1505 retroactive to July 7th, 2014.

29 COMMISSIONER MASON: I'll second that.

30 CHAIRMAN GARNER: Any public comment?

31 (No comment.)

32 CHAIRMAN GARNER: All those in favor?

33 COMMISSIONER WAITS: Aye.

34 CHAIRMAN GARNER: Aye.

35 COMMISSIONER MASON: Aye.

36 COMMISSIONER BULLOCK: Aye.

1 **PUBLIC COMMENT**

2
3 CHAIRMAN GARNER: It's the time for public comment for
4 non-agendized items only.

5 Do we have any public comment?

6 (No comment.)

7 CHAIRMAN GARNER: No public comment. Moving on.
8
9

10 **FINANCE**

11
12 1) **Discussion for possible action regarding budget review,**
13 **contracts, financial update, and other matters properly**
14 **relating thereto.**
15

16 CHAIRMAN GARNER: Finance. Discussion for possible action
17 regarding budget review, contracts, financial update, and other
18 matters properly related thereto.

19 COMMISSIONER WAITS: Morning, Nan.

20 NAN ANCHO: Good morning. Nan with Finance.

21 We've got a lot going on.

22 We found out a couple months ago that the county -- and we're
23 not the only county -- fell off of the AT&T government rates for
24 the phones. So we've been currently trying to find out why and
25 get a contact.

26 Vicki, in our accounts payable, has been working pretty
27 hard on it. So that is -- that is an undertaking trying to find
28 somebody to deal with at AT&T. So -- but if you'll notice our
29 expenses for our phone and fax have increased. And that is why
30 is we did fall off the government rate and don't have a clue
31 why.

32 COMMISSIONER WAITS: Don't we have a government relations
33 person?

34 NAN ANCHO: That's what we've been trying to find. We have
35 spent six weeks just trying to find a contact person because
36 nobody wants to deal with the government accounts. So we fin-
37 -- about three weeks ago, she finally got a government
38 representative to work with us. So she's been working
39 diligently on it.

40 And I've been working on the PERS -- or PERS -- PEDS actuary.

1 The first one was done about three years ago. That is for the
2 retirees' liability insurance. Rogene worked with Brickmore
3 [sic]. And that's where they established the liability for the
4 retirees' insurance. And so it's time to do that one again. It's
5 an undertaking. But you have to do it every three years.

6 You set up a fund as a pay-as-you-go to pay for the
7 insurance instead of a trust fund. And that is basically what I
8 would recommend you continue doing is drawing off of that fund
9 to pay the insurance instead of setting up the trust fund.
10 Because once that is -- you're not going to have any new former
11 employees getting on the insurance because they had to have
12 retired by 2008. So as you have paid this out over the years,
13 once that has been paid off, the last person is no longer on the
14 insurance liability, then you can roll that money back into the
15 General Fund. Whereas if you set up a trust fund, it's harder
16 to get that money back. So that's what we've been working on.

17 And the audit is still going. They're hoping to wrap up the
18 field work this week. So then they can take everything and go
19 back and try to get the financials together.

20 So there's a lot going on. That's all I have.

21 CHAIRMAN GARNER: Thanks, Nan.

22 NAN ANCHO: Thanks.

23 COMMISSIONER BULLOCK: Thank you.

24 COMMISSIONER WAITS: Thank you.

25
26
27 **ROAD AND BRIDGE SOUTH**

28
29 **2) Discussion for possible action regarding operations and**
30 **projects for the Road and Bridge South Department, and other**
31 **matters properly relating thereto.**
32

33 CHAIRMAN GARNER: Item 2, agenda -- discussion for possible
34 action regarding operations and projects for the Road and Bridge
35 South department.

36 BERT RAMOS: Good morning.

37 CHAIRMAN GARNER: Bert.

38 COMMISSIONER WAITS: Good morning, Bert.

39 COMMISSIONER MASON: Hey, Bert.

40 BERT RAMOS: Well, everything up south, we punched through

1 Gold Park. So the road's in there. Took us four days to get
2 through it. Now it's going to probably take us another -- we
3 have two days in on actually capping the road, trying to make it
4 a decent road. It'll take us another probably four to six days
5 to finish that. And then Gold Park will be done until at least
6 spring of next year. We'll go up there and see what's slipped
7 off and put it back in the road.

8 That's pretty much occupied most of our time at this point.
9 We've sprayed some weeds and have one blade guy running around
10 trying to fix up rough roads while we're out there doing that.

11 Any questions?

12 CHAIRMAN GARNER: How's the pipe?

13 BERT RAMOS: The pipe?

14 CHAIRMAN GARNER: McGinnis Hills.

15 BERT RAMOS: Oh. It's -- they're -- they're continuing on
16 with -- with construction. I did sign the encroachment permit.
17 And I've been out there checking on them. It looks really good.
18 They haven't went over the -- that extended period. We have no
19 paralleling pipe at all. There is a short section on the
20 opposite side of the road, but there is no paralleling pipe.
21 And they're doing really good. They haven't -- they're keeping
22 it as tight as they can keep it. I'm impressed on how tight
23 they've actually kept it on that side of the road. So --

24 COMMISSIONER GARNER: Cool. Thank you, Bert.

25 BERT RAMOS: Thanks.

26 COMMISSIONER BULLOCK: I was actually out there Saturday.

27 BERT RAMOS: Checked it out?

28 COMMISSIONER BULLOCK: I -- I checked it out. I -- I guess
29 I realize it's a real rural road. Are we going to stripe the
30 pavement or just leave it alone?

31 BERT RAMOS: We were going to leave it alone until we put
32 another seal coat on it and then put one stripe right down the
33 middle. So I didn't want to put that stripe down the middle and
34 then seal it this spring and waste a bunch of money on striping.

35 COMMISSIONER BULLOCK: I understand. No, it looks good. I
36 went out and checked out their construction. Unfortunately, I
37 was arriving as they were getting off work and --

38 BERT RAMOS: Busy road, huh?

39 COMMISSIONER BULLOCK: -- got dusted pretty well. So --
40 yeah.

1 Okay. Thank you.
2
3

4 ROAD AND BRIDGE NORTH
5

6 3) Discussion for possible action regarding operations and
7 projects for the Road and Bridge North Department, and other
8 matters properly related thereto.
9

10 CHAIRMAN GARNER: Three, discussion for possible action
11 regarding operations and projects for the Road and Bridge North
12 department.

13 DONALD NEGRO: Donald Negro, Road and Bridge North.

14 I talked to Summit Engineering, Nitin, yesterday. And
15 they're -- they're working on our -- our road projects, the --
16 to go out to bid. They didn't know when they'd have it out to
17 bid. But he's got to come back one more time and -- and make
18 sure that we've got all our -- our water boxes and meters.
19 Because we have go through and drop them 15 inches. So when
20 they go -- they have to take three inches out of the road
21 because the city streets are so high, they're over the curb. So
22 we take three inches down and then put three inches of asphalt
23 back in to get them back so it'll drain into the curb. So it's
24 pretty crucial that, you know, when you're -- they're mixing,
25 they don't hit a water box or don't hit a water well.

26 So we're working on beating the weeds. We've started back
27 out on Hilltop. We worked all the way around. We're at Skyline
28 now. We're going to go to the airport next. And then we'll
29 start spraying. When -- usually we start spraying in the fall
30 because that's when the -- the weeds are sucking in all the
31 nutrients to take and keep going. So hopefully we can get them.

32 But I dealt with -- with Rod. And then the guy from the
33 railroad helped me quite a bit on, you know, what to use. And,
34 you know, we -- the last two years, we've been using what the
35 railroad uses. It's called Clovar (phonetic). It's a sterilant.
36 So -- and we're working on that. It worked fairly good at
37 airport, but they just, you know, they say over a three-year
38 period then you should be able to kill quite a few of them. So --

39 CHAIRMAN GARNER: All you got?

40 DONALD NEGRO: That's it. Thank you.

1 CHAIRMAN GARNER: Thanks, Donnie.

2 COMMISSIONER WAITS: Thank you, Donnie.

3
4
5 PUBLIC WORKS

6
7 4) Discussion for possible action regarding operations and
8 projects for the Public Works department, and other matters
9 properly related thereto.

10
11 CHAIRMAN GARNER: Discussion for possible action regarding
12 the projects for the Public Works department.

13 JAKE EDGAR: Jake Edgar with Public Works. Good morning.

14 COMMISSIONER WAITS: Good morning.

15 CHAIRMAN GARNER: Morning.

16 JAKE EDGAR: We basically, most of our time has went this
17 last week to getting our auger set in at the sewer plant. It
18 arrived, as I said before. And we got it set in there with the
19 help of the Road and Bridge department. We used their truck to
20 pick it and set it. So thanks to Donald for that, helped us out
21 quite a bit. It should be wired up and everything going
22 probably at the end of the day today. So hopefully that works
23 out good.

24 We have two drive-ins at the sewer plant that we're going
25 to get ready to replace. One will get shipped off and rebuilt
26 and put the new one in. We have a pump out there that we're
27 going take out of that lift station and take to the jail. The
28 jail's been running on one pump. So we're going to put a second
29 pump in there just to make sure we have capacity for when the
30 building does come on-- the new building does come on that we
31 should be in good shape.

32 Water-wise, as Keith mentioned, we had a few complaints
33 about high pressure. So far I've -- I have contacted Elko,
34 Winnemucca, and Tonopah. Elko's water is on the -- let's see if
35 I can get this right -- on the Spring Creek side of Elko is
36 running at 80 pounds of pressure and on the Wal-Mart side of
37 Elko, per se, they're right in the 65 to 70, somewhere in that
38 range.

39 Winnemucca has three different pressure zones. Up towards
40 the new part of Winnemucca, up Grass Valley, there -- there's

1 some real low water pressure zones like 35, which I guess their
2 water department told them when they were going to build it they
3 wouldn't have very much water pressure. In town, down, say,
4 towards the movie theater, they're running at 75 pounds of
5 pressure. And over by the park, across the river, they're,
6 again, right around 75 to 80 -- excuse me.

7 Tonopah on the other hand was -- kind of surprised me.
8 They have 110 pounds of pressure. But most of the people in
9 town use PRVs.

10 So we have the ability here on our main line to turn the
11 water pressure down. But remember that the further we get -- we
12 only have one pressure zone -- so the further you get away from
13 tank, the less the water pressure's going to be. So if we turn
14 it down over here, the people across the tracks are going to
15 have less water, which they had in the past. So, I mean, it's
16 completely up to the commission on what you'd like do with that.
17 And I think Keith's going to put it on the next agenda to have
18 you guys discuss whatever you want to do.

19 The new building was designed around a certain water
20 pressure with the new pipe in front of it. The fire marshal can
21 set standards as far as that goes. And I'd let Keith explain
22 that to you because he's pretty familiar with it.

23 So whatever direction you guys would like to go. My
24 suggestion is to leave it and find all the weak stuff and fix
25 it. But that's what we've been doing.

26 Other than that, water- and sewer-wise, we put have -- we put
27 in two new boxes: one on the north side of town and one right
28 next to my house. Joe Lindsey's getting a new box today. He's
29 doing a new fence and the old box was starting to leak, so we're
30 going to replace that box.

31 The project, the road, we have thea new grinder loaded.
32 It's supposed to be here sometime this week. We're going to
33 grind out North Second Street, Prescott, and North First -- the
34 long lengths. We'll do two lanes. They'll tack it down for the
35 winter. And hopefully that will surpass for everybody's
36 patching. North Second we can't really patch. If we start to
37 go to patch, it's -- it looks like it's going to fall apart or
38 that's what they're saying. North First we probably could patch
39 because it's one -- one length all the way down that's in fairly
40 good shape with good edges. So once the grinder's here, we're

1 going to make a game plan on what -- what ones we were actually
2 going to pa- -- what lengths we're going to patch and what
3 lengths we're going to completely grind out and tack back down
4 for the winter. So, is there any questions on that? There was
5 quite a few phone calls, I guess, that went around about the
6 patching. So right now that is the game plan for -- for that
7 side of town until they can get it paved. So --

8 COMMISSIONER MASON: I have a question on the -- on the
9 water pressure.

10 JAKE EDGAR: Sure.

11 COMMISSIONER MASON: On the south side of the freeway it's
12 higher, generally higher than the north side?

13 JAKE EDGAR: There -- so you take a pressure zone. The
14 closer you get to the tank, the less the water pressure gets.

15 When you're super close to it and then you get into a range
16 where it's about steady -- so if you have, say, town's pressure
17 is 70, you're going to have -- imagine a circle on the ground.
18 There's going to be a zone of 70 that rotates.

19 But once you get closer to the tank it kind of gets less
20 because you're -- you don't have the distance of that.

21 Further out on this side, once you get past the good part
22 of the zone, that's when you start losing pressure if you turn
23 it down. So -- I wish we had two different pressure zones. It
24 would make things a lot easier. But we don't. We have one. So
25 we're stuck with what we've got.

26 COMMISSIONER MASON: Would it help to bring this water tank
27 by the hospital back into play?

28 JAKE EDGAR: No.

29 COMMISSIONER MASON: Okay. Thanks.

30 JAKE EDGAR: Yep.

31 Parks. I -- I haven't got there yet. Worked with -- can't
32 remember his name. The guy from the archery club. They do now
33 have keys to the building. We still have a few things to clean up
34 out there to get out of the -- the trailer at the airport.

35 Marilyn's last day's going to be October 31st.

36 Girls from the golf course will then start doing the trash
37 in the parks.

38 Looking at getting a scanner for the water and sewer
39 department and -- to scan all of our fittings in and scan them out
40 on a bar code system so we know exactly how many fittings we're

1 using, when we're using them so that we can report that back to
2 you guys and everyone else just so it's a little bit more smooth.

3 Other than that, in the parks there's not a whole lot going
4 on.

5 So --

6 COMMISSIONER WAITS: Are you winterizing?

7 JAKE EDGAR: We're getting ready to. We haven't yet.
8 Usually we try to wait till -- we had a lot of problems in the
9 past winterizing early, a little bit early, because of soccer.
10 So we try to let soccer get to the end where it's -- but just
11 depends on the weather. So -- any questions?

12 CHAIRMAN GARNER: Nope.

13 COMMISSIONER MASON: Thank you.

14 COMMISSIONER WAITS: Thank you.

15
16 CHAIRMAN GARNER: Recess the meeting of the Lander County
17 Board of Commissioners and convene the meeting of the Lander
18 County Liquor Board.

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

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

24
25
26 **SHERIFF**

- 27
28 5) Discussion for possible action regarding issuance of an
29 on-site liquor license to Sandra Silva for Wycked Sport &
30 Gamers Bar & herbal retail located at 453 North Second
31 Street, Battle Mountain, NV and other matters properly
32 related thereto.

33
34 CHAIRMAN GARNER: Five. Discussion for possible action re-
35 -- regarding issuance of an on-site liquor license to Sandra
36 Silva for Wycked Sport & Game Bar & Herbal Retail located at 453
37 North Second Street, Battle Mountain, Nevada, and other matters
38 properly related thereto.

39 Sheriff here to report this?

40 SHERIFF RON UNGER: Yes. We've gone through all the

1 information and everything we've had to do. And there's no
2 issues.

3 CHAIRMAN GARNER: Thank you.

4 Ron Unger for the record.

5 COMMISSIONER BULLOCK: I'll make a motion that we issue an
6 on-site liquor license to Sandra Silva for Wycked Sport & Gamers
7 Bar & Herbal Res- -- Retail located at 453 North Second Street.

8 COMMISSIONER MASON: I'll second that.

9 COMMISSIONER WAITS: I have a question. On the
10 application, it did say on-site and off-site. Has she changed
11 her mind on that?

12 SANDRA SILVA: No, I didn't. I think it was probably just
13 a typo. It -- the application --

14 CHAIRMAN GARNER: Can we --

15 SANDRA SILVA: -- does say on-site, off-site.

16 SHERIFF RON UNGER: On-site.

17 CHAIRMAN GARNER: Can we have --

18 SANDRA SILVA: (Indiscernible.)

19 CHAIRMAN GARNER: -- you come up and speak your name for
20 the record, please?

21 SANDRA SILVA: Sandra Silva. And the application was for
22 an on-site, off-site, when I discussed it with Kathy while
23 applying. She said that was the right way to go was an on-site,
24 off-site. So do you have the application with you where it
25 shows it?

26 So that's --

27 COMMISSIONER WAITS: I had --

28 SANDRA SILVA: -- the intention.

29 COMMISSIONER WAITS: -- two. That's why I was confused.
30 So it looks like you wanted the on- and off-site.

31 SANDRA SILVA: Mm-hm. Yes, ma'am.

32 COMMISSIONER WAITS: Okay.

33 SHERIFF RON UNGER: No problems with us, the sheriff's
34 office.

35 COMMISSIONER BULLOCK: Okay, I'll amend my motion to show
36 it as an on- and off-site sales.

37 COMMISSIONER MASON: And I'll second that.

38 CHAIRMAN GARNER: Any public comment?

39 (No comment.)

40 CHAIRMAN GARNER: All those in favor?

1 COMMISSIONER MASON: Aye.
2 CHAIRMAN GARNER: Aye.
3 COMMISSIONER WAITS: Aye.
4 COMMISSIONER BULLOCK: Aye.
5 SANDRA SILVA: Thank you.
6 CHAIRMAN GARNER: Thank you.
7

8 CHAIRMAN GARNER: Adjourn the meeting of Lander County
9 Liquor Board and reconvene the meeting of the Lander County
10 Board of Commissioners.
11

12 *(MEETING OF THE LANDER COUNTY LIQUOR BOARD ADJOURNED.)*
13

14 *(MEETING OF THE LANDER COUNTY BOARD OF COMMISSIONERS*
15 *RECONVENED.)*
16

17
18 COMMISSIONERS
19

- 20 6) Discussion for possible action regarding approval/disapproval
21 of Proclamation #2014-05 in support of October 2014 as
22 Domestic Violence Awareness Month, and other matters properly
23 related thereto.
24

25 CHAIRMAN GARNER: Six, discussion for possible action
26 regarding approval/disapproval of Proclamation #2014-05 in
27 support of October -14th [sic] as Domestic Violence Awareness
28 Month, and other matters properly related thereto.

29 DEPUTY DISTRICT ATTORNEY TING: Nicole Ting for the record.
30 Kayla Maulden approached Sadie and I and requested this.

31 COMMISSIONER BULLOCK: I make a motion the commission
32 approve Proclamation #2014-05 in support of the October 2014 as
33 Domestic Violence Awareness Month.

34 COMMISSIONER MASON: I'll second that.

35 COMMISSIONER WAITS: I have a question on the actual
36 number. Is it two thou- -- 2014?

37 COUNTY CLERK SULLIVAN: It needs to be 2014-05.

38 COMMISSIONER MASON: Is it 05 or 04?

39 COUNTY CLERK SULLIVAN: 05.

40 COMMISSIONER WAITS: Okay. The -- the one in the book says

1 04.

2 COUNTY CLERK SULLIVAN: Correct.

3 COMMISSIONER WAITS: Okay. Thank you.

4 COMMISSIONER GARNER: I read in 05.

5 COMMISSIONER BULLOCK: I motioned 05.

6 COMMISSIONER WAITS: Motion was five?

7 COMMISSIONER MASON: And I second it.

8 CHAIRMAN GARNER: Any public comment?

9 (No comment.)

10 CHAIRMAN GARNER: All those in favor?

11 COMMISSIONER MASON: Aye.

12 CHAIRMAN GARNER: Aye.

13 COMMISSIONER WAITS: Aye.

14 COMMISSIONER BULLOCK: Aye.

15 CHAIRMAN GARNER: Patsy.

16
17 7) Discussion for possible action regarding approval/disapproval
18 of a contract between Lander County and Shaw Engineering
19 regarding the Battle Mountain Cemetery Fencing Project and
20 award of bid to Tholl Fence for the amount of \$216,586.20,
21 and other matters properly related thereto.
22

23 CHAIRMAN GARNER: Seven, discussion for possible action
24 regarding approval/disapproval of a contract between Lander
25 County and Shaw Engineering regarding Battle Mountain Cemetery
26 Fencing Project to -- and award a bid to Tholl Fence for the
27 amount of \$216,586.20.

28 We will table this as it has already -- it has already been
29 approved.

30 COMMISSIONER WAITS: We've already taken action on it.

31 CHAIRMAN GARNER: Yes.

32 KEITH WESTENGARD: Yes, that was -- this is one of my
33 learning experiences. I -- we got the -- the contract in the
34 mail. And it -- it asked to be signed. So anyway, I learned.

35 Thank you.

36 COMMISSIONER WAITS: We're going have to you p- --

37 KEITH WESTENGARD: My fault.

38 COMMISSIONER WAITS: We're going to have you plant a tree
39 for the all the --
40

1 8) Discussion for possible action regarding approval/disapproval
2 to appoint Tammy Elkins to the Kingston Town Board, Seat D,
3 to fill vacancy due to June Manhire's resignation from the
4 Kingston Town board, and other matters properly related
5 thereto.
6

7 CHAIRMAN GARNER: Eight, discussion for possible action
8 regarding approval/disapproval to appoint Tammy Elkins to the
9 Kingston Town Board, Seat D, to fill vacancy due to June
10 Manhire's resignation from the Kingston Town Board, and other
11 matters properly related thereto.

12 COMMISSIONER WAITS: I have a question on this and I'm not
13 sure whether it falls under the legal. But I understand June's
14 time frame is up this year, so she's on the ballot. So when we
15 do this appointment, can we do it for this year and then for
16 next year too? For -- for her full term?

17 DEPUTY DISTRICT ATTORNEY TING: Say again? Hold on. So
18 June and --

19 COMMISSIONER WAITS: She's replacing June, --

20 DEPUTY DISTRICT ATTORNEY TING: Right. Right.

21 COMMISSIONER WAITS: -- which ends the end of this year.
22 And June is on the ballot -- is that right, Sadie? --

23 COUNTY CLERK SULLIVAN: Correct.

24 COMMISSIONER WAITS: -- right -- for next year for her
25 term.

26 DEPUTY DISTRICT ATTORNEY TING: Oh.

27 COMMISSIONER WAITS: So I'm just asking whether we just
28 have to do this for just the short term or whether because of
29 the circumstances we can do it all at once.

30 SHANNON: Hello.

31 CHAIRMAN GARNER: I think election's not certified yet.

32 COMMISSIONER BULLOCK: Hello.

33 SHANNON: Hi. This is Shannon from Kingston. The way I
34 understand NRS means I -- my interpretation is: she would be
35 appointed until the 2016 election and then we can put it on that
36 ballot.

37 DEPUTY DISTRICT ATTORNEY TING: If you want, I can -- I can
38 -- I'll have to re-review that NRS.

39 COUNTY CLERK SULLIVAN: From my understanding, -- Sadie
40 Sullivan for the record -- she would need to be appointed to

1 finish out to the end --

2 COMMISSIONER BULLOCK: Of this term.

3 COUNTY CLERK SULLIVAN: -- of this year, 2014. And then
4 you could appoint her for the term till the next election, like
5 Shannon had stated. So you can --

6 COMMISSIONER WAITS: So we'll still have to appoint her
7 twice?

8 COUNTY CLERK SULLIVAN: Correct. So finishing this term
9 here of 2014 and then appointing her for the term --

10 COMMISSIONER WAITS: Okay.

11 COUNTY CLERK SULLIVAN: -- until the following election in
12 2016.

13 COMMISSIONER WAITS: Okay. I'll make a motion that we
14 appoint Tamera Elkins to the Kingston Town Board, Seat D, to
15 fill the vacancy till the end of the year.

16 COMMISSIONER MASON: I'll second that.

17 COMMISSIONER WAITS: Tammy, are --

18 CHAIRMAN GARNER: Public --

19 COMMISSIONER WAITS: -- you there too?

20 TAMMY ELKINS: Yes, I am.

21 CHAIRMAN GARNER: Any public comment?

22 (No comment.)

23 CHAIRMAN GARNER: All those in favor?

24 COMMISSIONER MASON: Aye.

25 CHAIRMAN GARNER: Aye.

26 COMMISSIONER WAITS: Aye.

27 COMMISSIONER BULLOCK: Aye.

28 COMMISSIONER WAITS: Thank you for stepping up, Tammy.

29

30 9) Discussion for possible action regarding approval/disapproval
31 of employee #133 receiving an annual salary increase of
32 \$1,000.00 for each building inspector certification up to a
33 maximum of three certifications, and other matters properly
34 related thereto.

35

36 CHAIRMAN GARNER: Number 9, discussion for possible action
37 regarding approval/disapproval of employee #133 receiving an
38 annu -- annual salary increase of 1,000 for each building
39 inspector certification up to a maximum of three certifications,
40 and other matters properly related thereto.

1 KEITH WESTENGARD: Joe Lindsey's asked me to -- to present
2 this to you.

3 Last year Anna got her first of three certifications and
4 was given her increase. This year she did attend a training and
5 received the second certification, which would get her another
6 thousand-dollar annual salary increase. She has one more to
7 get, which she'll get next year. And then we'll be back again.
8 So she did pass the second class -- two weeks ago? -- two weeks
9 ago. And received her -- which certification was it?

10 ANNA PENOLA: Mechanical inspection certification.

11 COMMISSIONER WAITS: Congratulations.

12 ANNA PENOLA: Thank you. It was --

13 COMMISSIONER WAITS: Good for you.

14 ANNA PENOLA: -- brutal.

15 COMMISSIONER WAITS: I'll make a motion that we approve the
16 annual salary increase of \$1,000 for employee #1333 [sic] for
17 her building cer- -- building inspector's certification.

18 COMMISSIONER MASON: I second that.

19 CHAIRMAN GARNER: Any public comment?

20 (No comment.)

21 COMMISSIONER BULLOCK: I just have a comment. I don't
22 think it's enough.

23 CHAIRMAN GARNER: All those in fa- --

24 COMMISSIONER MASON: What do you suggest?

25 COMMISSIONER WAITS: We did pay for the classes; didn't we?

26 COMMISSIONER BULLOCK: No, I'm just saying. You've already
27 motioned it, so --

28 COMMISSIONER WAITS: Anyway, we did pay for the classes.

29 COMMISSIONER BULLOCK: I just know in your classifications
30 with all your union contracts, if they get their certifications,
31 some of these guys get a dollar an hour for the whole year.
32 We're talking a thousand for a year.

33 KEITH WESTENGARD: If -- if that's your feeling,
34 Commissioner Bullock --

35 COMMISSIONER BULLOCK: It's my feeling. The motion's
36 already been made.

37 KEITH WESTENGARD: Right. We -- we can look into this for
38 the future for her next certification and we can make the
39 adjustments there. I'll work with Joe on that to come up with a
40 good dollar figure for the next certification.

1 COMMISSIONER MASON: It should -- it should be appropriate
2 to the level.

3 KEITH WESTENGARD: Correct. And these levels are -- it's a
4 huge benefit to the county with what the certifications she is
5 getting.

6 CHAIRMAN GARNER: Any public comment?

7 UNIDENTIFIED PARTICIPANT: Woo hoo!

8 COMMISSIONER MASON: That's a comment.

9 CHAIRMAN GARNER: All those in favor?

10 COMMISSIONER MASON: Aye.

11 CHAIRMAN GARNER: Aye.

12 COMMISSIONER WAITS: Aye.

13 COMMISSIONER BULLOCK: Aye.

14 CHAIRMAN GARNER: We'll have to ask you to pipe it down.

15 COMMISSIONER MASON: Put a lid on these outbursts.

16
17 **10) Discussion for possible action regarding approval/disapproval**
18 **of a letter from Lander County School District regarding a**
19 **proposed land swap of Parcel 02-190-01 for Parcel 02-190-02.**
20 **Legal descriptions will be determined by the Lander County**
21 **Surveyor after direction from Lander County Public Works,**
22 **Road & Bridge Departments, and Lander County School District**
23 **employees, and other matters properly related thereto.**
24

25 CHAIRMAN GARNER: Ten, discussion for possible action
26 regarding approval/disapproval of a letter from Lander County
27 School District regarding a proposal land swap Parcel #02-190-01
28 for Parcel 02-190-02. Legal descriptions will be determined by
29 the Lander County surveyor after direction from Lander County
30 Public Works, Road & Bridge department, and Lander County School
31 District employees, and other matters properly related thereto.

32 KEITH WESTENGARD: We received this letter from the school
33 district. Their -- their school board had voted to go ahead
34 with the land swap. They did ask these five items be considered
35 in the future. It's not a binding -- they're not binding
36 requirements or anything like that.

37 They just wanted the commission to consider them in the
38 future. Commissioner Garner and I did have a meeting with
39 Mr. Squibb. And it was made very clear that these are only
40 considerations. It's noth- -- it won't hold up the project as far

1 as the school district goes -- oh, I'm sorry -- the land swap, as
2 far as the school district goes.

3 COMMISSIONER MASON: Keith, my -- my packet doesn't have
4 the second half of that letter or his signature.

5 COMMISSIONER WAITS: It's just --

6 COMMISSIONER MASON: Do you have it?

7 COMMISSIONER WAITS: It's just a memo.

8 KEITH WESTENGARD: The --

9 COMMISSIONER MASON: It's just -- oh.

10 COMMISSIONER WAITS: I don't think --

11 COMMISSIONER MASON: It's just a memo.

12 KEITH WESTENGARD: Yes.

13 COMMISSIONER WAITS: I don't think there's a second part.

14 KEITH WESTENGARD: Yeah. It's -- it's just this single
15 page there from Jim Squibb where he initialed it or signed
16 it.

17 COMMISSIONER BULLOCK: I just want to know what happened
18 with the original agreement that was proposed by the school
19 district, proposed by Amy Kester at the original rec board
20 center -- or rec meeting, that if we build it next to the
21 schools, the cou- -- the school district's donation would be the
22 land, end of story.

23 Now we're looking at a swap.

24 ANNA PENOLA: Anna Penola Building Department and school
25 board -- Lander County School Board.

26 It was brought to us that they didn't want the -- Lander
27 County doesn't want the ball fields anymore -- give us the ball
28 -- give the school the ball fields. It wasn't on the request of
29 the school for any land swap. So we accepted the ball fields.

30 COMMISSIONER MASON: As a trade.

31 ANNA PENOLA: Call it a trade.

32 COMMISSIONER BULLOCK: I'm not saying it's a bad trade.

33 ANNA PENOLA: No, I just --

34 COMMISSIONER BULLOCK: I just want to know what happened.

35 ANNA PENOLA: It never --

36 COMMISSIONER BULLOCK: And where did it say we didn't want
37 the ball fields. I guess we're --

38 ANNA PENOLA: It was presented to the school board. Were
39 you at that meeting, Brian?

40 CHAIRMAN GARNER: Yeah.

1 ANNA PENOLA: And Jake presented that at -- am I wrong?

2 CHAIRMAN GARNER: No, it's been general discussion for a
3 while that the ball fields were bought -- were maintained by the
4 county, but school basically owned.

5 And it's a large cost to Jake's department to do that. When
6 we --

7 JAKE EDGAR: A lot of problems to clear up.

8 COMMISSIONER BULLOCK: Yeah.

9 CHAIRMAN GARNER: We don't get the benefit of them. They
10 do.

11 ANNA PENOLA: I don't think --

12 JAKE EDGAR: Well, I'll just clear it up. The school
13 district maintains the ball fields.

14 CHAIRMAN GARNER: Yeah.

15 JAKE EDGAR: We don't -- we've never touched them since
16 I've been here or prior to that for the --

17 CHAIRMAN GARNER: But they're now asking for us to replace
18 the water system underneath of them.

19 JAKE EDGAR: We paid half for a sprinkler system already
20 that was supposed to go in. And they were going to put that in
21 themselves. That's already been done, so -- that's why we
22 wanted to get rid of it was -- I am -- we shouldn't be held
23 liable for -- I'm -- other people use it. But the -- the main
24 use of it is the high school sports, so --

25 COMMISSIONER BULLOCK: And I disagree there. The main use
26 of it is we have football practices there. We have little
27 league practices there. We have little league games there.
28 There's more used by the community than there is the school.

29 JAKE EDGAR: And I agree. But I'm saying as far as the
30 maintenance part.

31 COMMISSIONER BULLOCK: So here's my concern --

32 JAKE EDGAR: Okay.

33 COMMISSIONER BULLOCK: Seeing's how we do not have a
34 facility for these little leagues or these football teams or
35 whatever, is the school going to go in there and say, you're
36 done?

37 I know you say that, but --

38 ANNA PENOLA: But we could get something in writing for
39 you, but I agree with you.

40 COMMISSIONER BULLOCK: This is my concern. Because, you

1 know, I mean, we'd -- we'd gladly donate our field to the high
2 school soccer team, which we own, that they use and I have -- I
3 just want to make sure.

4 You can talk to the softball coaches for the high school
5 and the little league coaches for the girls' program and there
6 was conflicts already last year. There was some major words
7 that was spoken between those two entities. And so here's my
8 concern, they're just going to say, we're done. This is school.
9 You're out of here, little league.

10 So I don't have a problem with the school using it. And
11 you know, and I'm open for the -- for the swap. I'm just
12 concerned that everybody still --

13 JAKE EDGAR: (Indiscernible.)

14 COMMISSIONER BULLOCK: -- gets to use the fields. So --

15 JAKE EDGAR: Could -- can I sit down with them and get
16 something in writing and put together something to bring back to
17 you as far as that portion of it goes?

18 COMMISSIONER WAITS: I think it's serious enough that it --
19 our concerns need to go back to the school district.

20 JAKE EDGAR: Okay. Which I'm al -- I mean, I think we can
21 come to some sort of understanding, but at least we should have
22 it -- I agree with --

23 COMMISSIONER WAITS: Oh, I'm sure we can.

24 COMMISSIONER BULLOCK: Or we can have the school build new
25 ball fields out by the soccer field -- designate them as little
26 league.

27 I -- I just want to make sure that our other --

28 JAKE EDGAR: Absolutely.

29 COMMISSIONER BULLOCK: -- entities are protected, --

30 ANNA PENOLA: I agree with that.

31 JAKE EDGAR: Thank you.

32 COMMISSIONER BULLOCK: -- so --

33 COMMISSIONER WAITS: I'll make a motion we defer agenda
34 item number nine -- excuse me -- ten.

35 COMMISSIONER MASON: I second that.

36 CHAIRMAN GARNER: Eleven. All those in favor?

37 COMMISSIONER BULLOCK: Any public -- yeah.

38 CHAIRMAN GARNER: Any public comment?

39 (No comment.)

40 CHAIRMAN GARNER: All those in favor?

1 COMMISSIONER MASON: Aye.

2 CHAIRMAN GARNER: Aye.

3 COMMISSIONER WAITS: Aye.

4 COMMISSIONER BULLOCK: Aye.

5
6 **11) Discussion for possible action regarding approval/disapproval**
7 **of the modification of the Director of Human Resources job**
8 **description, and other matters properly related thereto.**
9

10 CHAIRMAN GARNER: Discussion for possible action regarding
11 approval/disapproval of the modification of the Director of
12 Human Resource job description, and other matters properly
13 related thereto.

14 KEITH WESTENGARD: This is the new, updated job description
15 for HR in the county.

16 One of the significant changes has to do with the
17 requirements of the job, which are the PHR, which is the
18 Professional in Human Resources within one year of hire. Then the
19 SPHR, the Senior Professional in Human Resources is desired. But
20 the Professional in Human Resources is a -- is a certification
21 that's achieved either: number one, with a master's degree;
22 number two, master's degree and no experience -- number two, a
23 bachelor's degree and two years' experience; three is an
24 associate's degree and three years' experience; or number four, a
25 high school diploma and five years of HR experience so that our HR
26 person will have that certification.

27 COMMISSIONER WAITS: My concern is whether that can really
28 be done in one year if they don't come already with those --

29 KEITH WESTENGARD: Well, --

30 COMMISSIONER WAITS: -- requirements.

31 KEITH WESTENGARD: -- they'll come -- at a minimum they're
32 going to come with --

33 CHAIRMAN GARNER: One of them.

34 KEITH WESTENGARD: -- some type of experience. And -- and
35 we can build off -- off of that experience.

36 We need to have somebody that has a background in HR to run
37 that department.

38 COMMISSIONER WAITS: I absolutely agree. But what I'm
39 saying is: What if -- what if we choose someone that has two
40 years' experience, okay?

1 KEITH WESTENGARD: I see what you're saying, but it's --
2 COMMISSIONER WAITS: How would she meet that -- or he -- in
3 one year?
4 CHAIRMAN GARNER: Huh?
5 KEITH WESTENGARD: Well, hopefully --
6 CHAIRMAN GARNER: Previous. Previous experience.
7 KEITH WESTENGARD: Yeah, that's previous experience.
8 COMMISSIONER WAITS: No, the required is that they become
9 a -- a PHR within one year of hire.
10 KEITH WESTENGARD: Because we want them to come with some
11 type of -- of experience or -- or a degree in order to get
12 that -- that certification.
13 COMMISSIONER BULLOCK: So if you have no human resource
14 experience stepping in, you wouldn't get the job.
15 KEITH WESTENGARD: Right. We need some- --
16 COMMISSIONER WAITS: Well, that may not always be the case.
17 The right person that you want may not have all of this already.
18 CHAIRMAN GARNER: It's not all --
19 COMMISSIONER WAITS: I just think --
20 CHAIRMAN GARNER: It's not all of it. It's one of them.
21 COMMISSIONER WAITS: Well, I understand that. But I meant
22 using any one of the -- the ones we're asking for. I just
23 thought one year was a very short time to get that professional
24 designation.
25 KEITH WESTENGARD: This is -- this is a -- a POOL/PACT
26 template that we used with some very minor modifications. This
27 is what POOL/PACT suggests. So that's what we went with was
28 their suggested job description. It can be changed. If you'd
29 like, we can make it a two-year requirement or three-year
30 requirement. But we need to have that experience level in
31 there. It's an important job as everybody knows.
32 COMMISSIONER WAITS: I -- I agree one hundred percent. And
33 when you're interviewing, that's what's important. But once we
34 already change this, it's like that's what we're going for. You
35 want us to wait, like we hire someone that doesn't meet it, and
36 then come back, and we extend the additional year or something?
37 Or we just -- we're still rural. We don't always have --
38 COMMISSIONER GARNER: I think it's -- I think it's very
39 important. In a year's time, if you want the job and that's a
40 nice -- nice compensated job, you need to get it. And if you

1 don't want to get it, we don't have the time as a county in
2 liability to not have it.

3 COMMISSIONER WAITS: Have we ever had it before?

4 KEITH WESTENGARD: No. We -- we -- and we can change that
5 to two years if -- if that's what you would like to do.

6 COMMISSIONER WAITS: I just felt it was a little strong,
7 but it's certainly up to my fellow commissioners.

8 COMMISSIONER MASON: Well, you can adjust on it if you've
9 got somebody.

10 KEITH WESTENGARD: Sure. It -- it --

11 COMMISSIONER MASON: But I mean, based on their experience
12 you're looking at, you could adjust -- based on approval of that
13 person, you can adjust the work requirement and the experience
14 requirement to meet the need of the moment in their contract.

15 KEITH WESTENGARD: It -- it can be adjusted, yes. And if
16 you'd like it reworded that way, that's fine. We can put,
17 *within one year of hire desired*.

18 We just have to add a word. We can do that with a motion. I
19 can put *desired* in there.

20 COMMISSIONER MASON: Yeah.

21 KEITH WESTENGARD: -- and then it goes.

22 COMMISSIONER MASON: I think it's a good idea.

23 KEITH WESTENGARD: And when we -- when we do a evaluation,
24 it can always be put in there -- when we -- meet the essential
25 job functions and so forth, we can put in there that we would
26 like you to have this certificate -- we're working toward this
27 as a goal in 24 months or 18 months. I can add it into a
28 performance evaluation as well, so that there's ways to work it
29 or to incorporate it.

30 COMMISSIONER MASON: I think we need to stay flexible.
31 We're in a --

32 KEITH WESTENGARD: Okay.

33 DEPUTY DISTRICT ATTORNEY TING: Would you say --

34 COMMISSIONER MASON: You know, people are --

35 DEPUTY DISTRICT ATTORNEY TING: Would you say that one more
36 time?

37 COMMISSIONER MASON: -- coming along. We probably are
38 going to come a long way to get this job, so --

39 KEITH WESTENGARD: So within one year of hire is desired.

40 If you -- if you put that in a motion, we can -- I can go

1 ahead and include that in the job description. And then we'll go
2 from there.

3 COMMISSIONER WAITS: I'm not so sure I want *desired* on
4 that. But I wanted to see the one year extended. So --

5 KEITH WESTENGARD: Whatever you'd like to do.

6 COMMISSIONER WAITS: I'm up to whatever the commissioners
7 would like to do.

8 KEITH WESTENGARD: Okay.

9 COMMISSIONER MASON: Make a motion. You don't want to,
10 huh?

11 You got to do one or the other.

12 COMMISSIONER WAITS: That's the only change, Keith?

13 KEITH WESTENGARD: Yes.

14 COMMISSIONER BULLOCK: What do they project it takes to get
15 it?

16 KEITH WESTENGARD: To get the -- that cert- --
17 certification? Either through a master's degree; a bachelor's
18 degree and two years' experience; an associate's and three
19 years' experience; high school diploma and five years'
20 experience, will get -- that's the qualifications to attend
21 the -- the certification process.

22 COMMISSIONER BULLOCK: Yeah. I guess I don't see the issue
23 because, I mean, let's face it, somebody with a high school
24 degree with no experience, are we really going to hire into the
25 HR? I mean --

26 COMMISSIONER MASON: No.

27 KEITH WESTENGARD: That would not be my choice.

28 COMMISSIONER MASON: They wouldn't even apply unless they
29 had five years; would they?

30 COMMISSIONER BULLOCK: Oh, they'd apply.

31 KEITH WESTENGARD: Yeah, and that's where we'd weed it out
32 in the screening process of those that don't meet the minimum
33 qualifications.

34 COMMISSIONER MASON: Who's on this screening board? Do we
35 have a screening board set up?

36 KEITH WESTENGARD: Well, what -- you mean as far as the
37 applications go? Well, it would be myself, finance, and HR.

38 And if a commissioner would like to sit in on it, that's
39 fine, when we do interviews and so forth.

40 CHAIRMAN GARNER: Why finance?

1 KEITH WESTENGARD: Because she's got the money.
2 And they -- and actually and finance does work regularly with
3 HR on payroll and different issues.
4 COMMISSIONER BULLOCK: Well, I'd like to hear our current
5 HR person give her feelings on this, so --
6 JOY SWEENEY: I -- I agree with Keith, I -- you know.
7 Experience, to me, is important.
8 You know, I -- I think the certifications are also important.
9 I don't -- I didn't have them, but I worked at the mine for 20
10 years in -- in HR.
11 So I had some experience. But I -- I do think that having
12 some certification or the experience is important.
13 COMMISSIONER BULLOCK: So is one year too small a time?
14 JOY SWEENEY: Possibly.
15 KEITH WESTENGARD: The catch would be if you go below where
16 it says experience and training, any combination of training,
17 education, and experience that will provide the required
18 knowledge, skills, and abilities.
19 Typical way to gain the required knowledge, skills, and
20 abilities is -- and then it goes on to say.
21 So we can com- -- combine the skills and the time experience.
22 COMMISSIONER MASON: Basically, the job description remains
23 flexible to the way it's written. We don't have to --
24 KEITH WESTENGARD: That's right.
25 COMMISSIONER BULLOCK: We don't have to change it. It just
26 -- your board -- your review board is flexible to the need of
27 the person you're dealing with.
28 KEITH WESTENGARD: To a point we're flexible, yeah. I
29 mean, we can't --
30 COMMISSIONER MASON: Well, --
31 KEITH WESTENGARD: -- just blanket.
32 COMMISSIONER MASON: Then you come back to us at that
33 point, huh?
34 KEITH WESTENGARD: Sure. Yes. That's correct.
35 COMMISSIONER BULLOCK: Yeah, but the --
36 COMMISSIONER MASON: I don't think that we need to change
37 it.
38 COMMISSIONER BULLOCK: And I understand where you're coming
39 from, Dave, but you can have a set of commission said, no, this
40 is what we're going to hold you to. You didn't do it.

1 DONALD NEGRO: Donald Negro, Road and Bridge North.
2 Pretty -- this is most -- your most crucial job we've got
3 around here, because we're dealing with, you know, we're dealing
4 with them all the time. And we've got to get out of the mindset
5 is we're going to fill a void. We don't have to fill a void if
6 it doesn't -- if they don't fit the job, go out again. You
7 know, that's -- the way the insurance is changing all time.
8 This one has to -- has to stay on the ball.

9 COMMISSIONER BULLOCK: I'll make a motion we approve the
10 modifications of the director of human resources job description
11 as it is written.

12 COMMISSIONER MASON: I'll second it.

13 CHAIRMAN GARNER: Any public comment?

14 (No comment.)

15 CHAIRMAN GARNER: All those in favor?

16 COMMISSIONER MASON: Aye.

17 CHAIRMAN GARNER: Aye.

18 COMMISSIONER WAITS: Aye.

19 COMMISSIONER BULLOCK: Aye.

20 COMMISSIONER MASON: What was that?
21

22 **12) Discussion for possible action regarding approval/disapproval**
23 **of the retirement of Joy Sweeney and to advertise the HR**
24 **position and hire a replacement as soon as possible to**
25 **provide a transition/training period, and other matters**
26 **properly related thereto.**
27

28 CHAIRMAN GARNER: Discussion for possible action regarding
29 -- we're going to just defer this.

30 Discussion for possible action regarding approval/
31 disapproval of the retirement of Joy Sweeney and to advertise the HR
32 position and hire a replacement as soon as possible to provide a
33 transition/training period, and other matters properly related
34 thereto.

35 KEITH WESTENGARD: Joy gave me her retirement plans for
36 January 2nd, 2015. So we'd like to advertise as soon as we
37 can, get somebody in there to start working with Joy, and get a
38 good replacement in place.

39 COMMISSIONER BULLOCK: Okay. Do we need to augment the
40 budget to fit this in or are we just good with other salaries

1 that we're not paying now?

2 NAN ANCHO: We're good because we had -- we had budgeted
3 for the engineer and never adjusted that out. So we are good
4 with -- because the person coming in will come in at an entry
5 level most likely. So it'll be less than what we're at -- so it
6 will cover the transition period also.

7 COMMISSIONER BULLOCK: Well, although I hate to see Joy
8 retire --

9 JOY SWEENEY: Thank you.

10 COMMISSIONER BULLOCK: I'd make a motion that we approve
11 the retirement of Joy Sweeney and to advertise the HR position
12 and hire a replacement as soon as possible to provide a
13 transition training period.

14 COMMISSIONER MASON: I -- I second that.

15 CHAIRMAN GARNER: Any public comment?

16 KEITH WESTENGARD: Yeah, I have -- I just want to tell
17 everybody that Joy has been really good to work with. And she's
18 really going to be missed in a giant, huge way. She's really
19 provided a lot of -- of good leadership.

20 So we're going to miss her.

21 JOY SWEENEY: Thank you.

22 CHAIRMAN GARNER: I second that.

23 Any -- any other public comment?

24 (No comment.)

25 CHAIRMAN GARNER: All those in favor?

26 COMMISSIONER MASON: Aye.

27 CHAIRMAN GARNER: Aye.

28 COMMISSIONER WAITS: Aye.

29 COMMISSIONER BULLOCK: Aye.

30

31 14) Discussion for possible action regarding approval/disapproval
32 for Bill Draft Request for the 2015 Legislative Session,
33 #466, Revises provisions governing prepayment of taxes on the
34 net proceeds of minerals, and other matters properly related
35 thereto.
36

37 CHAIRMAN GARNER: Fourteen, discussion for the possible
38 action regarding approval/disapproval for the Bill Draft Request
39 for the 2015 Legislative Session, 466, revises provisions
40 governing the prepayment of taxes on the net proceeds of

1 minerals, and other matters properly related thereto.

2 COMMISSIONER WAITS: These are the five bill drafts in our
3 next five agenda items that NACO is presenting to our
4 legislature.

5 I've reported on what they were in our earlier staff
6 information but we need to -- to be familiar with each one and
7 make our comments accordingly.

8 So Jeff Fontaine has said he would be on the phone for us.

9 Sadie, if you'd like to call him in case we have any other
10 questions.

11 COMMISSIONER BULLOCK: I guess here's my concern. These go
12 on a -- when are -- when do these have to be in with our
13 comments?

14 COUNTY CLERK SULLIVAN: I just wanted to verify --

15 COMMISSIONER WAITS: That's the right number.

16 COUNTY CLERK SULLIVAN: I just wanted to make sure because
17 of that.

18 COMMISSIONER WAITS: No, this is the right number, -7863.
19 Yeah. Well, they're putting it together, actually, for the last
20 couple months, so --

21 COMMISSIONER BULLOCK: Mm-hm.

22 COMMISSIONER WAITS: -- the final deadline, I believe, is
23 December. I think that we're still okay on the time frame.

24 COMMISSIONER BULLOCK: I do too. And I guess my point is,
25 is I guess a phone conversation is fine, but I would like to see
26 Jeff here talking about them.

27 COMMISSIONER WAITS: Okay, then do you feel that's his
28 responsibility to be here? Because I felt, as the NACO
29 representative, they asked each one of us to bring them before
30 the county.

31 COMMISSIONER BULLOCK: So you feel you're up to date enough
32 to --

33 COMMISSIONER WAITS: No, that's why I wanted him on the
34 phone. But I mean, I think for what they are, he knows more
35 details, absolutely. And if you want to postpone that --
36 that's -- that's fine. I didn't -- I had some questions and
37 concerns. And those are things that I would like to bring back
38 as soon as we can, but we certainly can put it to another --
39 another meeting if you'd like to.

40 If there's one you absolutely do not like, then we can take

1 the action to say, I don't want to see this go forward. And
2 then we'll report that. Otherwise, it would just be a comment
3 period for each one.

4 There is one actually on -- that refers back to our home
5 rule and -- and Dillon Rule. And I thought, we're not always up
6 to date on that one too. And I don't know whether they're going
7 to be doing that any further at our -- our meetings. But I'd be
8 happy to -- to do a quick presentation on that too if you're not
9 sure down the road, so we can be a little more comfortable with
10 that. But I'm -- whatever you'd like. It's totally up to you.
11 I didn't think they were all that confusing --

12 COMMISSIONER BULLOCK: They're not.

13 COMMISSIONER WAITS: -- except a couple. But --

14 COMMISSIONER BULLOCK: That's fine. We can go forward.
15 Still may not give your -- my opinion until after NACO, but --

16 I guess that was part of my concern, too, is could we wait
17 until after NACO?

18 COMMISSIONER WAITS: We're a little bit late if we do that.
19 Because they have to be in the first part of December, I
20 believe, so --

21 COUNTY CLERK SULLIVAN: Hi, this is Sadie in Lander County.

22 COMMISSIONER WAITS: -- still doesn't mean you can't --

23 COUNTY CLERK SULLIVAN: Is Jeff Fontaine --

24 COMMISSIONER WAITS: -- continue to comment.

25 COUNTY CLERK SULLIVAN: -- available? Thank you.

26 COMMISSIONER WAITS: I mean we certainly can continue to
27 comment and put it on the agenda again any time.

28 COMMISSIONER MASON: Well, see, can -- NACO could send out
29 somebody who is qualified to -- to --

30 COMMISSIONER BULLOCK: Patsy feels she's qualified, Dave,
31 so --

32 COMMISSIONER MASON: Pardon?

33 COMMISSIONER BULLOCK: Patsy --

34 COUNTY CLERK SULLIVAN: Hi, --

35 COMMISSIONER BULLOCK: feels she's --

36 COUNTY CLERK SULLIVAN: -- is this Jeff?

37 COMMISSIONER BULLOCK: -- qualified.

38 COMMISSIONER WAITS: I'm not the expert, --

39 COUNTY CLERK SULLIVAN: This is Sadie in Lander County and
40 --

1 COMMISSIONER WAITS: -- but I'm the NACO representative.
2 COUNTY CLERK SULLIVAN: -- we have opened up the item for
3 the first one, for the bill draft. And I'm going to put you on
4 speakerphone. Thank you.
5 COMMISSIONER WAITS: Morning, Jeff.
6 COUNTY CLERK SULLIVAN: Can you hear us okay?
7 JEFF FONTAINE: I can. Can you hear me?
8 COUNTY CLERK SULLIVAN: Can you hear him okay over there?
9 COMMISSIONER WAITS: Yeah, I think we're fine.
10 Tell me, Jeff, what are -- what are we doing with the other
11 counties in presenting these bills? Are you going out to any of
12 the counties in person?
13 JEFF FONTAINE: I have not. But I'm available to do that
14 for those counties that are interested in having me come out.
15 But I don't -- I don't know that the counties -- all the
16 counties have scheduled these for consideration or discussion
17 before their commissions yet, so --
18 COMMISSIONER WAITS: Well, I'm okay with at least going
19 through each one with a -- with a comment and see. And we'll go
20 from there whether we need any additional information. Are you
21 okay with that, Commissioner Dean?
22 COMMISSIONER BULLOCK: Sure.
23 COMMISSIONER WAITS: Okay. Well, the first one on the
24 agenda -- do you have a copy of the agenda? Jeff?
25 JEFF FONTAINE: I do not.
26 CHAIRMAN GARNER: I can --
27 COMMISSIONER WAITS: Okay.
28 CHAIRMAN GARNER: I can read it back in. Discussion for
29 possible action regarding approval/disapproval for the Bill
30 Draft Request for the 2015 Legislative Session, #466, revises
31 provisions --
32 COMMISSIONER BULLOCK: Five.
33 CHAIRMAN GARNER: -- governing the --
34 COMMISSIONER BULLOCK: Five.
35 COMMISSIONER WAITS: 465?
36 CHAIRMAN GARNER: Correction, 465. Let me reread that
37 whole thing.
38
39
40

1 13) Discussion for possible action regarding approval/disapproval
2 for Bill Draft Request for the 2015 Legislative Session,
3 #465, grants authority for a Board of Commissioners to adopt
4 ordinances regulating specific health and safety issues, and
5 other matters properly related thereto.
6

7 CHAIRMAN GARNER: Discussion for possible action regarding
8 approval/disapproval for the Bill Draft Request for the 2015
9 Legislative Section, 465, grants authority for a board of
10 commissioners to adopt ordinances regulating specific health and
11 safety issues.

12 JEFF FONTAINE: Okay. So we'll start with that one. So do
13 you want me to give a brief explanation of these bill draft
14 requests? Is that --

15 CHAIRMAN GARNER: Sure.

16 JEFF FONTAINE: Okay. So this particular bill draft
17 request is really related to the whole issue of home rule for
18 county governments.

19 And as you, I'm sure, are aware, Nevada's local governments,
20 counties, cities, do not have home rule, which means that
21 basically anything that you need to do as far as implementation or
22 enactment of ordinances and other actions that your board takes
23 are things that need to be expressly granted to you or have the
24 authority granted to you by the legislature. And I don't know if
25 we need to get into a whole, you know, discussion about home rule
26 or not, but basically there are four types of home rule. Physical
27 home rule having to do with the authority for local governments to
28 raise taxes, enact new taxes. There's structural home rule, which
29 has to do with the authority for local governments to organize
30 themselves such a manner that, for example, your board of county
31 commissioners could be five members, seven members, three members,
32 those kinds of -- of issues. There's personnel home rule, and
33 that has to do with the relationship between the county or cities
34 and their -- and their employees, things like collective
35 bargaining and representation of employees by union groups. And
36 then there's functional home rule, which is really more the
37 day-to-day activities that local governments undertake in a
38 variety of areas.

39 And home rule has been an issue and a priority for NACO -- at
40 least since I've been here -- and -- and trying to get more

1 authority for counties and cities has -- has been something we've
2 been working on for some time.

3 In 2011 and 2013, there were bills that were introduced that
4 had to do with granting home rule to cities and counties for the
5 functional or administrative day-to-day activities or functional
6 home rule. And a lot of that came from an interim study that the
7 legislature had in 2009, 2010 to study home rule. And by the way,
8 home rule has been studied for many, many years in the state of
9 Nevada.

10 And so in 2011, 2013, that -- those -- those bills were
11 passed out of the senate and did not get passed out of the
12 assembly. And we're getting closer and closer.

13 I think the problem that a number of members of the
14 Assembly Government Affairs Committee, in particular, have or
15 had with -- with granting home rule to counties and cities is
16 this has to do with really, I think, a lack of understanding, a
17 lack of maybe some trust, and perhaps just some overall concern
18 about giving local governments more autonomy and more authority.

19 So as a result of that, we met both with the chairman of
20 the Assembly Government Affairs Committee and the Senate
21 Government Affairs Committee to try to figure out a way where
22 local governments, and -- and in particular counties, could make
23 some progress in getting some more local government autonomy
24 through -- through functional home rule.

25 And so what we were basically advised to do was to pick a
26 specific area or a specific chapter of the Nevada Revised
27 Statutes where there seems to be interest by local governments
28 in -- in being able to have more flexibility to adopt ordinances
29 and things of that nature and -- and be more creative, if you
30 will.

31 And so when we went back and looked at a lot of the -- the
32 bill draft requests that were submitted by counties and cities
33 over the past number of years, what we found is that most of
34 those bill draft requests had to do with additional authority in
35 the area of health and safety issues. And so that's why we
36 really honed in on NRS Chapter 244.

37 And so the -- the strategy this session is to try to get
38 home rule for county governments. And this would only be
39 related to counties for that specific area of -- of authority in
40 Chapter NRS 244.355 through -369 having to do with really health

1 and safety issues at the county level.

2 And that's what the bill draft request is about. I would
3 also add that I believe that Senator Goicoechea is going to
4 reintroduce the -- the bill from last session that would grant
5 functional home rule to both counties and cities for all chapters
6 of NRS. But it's not very likely -- or I shouldn't say, very
7 likely -- but I -- but it would be the same, I think, the same
8 concerns would be raised about, you know, that broad authority if
9 the bill were brought again this -- this session that, you know,
10 were raised in the previous two sessions. So you know, we'll
11 support that bill as well. But we think that this is sort of a
12 dif- -- an alternate strategy to try to get local government
13 authority and specifically for counties related to health and
14 safety issues. That's -- that's -- that's the BDR.

15 COMMISSIONER BULLOCK: Jeff, this is Dean Bullock.

16 JEFF FONTAINE: Sure.

17 COMMISSIONER BULLOCK: I guess my question would be is the
18 home rule sounds great, but is the state going to pass on a
19 bunch of expenses to the county if we do this?

20 For instance, let me say, are they going to say, okay,
21 we're no longer to going to pay a health nurse. You want it;
22 you pay for it. We're no longer going to provide health
23 inspections. You have to hire your own health inspector.
24 Because of the home rule, you're responsible for all this.

25 JEFF FONTAINE: Well, you know, that's certainly a great
26 question. And you know, that's -- that's not our intent. But I
27 would say this: I mean, clearly, if -- if you have home rule
28 for this particular -- this particular activity and you enact an
29 ordinance that would impose, well, create an additional workload
30 for, you know, your county or whatever, I mean, that's clearly
31 fiscal impact that your -- your county, or any county that would
32 enact such an ordinance would have to take on. So -- so you
33 know, you couldn't expect the state to pick up those additional
34 costs.

35 But as far as passing on things they already have in place,
36 I mean, having functional home rule for this particular area of
37 the statutes doesn't change what's already in the statutes. In
38 other words, you know, if there's a requirement in state law for
39 there to be health inspections so forth and so on, that doesn't
40 change anything. And as far as we're concerned, you know, that

1 process should remain the same.

2 Now, I would say this, that there's always the opportunity
3 for -- for your county, even today, to take on these
4 responsibilities and do it yourself.

5 I mean, I -- I know that, for example, in the area of
6 health inspections, when those costs were -- were assessed
7 beginning in 2011, some of the counties here in the western part
8 of the state, Douglas and Carson City, got together and decided
9 to take over that program themselves.

10 So that opportunity or that, you know, you know, that way of
11 doing business is -- is currently available to your county today.
12 If -- if this passes, I -- I don't anticipate any additional costs
13 unless you add something that would be, you know, new for your
14 county.

15 Does that -- does that answer your question?

16 COMMISSIONER BULLOCK: Yes, it does.

17 COMMISSIONER WAITS: Jeff, before we move on, I just have a
18 quick question on when all the comments are really due. When is
19 the BDR deadline that NACO has at the last meeting to put these
20 together?

21 JEFF FONTAINE: So Commissioner Waits, these BDRs have
22 already been submitted. They had to be submitted by
23 September 1st.

24 The next step in the process will be that we will get a
25 draft bill from the Legislative Counsel Bureau over the next
26 couple of months. And then when we get that language, that
27 would be an opportunity for us to, you know, make any
28 adjustments at that point. And then the bill would be then sent
29 back and then introduced during the session. There's always,
30 you know, an opportunity to make amendments if it doesn't come
31 out the way we -- we want it to come out.

32 I -- I would say this, that this particular bill is going
33 to be, I mean, even though the intent, I believe, is clear,
34 technically, to write it, is going to be somewhat complex just
35 because of the nature of what we're trying to do here. But
36 that's more of a legal issue than a technical issue.

37 COMMISSIONER WAITS: One of our concerns was whether we'll
38 be able to do any input at our annual NACO meeting and whether
39 we're going to be discussing this at all there.

40 JEFF FONTAINE: Well, we do plan -- that's a -- that's a

1 great question -- we do plan to bring these up at our -- at our
2 meeting. And there's certainly an opportunity to talk about,
3 you know, providing additional input. Again, I don't think
4 we'll have the -- the language bills by that point. But we can
5 still, you know, provide input to the Legislative Counsel Bureau
6 as they draft -- draft the language.

7 COMMISSIONER WAITS: Okay, well, we'll just go through each
8 one today and see if we have any comments on them. Thank you.

9 CHAIRMAN GARNER: Next.

10 COMMISSIONER WAITS: Next one.

11
12 **14) Discussion for possible action regarding approval/disapproval**
13 **for Bill Draft Request for the 2015 Legislative Session,**
14 **#466, revises provisions governing prepayment of taxes on the**
15 **net proceeds of minerals, and other matters properly related**
16 **thereto.**
17

18 CHAIRMAN GARNER: Fif- -- fourteen, discussion for possible
19 action regarding approval/disapproval for Bill Draft Request for
20 the 2015 Legislative Session, 466, revise- -- revises provisions
21 governing prepayment of taxes on the net proceeds of minerals,
22 and other matters properly related thereto.

23 JEFF FONTAINE: So this -- this BDR is, I think, fairly
24 self-explanatory. And the issue here that the counties are
25 interested in -- in addressing has to do with the prepayment of
26 net proceeds, tax revenues to the counties.

27 We don't know specifically where your county ended up this
28 past year, but a number of counties were in a situation where
29 they were given a projection early on by the Department of
30 Taxation based upon projections provided to -- to them by the
31 mines. The counties then used those projections, built those
32 into their budget. And then sometime around April of this year,
33 just about the time when final budgets were being prepared by --
34 by the counties, the revenue projections were revised -- and
35 revised -- I mean, there was significant changes in those
36 revisions to the extent that there were even some counties that
37 were told that they had to refund payments from this -- this
38 current -- from this past fiscal year.

39 And I know that state's projection was about -- I want to say
40 \$70 million difference, negative difference. And so probably that

1 was about the total for all the counties as far as the difference
2 between the projections for fiscal '14 and -- and what was
3 actually remitted for all the counties.

4 And so for those of you who have been around this for -- for
5 some time, you'll recall that prior to 2008, I believe it was, net
6 proceeds payments were distributed at the end of the fiscal year.
7 And then when the recession hit and the state needed to accelerate
8 payments for their cash flow, they got the mines to agree to pay
9 up front and then settle up at the end if there was any
10 difference.

11 And so the counties have expressed an interest in having
12 those payments pushed back to the end of the year -- excuse me --
13 yeah, the payments, instead of prepayments at the end of the year.
14 And so there wouldn't be any, you know, problems with having to
15 refund money or whatever.

16 You know, the other comment I would make about this is prior
17 to 2008 and the recession, I think pretty much all the counties
18 recognized the variable nature of net proceeds revenues and for
19 the most part did not include those as part of their operating or,
20 you know, annual budget and primarily used net proceeds for
21 one-shot projects, capital projects, a reduction of bond payments,
22 those kinds of things.

23 But because of the recession and, you know, the capital and
24 property tax revenues and those sorts of things, we -- we now
25 see that there are counties that do in fact rely on net proceeds
26 revenue to actually balance their budget. And so, you know,
27 having those revenues come in and budgeted when they're, you
28 know, when they're actually remitted is a better op- -- is a
29 better way for them to budget.

30 Now the downside, of course, is that if you push this back,
31 you're looking at probably a year or perhaps even longer to
32 transition from prepayment to payment at the end of fiscal year
33 where you would actually not receive net proceeds payments. You
34 know, we're talking about the possibility of maybe phasing that
35 in over a period of several years, you know, so it wouldn't
36 occur all in one year. That's certainly a possibility.

37 We're also discussing this with the Mining Association and
38 some of the mines because I believe they're very much interested
39 in going back to way it used to be.

40 We talked to the state about this as well. And we're not

1 sure where they're going to be on this issue.

2 But anyway, that's what the BDR does.

3 CHAIRMAN GARNER: Thank you.

4 COMMISSIONER WAITS: Just a quick question on the phasing
5 in. If you decide to phase in, that means that the counties
6 will receive some type of net proceeds every year?

7 JEFF FONTAINE: I think that's the idea, Commissioner
8 Waits, is that instead of going, you know, one year or longer
9 without --

10 COMMISSIONER WAITS: Without any revenue at all.

11 CHAIRMAN GARNER: -- any net revenue -- net proceeds
12 revenue, maybe you do it where over four years where you get a
13 -- you know, quarter of the projected payment up front and then,
14 you know, the remainder at the end of the year. And then you go
15 to a half -- sorry -- start with three quarters, then you reduce
16 it to a half, and you reduce it to a quarter. Something like
17 that may be -- may be an option so, you know, you do get some
18 net proceeds revenue, but it diminishes over a period of time.

19 COMMISSIONER WAITS: Okay. I just wanted to clarify that's
20 indeed that's what the phasing would so that the counties
21 wouldn't be going without the net proceeds totally. I know many
22 of them use it for their operating budgets, so -- thank you.
23 Okay.

24
25 **15) Discussion for possible action regarding approval/disapproval**
26 **for Bill Draft Request for the 2015 Legislative Session,**
27 **#467, revises provisions governing payment of cost associated**
28 **with legal representation of indigent criminal defendants**
29 **charged with capital crimes, and other matters properly**
30 **related thereto.**
31

32 CHAIRMAN GARNER: Fifteen, disc- -- discussion for possible
33 action regarding approval/disapproval for Bill Draft Request for
34 the 2015 Legislative Session, 467, revises provisions governing
35 payment of cost associated with legal representation of indigent
36 criminal def- -- defendants charged with capital crimes, and
37 other matters properly related thereto.

38 JEFF FONTAINE: Right. So this is also a longstanding
39 issue for counties.

40 And as I'm sure you are aware, the state has, over the years,

1 pushed more and more of the responsibility and cost for legal
2 defense for indigent persons onto the counties.

3 And you know, even though it is a constitutional requirement
4 under the sixth amendment for the state to provide indigent legal
5 defense in Nevada, you know, most of that cost has been pushed
6 down to the counties.

7 Particularly for the rural counties, there has been a lot of
8 concern raised by the supreme court's Indigent Defense Commission
9 and -- and particularly the rural subcommittee -- I'm a member of
10 that subcommittee -- about indigent defense in -- in the rural
11 counties.

12 Now, there are four counties that still use the services of
13 the state public defender. And there, I think, are four counties
14 that have -- well, six including Clark and Washoe -- that have
15 their own public defender. And then the remainder use -- hire
16 outside counsel. I believe your county hires outside counsel for
17 indigent defense. And just the nature of the different delivery
18 systems across the counties has raised concern about, you know,
19 whether there is consis- -- consistency and equality and
20 effectiveness of legal counsel for indigent persons across the
21 counties because some have public defenders, you know, some use
22 state public defender, and some use contract counsel.

23 But more importantly, the issue that has been raised, and is
24 -- I can tell you is being watched very closely by national
25 interest groups, has to do with the use of flat-fee contracts that
26 counties have with -- with contract counsel to handle indigent
27 defense cases.

28 And I don't know what your county does because I haven't
29 seen any information about that. And I can also tell you that
30 in the rural subcommittee's report to the supreme court, which
31 will be heard in December, there is no information from Lander
32 County about how you do your indigent defense and contracts or
33 anything like that.

34 So the first thing I would, I guess, suggest you might want
35 to consider doing is get that information together. And if you
36 can give it to me, that would be helpful because we're going to
37 be going to that hearing and we want to be sure we know what
38 your county is doing.

39 But you may or may not be in a situation, but there are
40 several counties that have flat-fee contracts with attorneys to

1 basically handle all indigent defense cases, including capital
2 cases, regardless of the number and complexity of those cases and
3 that has raised a lot of eyebrows as far as, you know, whether or
4 not that's -- that's adequate legal defense.

5 So our concern is this: any changes or requirements that,
6 you know, either the supreme court would make by issuing an
7 order to do away with flat-fee contracts or any other order that
8 would affect counties in terms of the way they deliver indigent
9 defense services is going to result in -- in a cost.

10 And so our -- our BDR is -- is really an attempt, number one,
11 to raise awareness about the -- the issues with the counties,
12 primarily the -- the cost to the counties. The issue about, you
13 know, the quality of legal defense is going to be raised by
14 others, not -- not by us. But it's all sort of coming together
15 because there's, you know, I think there are a lot of people that
16 believe that there's a crisis out there and ultimately recognize
17 that the counties are in a tough situation and that the state
18 really needs to be stepping up and -- and funding more of these
19 costs.

20 And so what we're trying to do here is start to rebalance
21 the cost per indigent defense back to the state. And the way we
22 propose to do that in this BDR is to have the state take on all
23 the capital cases.

24 We think that's probably a good start for a couple of
25 reasons. One, because if you do have a flat-fee contract, it's
26 almost certain that that flat -- that the supreme court or
27 someone else is going to tell you, you can no longer include
28 capital cases in that flat-fee contract, which means if you're
29 in a small county that doesn't have a lot of resources and all
30 of a sudden you have to defend a capital case in your county,
31 that's a huge expense that you're probably not going to be able
32 to -- to pay for.

33 And number two, again, I think it starts a discussion
34 about, you know, who is really responsible for indigent defense.
35 And we believe it's the state's responsibility and the state
36 needs to -- to start taking some more of those costs.

37 So that's what the BDR does. It's very possible that this
38 will end up looking totally different when we're done with it.
39 And the reason for that is we've had discussions with some
40 members of the legislature who understand this issue very well.

1 And I know the chairman of assembly judiciary, Assemblyman
2 Segerblom, has submitted a bill draft request to address this
3 issue as well, to try to figure out a way to help the rural
4 counties meet -- meet this -- meet this expense.

5 DEPUTY DISTRICT ATTORNEY TING: Hi, Jeff. This is Nicole
6 from the district attorney's office.

7 JEFF FONTAINE: Yes. Hi.

8 DEPUTY DISTRICT ATTORNEY TING: Hi. I'm going to provide
9 you with the -- our current status of our public defender
10 services and then also with the caveat that they might be
11 changing soon. Our public defender is set to be our new DA. So
12 if -- the county might change how they do it. But I -- but I
13 will send you over how currently they're doing the public
14 defender services.

15 JEFF FONTAINE: That would be very helpful. I appreciate
16 that. Thank you.

17
18 **16) Discussion for possible action regarding approval/disapproval**
19 **for Bill Draft Request for the 2015 Legislative Session,**
20 **#468, authorizes Board of County Commissioners to reduce the**
21 **longevity pay of elected county officers, and other matters**
22 **properly related thereto.**
23

24 CHAIRMAN GARNER: Sixteen, discussion for possible action
25 regarding approval/disapproval for the Bill Draft Request for
26 the 2015 Legislative Session, 468, authorizes Board of County
27 Commissioners to reduce the longevity pay for elected county
28 officers, and other matters properly related thereto.

29 JEFF FONTAINE: So as you're probably aware, the state
30 statute provides for longevity pay for all county-elected
31 officials, except for you as -- as county commissioners.

32 And it's -- and it's -- it's mandatory, in other words, for
33 your -- your DA, for your assessors, for your clerk, for your
34 sheriff, all those county-elected officials automatically are
35 granted longevity pay under certain circumstances that are
36 described in NRS 245.

37 I believe for county commissioners, you actually have to vote
38 yourself that longevity pay increase.

39 The concern that's been raised is this: as more and more
40 counties are attempting to eliminate longevity pay, particularly

1 for new hires or in some cases even existing employees as part of
2 their new contracts, they've -- they, you know, they -- they feel
3 that there isn't a whole lot of leverage, if you will, or
4 justification to be able to tell a collective bargaining unit or a
5 union representative to reduce or eliminate longevity pay when,
6 you know, you're all receiving it.

7 So, you know, there's sort of that -- that -- that part of
8 it. But there also is an expenditure part of it, which is that,
9 you know, they're simply just another cost to counties that you
10 have no -- no say over.

11 And so what this bill draft request would do is to give the
12 discretion to grant longevity pay to you, as the board of county
13 commissioners, every year to decide that you want to grant county
14 elected officials longevity pay or not. And you know, that would,
15 I guess, be primarily based upon budgetary concerns.

16 The caveat is that you can't pick and choose who you would
17 give longevity pay to. It would have to be everybody, every
18 county-elected officer including, you know, individual county
19 commissioners. So you couldn't just say, well, we're not going to
20 give longevity pay to the assessor, but we're going to give it to
21 the, you know, clerk. It would have to be everybody. Either
22 everybody gets it or they don't. So that's what -- that's what
23 this -- this BDR does.

24 And it would have to be done by a two-thirds majority. And
25 now we did get some feedback that some of the counties would
26 like to see that as a simple majority. We -- we may change that
27 or not, but at least for now the BDR indicates a two-thirds
28 majority to make that decision.

29 CHAIRMAN GARNER: Okay.

30 COMMISSIONER BULLOCK: I'm not really in favor of it. I'll
31 be right out front here. So I -- I think for elected officials
32 to have no guaranteed job, they got to run for their office
33 every four year or six years. That longevity means that people
34 appreciate them and they should be compensated for it.

35 COMMISSIONER WAITS: But that would be totally up to each
36 --

37 JEFF FONTAINE: Yeah, that --

38 COMMISSIONER WAITS: -- county, if that's --

39 JEFF FONTAINE: I don't disagree with that.

40 COMMISSIONER BULLOCK: I know, but --

1 JEFF FONTAINE: And I guess my only comment is: The only
2 thing that this really does is it -- it puts that decision in
3 your hands and not make it mandatory, but --

4 COMMISSIONER BULLOCK: Yeah, and I --

5 JEFF FONTAINE: -- I certainly understand your --

6 COMMISSIONER BULLOCK: -- guess my concern you get a
7 commission that's mad at one county official -- elected official
8 so he gets the others to ban it. And then you're never going to
9 get it back. I mean, yeah, so -- I just have issues, so --

10 JEFF FONTAINE: Okay.

11
12 17) Discussion for possible action regarding approval/disapproval
13 for Bill Draft Request for the 2015 Legislative Session,
14 #469, reduces the percentage cost allowance allocated to
15 counties for preparation of presentence investigation reports
16 by the Department of Public Safety, and other matters
17 properly related thereto.

18
19 CHAIRMAN GARNER: Seventeen, discussion for possible action
20 regarding approval/disapproval for the Bill Draft Request for
21 the 2015 Legislative Session, 469, reduces the percentage cost
22 allowance allocate -- allocated to counties for prepar- --
23 preparation of presentence investigation reports by the
24 Department of Public Safety, and other matters properly related
25 thereto.

26 Tongue tied.

27 JEFF FONTAINE: Right. So as you know, the Department of
28 Public Safety prepares presentence investigation reports for
29 those individuals who have been convicted of a felony. And so
30 they have to do it for those felons. And then it's at the
31 discretion of the district court judge to decide if he or she
32 wants to require those for certain gross misdemeanors as well.

33 And those reports basically just, you know, go over the
34 background of the -- of the individual. And then the judge uses
35 that to decide sentencing. But then after it -- the individual
36 sentence, those presentence investigation reports are also used by
37 a host of state agencies, including the Department of Corrections,
38 to determine, you know, what facility they go into, where in the
39 facility they go, by probation and parole, by the parole board.

40 And so in 2011, when the state started pushing down

1 services and its cost assessments, the proposal at that point
2 was that the counties would pay 100% of the cost for the
3 Department of Probation and Parole -- or excuse me -- Public
4 Safety, Parole and Probation, to do those reports. We ended up
5 getting that reduced to 70%. That's where it stands today.
6 You're paying for 70% of the cost for the presentence
7 investigation reports. And I didn't get a chance to pull up the
8 total amount in your county, but it is based on the number of
9 reports prepared for individuals in your county.

10 We believe very strongly that -- that the state benefits by
11 more than 30% from having those presentence investigation reports
12 prepared. And so, you know, we're proposing to switch that around
13 and say that the state should pay 70% of the cost and the counties
14 pay 30 -- 30% of the cost because, you know, the state, we
15 believe, gets the bigger benefit from those reports than the
16 county does.

17 And so, again, I can -- I can get this to you to, you know,
18 after we -- we hang up here to tell you exactly how much you've
19 been paying in presentence investigation report and cost
20 assessments. But again, we're just trying to get that -- that
21 cost assessment to the counties reduced.

22 CHAIRMAN GARNER: Okay.

23 COMMISSIONER WAITS: Thank you, Jeff, so much, for your
24 time.

25 Dave, any other questions?

26 CHAIRMAN GARNER: Thanks, Jeff.

27 COMMISSIONER MASON: Nope.

28 CHAIRMAN GARNER: I think that's all we've got.

29 JEFF FONTAINE: And I'm certainly available. Dagny in our
30 office is available as well, if anybody, you know, wants to get
31 any more detail about these or, you know, has any questions.
32 We're -- we're certainly happy to answer those. And we -- we
33 will go over these again at our conference in -- in November in
34 Ely.

35 CHAIRMAN GARNER: Thank you.

36 COMMISSIONER WAITS: Thank you.

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1 **18) Discussion for possible action regarding status of the Lander**
2 **County Courthouse/Administration Building Project, and other**
3 **matters properly related thereto.**
4

5 CHAIRMAN GARNER: Eighteen, discussion for possible action
6 regarding status of the Lander County Courthouse/Administration
7 Building Project, and other matters properly related thereto.

8 JUDGE MAX BUNCH: Max Bunch for the record. Maybe just in
9 time (indiscernible).

10 The update on the building. The first floor slab-on-metal
11 deck, which is also the roof for the basement was poured
12 yesterday. So the basement is pretty much all done, as far as the
13 walls are concerned and the roof, which also ends up being the
14 first floor of the storage area and mechanical room. There's kind
15 of a back hallway, that security hallway in the back. So that's
16 the first floor of that.

17 The remainder of the exterior footings are being finished,
18 probably I'd say by mid next week. And then they'll be pouring
19 the remainder of the footings on the exterior of the building
20 hopefully next week.

21 Building utilities. NV Energy is not a very fast-moving
22 operation. So we have had our application request in since
23 April of this year. And we still do not have temporary power
24 over there. As you can see, we're getting by without it very
25 well. But there's temporary and permanent power that have to
26 come in. They've got to pull their -- pull their lines. And I
27 thought they were supposed to be there yesterday, but they were
28 not. So I'm assuming it's supposed to be in the near future.

29 The front half of the building block is about 98% complete.
30 They got just a few -- few more on the front of the building. And
31 then they'll be starting on the exterior walls towards the rear of
32 the building.

33 CORE had a independent safe-site company come in and walk and
34 grade the courthouse/administration site. And we received a 99.8%
35 rating. My question after that was: How come we didn't get a
36 hundred? And they said, probably because there were plastic water
37 bottles or something laying on the ground that didn't get picked
38 up or somebody dropped off from the top up there after they were
39 finished drinking their water. So they said sometimes that's what
40 -- you'll never get a hundred percent, evidently. So they'll

1 always find something wrong. But we graded very well. And the
2 superintendent and the project manager are very happy with that
3 result.

4 Out of all the buildings being done in Lander County, the --
5 that safe-site went to every place and we were the highest grade
6 out of all of them.

7 And we are holding to the schedule. They are -- the
8 superintendent is pushing to get -- to get ahead of schedule.
9 We're hoping to be topped out -- what they call topped out is I
10 guess the last piece of metal or steel that's put onto the
11 building. So we're hoping that stays on schedule, which is
12 looking like somewhere around the 21st to the 26th of November or
13 earlier hopefully.

14 COMMISSIONER MASON: Great.

15 COMMISSIONER GARNER: Want to ask?

16 COMMISSIONER MASON: How --

17 COMMISSIONER BULLOCK: Oh, yeah. I can ask.

18 CHAIRMAN GARNER: Your earlier question?

19 COMMISSIONER BULLOCK: We had a question, or I did, on the
20 financial. We paid overtime for inspection services. Why are
21 we paying overtime?

22 JUDGE MAX BUNCH: We have a contract. And you have to
23 understand that is not me. Okay.

24 COMMISSIONER WAITS: You didn't authorize it?

25 JAKE EDGAR: I did not authorize it. That was your
26 previous executive director that did the negotiations for that.
27 But I can tell you -- not the current executive director, but
28 the previous one -- when we negotiated that, that was not to
29 exceed \$147,000. That's the contract we have. So we have a not
30 to exceed.

31 COMMISSIONER BULLOCK: But is overtime really needed? It's
32 not like there's that much going on to inspect.

33 JUDGE MAX BUNCH: Well, I think where the -- probably the
34 overtime comes in is when they do the -- the big pours. When
35 they're doing humungous pours and they're there clean into the
36 evening. And so as far as overtime on that, I -- I don't
37 understand -- I don't know. Did I see that bill?

38 NAN ANCHO: It was an out-of-scope work.

39 COMMISSIONER BULLOCK: Yeah, it said out-of-scope overtime.
40 That's my concern.

1 And I don't know if --
2 JUDGE MAX BUNCH: I can --
3 COMMISSIONER BULLOCK: -- CORE saw that or anything or --
4 JUDGE MAX BUNCH: Well, CORE doesn't see that. That's an
5 independent contract between us, Lander County commissioners,
6 the previous executive director, and Pezonella.
7 COMMISSIONER BULLOCK: Okay. Well, I think if it's going
8 to be out of scope, he better contact somebody.
9 JUDGE MAX BUNCH: I -- I would agree with that --
10 COMMISSIONER BULLOCK: Yeah.
11 JUDGE MAX BUNCH: -- to see if he can even -- is authorized
12 to do it.
13 COMMISSIONER BULLOCK: Yeah.
14 JUDGE MAX BUNCH: But I do know that we have a contract
15 that is not to exceed 147-.
16 COMMISSIONER BULLOCK: Yeah, so they're going to go --
17 JUDGE MAX BUNCH: I have a --
18 COMMISSIONER BULLOCK: -- right to 147-.
19 JUDGE MAX BUNCH: I have a small contingency on that end,
20 very small.
21 COMMISSIONER BULLOCK: All right. That was --
22 JUDGE MAX BUNCH: In case -- in case --
23 COMMISSIONER BULLOCK: -- that was my question.
24 JUDGE MAX BUNCH: -- some emergency comes up. But yes, I
25 think that somebody ought to be contacting me or somebody or
26 letting CORE know. Or well, I guess they're not really involved
27 with CORE --
28 COMMISSIONER BULLOCK: Mm-hm.
29 JUDGE MAX BUNCH: -- because they're our inspectors.
30 COMMISSIONER BULLOCK: No, I understand that, but --
31 JUDGE MAX BUNCH: So we need to know if there is a -- so
32 maybe if I can get a copy of that. And I can --
33 COMMISSIONER BULLOCK: And --
34 JUDGE MAX BUNCH: I will call.
35 COMMISSIONER BULLOCK: I guess I -- well, my question is,
36 is who's keeping track of our inspector?
37 JUDGE MAX BUNCH: I -- well, I see him all the time. We
38 get inspection reports.
39 COMMISSIONER BULLOCK: Mm-hm.
40 JUDGE MAX BUNCH: The executive director, I get those

1 inspection reports. I question. I go to the site. I see the
2 inspector every time that I'm there, trying to figure out what's
3 going on and what he's done.

4 But they're not on site -- on site eight hours or ten hours
5 or whatever a day.

6 So they have certain -- by contract, I believe.

7 And I'm only going from memory because I didn't do the
8 contract. So I know I'm in the hot seat here, but --

9 COMMISSIONER BULLOCK: No, no. I just --

10 JUDGE MAX BUNCH: I'm just trying to explain from -- from
11 my understanding is we have a contract to do certain
12 inspections.

13 COMMISSIONER BULLOCK: So -- and I -- and I get that, but
14 on like a large pour, I guess what I'm saying, instead of him
15 showing up at 8:00 in the morning, he shows up at 4:00 in the
16 afternoon, knowing he's going to be there later.

17 JUDGE MAX BUNCH: Well -- well, the problem is, is you've
18 got -- when they start at 4:00 or 5:00 in the morning, --

19 COMMISSIONER BULLOCK: Mm-hm.

20 JUDGE MAX BUNCH: -- they have to do a slum test. They
21 have to do all these tests. And that's all the cement that's
22 going in the ground right then, not at 8:00 o'clock in the
23 morning, but at 5:00 or 6:00.

24 COMMISSIONER BULLOCK: Mm-hm.

25 JUDGE MAX BUNCH: So yesterday, in fact, on the basement
26 pour, he sent a truck away because it didn't meet standards.
27 And they attempted to send the same truck back.

28 COMMISSIONER BULLOCK: Seriously?

29 JUDGE MAX BUNCH: Seriously. And I have not had an
30 opportunity yet to contact the owner of the con- -- concrete
31 company, but I plan on doing that and telling them that is not
32 what we're going to be doing.

33 COMMISSIONER BULLOCK: Huh?

34 JUDGE MAX BUNCH: So that he did tell me yesterday. And
35 that was probably about 3:30 when I talked to him yesterday
36 afternoon after the -- the meeting. So --

37 COMMISSIONER BULLOCK: Okay.

38 JUDGE MAX BUNCH: -- I mean, he -- he is there for us and
39 --

40 COMMISSIONER BULLOCK: No, I understand that.

1 JUDGE MAX BUNCH: -- he is doing work. So -- but -- but the
2 out-of-scope -- and because I don't know what contract the
3 previous executive director signed.
4 COMMISSIONER BULLOCK: Okay.
5 JUDGE MAX BUNCH: And -- and because I didn't have anything
6 to do with that. That was the executive director's job. And I
7 mean, I was trying to help the best I could. And I think I
8 helped with the number on the negotiations because I had the
9 number of what we could do that was within our budget.
10 COMMISSIONER WAITS: Keith, have you found that contract?
11 KEITH WESTENGARD: No, I -- I have not, but I will look for
12 it.
13 COMMISSIONER WAITS: If not, we certainly --
14 JUDGE MAX BUNCH: Well, I'm sure --
15 COMMISSIONER WAITS: -- need a copy again.
16 JUDGE MAX BUNCH: I'm sure it got recorded.
17 COMMISSIONER WAITS: Yeah.
18 COMMISSIONER BULLOCK: Yeah, it should be.
19 JUDGE MAX BUNCH: I'm sure when it got signed and recorded
20 it was there. But Keith has been --
21 COMMISSIONER BULLOCK: If it got signed.
22 JUDGE MAX BUNCH: -- getting the reports.
23 KEITH WESTENGARD: Yes.
24 JUDGE MAX BUNCH: And Keith and I have talked. And Keith
25 has been coming to some of the -- the meetings that we have, the
26 OAC meetings, when he's able to, when he's not busy with
27 probably a hundred other things. He has been coming to
28 understand. And we've discussed a few different things
29 potentially, not about this project, but potentially about
30 future projects, some issues that need to be looked over.
31 KEITH WESTENGARD: Watched carefully.
32 JUDGE MAX BUNCH: Yes.
33 CHAIRMAN GARNER: Okay.
34 COMMISSIONER WAITS: Thank you.
35 CHAIRMAN GARNER: Thanks, Max.
36 JUDGE MAX BUNCH: Mr. Mason, did you have a question?
37 COMMISSIONER MASON: I did. Oh, it was just a general
38 question about the outside walls. How big are the blocks?
39 JUDGE MAX BUNCH: The block --
40 COMMISSIONER MASON: Yeah.

1 JUDGE MAX BUNCH: -- is, I believe, it's 16 inches.
2 COMMISSIONER MASON: Sixteen wide? Sixteen --
3 JUDGE MAX BUNCH: Sixteen --
4 COMMISSIONER MASON: -- eighteen?
5 JUDGE MAX BUNCH: -- by twelve.
6 COMMISSIONER MASON: Twelve wide and sixteen long?
7 JUDGE MAX BUNCH: Sixteen long, twelve -- twelve deep.

8 Yeah.

9 COMMISSIONER MASON: Yeah. Okay.

10 JUDGE MAX BUNCH: Because there -- there are some block
11 that are eight inches.

12 COMMISSIONER MASON: I understand. But these are bigger --
13 the bigger ones.

14 JUDGE MAX BUNCH: Yeah.

15 COMMISSIONER MASON: I can see them on the scaffolding up
16 there. It's just a question.

17 JUDGE MAX BUNCH: Okay.

18 COMMISSIONER MASON: Thank you.

19 COMMISSIONER WAITS: Thank you, Max.

20 COMMISSIONER BULLOCK: Thanks, Max.

21 JUDGE MAX BUNCH: Thank you.

22 COMMISSIONER BULLOCK: Appreciate all your time.

23

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

25

26 CHAIRMAN GARNER: Nineteen. Correspondence, reports,
27 potential upcoming agenda items.

28

29 (The following correspondence was received:

30 1. Correspondence by email, conversation including James
31 Garza, Community and Economic Development White Pine County
32 Administrative Office; Scott Carey, Events and Community
33 Relations Manager, Nevada 150; Wendy Anderson, Second
34 Vice-President, National Pony Express Association, Nevada
35 Division; and Dee Helming regarding coordination of events
36 celebrating the Nevada 150th Birthday Celebration.

37 2. Correspondence by e-mail, Ashley Carrigan, State
38 Director for U.S. Senator Dean Heller, announcing Donna Bath's
39 assignment as the Nevada rural representative for the eastern
40 part of the state.

1 3. State of Nevada, Department of Conservation & Natural
2 Resources, Division of Environmental Protection to Battle
3 Mountain Truck Stop, LLC., Damon Borden, regarding work plan for
4 Additional Environmental Site Assessment Activities, Broadway
5 Colt Service Center, 660 West Front Street, Battle Mountain, NV
6 Facility ID #5-000283.

7 4. Bureau of Land Management to Interested Public, Public
8 Consultation, Roberts Mountain Allotment, proposed drought
9 response actions, Mount Lewis Field Office.

10 5. Bureau of Land Management to Interested Public, the
11 Wildfire Management and Livestock Closure Decision for the
12 Frazier Fire was issued, closing portions of the JD and Roberts
13 Mountains Allotments, including objectives to reopen burned
14 areas.

15 6. State of Nevada, Department of Conservation & Natural
16 Resources, Division of Environmental Protection to Mr. Benson of
17 NV Energy, regarding Oil Release from Pad-Mounted Transformer
18 near Antelope Valley Road and correction and clarification of
19 spill number.)

20
21 COMMISSIONER WAITS: We were talking about looking at our
22 schedule because of November and December and having problems.
23 And I had hoped that would be on the agenda for today because I
24 have a national conference coming up. I wasn't sure whether it
25 was going to be a conflict with our schedule or not. So
26 unfortunately, that's -- that's due. The registration is due.
27 So we -- we need to take a look at that.

28 COMMISSIONER BULLOCK: Register away. We can handle one
29 less commissioner at a meeting.

30 COMMISSIONER WAITS: I bet you could.

31 COMMISSIONER BULLOCK: We just did it today. So if you
32 feel you need to be there.

33 COMMISSIONER WAITS: I need to be there. I never know what
34 you guys are doing.

35 No, I hate to do that. So I was trying to work in our
36 schedule, so --

37 COMMISSIONER BULLOCK: Well, I know it's --

38 COMMISSIONER WAITS: If that's on --

39 COMMISSIONER BULLOCK: -- not there, but --

40 COMMISSIONER WAITS: -- the next agenda, that's good.

1 COMMISSIONER BULLOCK: -- potential upcoming agenda items,
2 you can't really change the meetings in November.

3 COMMISSIONER WAITS: We have to.

4 COMMISSIONER BULLOCK: You can't.

5 COMMISSIONER WAITS: Well, we can't meet on Thanksgiving.
6 I'm sorry.

7 COMMISSIONER BULLOCK: I know. That's why there won't be,
8 but you can't move it to the third week because you've got NACO.
9 So I'll just put that out there. You're pretty much going to be
10 standard one meeting in November.

11 CHAIRMAN GARNER: That's how it has -- it has been.

12 COMMISSIONER WAITS: Okay. We're fine with that. How
13 about December?

14 COMMISSIONER BULLOCK: Well, --

15 COMMISSIONER WAITS: We'll find out.

16 COMMISSIONER BULLOCK: I was just putting that out there.
17 Because of NACO, you can't change anything in November.

18 And I won't be here Thanksgiving, so --

19 COMMISSIONER WAITS: No, I'm fine.
20
21

22 PUBLIC COMMENT

23
24 CHAIRMAN GARNER: Public comment for non-agendized items
25 only.

26 COMMISSIONER WAITS: I just had one as far as an
27 information. And I don't know whether some you have been on the
28 e-mails, but the pony express riders that were coming through to
29 pick up the -- the proclamations from the different counties for
30 the 150th, --

31 COMMISSIONER BULLOCK: Mm-hm.

32 COMMISSIONER WAITS: -- I understand they've changed that
33 from Battle Mountain to Austin?

34 And I know they're going to be taking pictures and -- and
35 want, you know, the commissioners there as many as can be or
36 something. And unfortunately, I'm not going be there, so I was --

37 COMMISSIONER BULLOCK: It's on the 16th. Yeah.

38 COMMISSIONER WAITS: I was hoping --

39 COMMISSIONER BULLOCK: I planned on doing it.

40 COMMISSIONER WAITS: Good. I was hoping somebody would.

1 COMMISSIONER BULLOCK: It was discussed -- because that's
2 coming from the GBRDA.

3 COMMISSIONER WAITS: Yes. Good. Thank you.
4 I'll look for your picture in the paper then.

5 CHAIRMAN GARNER: With that --
6
7

8 **ADJOURNMENT**
9

10 COMMISSIONER WAITS: I'll make a motion we adjourn.

11 CHAIRMAN BULLOCK: Second it.

12 CHAIRMAN GARNER: Public comment?

13 (No comment.)

14 CHAIRMAN GARNER: All those in favor? Aye.

15 COMMISSIONER MASON: Aye.

16 COMMISSIONER WAITS: Aye.
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25 **CHAIRMAN OR VICE CHAIRMAN OF THE**
26 **BOARD OF LANDER COUNTY**
27 **COMMISSIONERS AND THE LANDER**
28 **COUNTY LIQUOR BOARD**
29
30
31

32 **ATTEST:**

33 **LANDER COUNTY CLERK**
34
35
36

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