

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 September 11, 2014, at
4 9:00 a.m.

5
6 **PRESENT:** DEAN BULLOCK, COMMISSIONER
7 STEVEN STIENMETZ, COMMISSIONER
8 BRIAN GARNER, COMMISSIONER
9 DAVID MASON, COMMISSIONER
10 PATSY WAITS, COMMISSIONER
11 SADIE SULLIVAN, COUNTY CLERK
12 NICOLE TING, DEPUTY DISTRICT ATTORNEY
13 NAN ANCHO, FINANCE DIRECTOR
14 JOY SWEENEY, HUMAN RESOURCES DIRECTOR
15

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

18
19 Let the record reflect the presence of Austin via telephone
20 conference.

21
22 [Meeting commenced on September 11, 2014, at 9:00 a.m.]
23

24 VICE CHAIRMAN BULLOCK: We'll call to order the meeting of
25 the Lander County Commissioners, Town Board of Battle Mountain,
26 and Austin Board of County Highway Commissioners.

27 And stand for the pledge.

28
29 (Pledge of Allegiance.)
30
31

32 **APPROVAL OF AGENDA NOTICE**
33

34 VICE CHAIRMAN BULLOCK: Discussion for possible action
35 regarding approval of agenda notice.

36 COMMISSIONER STIENMETZ: I'll make a motion to approve the
37 agenda notice.

38 COMMISSIONER MASON: I'll second it.

39 VICE CHAIRMAN BULLOCK: Any comments?

40 (No comment.)

1 VICE CHAIRMAN BULLOCK: Those in favor?
2 COMMISSIONER STIENMETZ: Aye.
3 COMMISSIONER MASON: Aye.
4 COMMISSIONER WAITS: Aye.
5 COMMISSIONER BULLOCK: Aye.
6
7

8 **APPROVAL & ACCEPTANCE OF MINUTES**
9

10 CHAIRMAN GARNER: On minutes? Discussion for possible
11 action regarding approval and acceptance of minutes of August
12 2014 -- August 14, 2014, regular session.

13 COMMISSIONER WAITS: I'll make a motion we approve the
14 minutes of August 14th.

15 COMMISSIONER BULLOCK: I'll second.

16 COMMISSIONER GARNER: Any public comment?
17 (No comment.)

18 CHAIRMAN GARNER: All these in favor?

19 COMMISSIONER MASON: Aye.

20 COMMISSIONER WAITS: Aye.

21 COMMISSIONER STIENMETZ: Aye.

22 COMMISSIONER BULLOCK: Aye.

23 CHAIRMAN GARNER: There aren't any for the August 28th?

24 COMMISSIONER BULLOCK: Uh-uh.
25
26

27 **COMMISSIONER REPORTS**
28

29 CHAIRMAN GARNER: Commissioners reports on meetings,
30 conferences --
31

32 (Telephone: "If you'd like to make a call, please hang up
33 and try again. If you need help hang..." County Clerk
34 Sullivan reconnecting telephone communication with Austin.)
35

36 MITESHELL LANHAM: Hello.

37 COUNTY CLERK SULLIVAN: Hi. We lost you.

38 MITESHELL LANHAM: Okay.
39

40 CHAIRMAN GARNER: Commissioners reports on meetings,

1 conferences, and seminars attended.

2 COMMISSIONER MASON: I attended the Lander County planning
3 commission meeting last night at 6:00 p.m. Had one, two -- two
4 approvals and three, four referrals. And we adjourned at
5 7:25 p.m. And nothing much. The rest will all come before us.

6 That's all I have.

7 COMMISSIONER WAITS: Thank you.

8 I have a couple meetings that I attended, a few things I'd
9 like to share with you.

10 On September 2nd, we had a public land use advisory
11 planning commission meeting. There was a couple things on that
12 that was kind of a surprise. One of them referred to the Assembly
13 Bill 227, which we've been working with with our public lands.
14 And there was an article that Dan Tomera had brought to us that
15 was in the paper that the chair of the public lands legislative
16 committee, the one that we have been reporting to all year long,
17 has said he will not take that AB 227 report forward with any bill
18 draft request. The chair is the Assemblyman Paul Aizley.

19 There were a few comments after that, of course. The
20 assembly people that we work with would be John Ellison -- he
21 was responsible for -- for putting that bill together from
22 Elko -- and also our Senator Pete Goicoechea. And they said
23 they would continue on and perhaps do that separately to
24 continue all the work that has been done. But I haven't heard
25 anything officially from anyone on that committee or our chair
26 in response to that. So that was most conc- -- concerning on --
27 on that one.

28 On the Reid/Heller bill that we've talked about coming up, we
29 did speak to some of the folks actually from Senator Reid's
30 office. And they told us they really didn't think that anything
31 would come in with anything definite with the bill before the end
32 of the year. And so they would continue to take comments or any
33 other information that the counties and the folks wanted to share
34 with them on that.

35 Also, there is a Central Nevada Regional Water Authority
36 meeting tomorrow in Lovelock that's coming up.

37 On September 8th, I had a conference call for our meeting
38 with the Nevada Commission on Aging. They actually received a
39 grant for flu vaccine that they will be dispersing around the
40 state for free flu shots at some of the different health fairs.

1 Also, there was a report from a lady by the name of Misty
2 Allen. She is the statewide sui- -- suicide prevention
3 coordinat- -- coordinator. And this particular group has been
4 in existence less than ten years now. But -- but it's certainly
5 coming to light with so much that has to be really tackled with
6 this type of information, not just with the seniors, but
7 certainly with all of our -- our age groups.

8 The suicide is the sixth leading cause of death in Nevada.
9 It's the tenth in the nation. And one out of every four in
10 Nevada is a veteran.

11 In their call to action under the behavioral health issues
12 that are the main concern here, they reported that 70 percent of
13 those folks were actually in contact with a primary care physician
14 over the last six months. And 40 percent of them had seen their
15 primary care physician within that week.

16 So their call to action on this is really to get in touch
17 with primary care physicians and emergency room directors and
18 folks so they can get a handle on the behavioral health issues
19 right off the bat. We feel we're missing too many signs.

20 On September 8th, we also had an Austin Airport advisory
21 board meeting. We do have information that was given at the
22 commissioners on this. Our airport engineers reported that A & K
23 will not be starting the Austin apron. They simply didn't have
24 enough time by the time we got the information back from the FAA
25 and all. So that will be postponed until May next year.

26 Also, the fly-in is coming in September 27th.

27 And Joe Dory is busy working on the entrance light, which
28 we have been looking at at some time. There was a special fund
29 put together for Jerry Utter, an airport enthusiast that passed
30 away a few years ago. And in remembrance, they wanted to put a
31 light fixture that actually would be there when you come in. In
32 the evening hours, you can't see to punch in the code for the
33 gate. And so they're excited about finally finishing that up
34 with our -- our lighting and our big pole. So that's exciting
35 to be looking at that coming up.

36 COMMISSIONER MASON: Question: Is the -- the money for the
37 Austin Airport apron, is that still good?

38 I mean, can it sit there until May without repercussions?

39 COMMISSIONER WAITS: Yes. And it didn't seem to be -- I
40 was concerned about the increase in cost. And that seemed to be

1 the same amount that they would be honoring that for -- for May.
2 CHAIRMAN GARNER: I don't -- I don't understand if they
3 accepted the contract and they put the contract in for that,
4 we're going have to rebid it. If they said they're going to do
5 it this year and that's what they put in the bid for, we don't
6 just let them do whatever they want.
7 COMMISSIONER WAITS: I'm just going by what J-U-B had
8 reported. And it's in our -- our correspondence information.
9 So I haven't spoken with anyone on it at all. We discussed it
10 at the airport board meeting to see whether they could hold that
11 for the same bid. They just figured they'd -- because of the
12 time frame. That bid was awarded --
13 CHAIRMAN GARNER: But it was awarded for this year.
14 COMMISSIONER WAITS: -- some time ago. Yes, it was.
15 CHAIRMAN GARNER: Mm-hm.
16 COMMISSIONER WAITS: Yes, it was. Legally, I don't -- I
17 don't know. That's something we certainly need to take a look
18 at.
19 CHAIRMAN GARNER: Yeah.
20 COMMISSIONER WAITS: But that was apparently from J-U-B --
21 CHAIRMAN GARNER: Yeah.
22 COMMISSIONER WAITS: -- in talking with A & K. So we'll
23 have to check further on that for you.
24 COUNTY CLERK SULLIVAN: (Indiscernible.)
25 CHAIRMAN GARNER: Mm-hm.
26 COMMISSIONER STIENMETZ: All I have is I -- I went and met
27 the governor's train on the 29th when it came through and that.
28 And then tomorrow I have a SLUPAC meeting in Ely that I'll
29 be going to.
30 COMMISSIONER MASON: Was the governor on the train?
31 COMMISSIONER STIENMETZ: Yes, he was. I even got to shake
32 his hand. I got pictures of my wife and pictures of me with
33 him.
34 COMMISSIONER MASON: Did he have anything reasonable to
35 say?
36 COMMISSIONER STIENMETZ: He was there. He met the dancers
37 and did everything.
38 He didn't give a speech. He just come by and said hi to
39 everybody.
40 COMMISSIONER MASON: Yeah, it's Battle Mountain. Can't --

1 can't waste time here, huh?

2 COMMISSIONER STIENMETZ: No, he was here for quite a while
3 actually.

4 COMMISSIONER MASON: What kind of train? Was it a steam
5 engine?

6 COMMISSIONER STIENMETZ: No. It was their thing --
7 sesquicentennial. It was their sesquicentennial train. But the
8 trailer, the rear car had the sesquicentennial emblem on it. It
9 was nice.

10 COMMISSIONER MASON: Okay.

11 COMMISSIONER STIENMETZ: It was -- that's all I've got.

12 COMMISSIONER BULLOCK: I don't have anything.

13 CHAIRMAN GARNER: I don't have anything.

14

15

16 **STAFF REPORTS**

17

18 CHAIRMAN GARNER: Staff -- we don't need that.

19 Discussion for possible action regarding --

20 Ting, do you have anything for staff reports?

21 DEPUTY DISTRICT ATTORNEY TING: No. Nothing.

22 CHAIRMAN GARNER: Okay.

23

24

25 **PAYMENT OF THE BILLS**

26

27 CHAIRMAN GARNER: Discussion for possible action regarding
28 payment of the bills.

29 I didn't want to leave you out.

30 VICKI PETERS: Good morning.

31 COMMISSIONER STIENMETZ: Good morning.

32 COMMISSIONER BULLOCK: Morning.

33 COMMISSIONER WAITS: Good morning, Vicki.

34 VICKI PETERS: Vicki Peters, Finance.

35 We have submitted expenditures in the amount of one
36 million, six hundred seventy-two -- excuse me.

37 Let's try that again. 1,672,757.20 from check #49344 to 4 --
38 49404.

39 COMMISSIONER WAITS: For the record, I will be abstaining
40 from check #49398 for travel expenses.

1 VICKI PETERS: (Indiscernible.)
2 CHAIRMAN GARNER: I'll be abstaining from check #49347,
3 towing.
4 VICKI PETERS: I also have this morning four checks to
5 ratify.
6 First one being check #49324, Kala Blaylock.
7 The second check being 49326, Chase Credit Card Services.
8 Third one being 49330, Goserco.
9 Last one being 49331, Jenney Laughton.
10
11 (Commissioners reviewing payment of the bills.)
12
13 CHAIRMAN GARNER: We could have just given her the credit
14 card and (indiscernible) an Amazon account.
15
16 (Commissioners reviewing payment of the bills.)
17
18 COMMISSIONER STIENMETZ: It's for fuel.
19 COMMISSIONER BULLOCK: It's for mental health.
20 COMMISSIONER STIENMETZ: Oh, that's different.
21
22 (Commissioners reviewing payment of the bills.)
23
24 COMMISSIONER MASON: Are you cold? It's summertime.
25
26 (Commissioners reviewing payment of the bills.)
27
28 **Kala Blaylock**
29
30 COMMISSIONER BULLOCK: I'll make a motion to ratify check
31 #49324 to Kala Blaylock in the amount of \$225.
32 COMMISSIONER STIENMETZ: 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 STIENMETZ: Aye.
40 COMMISSIONER BULLOCK: Aye.

1 **Chase Card Services**

2
3 COMMISSIONER BULLOCK: I'll make a motion to ratify check
4 #49326 to Chase Card Services for the amount of \$588.

5 COMMISSIONER STIENMETZ: I will 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 STIENMETZ: Aye.

13 COMMISSIONER BULLOCK: Aye.

14
15 **Goserco**

16
17 COMMISSIONER BULLOCK: I'll make a motion to ratify check
18 #49330 to Goserco, Incorporated, in the amount of \$5,746.35.

19 COMMISSIONER STIENMETZ: I will second the motion.

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 STIENMETZ: Aye.

27 COMMISSIONER BULLOCK: Aye.

28
29 **Jenney Laughton**

30
31 COMMISSIONER BULLOCK: I'll make a motion to ratify check
32 #49331 to Jenney Laughton in the amount of \$225.

33 COMMISSIONER STIENMETZ: I will second the motion.

34 COMMISSIONER GARNER: Any public comment?

35 (No comment.)

36 CHAIRMAN GARNER: All those in favor?

37 COMMISSIONER MASON: Aye.

38 CHAIRMAN GARNER: Aye.

39 COMMISSIONER WAITS: Aye.

40 COMMISSIONER STIENMETZ: Aye.

1 COMMISSIONER BULLOCK: Aye.

2

3 **Submitted Expenditures**

4

5 COMMISSIONER BULLOCK: I'll make a motion to approve
6 submitted expenditures in the amount of \$1,672,757.20 from check
7 #49344 through check #49404.

8 COMMISSIONER STIENMETZ: I will second the motion.

9 CHAIRMAN GARNER: All those -- public comment?

10 (No comment.)

11 CHAIRMAN GARNER: All those in favor?

12 COMMISSIONER MASON: Aye.

13 CHAIRMAN GARNER: Aye.

14 COMMISSIONER WAITS: Aye.

15 COMMISSIONER STIENMETZ: Aye.

16 COMMISSIONER BULLOCK: Aye.

17

18 COMMISSIONER STIENMETZ: (Indiscernible.)

19

20 COMMISSIONER MASON: You got away with it.

21

22 (Commissioners reviewing payment of the bills.)

23

24

25 **PUBLIC COMMENT**

26

27 CHAIRMAN GARNER: Public comment. This would be the time
28 for public com- -- comment for non-agendized items only.

29 Any public comment?

30 (No comment.)

31 CHAIRMAN GARNER: Seeing that, moving on to one.

32

33

34 **FINANCE**

35

36 1) Discussion for possible action regarding budget review,
37 contracts, financial update, and other matters properly
38 relating thereto.

39

40 CHAIRMAN GARNER: Discussion for possible action regarding

1 budget review, contracts, financial update, and other matters
2 properly relating thereto.

3 NAN ANCHO: Good morning.

4 CHAIRMAN GARNER: Morning.

5 COMMISSIONER STIENMETZ: Good morning, Nan.

6 COMMISSIONER WAITS: Good morning.

7 NAN ANCHO: Nan with Finance.

8 I don't have any specific information for you today.

9 It's -- I do have one item I would like to suggest putting on
10 the next agenda and that is the cutoff time for the commission
11 packets. It's hindering our check runs, and it's making it hard
12 to get our bills paid in an efficient manner.

13 So I would like to open that up for discussion and -- as an
14 agenda item for next meeting.

15 It's backlogging our check runs -- is the way we have it
16 set up now, it's backlogging our check runs. So that's all I
17 have.

18 CHAIRMAN GARNER: You want it as an agenda item?

19 NAN ANCHO: Or however you -- if you want to discuss now or
20 agenda item. It's -- it's something that needs to be addressed.

21 We need to find another way to -- it's -- cutting them off on
22 Friday is putting our check runs on hold for a week. And it makes
23 it very difficult to make our bill payments on time, because once
24 that cutoff for the commission meeting is there, we can't do any
25 other check runs or pay any other bills.

26 So if there would only be like a couple days from the time we
27 do the check runs for the commission meeting to when you guys
28 actually approve the checks, the way it was before we changed it
29 this last time, it would be very beneficial for us. Because as of
30 now it's -- it's a week apart.

31 CHAIRMAN GARNER: But it's not beneficial for us.

32 NAN ANCHO: And I understand that. So -- but we need to
33 come up with some other cutoff time. If maybe a Monday would
34 work instead of Friday.

35 So we can get bills that come in on Thursday, Friday added
36 into the commission run. Because it's -- it gives us more time to
37 get -- because otherwise the bills that come in on Thursday,
38 Friday are waiting until another couple weeks to get processed.

39 CHAIRMAN GARNER: We'll put it on.

40 NAN ANCHO: Okay. That's all I have.

1 COMMISSIONER STIENMETZ: Thank you, Nan.
2 NAN ANCHO: Thank you.
3 COMMISSIONER STIENMETZ: We need to go back to payroll
4 change requests.
5 COMMISSIONER BULLOCK: Can't.
6 COMMISSIONER STIENMETZ: Why?
7 CHAIRMAN GARNER: Hm?
8 CHAIRMAN BULLOCK: We can't. It's not on here.
9 COMMISSIONER MASON: That's from --
10 COMMISSIONER STIENMETZ: Oh.
11 COMMISSIONER MASON: -- September 2nd.
12
13

14 **BUILDING DEPARTMENT**

15
16 2) **Discussion for possible action regarding operations and**
17 **projects for the Building Department, and other matters**
18 **properly relating thereto.**
19

20 CHAIRMAN GARNER: Two, discussion for possible action
21 regarding operations and projects for the Building Department,
22 and other matters properly relating thereto.

23 ANNA PENOLA: Anna Penola with the building department.
24 Good morning.

25 CHAIRMAN GARNER: Good morning.

26 COMMISSIONER STIENMETZ: Good morning.

27 ANNA PENOLA: For August, we had 34 new permits issued. We
28 didn't have any non-permitted inspections.

29 Ongoing projects is AT&T Mobility at Stony Point, Antelope
30 Valley, and Cortez, and AT&T Stony Point in Austin. They're
31 adding and replacing antennas and upgrading towers. And that's
32 been ongoing probably for the -- since January.

33 Ormat Geothermal, Phase 2.

34 In the south county, AT&T in Austin. Naval -- they
35 received -- Joe received the naval letter for approval and is
36 ready to -- waiting on the contractor for permitting.

37 And we have the Verizon tower in Austin. And there's ten
38 open permits in the south county.

39 Things going on in Kingston: the Kingston clinic and helipad
40 will be permitted soon.

1 The Battle Mountain General Hospital service building and
2 helipad's under construction with CORE.

3 The Battle Mountain admin building is under construction
4 with CORE. All foundation and basement floor has been poured.
5 Working on masonry walls. Solar is almost done and just waiting
6 to tie in to the building. So that will be a little bit.

7 Lander County School District will be permitting the new
8 elementary school. They just broke ground and waiting for plans
9 to come back.

10 The dental office building has been permitted. And I just
11 went and inspected the footings before the meeting.

12 Working on going out to bid for the Battle Mountain Austin
13 Airport fuel systems.

14 Working on revising the Orange Book standards for Lander
15 County.

16 Working on the Municode updates for building and planning.

17 And I will be going to a mechanical inspector certification
18 training all next week, taking a test on Saturday, hopefully
19 coming home with a bottle of champagne.

20 That's all I've got.

21 COMMISSIONER STIENMETZ: Thank you.

22 COMMISSIONER WAITS: Thank you, Anna.

23 ANNA PENOLA: Okay. Thank you.

24 CHAIRMAN GARNER: (Indiscernible.)

25
26
27 **ROAD AND BRIDGE SOUTH**

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

33 CHAIRMAN GARNER: Discussion for possible action regarding
34 operations and projects for the Road and Bridge South
35 Department, and other matters properly related thereto.

36 COMMISSIONER STIENMETZ: Good morning, Bert.

37 BERT RAMOS: Good morning.

38 Well, I missed you guys the last one because I was -- we were
39 paving. We finished up all of our paving on Tuesday, putting our
40 curbs down, and looks really nice.

1 COMMISSIONER STIENMETZ: Name for the record, so --
2 BERT RAMOS: Oh. Bert Ramos, Road and Bridge South.
3 COUNTY CLERK SULLIVAN: Thank you.
4 BERT RAMOS: And other than that, everything's going
5 smooth. We did get the Gold Park letter in and signed. So for
6 sure should be getting that back to us. And hopefully, we can
7 get started on that before snow hits.
8 And --
9 CHAIRMAN GARNER: Grass Valley's paved?
10 BERT RAMOS: Yep.
11 CHAIRMAN GARNER: How much did it end up being?
12 BERT RAMOS: 4.7 miles.
13 CHAIRMAN GARNER: 4.7?
14 BERT RAMOS: Yep.
15 CHAIRMAN GARNER: Have you been past the site lately?
16 BERT RAMOS: Yeah. That is -- glad you brought that up.
17 I've been by there. I got their encroachment permit. And I
18 didn't -- I haven't signed it, because I was waiting for the check
19 to come in for them to pay us.
20 And they also -- I wanted to bring this in front of you guys
21 as well.
22 There's -- they want to leave a portion of that pipeline that
23 they already installed. The -- the ballards or their posts to set
24 the pipeline on the -- on the other side of the road that does not
25 parallel. Does that make sense?
26 So they won't be paralleling us for a few hundred feet there.
27 And then they'll come back under the road and acrossed. And then
28 both pipelines will be on the same side of the road.
29 So --
30 COMMISSIONER STIENMETZ: Where they're doing this, there's
31 not a pipeline on the other side of the road?
32 BERT RAMOS: No. So there would be no --
33 COMMISSIONER STIENMETZ: So there's --
34 BERT RAMOS: -- nothing would be boxed in.
35 COMMISSIONER STIENMETZ: It wouldn't be boxed in?
36 BERT RAMOS: So that's been the excitement.
37 COMMISSIONER MASON: So that's -- that's just temporary?
38 COMMISSIONER BULLOCK: No.
39 BERT RAMOS: No.
40 COMMISSIONER STIENMETZ: That's where they started building

1 before we gave them permission.
2 BERT RAMOS: Yeah.
3 COMMISSIONER MASON: But it's not boxing us in, right?
4 BERT RAMOS: No.
5 CHAIRMAN GARNER: The permission we gave was to be on the
6 other side.
7 BERT RAMOS: Correct.
8 COMMISSIONER MASON: Why don't they just go under the road
9 with that?
10 COMMISSIONER STIENMETZ: They did.
11 CHAIRMAN GARNER: Don't even go there.
12 BERT RAMOS: Yeah. Well, they -- they haven't yet. But
13 that's what they would have to do at that point is they have to
14 go under the road, come up on the other side of the road, run
15 down for the few hundred feet, go back under the road, and pop
16 up on the other side of the road where the old pipes parallel
17 each other on -- for the remainder of the -- the pipe.
18 COMMISSIONER MASON: And the other question -- I want to
19 back up a little bit. You said 4.72 miles of what? Paving?
20 BERT RAMOS: Of paving.
21 COMMISSIONER MASON: Where?
22 BERT RAMOS: (Indiscernible.) In Grass Valley.
23 COMMISSIONER MASON: Okay. And -- and that's from the top
24 out? Or --
25 BERT RAMOS: That's -- that's from Highway 50 out.
26 COMMISSIONER MASON: Yeah. Okay.
27 Well, that's good; isn't it?
28 BERT RAMOS: That's good. It leaves us quite a bit short
29 from the geothermal plant. But that's okay, because we get to
30 see just how it will hold up under these loads.
31 CHAIRMAN GARNER: So are they going to bring that back in
32 front of us?
33 BERT RAMOS: Well, they're hoping that -- that you guys can
34 kind of give me an idea of what -- what the plan is today.
35 Get your general consensus.
36 COMMISSIONER BULLOCK: My -- the whole issue was being
37 boxed in. And so, you know, I understand. It's already there
38 and it's not boxing. I don't have an issue with it.
39 BERT RAMOS: Yeah. That's kind of how it interpreted it.
40 It's not going to --

1 COMMISSIONER STIENMETZ: As long as it's not boxing us in,
2 it's only on one side, I don't see a problem with it.
3 COMMISSIONER MASON: What about the paving of that piece by
4 Ormat? Are they going to pave it?
5 BERT RAMOS: No. Well, hopefully in the future maybe we
6 can get something done. But it -- it won't be an issue to pave
7 either way. It's far enough out on the shoulders that --
8 COMMISSIONER MASON: Are they maintaining or are we?
9 BERT RAMOS: We are at this point. And we've been billing
10 them. (Indiscernible.)
11 COMMISSIONER MASON: Are they paying -- are they paying the
12 bill?
13 BERT RAMOS: We got it right here.
14 COMMISSIONER MASON: Okay.
15 BERT RAMOS: First payment from them. So that's good news.
16 COMMISSIONER MASON: How much is it?
17 BERT RAMOS: There's 40-some thousand in here.
18 COMMISSIONER MASON: Okay.
19 COMMISSIONER WAITS: And that was sent to them how long
20 ago?
21 BERT RAMOS: Oh, it was a while.
22 COMMISSIONER GARNER: Two years.
23 BERT RAMOS: Yeah. It's been a while.
24 Yeah.
25 It's not at 30, I'll tell you that.
26 COMMISSIONER STIENMETZ: Thirty years.
27 BERT RAMOS: Yeah.
28 COMMISSIONER MASON: Was the road looking in good shape? I
29 mean if -- I mean, you're doing that, right?
30 BERT RAMOS: Yeah. Yeah, it looks nice right now.
31 COMMISSIONER MASON: But we're tying up equipment out
32 there.
33 BERT RAMOS: Yeah. Yeah. There's --
34 COMMISSIONER MASON: You got a grader out there just all
35 the time?
36 BERT RAMOS: Well, about every other week. Yeah, or
37 else -- we've had -- we've had a few accidents out there because
38 the road gets pretty washboard around some of them turns. And
39 they can get pretty good speed up on the straightaways. And
40 then when they hit the turns, they hit them washboards and you

1 go bouncing out. And everybody's afraid of driving straight
2 through the brush, so they turn their wheels and tip over.
3 We've had a few of them.
4 COMMISSIONER MASON: Seems to me they should be grading
5 that instead of using us.
6 BERT RAMOS: Yeah, but they're paying. At least we got
7 paid.
8 COMMISSIONER MASON: Okay.
9 BERT RAMOS: It's a start. It's a start. So that's a good
10 thing.
11 COMMISSIONER WAITS: Bert, so you went out and checked and
12 saw the area that they were putting in before we approved --
13 BERT RAMOS: Yes.
14 COMMISSIONER WAITS: -- the other side? And we're okay
15 with the --
16 COMMISSIONER STIENMETZ: Well, he just wanted our opinion
17 on --
18 BERT RAMOS: Yeah.
19 COMMISSIONER WAITS: But I'm saying, he went out and looked
20 at it.
21 COMMISSIONER STIENMETZ: Yeah.
22 COMMISSIONER WAITS: That's what I'm asking, right?
23 BERT RAMOS: Yes.
24 COMMISSIONER WAITS: Okay.
25 BERT RAMOS: Yeah. And it's not -- it won't box us on --
26 on it. It's just a -- it's just a matter of a few hundred feet
27 there.
28 And if you guys --
29 COMMISSIONER MASON: What about the studs that they stuck
30 in the ground for the west side of the road? Are they sticking
31 up? Are they noticeable?
32 BERT RAMOS: No, they're digging down four to six feet and
33 cutting them off --
34 COMMISSIONER MASON: Okay.
35 BERT RAMOS: -- and then filling them back in. So --
36 COMMISSIONER MASON: Good. Okay.
37 BERT RAMOS: So them are all -- them are all clean and look
38 nice.
39 COMMISSIONER MASON: Thank you.
40 CHAIRMAN GARNER: I just have a problem with it if -- if

1 that's the way it reads and we don't -- you know, we allow them
2 to sway the way the contract is written. What are they going to
3 come back with next time?
4 BERT RAMOS: Would you -- would you like it to be
5 changed -- change the verbiage in the encroachment permit?
6 CHAIRMAN GARNER: It needs to -- it needs to match exactly,
7 or they're going to come back and hold us --
8 COMMISSIONER STIENMETZ: Right.
9 CHAIRMAN GARNER: -- responsible for it the third time that
10 they come around. Because three -- three's already in
11 conceptual. So --
12 BERT RAMOS: Okay.
13 CHAIRMAN GARNER: -- now they're going to come back and
14 say, well, you let us do it last time.
15 BERT RAMOS: Okay.
16 Well, I'll put it on an agenda item. And we'll -- we'll just
17 put it where --
18 CHAIRMAN GARNER: It doesn't read exactly what --
19 COMMISSIONER STIENMETZ: Yeah, make --
20 CHAIRMAN GARNER: -- is theirs.
21 COMMISSIONER STIENMETZ: -- sure the encroachment permit --
22 CHAIRMAN GARNER: They're going to come back and --
23 COMMISSIONER STIENMETZ: Yeah.
24 CHAIRMAN GARNER: -- bend us some more just like they
25 already have.
26 BERT RAMOS: Okay.
27 COMMISSIONER STIENMETZ: Yeah, I don't have a problem with
28 it being there as long as that's what our encroachment permit
29 says they can do.
30 BERT RAMOS: Okay, we'll put it back on agenda. And
31 we'll get it to where we can touch on it and make a vote.
32 CHAIRMAN GARNER: Thanks, Bert.
33 COMMISSIONER STIENMETZ: Thank you, Bert.
34 CHAIRMAN BULLOCK: Thanks, Bert.
35 COMMISSIONER WAITS: Thank you.
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40

1 ROAD AND BRIDGE NORTH

2
3 4) Discussion for possible action regarding operations and
4 projects for the Road and Bridge North Department, and other
5 matters properly related thereto.
6

7 CHAIRMAN GARNER: Discussion for possible action regarding
8 operations and projects for the Public Works Department, and
9 other matters properly related thereto.

10 Correction -- prop- -- Public Works.

11 COMMISSIONER STIENMETZ: Good morning, Donnie.

12 DONALD NEGRO: Good morning.

13 COMMISSIONER BULLOCK: Road and Bridge North.

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

15 Business is normal pretty bit -- much at Road and Bridge North.

16 We're painting crosswalks. We kind of got into a -- the
17 school was going to do it. And then they thought we were going
18 to do it. So now we're all doing it.

19 So we ordered the paint. We got the machine. We got a crew
20 over there to help.

21 JOANNA REEVES: We just had to -- (indiscernible).

22 DONALD NEGRO: Oh, is that what she was here for? Okay.

23 Crosswalks are getting paved as we -- painted as we speak.

24 Our equipment auction is going as we speak. It will go, I
25 think, until next Tuesday. Yes- -- it started yesterday at
26 4:00 o'clock. It's on the internet, CATauctions.com. And then it
27 puts you to a different other deal. But right now on one machine,
28 we have a 25,000-dollar bid on one of the machines.

29 So things hopefully will go good.

30 Our streets for -- to do our streets -- Jake, I've been
31 working with him pretty heavy.

32 And yes? No? Can we go this one? Can we go that one?

33 And now the contract with Summit Engineering is at the
34 district attorney's office. I've been working with Nicole and
35 Angie. And hopefully we'll have that pretty quick, and it'll go
36 out to bid.

37 So if you guys have streets you want fixed, you better tell
38 me real fast. I know Brian does already.

39 But we went and measured everything. And I don't know where
40 it comes in on my budget where, you know, we'll be under budget

1 I'm sure, but -- for this go around.
2 And what I'm going to do is put it out and put it as a -- you
3 know -- weather permitting. And if the weather turns bad, then
4 they'll come back next spring and finish it. They're going to --
5 there's some crucial roads we need to do right now, North Second.
6 And so --
7 CHAIRMAN GARNER: Is --
8 DONALD NEGRO: Hopefully we'll have a --
9 CHAIRMAN GARNER: Is Arabian on the list?
10 DONALD NEGRO: Arabian. Yeah. I told you about that
11 Arabian Road.
12 But anyway, that's about all we've got going.
13 Any questions?
14 COMMISSIONER MASON: Are you paving the alleys? Or --
15 DONALD NEGRO: No.
16 COMMISSIONER MASON: -- just gravel?
17 DONALD NEGRO: We're not paving the alleys at this time. I
18 think it's -- you know, we need the main roads done.
19 And a lot of the -- Jake's sewer and water runs down the
20 alleys. So we've got a lot of problem children there. You
21 know -- you know, there's probably a few like on Main -- off First
22 Street and stuff, we'll pave through there, but not -- you know,
23 there's --
24 COMMISSIONER MASON: I agree.
25 DONALD NEGRO: I don't see -- yeah.
26 You know. And next -- what I'm trying to do is trying to get
27 as much paved as I can before we go broke. You didn't hear this
28 from me. But you know, and then we'll work on our curb and gutter
29 and everything else, outlining roads and stuff. Paving, not --
30 we're working on our outlying roads all time.
31 COMMISSIONER MASON: Are you doing any roads out on Hill
32 Top? This year?
33 DONALD NEGRO: Depending on money permitting, I'd -- I'd
34 like to overlay Presidential.
35 You know, we did quite a few on Hill Top last couple of
36 years. And what we're doing is -- you know, we're patching as --
37 as you go along. But there's like Presidential I'd like to
38 overlay with the two-inch overlay. And then there's two or three
39 other ones. Those are just, you know, maintenance. You know,
40 putting a Band-aid for -- until I retire.

1 So -- but our roads, you know, are to speak of are in pretty
2 good shape.

3 COMMISSIONER MASON: Yeah, I agree.

4 COMMISSIONER STIENMETZ: Mm-hm.

5 DONALD NEGRO: Pretty -- pretty happy with what's going on.
6 As long as we have the money, we'll keep going.

7 COMMISSIONER MASON: Thanks.

8 DONALD NEGRO: Thank you.

9 COMMISSIONER STIENMETZ: Thank you, Donnie.

10 COMMISSIONER BULLOCK: Thanks, Donnie.

11 COMMISSIONER WAITS: Thank you.

12
13 JAKE EDGAR: This isn't for this deal. This is just
14 information.

15
16
17 **PUBLIC WORKS**

18
19 5) **Discussion for possible action regarding operations and**
20 **projects for the Public Works Department, and other matters**
21 **properly related thereto.**
22

23 CHAIRMAN GARNER: Discussion for possible action regarding
24 operations, projects for the Public Works Department, and other
25 matters properly related thereto.

26 JAKE EDGAR: So Jake Edgar, Public Works.

27 Yesterday, we did the final walk-through for Well 9 and made
28 up a punch list.

29 There's little tiny things like touch-up paint and tighten
30 this bolt, tighten that screw.

31 The guy's actually right now working on the programming.
32 Should be done by the end of the week.

33 And by the middle of next week, depending on the asbes- the
34 asbestos sample from the -- for the state, we should be sending
35 water to town by Wednesday of next week or Thursday.

36 So everything looks really good.

37 Still working on the alleys.

38 Got all the street crossings done so that Donald can pave.

39 We're at the rodeo grounds right now blading the parking
40 lots. We got the junior rodeo coming up.

1 Went and checked on the airport. I haven't been out there in
2 a while. Everything seems to be going okay, which is awesome.
3 So -- golf course we have one -- one green that's in
4 really -- not in disarray shape. It's -- it's coming back. They
5 tarped it. And the rest of them look pretty good. Not all the
6 way decent, but pretty good.
7 And other than that, that's about it. I don't really have
8 anything.
9 This paper that I just gave you is basically a proposal from
10 Day Engineering to do the other three projects that I have on the
11 table right now, which is -- or actually four -- which is Carson,
12 Lemaire, the tree streets, and AOG lift station.
13 This is already in the works. The contract is at the DA's
14 office right now. So once they go over the contract, I'm sure it
15 will be in front of you guys to sign. But this is just an
16 information packet so that you actually have information prior to
17 us signing the contract, so --
18 And it's about the same going rate as we were paying before,
19 a little bit less.
20 And I think we were at 19% with Shaw, 18 to 19 percent. And
21 this is going to be around 16 to 18, somewhere in there, depending
22 on surveying and other stuff. So --
23 Other than that, that's all I've got.
24 COMMISSIONER MASON: I've got -- I've got a couple of
25 questions for you.
26 JAKE EDGAR: Sure.
27 COMMISSIONER MASON: Well #7, what's it producing and
28 with -- along with Well 8, what are they producing in gallons
29 per minute?
30 JAKE EDGAR: One thousand gallons.
31 COMMISSIONER MASON: With both of them?
32 JAKE EDGAR: Combined. Correct.
33 COMMISSIONER MASON: Combined. And how about nine, what's
34 it producing?
35 JAKE EDGAR: 1600.
36 COMMISSIONER MASON: And that's sufficient for our tanks
37 and everything?
38 Good.
39 JAKE EDGAR: Yep.
40 COMMISSIONER MASON: Okay. Thank you.

1 JAKE EDGAR: Anything else?
2 Thanks, guys.
3 COMMISSIONER STIENMETZ: Thanks, Jake.
4 COMMISSIONER WAITS: Thank you, Jake.
5
6

7 **PLANNING COMMISSION**
8

9 6) **Discussion for possible action regarding operations and**
10 **projects for the Community Services/Planning Department, and**
11 **other matters properly related thereto.**
12

13 CHAIRMAN GARNER: Six, discussion for possible action
14 regarding operations and projects for the Community Services/
15 Planning Department, and other matters properly related thereto.

16 JAN MORRISON: Jan Morrison, Community Services Department.

17 Briefly, planning commission is in the process of rev- --
18 revising -- excuse me -- reviewing the ordinances, and
19 specifically, that will be 16, which is all the mapping process
20 and 17, which would be zoning. There's a lot of inconsistencies,
21 and some of it hasn't been updated for about ten years or more.
22 So it's a continuing process. It will take several months to get
23 those.

24 Building and planning has also weighed in on it, and
25 they've reviewed those. So it will be coming back in some form
26 in the next couple of months.

27 One in particular, for example, special-use permits, we
28 issued special-use permits for the county building last month
29 because code required us to. And it's a revocable permit. And so
30 we need to clean that up. Obviously those should not be subject
31 to yearly review.

32 LEDA, the Lander Economic Development Authority, has pulled
33 in an intern to do some grassroots marketing, mailing lists,
34 and -- and done kind of a trial period. They've had a student
35 from Great Basin.

36 The refocus group. All of -- it sent out a letter to all
37 commissioners last month. They're getting ready to start
38 listening sessions to hear if there's anything that they're
39 going to be able to do for our core.

40 And we're working on the LEDA website. If you've been on it

1 lately, it's crashed. We can't seem to get it up, but we have a
2 grant, a nonmonetary grant, from NV Energy to completely redo that
3 website, make it very useful with a lot of data, and then
4 integrate it with the county's website more.

5 And other than that, there may be an -- a realignment of the
6 RDAs, the Regional Development Authorities, out of the GOED
7 office. I don't know at this point, but Commissioner Bullock will
8 be following up and giving us some direction on that.

9 And that's what -- that's our update.

10 COMMISSIONER WAITS: On the Nevada Energy grant, Jan, --

11 JAN MORRISON: Yes.

12 COMMISSIONER WAITS: -- what's our time frame to get that
13 back up?

14 JAN MORRISON: We're hoping to get it up within about 30
15 days.

16 And I tried to track down -- these things were set up so long
17 ago that I can't even find out -- I finally found out who our host
18 is. But it's tied up. I'm not too sure how. And -- and
19 apparently, some people can access it and some can't. But at any
20 rate, it's spurring us to get the new website going very quickly.

21 COMMISSIONER WAITS: Yes.

22 JAN MORRISON: And it will also be set for international
23 standards. There are international standards that are used for
24 site selection and economic development. And it will be set up
25 with those standards.

26 COMMISSIONER WAITS: Sounds good.

27
28 7) Discussion for possible action regarding 193 Main Street,
29 Austin, Nevada, Assessor Parcel Numbers 01-147-02 and
30 01-202-07, to be included under the Nevada Grouse Landscape
31 Conservation and Economic Development Act of 2014, and other
32 matters properly related thereto.
33

34 CHAIRMAN GARNER: Seven, discussion for possible action
35 regarding 193 Main Street, Austin, Nevada, Assessor Parcel
36 01-147-02 and 01-202-07, to be included under the Nevada Grouse
37 Landscape Conservation and Economic Development Act of 2014, and
38 other matters properly related thereto.

39 JAN MORRISON: And I'll have to say, this was put under
40 community services, but I'm -- I'm not involved in it. So I'm

1 not sure where it should have been on the agenda.
2 I -- I mean, I'm aware of it just because I'm from Austin,
3 but I haven't been involved. And I was told some people from
4 Austin were coming up.
5 But again, I -- I don't have anything on that. So I can't
6 really speak to it.
7 NANCY GORDON: We're here in Austin.
8 JAN MORRISON: Okay.
9 CHAIRMAN GARNER: Go ahead, Austin.
10 NANCY GORDON: This is Nancy Gordon. And Frank Whitman is
11 also here as a board member; and Poncho Williams also, who is
12 the director.
13 CHAIRMAN GARNER: Okay.
14 NANCY GORDON: We are just asking you for your support of
15 our re- -- request to Senator Heller and Reid to add the forest
16 service parcels across the street from our museum onto the bill.
17 FRANK WHITMAN: One of the back stories of this, if I can
18 add, gentleman, is the museum is a (indiscernible) spot for --
19 it has a 20-year lease that expires 12/15. We pay \$130 a year
20 for that area.
21 Over the 20 years, we've used that and the community has for,
22 like, the 4-H kids have their community garden up there. The
23 volunteer fire department, they use it to store a '54 fire engine
24 and a '35 Ford fire engine. The '35 is original to Austin. And
25 they were storing that so we can run it again in parades. But
26 we've used it and continue to use it for staging areas for our
27 parades, our Main Street parades, Fourth of July. We've used it
28 for rock drilling contests, mucking contests. So the museum
29 itself, we -- we've seen a -- it's -- it's kitty-corner to our
30 property. And you can just walk across the street and you can see
31 it.
32 We've -- currently, we have some large mining equipment in
33 the -- in the dooryard of that property. And it's the only place
34 we would have to store or to display large equipment, such as an
35 old wooden thresher or a rock thresher or -- there's a boiler up
36 there that we're looking into, but we believe that -- we've had
37 one historian also concurs, it's probably from the
38 (indiscernible). And so it's -- these are pieces of steel that we
39 just can't put or have room in the current -- current piece of
40 property.

1 And we can also use it for storage, so we can lower our
2 museum and still have, like, to rotate displays in and out, and
3 give us room for storage. And you could have other exhibits.

4 Anyhow, the lease expires 12/15. And we've been working on
5 this for the last four years. And every time we come close to
6 finding a resolution to acquire the property, the -- the rules
7 change.

8 And originally, the forest service was actually going to
9 give us the property. There's no problem with the forest
10 service. They -- it's surplus to them. And I can say they --
11 they thought it would be a good marriage and good PR just simply
12 to give it to Austin and the historical society.

13 But as I say, the rules have changed over years. And
14 currently it takes an act of Congress. And we've been in
15 contact with Reid and Heller's and time and place to include it
16 (indiscernible). If that sage grouse wilderness bill does go
17 through, this is the time. This is the place.

18 I realize the bill may not go through. But we want to be
19 sure that we have this property included on that. We're a little
20 late. And I apologize, fumbling of getting all our ducks in a row
21 and the letters written.

22 So what we're requesting from the commissioners is we will
23 write the letter to Reid and Heller's office. And we would like
24 the commissioners support and signature on that letter. And
25 we'll fax it on over to their offices.

26 Thank you for your consideration.

27 COMMISSIONER WAITS: Frank, I -- I missed that a little bit
28 here. You said you wanted the commissioners to write the letter
29 or just support your request of writing the letter?

30 FRANK WHITMAN: Either way, whatever's most efficient. But
31 we do want the commissioners to go on record as being in support
32 of it.

33 If we can write a letter and get it up there and fax tomorrow
34 or the next day, that would be great too. But we do -- we do need
35 the move fast on it. And either way, if we can get you
36 commissioners' support, that would be fine.

37 COMMISSIONER WAITS: And so it's my understanding you'll
38 continue to try and -- and get this piece of property. Even
39 though we do the letter, you're going continue to try other
40 means of still securing that property for the historical

1 society; right?

2 FRANK WHITMAN: We will. But we have until -- haven't had
3 an opportunity again for some time, according to Senator Moffitt
4 and Reid's office. And this is our best opportunity to
5 (indiscernible) in several settle years. And we believe that
6 the lease will expire by the time there is another opportunity
7 to straighten out public lands in the rurals in Nevada.

8 Different counties do propose from time to time -- you know,
9 for example, we've tried to dovetail onto a Nye County land bill
10 and -- and just couldn't, just got too complicated. So we do feel
11 that this is the time to do so. And like I say, our lease expires
12 12/15.

13 COMMISSIONER WAITS: Thank you.

14 I'll make a motion that this commissioners support the
15 Austin Historical Society request of their obtaining Parcel
16 Number 01-147-02 and 01-202-07 to be included in the Nevada
17 Grouse Landscape Conservation Act, Economic Development Act of
18 2014 and request the historical society write the letter to
19 Senators Reids and Heller with that request.

20 COMMISSIONER STIENMETZ: 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 STIENMETZ: Aye.

28 COMMISSIONER BULLOCK: Aye.

29

30 8) Discussion for possible action regarding approval/disapproval
31 of a Development Agreement between Lander County and BMD,
32 LLC, for the Parcel Map for BMD, LLC, showing the property
33 split into four parcels as APNs 011-020-03, 13 & 14, and
34 other matters properly related thereto.

35

36 CHAIRMAN GARNER: Discussion for possible action -- eight,
37 discussion for possible action regarding approval/disapproval of
38 the Development Agreement between Lander County and the BMD,
39 LLC, for the Parcel Map for BMD, LLC, showing the property split
40 into four parcels, APN 011-020-03, 13 & 14, and other matters

1 properly related thereto.

2 JAN MORRISON: Jan Morrison, Community Services Department.
3 The applicant has asked that this be held until the next
4 meeting. He's not able to come in here and talk directly so
5 asked that you hold it.

6 COMMISSIONER STIENMETZ: I'll make a motion we defer number
7 eight until next meeting.

8 COMMISSIONER WAITS: I'll second that motion.

9 CHAIRMAN GARNER: Any public comment?

10 (No comment.)

11 CHAIRMAN GARNER: All those in favor?

12 COMMISSIONER MASON: Aye.

13 CHAIRMAN GARNER: Aye.

14 COMMISSIONER MASON: Aye.

15 COMMISSIONER WAITS: Aye.

16 COMMISSIONER BULLOCK: Aye.

17 JAN MORRISON: Thank you.

18

19

20 **COMMISSIONERS**

21

22 9) **Discussion for possible action in support of closing Front**
23 **Street and State Route 305 at 12 p.m. (noon), Friday,**
24 **September 19, 2014, for the Battle Mountain High School**
25 **Homecoming Parade, and other matters properly related**
26 **thereto.**

27

28 CHAIRMAN GARNER: Nine, discussion for possible action in
29 support of closing Front Street and State Route 305 at 12 p.m.
30 (noon), Friday, September 19th, 2014, for the Battle Mountain
31 High School Homecoming Parade, and other matters properly
32 related thereto.

33 JOHNA REEVES: I'm Johna Reeves from Battle Mountain High
34 School.

35 KALI KESTER: And I'm Kali Kester from student counsel.

36 JOHNA REEVES: And we're because Sondra couldn't come
37 because of a crisis. And we need a signature to allow the
38 homecoming parade to take place.

39 CHAIRMAN GARNER: Didn't we make a resolution. That was
40 just for --

1 COMMISSIONER BULLOCK: Curfew.
2 CHAIRMAN GARNER: -- curfew.
3 JOHNA REEVES: No, this is for the parade.
4 COMMISSIONER BULLOCK: Mm-hm.
5 CHAIRMAN GARNER: Okay.
6 COMMISSIONER BULLOCK: I'll make a motion that the
7 commission support the closing of Front Street and State
8 Route -- or 305 at 12:00 o'clock, noon, Friday, September 19th,
9 2014th, for the Battle Mountain High School homecoming parade
10 and authorize the chair to sign the permit.
11 COMMISSIONER STIENMETZ: I will second that motion.
12 CHAIRMAN GARNER: All those -- any public comment?
13 (No comment.)
14 CHAIRMAN GARNER: All those in favor?
15 COMMISSIONER MASON: Aye.
16 CHAIRMAN GARNER: Aye.
17 COMMISSIONER WAITS: Aye.
18 COMMISSIONER STIENMETZ: Aye.
19 COMMISSIONER BULLOCK: Aye.
20 JOHNA REEVES: She asked me to bring this back so you can
21 sign it.
22 COUNTY CLERK SULLIVAN: And then could we get a copy of
23 that one actually, because I need all signatures once he signs
24 it.
25 JOHNA REEVES: Okay.
26 COUNTY CLERK SULLIVAN: We can ask actually the DA's
27 office. So actually I need just this one. Because this is your
28 original?
29 JOHNA REEVES: I have no idea. She said come back with it
30 signed.
31 COUNTY CLERK SULLIVAN: Yeah.
32 JOHNA REEVES: So do you want me to get a copy?
33 COUNTY CLERK SULLIVAN: Yeah. Just at the DA's office
34 right there with the glass window, if you don't mind. And then
35 bring me back a copy.
36 JOHNA REEVES: Okay.
37 COUNTY CLERK SULLIVAN: Thank you.
38
39
40

1 10) Discussion for possible action regarding status report and
2 update on the Yucca Mountain repository program. Consultant
3 Rex Massey to provide brief status report on repository
4 activities and answer any questions or requests the Board may
5 have, and other matters properly related thereto.
6

7 CHAIRMAN GARNER: Ten, discussion for possible action
8 regarding the status report and update on the Yucca Mountain
9 repository program, and consultant Rex Massey to provide brief
10 status report on repository activities and answer any questions
11 or requests the board may have, and other matters properly
12 related thereto.

13 COMMISSIONER STIENMETZ: Good morning, Rex.

14 REX MASSEY: Good morning.

15 COMMISSIONER WAITS: Morning.

16 REX MASSEY: I just wanted to provide the board with a
17 brief status report and answer any questions that you have.

18 As far as the current status of the repository program,
19 there's really been no change in it. There's no new federal
20 legislation. And there's really no appetite among lawmakers to
21 try to change it.

22 This summer the House of Representatives provided
23 \$150 million in funding for the program.

24 Because the continuing resolution and the lack of the -- of
25 the senate's ability to produce a budget, the program may not
26 receive any funding because as you're aware a continuing
27 resolution builds on what was done last year.

28 The interesting thing about that whole process is that Dina
29 Titus, our Southern Nevada representative, tried to eliminate the
30 house funding. And she lost in a vote of 96 to 326, which kind of
31 demonstrates the overwhelming bipartisan support for moving the
32 program forward.

33 Even with all the delays in the repository and attempts to
34 refocus it, no community or state has volunteered for a
35 repository. It seems like there's really no place to go other
36 than Yucca Mountain.

37 We had, this summer, ten Nevada counties openly supported a
38 resolution to continuing -- continue with the license review
39 process.

40 In terms of what's going on with the license review process,

1 we're still waiting on the release of the safety evaluation report
2 that looks at the overall feasibility of Yucca Mountain to come
3 out. I suspect that that will come out after the fall elections.
4 My guess is that there will likely be a -- some kind of new
5 direction after the elections. I think it's largely driven by --
6 by politics in the senate.

7 And the outcome there with the Senate, whether or not it
8 changes hands, I think is going to have a great -- great deal of
9 influence on where the program goes.

10 Just a note, recently the state's interim finance committee
11 did fund the state's oversight office. They provided another
12 \$1.4 million to the state's office.

13 Several factors which are really building, I think, to
14 elevate the repository program and waste disposal is there's been
15 no change in the need for a long-term geologic repository. It's
16 really key in most countries and sort of a worldwide opinion that
17 you have to have a geologic repository to store, particularly,
18 spent nuclear fuel.

19 Failure to open up -- as I mentioned to the board --
20 failure to open up Yucca Mountain has resulted in literally
21 billions of dollars in fines to the -- to the taxpayer. And
22 that has to be funded through the budget process every year.

23 That whole issue is beginning to build on congress when
24 billions and billions of dollars has to be allocated to pay for
25 penalties for a program that can't get underway.

26 Tied to the Yucca Mountain project were cleanup of other
27 federal programs. And there's -- there's substantial penalties
28 and costs to taxpayers if that doesn't occur as well.

29 One of the big emerging issues now is expansion of nuclear
30 power. You may or may not be aware, but the EPA recently passed
31 new greenhouse gas emission standards. And it affects mostly
32 electrical energy producers. And even the EPA administrator
33 admitted without nuclear power those greenhouse gas emission
34 standards can't be met.

35 Another issue with the expansion of nuclear power is it's a
36 clean, affordable source. And we have 90 new reactors being built
37 worldwide. And we only have five in the United States. We --
38 everyone believes that affordable, reliable power ultimately --
39 ultimately affects industrial activity and job creation.

40 And then finally, the administration continues to fund a --

1 what they call the small modular reactor program, which, again, is
2 their attempt to expand nuclear power. But what I find
3 interesting in -- in both the EPA -- the EPA greenhouse gas
4 standards, the clean affordability issue, and in the small reactor
5 project, is all of that sort of hinges on having a repository
6 open.

7 And it seems -- the policies seem pretty inconsistent to me
8 when you're not opening up a repository, which you're required to
9 do all this stuff. But then you're moving ahead with new carbon
10 emission standards. We need to get economic development going.
11 And then we have the small modular reactor program going. It
12 would -- it would seem to me it would make sense that at some
13 point we'd move ahead with the repository program.

14 As far as Lander County oversight activities, this summer
15 Commissioner Waits and I attended the ECA meeting in Las Vegas.
16 We have our annual baseline report, which will be completed at the
17 end of September.

18 Jan Morrison and I have started talking about archiving a
19 lot of the older materials. We've got -- we've got volumes of
20 program files and things that we kind of want to store and --
21 and get inventoried and put away.

22 The Austin office, due to the personnel changes down there,
23 unfortunately with Joy's passing, we have a change -- turnover
24 there. And we need to bring that person up to speed.

25 And then we are starting to talk about what might be some of
26 the program activities for this coming year.

27 But developed a -- a little outline of -- of things that
28 we're going to look at going forward.

29 Is there any questions that I can answer for the board at
30 this point?

31 COMMISSIONER STIENMETZ: Rex, don't we already have -- I
32 just heard this. We already have enough spent fuel to fill
33 Yucca Mountain?

34 REX MASSEY: We do. And the Yucca Mountain's expandable to
35 twice.

36 COMMISSIONER MASON: But --

37 REX MASSEY: So there's a discussion about whether we --

38 COMMISSIONER STIENMETZ: But what's going on right now
39 where there's enough spent fuel --

40 REX MASSEY: Yes.

1 COMMISSIONER STIENMETZ: -- sitting out there someplace
2 that we could fill up Yucca Mountain?
3 REX MASSEY: Yes. And because it's sitting out there
4 someplace, that's why the taxpayer's --
5 COMMISSIONER STIENMETZ: But --
6 REX MASSEY: -- incurring the penalties because it
7 shouldn't be sitting out there someplace.
8 COMMISSIONER STIENMETZ: Right.
9 REX MASSEY: But with -- Yucca Mountain can double in
10 capacity --
11 COMMISSIONER STIENMETZ: Right.
12 REX MASSEY: -- and size. Or they'll look at another
13 location. I doubt they'll look at another location after going
14 through this for 30 plus years.
15 CHAIRMAN GARNER: Mm-hm.
16 REX MASSEY: You're going to repeat this process all over
17 again at a different location?
18 CHAIRMAN GARNER: And there's none in there still.
19 REX MASSEY: Correct.
20 CHAIRMAN GARNER: Correct?
21 REX MASSEY: Yeah.
22 COMMISSIONER BULLOCK: So who are we paying these penalties
23 to?
24 REX MASSEY: The nuclear utilities. There's a contract
25 with the United States that they all have with the United States
26 and said, if you don't move waste by a certain period, then all
27 the cost that we -- all the costs that the utilities incur to
28 manage waste on site, that's reimbursed by the taxpayer.
29 So the current liability is about \$50 billion --
30 COMMISSIONER MASON: Jeez.
31 REX MASSEY: -- and continues to grow every year. And the
32 courts just continue to award the penalties and fines.
33 So that's -- and as that continues -- at first it's a couple
34 billion. Well, lawmakers look the other way. Now we're starting
35 to be in the 50-billion-dollar region. And it -- and it can --
36 and each year it continues to climb. So every delay it just loads
37 that amount of money on top of what's already owed.
38 And it's a budget issue. So when -- every year when the
39 budget comes around, they have to budget for -- we're going to
40 pay these fines and fees in the amount of. And that's money

1 that doesn't go to other programs or other things?
2 COMMISSIONER BULLOCK: And then we borrow money to do that,
3 so we're paying interest on top of that.
4 COMMISSIONER STIENMETZ: Mm-hm.
5 REX MASSEY: Correct.
6 COMMISSIONER MASON: You're saying 50 billion?
7 REX MASSEY: It's 50 billion now is --
8 COMMISSIONER MASON: God Almighty.
9 REX MASSEY: -- the liability.
10 CHAIRMAN GARNER: (Indiscernible.)
11 REX MASSEY: Anything else?
12 COMMISSIONER STIENMETZ: No.
13 CHAIRMAN GARNER: Sounds good.
14 COMMISSIONER STIENMETZ: Thanks, Rex.
15 REX MASSEY: Thank you.
16 COMMISSIONER WAITS: Thank you.

17
18 COUNTY CLERK SULLIVAN: I've got to call J.D. Want me to
19 call him first before you read in?

20 CHAIRMAN GARNER: Mm-hm.
21 COUNTY CLERK SULLIVAN: Is it for the airports?
22 CHAIRMAN GARNER: Uh-uh.
23 COMMISSIONER BULLOCK: Pershing County.
24 COUNTY CLERK SULLIVAN: Oh, sorry.
25

26 11) Discussion for possible action regarding the Pershing County
27 Water Conservation District ("District") and Lander County
28 seeking to obtain transfer of title to portions of the
29 Humboldt Project Conveyance Act from the United States,
30 acting through the Bureau of Reclamation, Department of the
31 Interior, to District and Lander County, and other matters
32 properly related thereto.
33

34 CHAIRMAN GARNER: Discussion for possible action regarding
35 the Pershing County Water Conservation District and Lander
36 County seeking to obtain transfer of title to portions of the
37 Humboldt Project Conveyance Act from the United States, acting
38 through the Bureau of Reclamation, Department of the Interior,
39 to District and Lander County, and other matters properly
40 related thereto.

1 COMMISSIONER BULLOCK: Okay. And what I've found on this
2 is I understand where Mr. Lamiaux is going. He wants us to get
3 all 20-some-odd-thousand-plus acres instead of 900 acres. But I
4 think at this point, we need to obtain what is offered to us and
5 still go after the other 20-some-odd thousand. And so I think
6 we just need to accept it and go forward.

7 CHAIRMAN GARNER: Some --

8 Well, there's so much of it that we've already -- we already
9 utilize that it makes no sense not to.

10 COMMISSIONER STIENMETZ: Not to. Yeah. I agree with you.
11 I agree with Dean. I think we should --

12 CHAIRMAN GARNER: The rodeo grounds and --

13 COMMISSIONER STIENMETZ: -- go ahead and get what we can
14 now and then continue to go after more of it.

15 CHAIRMAN GARNER: I agree.

16 COMMISSIONER WAITS: It doesn't seem to come as a surprise.
17 I mean, it's something that --

18 CHAIRMAN GARNER: Mm-hm.

19 COMMISSIONER WAITS: -- that you've been working on for a
20 long time. And you knew this is where it was. And I understand
21 our previous discussions about what we might be losing. But I
22 -- I agree with -- with my fellow commissioners that --

23 CHAIRMAN GARNER: At least --

24 COMMISSIONER WAITS: -- a bird in the hand.

25 CHAIRMAN GARNER: This is 20 years of getting. At least
26 that.

27 COMMISSIONER BULLOCK: So with that, I'll make a motion
28 that we approve the title transfer -- or the transfer of title
29 from Pershing County Water Conservation District to Lander
30 County in the designated acreage that is allotted.
31 And that we accept this land as Lander County.

32 COMMISSIONER STIENMETZ: I will 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 COMMISSIONER STIENMETZ: Aye.

39 CHAIRMAN GARNER: Aye.

40 COMMISSIONER BULLOCK: Aye.

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CHAIRMAN GARNER: Want to take a five-minute break?
COUNTY CLERK SULLIVAN: I don't care. Whatever you'd like.
CHAIRMAN GARNER: Do we need five minutes?
COMMISSIONER STIENMETZ: Yeah.
CHAIRMAN GARNER: Five minutes.
COMMISSIONER STIENMETZ: Five minutes. Sounds good to me.
COUNTY CLERK SULLIVAN: Okay.

(Break taken from 9:59 a.m. to 10:08 a.m.)

12) Discussion for possible action regarding Austin Airport --
The Nevada Institute for Autonomous Systems ("NIAS") Task
Order Agreement, and other matters properly related thereto.

CHAIRMAN GARNER: Discussion for possible action regarding Austin Airport and the Nevada Institute for Autonomous Systems ("NIAS") ask [sic] -- Task Order Agreement, and other matters properly related thereto.

DEPUTY DISTRICT ATTORNEY TING: Hi, Commissioners. I asked J.D. if he could be here today. And unfortunately, he couldn't be here personally. He is on the phone.

And then you have in your packet a letter from him outlining some issues that -- that he outlined with the contract. And the DA's office does have the same issues that J.D. pointed out.

CHAIRMAN GARNER: Go ahead, J.D.

J.D. HEITHOFF: I guess I'm just here available for any -- regarding the agreement.

COMMISSIONER BULLOCK: Well, I guess my concerns, J.D., is of course the -- you know -- what you've put up here. If this is exclusively for them, the airport, that means all other contractors are null and void?

J.D. HEITHOFF: No. My interpretation is -- and Nicole would know much better than I as far as the legal terminology goes is they are requesting an exclusivity section in that agreement, which means they would be the only firm that would be available to do UAV testing and work and stuff out there.

Now, with that in mind, that's not a good thing from the standpoint that when you sign your FAA grants, you specifically

1 agree to the conditions that it's as a public-use airport, that
2 you won't sign any exclusivity agreements which say, you know, you
3 can only have one FBO at the airport and another wants to move in,
4 you've got to allow them to move in. Or if you have one type of
5 business and somebody else wants to move in, you have to allow
6 them to move in. This agreement, the way I'm reading it, says
7 that you're going to allow this firm and only this firm to do the
8 UAV testing at the airport, which in my opinion would need to be
9 removed.

10 CHAIRMAN GARNER: Okay.

11 DEPUTY DISTRICT ATTORNEY TING: Right. I would agree with
12 that. It's -- it's not so much that the other contract would be
13 null and void. You're -- you're just saying that you're not
14 going to contract with any other parties do the --

15 COMMISSIONER WAITS: What they're doing?

16 DEPUTY DISTRICT ATTORNEY TING: Right. Right.

17 COMMISSIONER BULLOCK: But is that saying that we might
18 lose our grants?

19 J.D. HEITHOFF: If -- if you sign it the way that they have
20 the verbiage in there, it could be considered by the FAA that --
21 that you -- I guess you signed something against the conditions
22 of receiving FAA grants.

23 So if the FAA found out about that, then they could deny you
24 future funding.

25 COMMISSIONER WAITS: Well, this certainly isn't just our
26 situation. It's all over Nevada. So I'm assuming then that
27 you, as our engineer, could call FAA and clarify that for us?

28 Because we understand the exclus- --

29 J.D. HEITHOFF: I could get a copy of it and submit that to
30 the person. I would submit -- I would suggest to Mr. Tim
31 Morrison at the FAA, have him review it, and see what his
32 thoughts are on that.

33 CHAIRMAN GARNER: Okay.

34 COMMISSIONER BULLOCK: Are you familiar with any other
35 airports that have signed this agreement?

36 J.D. HEITHOFF: That have signed it? No.

37 I -- I do know of at least one other facility in Nevada that
38 has rejected it because of -- because of that condition primarily,
39 and also the -- some of the other conditions. They were worried
40 about the -- the indemnification and insurance. And then they

1 also, you know, thought that the, you know, one dollar --

2 COMMISSIONER BULLOCK: Yeah.

3 J.D. HEITHOFF: -- for usage for a two-and-a-half-year
4 period, you know, that didn't seem quite right.

5 CHAIRMAN GARNER: Agreed.

6 COMMISSIONER WAITS: I think we agree with -- with both of
7 those -- those comments you just made. Number one, the
8 insurance that we certainly need to be included and certainly
9 named as an additional insured and that we might go back and ask
10 for one year, certainly, to see what kind of money we're talking
11 about. For us to just give up the airport totally for theirs to
12 come in is -- is not what we're understanding on the
13 exclusivity.

14 And I -- I read the clause too. And I understand what
15 they're asking for. But your concern is the word "exclusivity"
16 and that may trigger the FAA's response to that, just using
17 that -- that word alone; is that correct?

18 J.D. HEITHOFF: Well, yeah, that's understanding.

19 Like I was saying, you can't enter into a contract with an
20 entity that says they will be the only company that will be
21 allowed to conduct those certain types of business activities at
22 the airport. As a public-use airport and as a receiving public
23 funding from the FAA, you can't do that.

24 CHAIRMAN GARNER: Uh-uh.

25 J.D. HEITHOFF: You have to allow it as a public-use
26 airport so that anybody who wants to go out there and conduct
27 business has the fair right and equal opportunity to conduct
28 business out there, even if there already is a firm conducting
29 that specific type of business.

30 COMMISSIONER BULLOCK: So you can get ahold of FAA and
31 could you also get ahold of this -- the group, the NIAS, and see
32 if there's any way to amend that agreement?

33 J.D. HEITHOFF: I could check into it. I don't -- I don't
34 know anybody over at the NIAS or -- or who contacted you, other
35 than what, I guess, that agreement that they sent you guys to
36 review and consider for signature.

37 COMMISSIONER MASON: Those four points on your letter, the
38 -- the term of the contract, the eliminate exclusivity, and
39 require any customer, vendor to list the county as an additional
40 insured, and clarify the defense provision of indemnification,

1 we -- we need -- I don't see how the county's benefiting with a
2 dollar even if it's a year contract. What's the benefit to this
3 county to do this? There's no monetary benefit. And we have to
4 bow down to them for anything they want to achieve. Why should
5 we even sign this?

6 J.D. HEITHOFF: The -- the one advantage that I do see to
7 it is that it does provide additional operations for your
8 airport. An operation is defined as a -- an arrival or a
9 departure from your airport. And when you have more operations,
10 it looks better for your airport, your facility, because it says
11 that you're busier.

12 Also, if this firm actually is successful and UAVs do
13 start, you know, business development more and more, then
14 possibly they might want to conduct more business out there.
15 And that might be a more profitable business. They're already
16 using the facility that they have a good relationship with
17 (indiscernible).

18 COMMISSIONER MASON: But if they build a -- excuse me --

19 J.D. HEITHOFF: (Indiscernible.)

20 COMMISSIONER MASON: -- if they build a facility out there,
21 that will keep -- house their people and security, it doesn't
22 benefit Austin at all?

23 I mean, those are overnight facilities I'm talking about and
24 behind barbed wire fence.

25 I just don't see where we're going with this thing unless we
26 don't get -- unless the county gets paid.

27 We put a lot of money into that airport. To give it away
28 like that doesn't make sense to me.

29 J.D. HEITHOFF: And I would kind of concur.

30 And that's -- and that's why I wanted to bring that up. And
31 I think when Jim Olson and Nicole asked me to take a look at -- at
32 that just to see if I had any thoughts, I think that's what they
33 were looking for. And that's why I wrote the information I did
34 down for the commissioners to review and to consider.

35 You know, to me, there again, as I mentioned in, I think,
36 that first point was if they're only offering a dollar for a
37 two-and-a-half-year term, you know, I'd say, okay, well, you know,
38 maybe we can do that for one year. But then we want to review
39 your profitability. Because if they're making money because
40 they're using your airport, well, then Lander County should share

1 in that in my opinion.

2 COMMISSIONER WAITS: My understanding has been that -- that
3 our governor's office on economic development has apparently
4 contracted exclusively with this company to do all -- all these
5 types of testing, though, for the State of Nevada.

6 So if that changes at some point and they're not the only one
7 and competition comes in, then that's still going to be a problem
8 with the exclusivity --

9 CHAIRMAN GARNER: Yep.

10 COMMISSIONER WAITS: -- unless that we -- we tie something
11 into that too; right?

12 COMMISSIONER BULLOCK: Mm-hm.

13 J.D. HEITHOFF: I would agree.

14 COMMISSIONER STIENMETZ: Yeah. I feel that we don't want
15 to limit our use of our airport. I mean, if they want to use
16 it, fine, let them use it. But not them alone because we want
17 to l- -- leave it open for other people too.

18 COMMISSIONER WAITS: It isn't everyone. It's -- it's
19 people conducting this type of (indiscernible) --

20 COMMISSIONER STIENMETZ: I know. But that's what I'm
21 saying. If somebody else --

22 COMMISSIONER WAITS: And so what if someone else contracts
23 --

24 COMMISSIONER STIENMETZ: If someone wants to do it, starts
25 it up, why do we want to be tied? I mean, they're getting our
26 airport for a dollar for two-and-a-half years --

27 COMMISSIONER MASON: Yeah.

28 COMMISSIONER STIENMETZ: -- that's kind of ridiculous.

29 COMMISSIONER MASON: But then they stand under national
30 defense and confiscate the whole thing.

31 CHAIRMAN GARNER: What?

32 COMMISSIONER MASON: I -- I don't think it's a good idea.

33 COMMISSIONER STIENMETZ: I don't either.

34 COMMISSIONER MASON: I can't even see how Austin benefits
35 from it. You know, because once they build their facility down
36 there, it'll be overnight facility and it's locked up. You
37 can't leave. You can't go in. You -- who knows what they're
38 going to do. And then when they use the word national defense,
39 the whole airport belongs to the government.

40 I think we ought to pass on it.

1 CHAIRMAN GARNER: Motion?
2 COMMISSIONER WAITS: I think we should ask some questions
3 and investigate further.
4 COMMISSIONER MASON: Well, that too.
5 COMMISSIONER STIENMETZ: Yeah.
6 COMMISSIONER BULLOCK: Actually, I have the contact
7 information for the NIAS. J.D., I can go ahead contact them and
8 discuss that if you'll contact the FAA.
9 J.D. HEITHOFF: I'd be glad to.
10 COMMISSIONER STIENMETZ: I'd make a motion that we postpone
11 this until we've had a -- a chance to talk with the FAA and the
12 NIAS.
13 COMMISSIONER WAITS: I'll second that motion.
14 CHAIRMAN GARNER: Any public comment?
15 (No comment.)
16 CHAIRMAN GARNER: All those in favor?
17 COMMISSIONER MASON: Aye.
18 COMMISSIONER STIENMETZ: Aye.
19 COMMISSIONER BULLOCK: Aye.
20
21 CHAIRMAN GARNER: Thirteen, disc-
22 COMMISSIONER STIENMETZ: I make a motion --
23 CHAIRMAN GARNER: Dis- --
24 COMMISSIONER STIENMETZ: -- the same on this one.
25 COMMISSIONER BULLOCK: To defer. Yeah.
26 COMMISSIONER STIENMETZ: To defer.
27 CHAIRMAN GARNER: Do I need to read it in?
28 COMMISSIONER STIENMETZ: Yeah.
29
30 13) Discussion for possible action regarding the Battle Mountain
31 Airport -- the Nevada Institute for Autonomous Systems
32 ("NIAS") Task Order Agreement, and other matters properly
33 related thereto.
34
35 CHAIRMAN GARNER: Discussion for possible action re- --
36 regarding the Battle Mountain Airport, the Nevada Institute for
37 Autonomous Systems ("NIAS") Task Order Agreement, and other
38 matters properly related thereto.
39 COMMISSIONER STIENMETZ: I'll make a --
40 CHAIRMAN GARNER: Any --

1 COMMISSIONER STIENMETZ: -- motion that we defer this until
2 we find out the information on -- for item 12.

3 CHAIRMAN GARNER: Do we have seconds?

4 Do we have any public comment?

5 (No comment.)

6 CHAIRMAN GARNER: All those in favor?

7 COMMISSIONER MASON: Aye.

8 CHAIRMAN GARNER: Aye.

9 COMMISSIONER STIENMETZ: Aye.

10 COMMISSIONER BULLOCK: I second it.

11 COMMISSIONER WAITS: Aye.

12
13 CHAIRMAN GARNER: Assessor. Fifteen, --

14 UNIDENTIFIED PARTICIPANT: Thank you for (indiscernible),
15 J.D.

16 COUNTY CLERK SULLIVAN: Yes, thank you, J.D.

17 J.D. HEITHOFF: Thank you.

18 CHAIRMAN GARNER: Discussion for possible action regarding
19 commissioners' approval of changing the budget to reflect a
20 System administrator position instead of a mapping/GIS
21 coordinator, --

22 COMMISSIONER BULLOCK: What about fourteen?

23 COUNTY CLERK SULLIVAN: You forgot the food thing.

24 CHAIRMAN GARNER: Oh, yeah.

25 Back up. Fourteen.

26
27 **14) Discussion for possible action regarding the Food Service**
28 **Agreement between Lander County School District and Lander**
29 **County, and other matters properly related thereto.**
30

31 CHAIRMAN GARNER: Discussion for possible action regarding
32 the Food Service Agreement between Lander County School District
33 and Lander County, and other matters properly related thereto.

34 Do we have anybody here for this?

35 COUNTY CLERK SULLIVAN: Nope.

36 COMMISSIONER BULLOCK: It's the same one we sign every
37 year.

38 COMMISSIONER STIENMETZ: Yeah.

39 COMMISSIONER WAITS: I would like to -- to discuss the
40 clarification on page number 2 under the equipment/utensil cost

1 responsibility. I find that just a little bit confusing.
2 It says, the county through the Austin Center shall be
3 responsible for routine maintenance of major repair of equipment
4 used at the Austin Center. The School District shall be
5 responsible for routine maintenance and major repair of equipment
6 used at the Austin School.
7 So anything at the center we continue with. What kind of
8 equipment is at the school?
9 COMMISSIONER GARNER: I don't know. They continue with it.
10 COMMISSIONER BULLOCK: Is there a warmer? I don't know.
11 Dishwasher. I don't --
12 COMMISSIONER STIENMETZ: Yeah, I don't know what they --
13 COMMISSIONER MASON: Is there a kitchen?
14 COMMISSIONER WAITS: Okay.
15 CHAIRMAN GARNER: At the Austin School?
16 UNIDENTIFIED PARTICIPANT: Yeah.
17 COMMISSIONER WAITS: Yeah. There's a kitchen, but I didn't
18 know --
19 CHAIRMAN GARNER: There's a kitchen.
20 COMMISSIONER WAITS: -- what they considered theirs. Is
21 all of it theirs?
22 CHAIRMAN GARNER: It's all of it theirs.
23 COMMISSIONER WAITS: Everything at the Austin School is all
24 under their --
25 COMMISSIONER STIENMETZ: Belongs to the school.
26 COMMISSIONER GARNER: I would think so. Yeah.
27 COMMISSIONER WAITS: Okay.
28 CHAIRMAN GARNER: We could cut the dishwasher in half and
29 part it out? We could tack both sides.
30 COMMISSIONER MASON: Take the door off.
31 COMMISSIONER WAITS: Okay. Just wanted to be sure.
32 COMMISSIONER BULLOCK: I make a motion we approve the Food
33 Service Agreement between Lander County School District and
34 Lander County and authorize the chair to sign.
35 COMMISSIONER STIENMETZ: I will second the motion.
36 CHAIRMAN GARNER: Any public comment?
37 (No comment.)
38 CHAIRMAN GARNER: All those in favor?
39 COMMISSIONER MASON: Aye.
40 CHAIRMAN GARNER: Aye.

1 COMMISSIONER STIENMETZ: Aye.
2 COMMISSIONER WAITS: Aye.
3 COMMISSIONER BULLOCK: Aye.
4
5 CHAIRMAN GARNER: (Indiscernible.)
6 COMMISSIONER BULLOCK: Mm-hm.
7 CHAIRMAN GARNER: Oh, I didn't know.
8
9

10 **ASSESSOR**

11
12 15) Discussion for possible action regarding commissioners'
13 approval of changing the budget to reflect a Systems
14 Administrator position instead of a Mapping/GIS Coordinator,
15 budgeted amount to remain the same, and other matters
16 properly related thereto.
17

18 CHAIRMAN GARNER: Fifteen, discussion for possible action
19 regarding commissioners' approval of changing the budget to
20 reflect a system administration -- administrator position
21 instead of a mapping, slash, GIS coordinator, budgeted amount to
22 remain the same, and other matters properly related thereto.

23 COMMISSIONER MASON: This is for you; isn't it?

24 LURA DUVALL: Lura Duvall, County Assessor.

25 CHAIRMAN GARNER: Can you please come forward? I don't
26 have a -- (indiscernible). No.

27 LURA DUVALL: Okay.

28 This is just -- I don't really want to go into the history of
29 where we've been with this, but I would like to give this a try
30 again. We're paying quite a bit contracting. We're not keeping
31 up with everything that needs to be done. I would like to
32 downscale this a little bit from what I had before. The salary
33 would be \$10,000 less a year. I want to try a 30-hour-a-week
34 schedule.

35 So I'd like to put it out there again.

36 My mapping and GIS stuff is now contracted through Sidwell
37 through my technology fund. And my mapper in Carson City is
38 picking up the speed a little bit.

39 So I think with the new building and all the things that are
40 going on that we need to move forward and have a system

1 administrator, computer tech.

2 COMMISSIONER BULLOCK: Is there an advantage of 30 hours
3 versus 40 hours?

4 LURA DUVALL: Well, --

5 COMMISSIONER BULLOCK: We don't need one for 40 hours or --

6 LURA DUVALL: I don't think do, no. And that was kind of
7 the problem before, I think, is -- I think -- to start out with
8 year. We'll see how it goes. If things get busier and it looks
9 like we're going to need more, then we can bump that up. But I
10 just think to start out with that would be sufficient, plus it
11 --

12 COMMISSIONER BULLOCK: I -- I --

13 LURA DUVALL: -- saves us some money.

14 COMMISSIONER BULLOCK: I guess my concern is if you offer
15 somebody a 30-hour job, most of the time it's not good enough.
16 And so they're going to be doing side jobs whether -- versus if
17 you do hire somebody full time at 40 hours, you may get more
18 exclusive use out of them.

19 LURA DUVALL: It would be four days a week. I don't know
20 what you could do, you know, I mean -- I -- I don't know.

21 I don't have enough in my budget to -- to pay what the salary
22 was on the last go around. So I thought scaling it down a little
23 bit just to start --

24 COMMISSIONER BULLOCK: I understand what you're trying to
25 do --

26 LURA DUVALL: -- for this year.

27 COMMISSIONER BULLOCK: -- budget-wise, but I just --

28 LURA DUVALL: Well, --

29 COMMISSIONER BULLOCK: Will we appeal to somebody for 30
30 hours -- versus, you know, we get what we need.

31 LURA DUVALL: I actually think that's more appealing --

32 COMMISSIONER BULLOCK: Okay.

33 LURA DUVALL: -- than the 40 hours. I think we might get
34 more to select from with the 30 hour versus the 40 hour.

35 COMMISSIONER MASON: Aren't these people on call? I mean,
36 you call them if --

37 LURA DUVALL: Yes. Yes.

38 COMMISSIONER MASON: -- to do an activity.

39 LURA DUVALL: Yeah, and it's --

40 COMMISSIONER MASON: And they send in a bill and get paid;

1 right?

2 LURA DUVALL: No. No. No. It's a salary position. But

3 they would also be on call outside of the regular hours, yes.

4 COMMISSIONER STIENMETZ: So you're going to reduce it

5 \$10,000 a year.

6 LURA DUVALL: Yeah. It comes out --

7 COMMISSIONER STIENMETZ: And you --

8 LURA DUVALL: -- about the same. Mm-hm.

9 COMMISSIONER STIENMETZ: Yeah. That's what I'm saying --

10 LURA DUVALL: Yes.

11 COMMISSIONER STIENMETZ: -- you're reducing it ten hours a

12 week?

13 LURA DUVALL: Pretty much. Yeah. Yeah.

14 CHAIRMAN GARNER: But -- and you're adding mapping?

15 COMMISSIONER STIENMETZ: No.

16 LURA DUVALL: No, that's covered under --

17 COMMISSIONER STIENMETZ: Taking away --

18 LURA DUVALL: -- technology fund.

19 COMMISSIONER STIENMETZ: -- mapping because it's going to

20 be --

21 LURA DUVALL: No. No. No. That is -- this is just going

22 to be a --

23 COMMISSIONER STIENMETZ: You already have a firm --

24 LURA DUVALL: Yes.

25 COMMISSIONER STIENMETZ: -- in -- in Carson City doing it

26 for you?

27 LURA DUVALL: That. And then The Sidwell Company that we

28 contracted with --

29 COMMISSIONER STIENMETZ: Yeah.

30 LURA DUVALL: -- last year. Yeah.

31 COMMISSIONER BULLOCK: So the pay will be 10,000, but the

32 benefits will still be the same as a 40-hour-a-week --

33 COMMISSIONER STIENMETZ: Full time.

34 COMMISSIONER BULLOCK: -- employee; right? Because that's

35 not considered --

36 COMMISSIONER STIENMETZ: Part time.

37 COMMISSIONER BULLOCK: -- part time?

38 LURA DUVALL: No, --

39 CHAIRMAN GARNER: It's over.

40 LURA DUVALL: -- it's not.

1 CHAIRMAN GARNER: It's over 20.
2 LURA DUVALL: Yeah. It's over 20.
3 COMMISSIONER WAITS: Yeah. You still have insurance and
4 retirement?
5 LURA DUVALL: Mm-hm.
6 COMMISSIONER MASON: This is a one-year contract?
7 CHAIRMAN GARNER: It's empl- --
8 LURA DUVALL: Well, --
9 CHAIRMAN GARNER: It's employment.
10 COMMISSIONER WAITS: It'd be employment, --
11 COMMISSIONER STIENMETZ: Employment.
12 LURA DUVALL: Yeah.
13 COMMISSIONER WAITS: -- not a contract.
14 LURA DUVALL: But it would be revisited during budget
15 process. And if it looks like that's, you know, not enough,
16 then we revisit it during the budget process next February.
17 So it's not really a full fiscal year that we're going to
18 give it a trial.
19 COMMISSIONER BULLOCK: I'll make a motion that we approve
20 changing the budget to reflect the systems administrative
21 position instead of a mapping/GIS coordinator.
22 COMMISSIONER STIENMETZ: I'll second the motion.
23 CHAIRMAN GARNER: Any public comment?
24 (No comment.)
25 CHAIRMAN GARNER: All those in favor?
26 COMMISSIONER MASON: Aye.
27 COMMISSIONER WAITS: Aye.
28 COMMISSIONER STIENMETZ: Aye.
29 COMMISSIONER BULLOCK: Aye.
30 CHAIRMAN GARNER: Aye.
31 LURA DUVALL: Thank you.
32 COMMISSIONER STIENMETZ: Thank you.
33 COMMISSIONER WAITS: How is our contract with -- is it ADS?
34 LURA DUVALL: Mm-hm.
35 COMMISSIONER WAITS: -- that Eric comes from? So do we
36 have a long contract?
37 LURA DUVALL: We don't have a contract. We're just paying
38 them monthly. There's nothing in writing. I mean, ADS --
39 COMMISSIONER STIENMETZ: It's just the normal rate.
40 LURA DUVALL: Yes.

1 COMMISSIONER WAITS: Nothing we have to terminate or
2 anything like that?

3 LURA DUVALL: No. No. No. No. Not at all. No, not at
4 all.

5 COMMISSIONER WAITS: Thank you.

6 LURA DUVALL: Mm-hm.

7 Thank you.

8 COMMISSIONER STIENMETZ: Thank you.

9

10

11 **COMMISSIONERS**

12

13 16) **Discussion for possible action regarding approval/disapproval**
14 **of a letter supporting the ranching and farming industry in**
15 **Lander County, and other matters properly related thereto.**
16

17 CHAIRMAN GARNER: Discussion for possible action regarding
18 approval/disapproval of a letter supporting the ranching and
19 farming industry in Lander County, and other matters properly
20 related thereto.

21 COMMISSIONER WAITS: We brought this up at some previous
22 meetings, of course, about our letters of support and have
23 written one.

24 And I appreciate you taking it over for us, Nicole, without
25 our executive director handling this. But it's a very nice
26 letter, but I think it's not strong enough for where we are.

27 I mean, I think number one, I think it's a real tragedy if we
28 don't get -- get all that grass area grazed down. I think we're
29 going have a fire and -- and it would be horrible.

30 And -- and our ranchers have been before us saying all the
31 problems we're looking at: Is it overgrazing? Is it really
32 overgrazed? Is it over-governed?

33 And we're saying, we support our ranchers. Yes, we
34 certainly do. That's -- that's very nice to say. But I think
35 we should be, personally, a little bit stronger.

36 And I'm also wondering, do we want to send this just as a
37 support, "To Whom It May Concern"? Or do the other
38 commissioners feel we should be sending this directly to
39 Department of Interior, BLM, somebody direct that -- that you're
40 concerned about that you want to show immediate support for?

1 DEPUTY DISTRICT ATTORNEY TING: Right. I asked direction
2 about how to write this letter. And this was the direction that
3 I received was to write more of a broad, general support letter.

4 So that's what I did.

5 And then I left it "To Whom It May Concern" for the
6 commissioners to decide who they want to send it to.

7 CHAIRMAN GARNER: What do you want to see different, I
8 guess?

9 COMMISSIONER WAITS: I guess I'd like to highlight some --
10 some of the real concerns we have that I just mentioned.

11 I have a problem with what's been going on. I know some of
12 that's certainly in the legal part.

13 But I think just to say, we support the ranchers, isn't
14 enough for where we are. I'd like to say why we're supporting
15 them, that -- that we do feel that we are being over-governed,
16 that in some of the -- and we don't have to name particularly
17 instances, but -- but the point is one of our big problems with
18 BLM right now is that they're looking at a -- at a few riparian
19 areas saying, oh, look at that, that's overgrazed. And we've
20 got thousands and thousands of acres that are out there that
21 still could handle the -- the cattle.

22 And I think I'd like it a little bit more specific saying, we
23 have a real concern, and it seems to be with our local office. I
24 mean, I -- I meet with -- with other committees and our -- some of
25 our water districts and such and their BLM people are there. And
26 it's the same problems, but they're working with it.

27 Our people are just saying, no, let's just close this off.
28 No more.

29 And if -- if we lose these ranchers, they're not going to
30 come back. I mean, we are threatened. This is really serious,
31 not just we support you guys. But if somebody doesn't step in
32 somewhere, I mean, even Elko has been really a leader in so much
33 of this. And of course, you all know Grant Gerber, one of the
34 commissioners that actually testified in Washington, D.C. on
35 saying, we are being too heavily monitored that we've got to look
36 at the other side, that we truly want BLM to be cooperating with
37 us, not just making government decisions and cutting it off.

38 COMMISSIONER BULLOCK: I agree with Patsy.

39 I think we need to put in here that the situation that this
40 is not only affecting the ranching and the farming, which is what

1 we're supporting, it's affecting the whole community.
2 COMMISSIONER STIENMETZ: Right.
3 COMMISSIONER BULLOCK: If this -- if these mountainsides go
4 up in fire, we need to incorporate that we're being susceptible
5 to the fires up here by not grazing it.
6 We could lose a lot more than ranching and farming.
7 DEPUTY DISTRICT ATTORNEY TING: I -- I talked to you
8 personally about this. I thought this is what you wanted.
9 COMMISSIONER BULLOCK: Well, I wanted a little more -- I
10 mean, I agree with her. We need to be a little more --
11 DEPUTY DISTRICT ATTORNEY TING: I think at this point, I
12 mean, I'm going to ask someone else to write it.
13 I --
14 COMMISSIONER BULLOCK: Well, I mean, a fine example for
15 those of you, and I know you all received it, it was a two-page
16 letter that the Elko County Commission sent to the federal
17 government.
18 You guys I'm assuming got it and read it. And I mean it
19 covered everything from sage grouse to -- to, I mean, everything.
20 They went a little further in the National Forest Service than I
21 think we need to go into, but it incorporated -- yeah, I think
22 we've got to be a little more affirmative.
23 COMMISSIONER MASON: I think we need some bold type on
24 there too, I mean, to really bring it out in the explanations of
25 what our concerns are.
26 Like that -- that last paragraph should be totally in bold
27 type. Just, you know, fully support. But in this case, I think
28 we need some more specific -- more specifics about fire hazard
29 that the BLM is creating.
30 I don't know.
31 But would you consider taking on this job, Patsy?
32 COMMISSIONER WAITS: Excuse me, I'm not the letter writer.
33 And I'm -- I know -- (indiscernible).
34 COMMISSIONER MASON: No, but you can oversee it. You can
35 oversee it.
36 COMMISSIONER WAITS: No, I don't even live locally to
37 oversee it. I --
38 COMMISSIONER BULLOCK: I'll take it on.
39 COMMISSIONER WAITS: I request Dean.
40 COMMISSIONER BULLOCK: I have no problem with it. You

1 know, I'll look at it. I'll adapt kind of a county -- and I'll,
2 you know, incorporate our county clerk to help and --
3 COMMISSIONER STIENMETZ: Can you kind of take the letter
4 and adapt it to us?
5 COMMISSIONER BULLOCK: And adapt it over and --
6 COMMISSIONER STIENMETZ: (Indiscernible.)
7 COMMISSIONER MASON: The letter needs to -- really for
8 speed -- it needs to get out.
9 COUNTY CLERK SULLIVAN: I don't even have a letterhead.
10 COMMISSIONER BULLOCK: Yeah, we can adapt a lot of what
11 Elko County does. For those of you that take the Elko press,
12 the Elko County Commission slammed us hard.
13 COMMISSIONER MASON: Our letter?
14 COMMISSIONER BULLOCK: No, they slammed the Lander
15 County --
16 COMMISSIONER MASON: Oh, yes.
17 COMMISSIONER BULLOCK: -- commissioners hard that we're not
18 taking the lead on this and -- and not doing something.
19 So we've got to step up and -- and take the lead. So I make
20 a -- and this is going to be a long motion so bear with me here.
21 COUNTY CLERK SULLIVAN: And declare it for the record,
22 please.
23 COMMISSIONER BULLOCK: I'd like to make a motion we
24 re-adapt the letter referring to all the issues that involve,
25 you know, not allowing the ranching and grazing and the issues
26 with the sage grouse and the fire situations, adopting it sort
27 of to the way Elko County wrote their letters, sending it to all
28 BLM directors, Forest Service directors, and the Department of
29 Interior, and our local congressmen so they know our stand.
30 And I also -- I'd like to propose that we organize a meeting
31 once a month with a representative from the county commissioners
32 from the adjoining counties so that we can all coordinate together
33 so all commissions are on the same page and in fighting this
34 issue.
35 COMMISSIONER WAITS: I'll second that motion.
36 CHAIRMAN GARNER: Any public comment?
37 COMMISSIONER MASON: Yeah, I -- I think we ought to include
38 in your letter the economics of the -- the harm that it's doing
39 to our county and counties around us the way BLM is closing off
40 our -- the areas to our ranchers. And it's economically harmful

1 to this community as well as every other community in our
2 county.

3 COMMISSIONER GARNER: Any other public comment?

4 SHERIFF RON UNGER: I do, I guess. I think -- I think
5 you're on the right track.

6 CHAIRMAN GARNER: State your name for the record.

7 COUNTY CLERK SULLIVAN: Please.

8 SHERIFF RON UNGER: Ron Unger.

9 Also, this is going to affect your sportsmen, number one, if
10 they -- if they get the sage grouse in and also the mustangs.
11 They're trying to list the mustangs as an endangered species. The
12 sportsmen and us as recreational people will have no access to
13 that mountain whatsoever.

14 COMMISSIONER BULLOCK: Well, --

15 SHERIFF RON UNGER: And the fire, there's a lot --

16 COMMISSIONER STIENMETZ: Right.

17 SHERIFF RON UNGER: -- of money that -- (indiscernible).

18 COMMISSIONER BULLOCK: In this letter, it talks about
19 ravens and everything. You'll see all the issues that is being
20 affected that the federal government is -- they're the ones
21 controlling us, which is causing all these problems.

22 SHERIFF RON UNGER: Exactly.

23 CHAIRMAN GARNER: Any other public comment?

24 COMMISSIONER MASON: And I think it should be, when you're
25 done with it, it should be published in the newspaper.

26 CHAIRMAN GARNER: It will be.

27 Any other public comment?

28 (No comment.)

29 CHAIRMAN GARNER: All those in favor?

30 COMMISSIONER MASON: Aye.

31 CHAIRMAN GARNER: Aye.

32 COMMISSIONER WAITS: Aye.

33 COMMISSIONER STIENMETZ: Aye.

34 COMMISSIONER BULLOCK: Aye.

35 UNIDENTIFIED PARTICIPANT: Thank you.

36

37 17) Discussion for possible action regarding the combining of the
38 Executive Director and Safety Manager position into one
39 position, and other matters properly related thereto.
40

1 CHAIRMAN GARNER: Seventeen, discussion for possible ac- --
2 as- -- ction. Discussion for possible action regarding the
3 combination of the executive director and safety manager
4 positions into one position, and other matters properly related
5 thereto.

6 COMMISSIONER WAITS: The first comment that I have on this
7 is: I think that's very difficult to do today when we don't
8 even have the job descriptions of our executive director and our
9 safety director. I know where we're going, but I don't know
10 whether we want to combine totally at this point.

11 COMMISSIONER BULLOCK: Two years ago, we didn't even have a
12 safety director. County had functioned without a safety
13 director for years. So our safety program was nil.

14 I want to say that things have got organized. They're put
15 together and done very well to where we have a safety program to
16 where it shouldn't be as time consuming to do the safety, which in
17 my opinion should be part of the executive director overseeing it
18 anyway.

19 But it was so far gone, we had to bring somebody online to do
20 the safety program, which for years it was part of the executive
21 director's job.

22 So we diversified. And now that things are more organized, I
23 don't know why we can't go back. Now, there's nothing saying that
24 down the line if we are falling short on the safety, we can't hire
25 an intern, hire an assistant --

26 COMMISSIONER STIENMETZ: Assistant.

27 COMMISSIONER BULLOCK: -- safety director. But we don't
28 need a full-time safety director.

29 So we need an executive director. So my input here is that,
30 okay, we're in a situation where we've got a personnel -- a person
31 available to take over the executive director's job. And we
32 downsize a little bit, because we are getting a little top heavy,
33 because things are getting organized. And we solve all -- a lot
34 of our issues right now. I'm not saying that down the l- -- the
35 road we will not have to hire an assistant. But for right now, I
36 think we're pretty well organized.

37 COMMISSIONER STIENMETZ: I -- I kind of feel that way too.
38 I would like to at least try it for six months, I mean --

39 COMMISSIONER MASON: Pretty expensive.

40 COMMISSIONER STIENMETZ: -- to -- to go this way.

1 Negotiate. And hopefully it would go on for -- you know, I
2 mean, I shouldn't say try it for six months. We have a six-month
3 trial period on -- on anything we do anyway and see what can
4 happen, you know, in that time.

5 I -- I feel we have a person that could -- that could handle
6 that -- that position.

7 And I mean, maybe he's got to reorganize, get some help on
8 some of his -- the people under him, you know, so he has an
9 executive secretary or something that can take care and help him
10 out with stuff or whatever he needs do.

11 But that's my opinion on it.

12 COMMISSIONER MASON: Safety requires an inspection, a lot
13 of inspections, on our fire departments, our clinics, our
14 ambulances, our whatever.

15 That's very time consuming. If you're going to Kingston, for
16 example, 130 miles south, that's a whole day gone. And I don't
17 see an executive director being out inspecting whatever he's
18 inspecting and wasting the day when he should be doing the job
19 that's really important is running the county, basically.

20 COMMISSIONER BULLOCK: Yeah, but an executive director
21 shouldn't run the county from an office. He should be out --

22 COMMISSIONER STIENMETZ: Yep.

23 COMMISSIONER BULLOCK: -- seeing the people --
24 (indiscernible).

25 COMMISSIONER MASON: Yes, he should but that's --

26 COMMISSIONER BULLOCK: And seeing --

27 COMMISSIONER MASON: -- and that's a --

28 COMMISSIONER BULLOCK: -- the people. And seeing the
29 people of Austin.

30 COMMISSIONER STIENMETZ: And part of what he --

31 COMMISSIONER MASON: But that's not the -- the same job. I
32 mean, we're talking two different jobs of expertise and
33 acquaintance with the politics that goes with the job and so on.

34 So --

35 COMMISSIONER BULLOCK: Well, he's been doing part of the
36 executive director's job for the last six months already, so --

37 If you want to talk about experience.

38 COMMISSIONER MASON: No, I'm -- I'm just talking about jobs
39 here. We -- we go to a great deal of length and cost to get our
40 committees together to give us the right people for the right

1 job. And now we take a safety inspector, no -- nothing -- no
2 puns intended, you know. It's just we're tr- -- taking these
3 two jobs, combining them together, and we're setting it up for a
4 fall. It just doesn't make any sense to do that.

5 CHAIRMAN GARNER: To -- to clarify your vision, he's not a
6 safety inspector.

7 COMMISSIONER MASON: Well, whatever he is, he's -- he's
8 doing the safety job.

9 CHAIRMAN GARNER: What do you are mean, whatever he is?

10 COMMISSIONER MASON: Well, what do you want?

11 CHAIRMAN GARNER: He's a safety administrator.

12 COMMISSIONER MASON: Good for you. Now we've got that
13 cleared up. You feel better about it?

14 CHAIRMAN GARNER: Yeah. He doesn't -- he doesn't have
15 anything to do with the ambulances.

16 COMMISSIONER MASON: And he has --

17 CHAIRMAN GARNER: He doesn't inspect towns that aren't
18 incorporated.

19 COMMISSIONER MASON: You're going to run the county, you
20 know. You guys. Oh, my.

21 We -- it's just not -- it doesn't make sense to take these
22 two important jobs and combine them together and expect one man
23 to do them both.

24 CHAIRMAN GARNER: I call legal.

25 COMMISSIONER MASON: You -- you what?

26 CHAIRMAN GARNER: I call a legal meeting.

27 COMMISSIONER WAITS: Call legal.

28 COUNTY CLERK SULLIVAN: We'll call you back Austin.

29 SHERIFF RON UNGER: Does that mean we're kicked out?

30 CHAIRMAN GARNER: Yeah.

31 COMMISSIONER STIENMETZ: Yeah, a few minutes.

32 COMMISSIONER BULLOCK: Pretty much.

33

34 (Break taken from 10:43 a.m. to 10:49 a.m.)

35

36 CHAIRMAN GARNER: The meeting's back in.

37 COMMISSIONER BULLOCK: Well, I'll put things out here. I'm
38 going to put Keith on the spot here. And Keith, can you come up
39 and give us your opinion on this?

40 KEITH WESTENGARD: Keith Westengard, Safety Manager.

1 As -- as you guys talked about this, there was some valid
2 points brought up.

3 The safety program is -- I've put a lot of time, effort, and
4 hours into a safety program for this county. Safety program's
5 going very well.

6 It's close to a maintenance mode right now.

7 There's a lot of upgrades that -- that do continue on that I
8 -- improvements that I'm making. For instance, one of the
9 improvements, we're going from a paper tailgate, monthly tailgate,
10 to electronic. So it's maintenance. It's moving along fine.

11 It was stated earlier, I -- I have been doing quite a bit of
12 the executive director's duties over the past six months.

13 I've -- I've thought about it a lot.

14 I feel -- and with the six-month probation or trial period,
15 it gives me and it gives you guys an idea of what can and can't be
16 done.

17 I have good relationships with most of the people of the
18 employees in the county.

19 So I feel I can do the job. And the trial -- the six-month
20 trial or probationary period is a good idea. It gives you, as a
21 commission, an idea of what I can do. And it gives me the ability
22 to move some things forward in this county that I feel, and based
23 on conversations with department heads, needs to be done.

24 I don't want to put myself out of a position in the county.
25 I'm dedicated to the position here. I'm dedicated to the county.
26 I know you guys -- or I hope you guys see that.

27 It's no secret that I don't live in this county. But I've
28 been dedicated. I'm here six days a week sometimes. That doesn't
29 mean that I don't -- I haven't been looking, based on the outcome
30 of today, haven't been looking for a place in Battle Mountain. I
31 have two places in mind.

32 I don't know what else to say. I mean, it's an
33 opportunity, a challenging opportunity that I think I'm up for.
34 And based on conversations over the last several weeks, I feel I
35 have support from most of the county -- of the employees in the
36 county. So I don't know what else to say.

37 COMMISSIONER MASON: I have a couple of questions, if
38 you're ready.

39 KEITH WESTENGARD: Yes.

40 COMMISSIONER MASON: In your duties as filling in for the

1 executive director, what are -- what have you done?

2 KEITH WESTENGARD: I've -- I've dealt with a lot of
3 personnel actions, several personnel actions that should have
4 been dealt with by the executive director.

5 I've dealt with some of the issues at the airport. I
6 shouldn't say dealt with them. I've been advised of the issues at
7 the airport.

8 I've worked a lot with finance on different things that
9 have come up.

10 Tried to build some -- some teams within the county.

11 Tried to -- tried to mend some relationships, some working
12 relationships that have been, to say the least, difficult.

13 Tried to get everybody to work on the same page and to work
14 for a common goal to serve this county.

15 COMMISSIONER MASON: How about the administrative part?

16 KEITH WESTENGARD: Well, I always tried to shy -- I always
17 shied away from the administrative part. That was a line I --
18 other than the personnel actions, I worked closely with -- with
19 Joy in Human Resources. I did advise Jim when we had personnel
20 actions -- or former executive director -- when we had personnel
21 actions working or in progress.

22 As far as the administrative part of it, I -- I really shied
23 away from that while Jim was here. I did have multiple
24 conversations with him regarding a direction that I thought he
25 should go. One of the -- one of the meetings we had was with all
26 of our department heads.

27 COMMISSIONER MASON: So for the benefit of the rest of the
28 board, you and I had a conversation about this on Monday --

29 KEITH WESTENGARD: Yes.

30 COMMISSIONER MASON: -- of this week.

31 KEITH WESTENGARD: Yes.

32 COMMISSIONER MASON: And I've come to the conclusion in my
33 own right that if you combine these two jobs, you couldn't do it
34 alone.

35 And -- and I think -- I'm going to clarify that in the fact
36 that you've got to have boots on the ground inspecting all the
37 safety stuff all over the county when it's required. And I don't
38 think -- I don't see you being in two places at once doing a good
39 job of each.

40 So I'm not going to make a recommendation. But without help,

1 I think you've got to have an inspector under your belt all the
2 time.

3 KEITH WESTENGARD: Well, and -- we did have that
4 conversation, and I thought about it a lot.

5 And that's -- I want to refer back to the six-month
6 probationary period.

7 If I see a safety program, something that I've put a lot of
8 time, energy, effort, and this county's put a lot of money into,
9 if I see that slipping away, I'm going to be back in front of this
10 commission, and I'm going to say, it's slipping away. We either
11 need to -- based on your evaluation of me, are we going to -- do
12 you want to keep me as an executive director? Or do you want to
13 put me back as a safety manager? But the safety program is
14 falling apart. And the safety program's important. But I'm not
15 going to let it fall apart as long as I'm here.

16 COMMISSIONER MASON: Well, I guess what I'm bringing up is
17 that if the -- this commission wants to move forward with this
18 idea, and it sounds like they do, we've got to have somebody on
19 line to do your inspections for you that's qualified.

20 KEITH WESTENGARD: Well, and no disrespect meant, okay, but
21 I really -- when you say inspections, I'll go out and look at
22 something. I don't necessarily go out and do a -- a bing, bing,
23 bing inspection.

24 I do do them. I've done them for Road and Bridge, North
25 and South for -- to meet to the OSHA criteria for violations or
26 possible violations. But I don't necessarily say -- I don't do
27 like a building inspection. I'm not out saying, I'm going to
28 inspect your property at this date and this time.

29 I'll go out. I'll get with Road and Bridge North or South
30 or Public Works. And I'll do a walk-through of the building.
31 And I'll say, you guys need to fix this.

32 But it's not an inspection in the sense of, like, a building
33 inspection. And --

34 COMMISSIONER WAITS: A certified inspection?

35 KEITH WESTENGARD: Well, it's -- it's -- it's
36 recommendations in order for us to not get in -- to stay in
37 compliance with OSHA or not get in trouble with OSHA and be --
38 be cited.

39 So that's -- that's what I do in the sense of --

40 COMMISSIONER MASON: Well, let me put it this way, if you

1 don't -- if we don't -- if this happens and we don't give you
2 some boots on the ground for inspection purposes, you don't have
3 the time.

4 There's just no way these two jobs can combine.
5 Wait a minute. Put your ego aside a minute.

6 KEITH WESTENGARD: It's -- it's nothing to do with ego.
7 COMMISSIONER MASON: Okay.

8 So it's just -- we know already that these are two full-time
9 jobs being paid good salaries.

10 KEITH WESTENGARD: Right.
11 COMMISSIONER MASON: And -- and you're saying you can do
12 it. I'm saying you can't do it without help.

13 KEITH WESTENGARD: I hope -- I need to back up a little
14 bit. I hope you don't think I'm an egotistical person. I'm
15 not.

16 COMMISSIONER MASON: That doesn't -- that has nothing to do
17 with it.

18 KEITH WESTENGARD: I want -- I want to make that clear.
19 COMMISSIONER MASON: I know who you are.

20 KEITH WESTENGARD: I do a good job because you guys pay me
21 a good salary.

22 COMMISSIONER MASON: There you go.

23 KEITH WESTENGARD: And when I go out and do a -- when I go
24 out and meet the volunteer fire department in Austin or when I
25 meet wherever with -- with whoever I meet with or go to a
26 Kingston Town Board meeting or whatever it may be, I can
27 incorporate things into walking through a building and saying,
28 you know what -- this is not -- this is going to not -- or this
29 is going to be an OSHA violation. You need to fix that. These
30 things can be incorporated into what I -- into my -- my weekly
31 or biweekly or bimonthly visits.

32 And like I said, if it starts to -- to deteriorate, I'm going
33 hear about it, first off. I'm going to see it. And then I'm
34 going to be right back at this table saying, it's falling apart.
35 And we need to fix it.

36 And you're right. I do have a have a lot on my plate. I do
37 the safety committee. I do LEPC and I think LEPC's going really
38 good. The safety committee's done a lot for this county.

39 But the people on those committees, they ha- -- they see
40 these visions. And they -- they're moving forward too. They have

1 those -- those same visions where we want to take -- where we
2 would like to take this county in the future for bet- -- for
3 bettering the county, for bettering how we serve the county, and
4 for -- for the best money that this county has out --

5 COMMISSIONER MASON: And that's --

6 KEITH WESTENGARD: -- of their dollar.

7 COMMISSIONER MASON: And -- and Keith, that's great for
8 safety. But the executive director's job is political.

9 COMMISSIONER GARNER: I'm going to move it forward, Dave.
10 Anybody else have any conversation?

11 Max?

12 JUDGE MAX BUNCH: I have some questions actually. Go ahead
13 and stay right there because they're actually for Keith.

14 Max Bunch for the record.

15 Keith, you talked about monthly tailgate to the commissioners
16 at this point in time. Do you know the last time that you sent
17 out one of those?

18 KEITH WESTENGARD: It was two months ago, yes. And I did
19 provide some with Road and Bridge recently.

20 JUDGE MAX BUNCH: Okay. And so we're two months behind on
21 the monthly tailgating; --

22 KEITH WESTENGARD: Yes.

23 JUDGE MAX BUNCH: -- correct? And can you explain to them
24 that we're going to be doing electronic?

25 KEITH WESTENGARD: Yes.

26 JUDGE MAX BUNCH: Because I don't know that that's ever
27 been notified to any elected --

28 KEITH WESTENGARD: It was put out of the safety committee
29 that we were -- that I was working on an electronic program for
30 every employee.

31 JUDGE MAX BUNCH: Okay.

32 KEITH WESTENGARD: So it was put out there.

33 JUDGE MAX BUNCH: You've -- you've also said something
34 about a vision and moving forward in the county.

35 Is one of your visions in moving forward having a paid fire
36 department?

37 KEITH WESTENGARD: You know, that was a con- -- that was a
38 discussion that was had with the previous executive director
39 before the previous one. So this was a year, two years ago.

40 It was a discussion we had. It was at the time when the

1 Nevada Division of Forestry was tal- -- trying to get a contract
2 in here. Since then there has been no discussion of a full-time
3 fire department.

4 So wherever that -- that reliable source is getting their
5 information from, they're way off base.

6 It didn't come from me. I'll put it that way.

7 JUDGE MAX BUNCH: You didn't have a discussion with Rick
8 Bell? About a paid fire department?

9 KEITH WESTENGARD: We talked about it. I said it's not an
10 option at this time.

11 JUDGE MAX BUNCH: I just wanted to make sure that the
12 commission understands there's other things out there that's
13 going around this community. And I want to make sure that you
14 understand that.

15 KEITH WESTENGARD: So to have a discussion -- -- just
16 because we have a discussion about something. We know -- and
17 then we come to the conclusion that it's not an option or it
18 won't work at this time, is that a bad thing?

19 We talk about going different ways. How long did you talk
20 about building a -- a -- a brand-new courthouse before that --

21 JUDGE MAX BUNCH: About ten years.

22 KEITH WESTENGARD: About ten years.

23 JUDGE MAX BUNCH: Thirteen.

24 KEITH WESTENGARD: Okay. Thirteen years. Just because we
25 talk about something --

26 CHAIRMAN GARNER: I'm going to shut it down. We're not
27 debating here. We're -- we're --

28 COMMISSIONER STIENMETZ: Yeah.

29 CHAIRMAN GARNER: We're --

30 KEITH WESTENGARD: Okay.

31 CHAIRMAN GARNER: This is for the commission for the --

32 KEITH WESTENGARD: I'm sorry.

33 COMMISSIONER MASON: The point -- the point I was trying to
34 make was you're very well qualified for your current job.

35 CHAIRMAN GARNER: Dave. Dave.

36 COMMISSIONER STIENMETZ: Dave.

37 COMMISSIONER MASON: It's a question of how do we merge
38 these two together.

39 COMMISSIONER STIENMETZ: That's what we'll figure out.

40 COMMISSIONER MASON: This is an -- we're having a

1 discussion on merging these two jobs together; aren't we?
2 CHAIRMAN GARNER: We're not going to debate.
3 COMMISSIONER STIENMETZ: Are we ready for a motion?
4 I'll make a motion that we work on combining the executive
5 director and the safety manage -- manager's position into one
6 position.
7 COMMISSIONER BULLOCK: I'll second it.
8 COMMISSIONER WAITS: Is there any appetite at all for just
9 doing that motion for, like, temporarily?
10 COMMISSIONER STIENMETZ: Well, let's do it. We've got a
11 six-month trial period. Like Keith said, if -- if it isn't
12 working out, he'll come back to us, let us know.
13 COMMISSIONER BULLOCK: Everything's a trial period. If you
14 don't like something, you can come back two months and make a
15 motion to do something different. Everything's a trial.
16 COMMISSIONER STIENMETZ: How else are you going to find out
17 whether it's going to work or not?
18 I mean, let's give it a chance.
19 COMMISSIONER MASON: Do --
20 CHAIRMAN GARNER: Any comment?
21 I have a comment on it. Are we going to work on it as in
22 blending the --
23 COMMISSIONER STIENMETZ: The two.
24 CHAIRMAN GARNER: -- the job description --
25 COMMISSIONER STIENMETZ: Right.
26 CHAIRMAN GARNER: -- and the money and that? Is that what
27 you --
28 COMMISSIONER STIENMETZ: Right.
29 CHAIRMAN GARNER: -- what your motion is --
30 COMMISSIONER STIENMETZ: Yes. Let's do -- the only way --
31 CHAIRMAN GARNER: -- saying?
32 COMMISSIONER STIENMETZ: -- we can do this is to come into
33 a meeting and discuss it.
34 CHAIRMAN GARNER: That's what you're directing; right?
35 COMMISSIONER STIENMETZ: Right.
36 CHAIRMAN GARNER: Okay.
37 COMMISSIONER STIENMETZ: Directing us to come up with --
38 CHAIRMAN GARNER: Just so I'm clear.
39 COMMISSIONER STIENMETZ: -- on how we can do that.
40 COMMISSIONER MASON: It hasn't been seconded yet.

1 COMMISSIONER BULLOCK: Yeah, it has.
2 COMMISSIONER WAITS: Yes.
3 COMMISSIONER MASON: It has?
4 COMMISSIONER WAITS: Mm-hm.
5 COMMISSIONER MASON: Okay.
6 CHAIRMAN GARNER: Any further public comment?
7 Joy?
8 JOY SWEENEY: No.
9 CHAIRMAN GARNER: No?
10 JOY SWEENEY: I'm good. Thanks.
11 CHAIRMAN GARNER: All those in favor?
12 COMMISSIONER BULLOCK: Aye.
13 COMMISSIONER STIENMETZ: Aye.
14 CHAIRMAN GARNER: Aye.
15 JOY SWEENEY: I'm just making sure I know what I have to
16 do.
17 CHAIRMAN GARNER: All those --
18 COMMISSIONER WAITS: Aye.
19 CHAIRMAN GARNER: -- opposed?
20 COMMISSIONER MASON: Aye.
21 CHAIRMAN GARNER: You're aye.
22 COMMISSIONER WAITS: I was in favor.
23 CHAIRMAN GARNER: Okay.
24 Moving on.
25 COMMISSIONER STIENMETZ: Thank you, Keith.
26 KEITH WESTENGARD: Thanks.

27
28 18) Discussion for possible action regarding hiring a new
29 Executive Director, and other matters properly related
30 thereto.
31

32 CHAIRMAN GARNER: Seven- -- eighteen would now be tabled.
33

34 19) Discussion for possible action regarding obtaining request
35 for qualifications for a county engineer of record, and other
36 matters properly related thereto.
37

38 CHAIRMAN GARNER: Nineteen, discussion for possible action
39 regarding obtaining request for qualifications for a county
40 engineer of record, and other matters properly related thereto.

1 COMMISSIONER BULLOCK: With this, we had all kinds of
2 qualifications. There our engineers that sent letters in and
3 recommendations. We just got to have Joe give them to us, if we
4 want. Or we can -- we just need to designate an engineer as the
5 engineer of record for Lander County.

6 CHAIRMAN GARNER: I think they did a short list of --

7 COMMISSIONER BULLOCK: Yeah, but the short --

8 CHAIRMAN GARNER: -- like 20 or 40 or something.

9 COMMISSIONER BULLOCK: Yeah, so we either need to get them.
10 But we need to get an engineer of record, unless somebody wants
11 to go on and recommend one now or -- we just need to have one on
12 file with the state.

13 COMMISSIONER STIENMETZ: It's required.

14 COMMISSIONER MASON: Wait a minute.
15 Are you on 18?

16 COMMISSIONER WAITS: Nineteen.

17 COMMISSIONER BULLOCK: Nineteen.

18 COMMISSIONER MASON: What happened to 18?

19 COMMISSIONER STIENMETZ: It went away when -- what we did
20 on number 17.

21 COMMISSIONER BULLOCK: So I mean, if -- I don't know how
22 you guys feel about seeing the list. I'm very comfortable with
23 ones we're working with right now.

24 CHAIRMAN GARNER: I'm comfortable with the ones we're
25 working with right now. And all of our contractors that are
26 local right now are -- are very used to dealing with the ones
27 we're working with.

28 COMMISSIONER WAITS: When you appoint a county engineer of
29 record, how long is that for?
30 Until you reappoint someone else?

31 COMMISSIONER STIENMETZ: Yeah.

32 CHAIRMAN GARNER: Yeah, we can --

33 COMMISSIONER STIENMETZ: Or if you -- if he wants out of --
34 if he -- if they want out of it, they --

35 CHAIRMAN GARNER: You can --

36 COMMISSIONER STIENMETZ: -- let us know. Or if we want
37 them out, we let them know.

38 COMMISSIONER BULLOCK: (Indiscernible) it goes through
39 them.

40 CHAIRMAN GARNER: You can change it. It's an NRS thing

1 that we're supposed to --
2 COMMISSIONER WAITS: Right. But I didn't know if it had a
3 time frame, is what I'm saying or we just reappoint next year --
4 CHAIRMAN GARNER: As you --
5 COMMISSIONER WAITS: -- if we want to.
6 CHAIRMAN GARNER: As you -- as you appoint. As you change.
7 COMMISSIONER BULLOCK: It just stays unless you reappoint,
8 so --
9 But I'd like to make a motion that we obtain Summit
10 Engineering as our engineer -- or our record -- our --
11 COMMISSIONER STIENMETZ: Engineer of record.
12 COMMISSIONER BULLOCK: -- engineer of record.
13 COMMISSIONER STIENMETZ: I will second that motion.
14 CHAIRMAN GARNER: Any public comment?
15 (No comment.)
16 CHAIRMAN GARNER: All those in favor?
17 COMMISSIONER MASON: Aye.
18 CHAIRMAN GARNER: Aye.
19 COMMISSIONER WAITS: Aye.
20 COMMISSIONER STIENMETZ: Aye.
21 COMMISSIONER BULLOCK: Aye.

22
23 20) Discussion for possible action regarding approval/disapproval
24 of the change in the agreement submitted by James C. Helming,
25 dba Dirtworks, for the Austin Airport septic system
26 construction providing that contract is not responsible for
27 pressures caused by the ten-horse pump in existing well, and
28 other matters properly related thereto.
29

30 CHAIRMAN GARNER: Twenty, discussion for possible action
31 regarding approval/disapproval of the change in the agreement
32 submitted by James C. Helming, dba Dirtworks, for Austin Airport
33 septic system's construction providing that contract is [sic]
34 responsible for pressures caused by the ten-horse pump in
35 existing well, and other matters properly related thereto.

36 COMMISSIONER WAITS: Yes, this came before us last time.
37 And we deferred it because of Exhibit A, with Mr. Helming adding
38 that disclaimer on there. And we wanted to look a little bit
39 further.

40 Our airport engineer came forward and -- and gave us some

1 ideas of what he thought. The airport advisory board has actually
2 purchased some equipment, some pressure check valves, and -- and
3 pressure valves, I guess, they are, not the check valve, the
4 pressure valve and such.

5 And they understand his concerns because of the -- the
6 actual way that the original well was built and how it drains
7 back down. And so Jim was concerned about the pressure.

8 We don't appear to have a problem with it -- him using that
9 disclaimer for just that area. Because he's still responsible for
10 the septic and everything else they put in.

11 And they're handling the rest through maintenance to se- --
12 to make sure we don't have any of those problems that he has his
13 concern about.

14 So with that, I'm okay in accepting the exhibit with the --
15 his disclaimer.

16 CHAIRMAN GARNER: Would it have to be rewritten into the
17 main contract though?

18 DEPUTY DISTRICT ATTORNEY TING: No. It's -- it's fine as
19 this exhibit.

20 CHAIRMAN GARNER: Is it? Okay.

21 COMMISSIONER STIENMETZ: Want to make that motion?

22 COMMISSIONER WAITS: I will make the motion that we accept
23 the amended contract returned by Mr. Helming, dba Dirtworks, for
24 the Austin Airport on his Exhibit A disclaimer.

25 COMMISSIONER STIENMETZ: I'll second the motion.

26 CHAIRMAN GARNER: Any public comment?

27 (No comment.)

28 CHAIRMAN GARNER: All those in favor?

29 COMMISSIONER MASON: Aye.

30 COMMISSIONER STIENMETZ: Aye.

31 CHAIRMAN GARNER: Aye.

32 COMMISSIONER WAITS: Aye.

33 COMMISSIONER BULLOCK: Aye.

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1 SHERIFF'S DEPARTMENT

2
3 21) Discussion for possible action regarding approval/disapproval
4 of an Option and Lease Agreement between Lander County and
5 New Cingular Wireless, PCS, LLC, for a lease of land located
6 at 2 State Route 305 for the placement of a communication
7 facility, and other matters properly related thereto.
8

9 CHAIRMAN GARNER: Twenty-one, discussion for possible
10 action regarding approval/disapproval of an opinion [sic] and
11 Lease Agreement between Lander County and New Cingular Wireless
12 PCS, LLC, for a lease of land located at 2 State Route 305 for
13 the placement of a commun- -- communication facility, and other
14 matters properly related thereto.

15 Do we have the representatives?

16 COMMISSIONER WAITS: The DA's office has looked at this --

17 DEPUTY DISTRICT ATTORNEY TING: Yeah.

18 COMMISSIONER WAITS: -- total contract.

19 DEPUTY DISTRICT ATTORNEY TING: This was a contract with
20 the executive -- or pardon me -- rather former executive
21 director was negotiating.

22 After he left, I -- I kind of stepped in and -- and tried
23 to negotiate some stuff with them. I received some requested
24 information from our chair's office, which states that the --
25 and some information and a couple provisions that are -- that
26 Jan had requested. And they accepted that. And then they did
27 come up in money a little bit also.

28 So yes, it's been reviewed. And this is kind of like the
29 final cont- -- final provisions that --

30 COMMISSIONER WAITS: This has incorporated all of the rest
31 of the things we wanted to add?

32 DEPUTY DISTRICT ATTORNEY TING: Yeah.

33 COMMISSIONER WAITS: And it goes back to them then. If we
34 -- if we're okay with it, then it goes back to them to see
35 whether they accept this. Is that my understanding?

36 DEPUTY DISTRICT ATTORNEY TING: Very well said. Exactly.

37 CHAIRMAN GARNER: Yeah.

38 DEPUTY DISTRICT ATTORNEY TING: Yeah.

39 CHAIRMAN GARNER: Does this give us -- does this give a
40 Cingular Wireless, I see?

1 It's Cingular Wireless?
2 DEPUTY DISTRICT ATTORNEY TING: Yeah. Yeah, I think
3 Cingular is a --
4 UNDERSHERIFF ROBERT QUICK: They're a subsidiary of ATT.
5 COMMISSIONER BULLOCK: Mm-hm.
6 CHAIRMAN GARNER: This would -- this tower would be
7 behind -- somewhere on the grounds of the sheriff's department?
8 UNDERSHERIFF ROBERT QUICK: It's on the north side of the
9 sheriff's office, next to the building.
10 COMMISSIONER BULLOCK: Where's the jail?
11 SHERIFF RON UNGER: Back by that back gate on this side.
12 COMMISSIONER BULLOCK: You guys are good with it?
13 SHERIFF RON UNGER: As long as it -- the -- we put some
14 add-ons in that contract they were doing it. As long as it
15 doesn't interfere with anything that we're doing and our
16 communications, we're okay with it.
17 But we did put some add-ons in there, or the undersheriff
18 did, to where if it did affect any of our communications or any
19 of our systems that they would have to remove it. My
20 understanding, and the undersheriff will correct me if I'm
21 wrong, but they may put other businesses in there with their
22 radio equipment.
23 If that affects ours in any way -- public safety comes
24 first -- they will have to remove that interference.
25 DEPUTY DISTRICT ATTORNEY TING: And --
26 SHERIFF RON UNGER: We added that. Did they agree to that?
27 DEPUTY DISTRICT ATTORNEY TING: Yeah, they did. And
28 it's --
29 SHERIFF RON UNGER: Okay.
30 DEPUTY DISTRICT ATTORNEY TING: -- in this contract. Yeah.
31 SHERIFF RON UNGER: I think there were several that we
32 added in there. But that was the main, the basis of it.
33 DEPUTY DISTRICT ATTORNEY TING: And I'd like to say thanks
34 to Jan, too, because they did come up in money from -- from her
35 request.
36 CHAIRMAN GARNER: What's the money amount now? I didn't see
37 the new --
38 DEPUTY DISTRICT ATTORNEY TING: The original money -- if
39 you look at Section 1, Subsection C, it originally was, I think
40 they doubled it; right, Jan? Wasn't it five to ten?

1 JAN MORRISON: Jan Morrison.
2 They haven't agreed to that yet.
3 DEPUTY DISTRICT ATTORNEY TING: Oh, --
4 JAN MORRISON: I pulled market rates. Those are
5 suggestions. The --
6 DEPUTY DISTRICT ATTORNEY TING: Oh, this is -- this is what
7 they have agreed to. This is what they said.
8 JAN MORRISON: They did agree to -- well, --
9 DEPUTY DISTRICT ATTORNEY TING: Yeah.
10 JAN MORRISON: -- wonderful.
11 But that would be up to the commission to negotiate with
12 them.
13 Great. The original offer was pretty light.
14 COMMISSIONER WAITS: So if I'm understanding this right,
15 the -- the initial part was just the option, which is the
16 \$10,000 that we are going back to them and requesting.
17 And then once they actually commence construction, the rent
18 commencement rate then annually in advance moves up to 12,000?
19 DEPUTY DISTRICT ATTORNEY TING: Right.
20 COMMISSIONER WAITS: Is that correct? So I've got that,
21 okay.
22 COMMISSIONER BULLOCK: Why do we have to be so close to the
23 building, I guess is --
24 We've got all this land out here and we want to build it
25 right next to the buildings?
26 UNDERSHERIFF ROBERT QUICK: That's where they asked for.
27 CHAIRMAN GARNER: Can they go to the back of the property?
28 To keep it further static or --
29 COMMISSIONER BULLOCK: I don't know.
30 COMMISSIONER MASON: Well, they'd like it gated.
31 SHERIFF RON UNGER: No, it's not gated. They will fence it
32 in.
33 UNDERSHERIFF ROBERT QUICK: They'll fence it in.
34 COMMISSIONER MASON: They just like it next to the
35 sheriff's office.
36 SHERIFF RON UNGER: Well, I think it was kind of in an area
37 that was a lot of nonuse per se.
38 COMMISSIONER MASON: Are they using your power?
39 SHERIFF RON UNGER: They'll hook up to --
40 UNDERSHERIFF ROBERT QUICK: They're bringing their own

1 power and fiber in.
2 SHERIFF RON UNGER: Fiber optics.
3 COMMISSIONER GARNER: So is this past your back fence?
4 SHERIFF RON UNGER: No, it's -- it's next to the building
5 before that crash gate.
6 COMMISSIONER MASON: You guys don't have any problem with
7 it; do you?
8 SHERIFF RON UNGER: No, sir.
9 COMMISSIONER MASON: No? Okay?
10 UNDERSHERIFF ROBERT QUICK: That's county's property.
11 COMMISSIONER BULLOCK: So is there still going to be access
12 to the back of the courthouse building back there?
13 SHERIFF RON UNGER: Absolutely.
14 COMMISSIONER BULLOCK: Without the tower being in the way?
15 SHERIFF RON UNGER: Yeah. No, the tower's going to be up
16 close to our building, away from it a little bit, you know,
17 30 feet, 40 feet, whatever it is. I think it's an 80- or
18 100-foot tower they were talking originally.
19 But it's in a --as you go over the overpass and you see where
20 I -- where we have our search and rescue vehicles parked right
21 now, if we --
22 COMMISSIONER BULLOCK: Mm-hm.
23 SHERIFF RON UNGER: -- had to move them. So it would be on
24 the left side of that building --
25 UNDERSHERIFF ROBERT QUICK: Where that water tank's at?
26 SHERIFF RON UNGER: -- just to the right of that gate,
27 right there, is where they're going to -- and you'll see the
28 stakes --
29 COMMISSIONER MASON: And they'll --
30 SHERIFF RON UNGER: -- and they'll come in --
31 COMMISSIONER MASON: -- they'll --
32 SHERIFF RON UNGER: -- there and they've already --
33 COMMISSIONER MASON: -- secure it?
34 SHERIFF RON UNGER: Pardon me.
35 COMMISSIONER MASON: They'll secure it.
36 SHERIFF RON UNGER: Absolutely.
37 COMMISSIONER MASON: With fencing and gates and things?
38 SHERIFF RON UNGER: That was our impression, yes.
39 COMMISSIONER MASON: Okay. It's a smart move to put it --
40 SHERIFF RON UNGER: No, they've -- they've -- they've

1 marked it. They've had a driller come in and drill for the
2 compaction, I believe, come out of Utah and did that.
3 At this point, it's should never -- it should not interfere
4 with us whatsoever.
5 COMMISSIONER BULLOCK: I'll make a motion we approve the
6 Option and Lease Agreement between Lander County and New
7 Cingular Wireless PCS, LLC, for a lease of the land located at 2
8 State Route 305 for the placement of a communication facility
9 and authorize the chairman to sign the agreement.
10 COMMISSIONER STIENMETZ: I will second the motion.
11 COMMISSIONER WAITS: I have --
12 CHAIRMAN GARNER: Any --
13 COMMISSIONER WAITS: -- one question.
14 CHAIRMAN GARNER: Any public comment?
15 COMMISSIONER WAITS: Yeah. One question. I also saw in
16 our paperwork here that they had an authorized access granted to
17 AT&T --
18 CHAIRMAN GARNER: Mm-hm.
19 COMMISSIONER WAITS: -- that needs to be signed? So do we
20 need to include the chair to sign that also?
21 CHAIRMAN GARNER: I think it's part of the whole --
22 COMMISSIONER BULLOCK: (Indiscernible.)
23 COMMISSIONER STIENMETZ: -- part of the --
24 COMMISSIONER WAITS: Okay.
25 CHAIRMAN GARNER: -- whole packet.
26 Any further comment?
27 (No comment.)
28 CHAIRMAN GARNER: All those in favor?
29 COMMISSIONER MASON: Aye.
30 COMMISSIONER WAITS: Aye.
31 CHAIRMAN GARNER: Aye.
32 COMMISSIONER STIENMETZ: Aye.
33 COMMISSIONER BULLOCK: Aye.
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1 COMMISSIONERS

2
3 22) Discussion for possible action regarding approval/disapproval
4 of a Proclamation of Nevada's Sesquicentennial Anniversary of
5 Nevada's admission into the Union of the United States of
6 America, ("150 Proclamation"), and other matters properly
7 related thereto.
8

9 CHAIRMAN GARNER: Twenty-two, discussion for possible
10 action regarding approval/disapproval of the Proclamation of
11 Nevada's Se- -- Sesis- -- Sesquin- -- Sesquientennial --

12 COMMISSIONER BULLOCK: Sesquicentennial.

13 CHAIRMAN GARNER: -- sesquicentennial --

14 COMMISSIONER STIENMETZ: Sesquicentennial.

15 CHAIRMAN GARNER: -- Anniversary of Nevada's admission into
16 the Union of the United States of America ("150 Proclamation"),
17 and other matters properly related thereto.

18 COMMISSIONER WAITS: I have a comment on this first. I
19 think it's a wonderful idea. I mean, this -- this county and
20 the commissioners have supported our 150 celebration with
21 everything that we possibly can do. So it seems very
22 appropriate to do this.

23 However, in reading the proclamation, there is one
24 "Whereas," it says, "the celebration commenced on Nevada Day
25 2013 and will conclude with the statewide Nevada Day celebration
26 on October 31st, 2014." That's not really correct. The big
27 parade is November 1st. And so I think we need to make a
28 correction there.

29 And down where it says, right after the "Lander County to be,
30 Battle Born and Nevada Proud," it says, "In and for Lander County,
31 I urge all citizens," blah, blah, blah, and so forth. I think we
32 should change that to "we." Brian, you are signing as our chair?
33 But I like the idea of the commissioners encouraging them, not
34 just you as the chair encouraging them. Does that make sense?

35 DEPUTY DISTRICT ATTORNEY TING: There's actually --

36 COUNTY CLERK SULLIVAN: Can I --

37 DEPUTY DISTRICT ATTORNEY TING: -- three I's. Do you want
38 to change all of them?

39 COUNTY CLERK SULLIVAN: Can I pass this down to you? This
40 one -- Sadie Sullivan for the record. We actually had to go

1 down and put in where on the proclamations to have the lines of
2 who voted, who was absent, nay. So it's just a little bit
3 different. It's added the lines. This was caught at the
4 last --
5 COMMISSIONER WAITS: Which takes --
6 COUNTY CLERK SULLIVAN: -- minute.
7 COMMISSIONER WAITS: Which takes care of my concern with
8 the commissioners.
9 COUNTY CLERK SULLIVAN: So do you mind -- each of you can
10 hand it --
11 COMMISSIONER WAITS: Right. How about the date?
12 COUNTY CLERK SULLIVAN: Look over that and see.
13 And the top of it was also added for which proclamation
14 number it would be. That was not on there as well.
15 COMMISSIONER WAITS: I'm okay with that --
16 COUNTY CLERK SULLIVAN: If you want to just --
17 COMMISSIONER WAITS: -- but I would like to see the date
18 changed --
19 COUNTY CLERK SULLIVAN: Right.
20 COMMISSIONER WAITS: -- however you all feel --
21 COUNTY CLERK SULLIVAN: Do you mind writing -- did I write
22 the correct date --
23 COMMISSIONER BULLOCK: Mm-hm.
24 COUNTY CLERK SULLIVAN: -- where it's at? And then --
25 COMMISSIONER BULLOCK: Yeah.
26 COUNTY CLERK SULLIVAN: -- where am I to put "we"? What
27 part was that?
28 COMMISSIONER BULLOCK: Well, if we're going to change it,
29 we either have to go up to: "NOW, THEREFORE," we --
30 COUNTY CLERK SULLIVAN: Yeah.
31 COMMISSIONER BULLOCK: -- as the board of commissioners for
32 Lander County. And cross that other out and just all sign it,
33 if you're going to change that to "we" down here.
34 On the "In and for Lander County," so it's whatever --
35 COMMISSIONER WAITS: Yes. "NOW, THEREFORE," --
36 I'll make a motion that the Lander County commissioners
37 support the Nevada 150 Proclamation with the corrections.
38 COMMISSIONER STIENMETZ: I'll second the motion.
39 CHAIRMAN GARNER: Any public comment?
40 (No comment.)

1 CHAIRMAN GARNER: All those in favor?
2 COMMISSIONER MASON: Aye.
3 CHAIRMAN GARNER: Aye.
4 COMMISSIONER WAITS: Aye.
5 COMMISSIONER STIENMETZ: Aye.
6 COMMISSIONER BULLOCK: Aye.
7

8 **23) Discussion for possible action regarding status of the Lander**
9 **County Courthouse/Administration Building Project, and other**
10 **matters properly related thereto.**
11

12 CHAIRMAN GARNER: Discussion for possible action regarding
13 the status of Lander County Courthouse/Administration Building
14 Project, and other matters properly related thereto.

15 JUDGE MAX BUNCH: Max Bunch for the record.

16 There -- just to kind of keep you updated, the safety manager
17 and some of the -- Lander County safety manager has visited the
18 site after there was some concern from some private citizen that
19 contacted -- potentially contacted a commissioner and saying there
20 was some violations. And they went over everything to make sure
21 that there were no violations. And I think everything's good to
22 go on that end.

23 I go out there almost every day to make sure that there's no
24 -- I'm looking for violations and different things too. And we've
25 discussed them and -- and went back to the books to make sure that
26 what they were doing was correct.

27 So I have all -- all the faith in our superintendent that is
28 on site that everything is going good.

29 We have -- we have a grade to run some extra conduit for
30 future technology. I may have told you this last time, but I
31 don't recall if I did.

32 And -- and that kind of ties in to what you guys just did a
33 couple of items ago with the cellular phone. We're trying to get
34 fiber, potentially, to come from that tower over to the
35 courthouse. We've had a couple -- instead of just an AT&T
36 dial-up-type system or whatever we had originally planned.

37 So we're -- we're moving forward in that direction. The
38 superintendent is actually making some calls today to AT&T
39 personnel to see if we can get that fiber to come over. And I
40 believe they told us they could get it at 100 megabits per second

1 on that. And we were working at 50 with broadband, so --

2 And actually, we only get 13 to 16 here.

3 So we were having increase. And now we've got a major
4 increase. And the sheriff's office works on one and a half to
5 three megabits per second, if -- if I'm correct.

6 So I think this will actually bring technology up. But --
7 but we are putting in extra conduits to the courthouse and from
8 the courthouse to the sheriff's office to make sure that -- that
9 everybody's covered for future technology.

10 We have received from NV Energy the permanent and temporary
11 power starting to be routed to the site. That's supposed to be
12 working.

13 Your finance director, myself, went to Reno to visit with
14 Van Woert and Bigotti last week to look at all the finishes.
15 And -- and we think that's coming along pretty well too. The --
16 the finishes for the bathroom floors and the carpet and
17 different things.

18 And we're working on attempting to get the seal that --
19 that has been approved. That's kind of in the first walkway,
20 the doors as you come in. That will be put in the floor. We're
21 hoping. We just have to -- there's been a lot of discussion on
22 how we're going to get that in there and what it's going to be
23 and making sure that it complies with the ADA requirements.

24 So we're hoping to have that -- we're hoping not to have to
25 scrap that. But if we scrap it, we'll put it someplace else, a
26 wall, or if it's ADA, over, like, three quarters of an inch. If
27 it's raised over three quarters of an inch, we can't have it on
28 the floor for ADA issues.

29 So other than that, we -- nobody showed up for the on-site
30 walk last commission meeting. So they're a little shorthanded.
31 And they're very busy over there because they are definitely
32 laying some block out of that basement and on the front corners of
33 the buildings. So it -- it's going very well. Everything's good.

34 I think we're still where we need to be budget-wise. And so
35 we're working very diligently to get that completed, get it
36 moving.

37 Any questions?

38 COMMISSIONER WAITS: Thank you.

39 COMMISSIONER STIENMETZ: Max, wasn't Jeff going to get
40 somebody up here to do an audit of the property just to kind of

1 help us? Because isn't Jeff the safety guy? The --
2 JUDGE MAX BUNCH: No, Jeff is the superintendent.
3 COMMISSIONER STIENMETZ: He's the super- --
4 JUDGE MAX BUNCH: You're talking about the guy that's like
5 six eight?
6 COMMISSIONER STIENMETZ: Yeah.
7 JUDGE MAX BUNCH: Yeah.
8 COMMISSIONER STIENMETZ: He's the superintendent?
9 JUDGE MAX BUNCH: He's --
10 COMMISSIONER STIENMETZ: Well, he always gives us the
11 safety. That's why --
12 JUDGE MAX BUNCH: Oh. Oh. Yes. He does, because he's
13 doing safety on site.
14 COMMISSIONER STIENMETZ: Oh.
15 JUDGE MAX BUNCH: I mean, other than, I think, the meeting
16 yesterday, we were at 52 days of -- no -- no days without an
17 accident. I think we're at 52 days, so --
18 COMMISSIONER STIENMETZ: I just was wondering.
19 JUDGE MAX BUNCH: -- from the start of the project.
20 COMMISSIONER STIENMETZ: I didn't make the meeting
21 yesterday. But I felt he -- I didn't -- I couldn't see where
22 somebody could come up with a problem over there --
23 JUDGE MAX BUNCH: Oh.
24 COMMISSIONER STIENMETZ: -- because of the way he's so much
25 --
26 JUDGE MAX BUNCH: Oh. What he was talking about is
27 bringing in SKATS, --
28 COMMISSIONER STIENMETZ: Yeah.
29 JUDGE MAX BUNCH: -- S-K-A-T-S, which is a company that
30 they bring in to prevent OSHA from coming in and doing that. I
31 don't -- they didn't say anything yesterday at the meeting about
32 SKATS. I'm just assuming that that's in the process --
33 COMMISSIONER STIENMETZ: Yeah.
34 JUDGE MAX BUNCH: -- since they brought it up at the
35 owner-contractor meeting that we have every Wednesday at
36 1:00 o'clock.
37 COMMISSIONER STIENMETZ: Yeah, because SKATS will come in
38 and do the audit and everything on it and make sure -- you know,
39 they'll look over everything and then that way OSHA kind of
40 honors what SKATS that --

1 COMMISSIONER WAITS: It's a safety audit?
2 COMMISSIONER STIENMETZ: Right.
3 COMMISSIONER WAITS: Got it.
4 COMMISSIONER STIENMETZ: That's all I had.
5 JUDGE MAX BUNCH: Okay.
6 COMMISSIONER STIENMETZ: I just wanted to make sure they'd
7 be -- they realized that.
8 CHAIRMAN GARNER: Still alive?
9 COUNTY CLERK SULLIVAN: Okay.
10 CHAIRMAN GARNER: Thanks, Max.
11 COMMISSIONER STIENMETZ: Thank you, Max.
12 JUDGE MAX BUNCH: The light stuff, like air conditioners.
13
14

15 **24) Correspondence/reports/potential upcoming agenda items.**
16

17 CHAIRMAN GARNER: Correspondence/reports/potential upcoming
18 agenda items.

19 COMMISSIONER STIENMETZ: We didn't get any correspondence
20 except for that one.

21 COMMISSIONER BULLOCK: I don't have any in my packet.

22 CHAIRMAN GARNER: I don't have any.

23 COMMISSIONER STIENMETZ: There's nothing listed. There's
24 nothing listed. It's -- she did attach that letter from that
25 one guy.

26 I have nothing for that.

27 COMMISSIONER BULLOCK: I just -- only thing I got is we've
28 got to make sure we get the payroll change requests on the next
29 agenda.

30 And that'd be this -- this time onto that, that we couldn't
31 discuss.

32 COUNTY CLERK SULLIVAN: And I did talk with Vickie as far
33 as the listing the correspondence, numbering them, list them
34 how -- I gave her an example from another packet.

35 I'll get with her on the payroll change as well.

36 CHAIRMAN GARNER: Thanks, Steve.
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PUBLIC COMMENT

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

COMMISSIONER BULLOCK: Motion --

CHAIRMAN GARNER: Max?

COMMISSIONER BULLOCK: Oh.

JUDGE MAX BUNCH: I stretched my --

CHAIRMAN GARNER: His arm was up.

ADJOURNMENT

COMMISSIONER BULLOCK: Motion to adjourn.

COMMISSIONER STIENMETZ: Second.

CHAIRMAN GARNER: Public comment?

(No comment.)

CHAIRMAN GARNER: All those in favor?

COMMISSIONER WAITS: Aye.

COMMISSIONER MASON: Aye.



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

ATTEST: 

LANDER COUNTY CLERK

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