

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

7 **PRESENT: PATSY WAITS, COMMISSIONER**
8 **SEAN BAKKER, COMMISSIONER**
9 **ART CLARK III, COMMISSIONER**
10 **DOUG MILLS, COMMISSIONER**
11 **KEITH WESTENGARD, EXECUTIVE DIRECTOR**
12 **SADIE SULLIVAN, COUNTY CLERK**
13 **HY FORGERON, DEPUTY DISTRICT ATTORNEY**
14 **ELIZABETH DIAS, FISCAL OFFICER**
15 **BECKY JOHNSON, HUMAN RESOURCES DIRECTOR**
16

17 **ABSENT: STEVEN STIENMETZ, COMMISSIONER**
18

19 (Let the record reflect the presence of a quorum of four
20 commissioners. Let the record reflect the presence of Austin
21 via teleconference.)
22

23 CHAIRMAN BAKKER: Call this meeting to order. Lander
24 County Commissioners meeting, Town Board of Battle Mountain, and
25 Austin Board of County Highway Commissioners, September 8th,
26 2016, 9:00 a.m.

27 Doug, will you lead us in the pledge, please.
28 COMMISSIONER MILLS: Okay.
29

30 (Pledge of Allegiance)
31

32 CHAIRMAN BAKKER: May I have a moment of silence, please.
33

34 (Moment of Silence)
35
36

37 **COMMISSIONER REPORTS**
38

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

1 COMMISSIONER MILLS: Okay. Yesterday, I went to the LEDA
2 meeting, Lander Economic Development Authority meeting. And
3 there was some discussion about the human-powered bicycle race.
4 Some things pertaining to some funding from GOED. And NNRDA is
5 adding a couple more counties to their economic development
6 district. Couple of things going on there. That was a quick
7 meeting. They didn't have a lot to talk about.

8 Had a discussion with Corps of Engineers and Summit
9 Engineering pertaining to the levee. That's one of our agenda
10 items today. So I'll save that for the agenda item.

11 Had a rec center meeting this week. In the -- in the
12 previous meeting, it was brought up that the steel building was
13 delayed for five weeks, which really throws off the whole project.
14 So after a lot of phone calls and a lot of work, the building is
15 now back on schedule. And it will be delivered on time as --
16 it'll be delivered on the original delivery date. So that's back
17 on track. And that won't throw us off now. So we're all good.

18 Did go on a -- a site tour of the rec center. And it's
19 looking good. They've got the cement poured for the gymnasium
20 and some other areas. It looks really good. They're going to
21 be pouring more cement tomorrow around the pool. So it's -- and
22 I think on Monday they're going to start to gun- -- gunite the
23 pool. So things are moving along pretty quick.

24 Did have a hospital board meeting. And I suppose if you
25 read the newspaper, you know there's some things going on at the
26 hospital. We had Steve Boline do an analysis of our -- the pay
27 scales for the employees. And we -- the hospital has now
28 reestablished a step and grade system for all the employees.
29 They're used to be a step and grade system at the hospital and
30 then that got eliminated. And we're reestablishing that,
31 putting that back in place.

32 After they reestablished the grade scales, they plugged in
33 all the employees in -- in their appropriate place where they
34 belong in that -- in that pay scale system. And they did find a
35 few discrepancies. So some of the employees are going to get an
36 increase in pay. And there are a few that have had a decrease in
37 pay. So not a real -- well, maybe popular for some people, but
38 not real popular for some others. But we are trying to get the
39 hospital back in line and get it functioning in a manner that is
40 efficient and cost-effective and all those kinds of things. So

1 that -- that was difficult.

2 One of the other -- but that -- on the overall budget for
3 the hospital, that had a -- a fairly minor impact. It was only
4 about a \$25,000 difference in the total budget for the hospital.

5 The real problem -- and -- and I've told you guys before,
6 that we -- last year we were at 107 percent of our revenue's
7 going to payroll, which is not a sustainable situation.

8 And a -- a lot of the board members were thinking it was
9 because of the pay scales. And it turns out that's not really the
10 issue. That's a -- just a small part of it.

11 The biggest problem is the number of employees. And the
12 hospital is overstaffed. Through the analysis that was done and
13 the information we received that -- the hospital should have about
14 90 full-time equivalent employees.

15 And when they say full-time equivalent, that's just based on
16 hours, not the -- not the actual number of employees. So if you
17 have -- if you have two part-timers, that's one full-time
18 equivalent. So the hospital, according to the analysis, should
19 have about 90 full-time equivalent employees. And we have 120
20 full-time equivalents. And that's a huge impact on payroll
21 expense. The hospital board has agreed not to do anything about
22 staffing levels until the end of the year.

23 Part of the reason for that is that this week the hospital
24 is implementing some new programs at the hospital to help with
25 some of our revenue problems.

26 So worse -- you can -- you can handle -- if you're -- if
27 you're paying more in payroll than you're receiving in income,
28 there's two ways to handle that. You can cut employees or you can
29 increase your revenue. So with the imple- -- implementation of
30 our revenue cycle, we're hoping to increase revenue.

31 And by the end of the year, we should know if that revenue
32 cycle is going to work or not for us to help us so we can retain
33 some of those employees.

34 So we're going to -- we're going to give that a chance --

35
36 (Cell phone ringing.)
37

38 COMMISSIONER MILLS: -- to work for a while before we make
39 any adjustments to the staffing levels over there.

40 That is quite of interest. That board meeting -- we had more

1 people at attend that meeting than we've ever had attend any
2 meeting, which was really quite good. There's a lot of -- there's
3 a lot of interest in what's going on over there. The employees
4 are concerned, of course. But I think they do understand the
5 situation that you -- you can't -- you can't maintain a level of
6 payroll at the level that it's at, payroll versus revenue. It's
7 just unsustainable. And we are working on it. And we are going
8 to try and -- we're going to try and fix it. It's going to take
9 some more time, but we'll get it done.

10 And there's -- there's avenues --

11
12 (Cell phone ringing.)

13
14 COMMISSIONER MILLS: -- open to us in ways that we can fix
15 it. So we're going to -- we're going to pursue some of those
16 and hopefully have it -- have as small of an impact on the
17 people of the county as possible.

18 And that is it.

19 CHAIRMAN BAKKER: Okay.

20 I had a conservation district meeting last night. And the
21 one thing I want to give an update on is Tomera/Slaven sage grouse
22 project. They completed it back in March, cost around 22,000.

23 The one thing I want to note is they still have enough money
24 for one more sage grouse project. So if you know anyone anywhere
25 that has property that they could do a sage grouse project on,
26 they'll be more than happy to fund it.

27 That's all I have.

28 Patsy?

29 COMMISSIONER WAITS: Thank you.

30 On August 26th, I did have a NACO meeting. There's a couple
31 things I wanted to share on that.

32 The board of regents is actually meeting today and
33 tomorrow. They will make the final decision on the proposed
34 consolidation of the Cooperative Extension and Nevada experiment
35 station agriculture. So we'll have that decision very soon, I'm
36 sure.

37 NACO put in their final letter with some of the requests that
38 the county was still looking for. And hopefully they will
39 consider some of that.

40 We have several educational opportunities. One is tomorrow.

1 That's an actual workshop that will be held, "Understanding
2 Federal Public Lands Laws." And then we have a webinar coming up
3 on September 28th which is kind of interesting, a leadership
4 development series. And it's called "Integrity and Civility."
5 And it was interesting. The last national county magazine that
6 came out on the definition of integrity, very, very interesting.
7 You think about doing the right thing and -- and having a history
8 of knowing what's proper. But there's so much more to it. And
9 the comment was made, if -- that you actually can learn integrity.
10 If you couldn't, that our legislative process would be in a real
11 world of hurt. So I thought that was kind of interesting. So it
12 should be a very interesting workshop.

13 On August 31st, we had the -- the AT&T request for provider
14 of last resort come before the Public Utilities Commission. And
15 they actually went forward with that. They granted relief as
16 was modified by the stipulation. And so the only full county
17 that was pulled out of that request for relief was Lander
18 County.

19 They did some -- some other projects that they pulled out
20 areas in Eureka and in White Pine. But it ended up with 16 full
21 counties. And Lander County is completely exempt. So we need
22 to stay on top of this. We know that they will be back again.

23 And that's fine. We understand their request, but we just
24 don't have that high technology at this point to even think about
25 that. And we were able to prove that to them, that the
26 information they had given was not correct for Lander County, that
27 they had used marketing information and not checked it out.

28 So thank you, all, for your surveys and -- and to our
29 counselor. Thank you so much. It -- it truly did help.

30 We ended up with over 150-some surveys total. In fact, the
31 surveys were also shared with White Pine. They were so upset,
32 but they were kind of a little bit late. But they still used
33 our surveys and were working on that.

34 On September 7th, yesterday, we did have our Ormat hearing.
35 And that's been going for the last -- what? -- two, three years.
36 And they finally did oral arguments before the supreme court.
37 And this is regarding the abatement and the new legislation that
38 was passed, of course, affecting us and Lander. And we were on
39 a -- with -- with the joint professional law service that --
40 that actually did all the oral arguments for us. And that

1 was -- worked out with Elko. So the two counties presented that
2 yesterday before the Nevada Supreme Court. It was very
3 interesting.

4 It's always nice to see your judicial system in -- in
5 progress, I guess, and what they do and some of the interest.

6 So we're not sure about the time frame on that, but we're
7 hoping that will come down in the next 30 or 60 days or so. So
8 that will be the end of that. And we'll know where we stand on
9 abatements.

10 On Aging and Disabilities Services Division, I did want to
11 share with you one of the -- the final dates that we have coming
12 up for applications on the STAR program. And that's the Senior
13 Tax Assistance Rebate program. And I spoke to the senior centers
14 and -- and all of you the beginning of the year and -- and last
15 year.

16 This is Section 60 of Senate Bill 514 in the 2015
17 legislative session, which is a tax rebate on property taxes for
18 seniors that are 65 years and older and within -- their income
19 has to be -- it cannot exceed 200 percent of the federally --
20 federal poverty level. But that applies to a lot of our seniors
21 in Lander County. And so once again, we just wanted to
22 highlight the deadline on that is September 30th to get your
23 applications in.

24 And depending on how many apply, the amount paid for your
25 property taxes can be up to a maximum of \$500. So if your taxes
26 are 400, you might get the 400 or you might get a pro rata if a
27 whole lot of people are taking the bulk of the funding that they
28 have. But that was extremely important with the time frame. So
29 I wanted to reiterate that again.

30 Also, on the Endangered Species Act, the Fish and Wildlife
31 Service has announced a proposed comp- -- compensatory mitigation
32 policy. And this is regarding the impacts on the species that are
33 listed or may be listed in the Endangered Species. And so they do
34 now have that published in the Federal Register.

35 Our window for comments, it will be open through Monday,
36 October 17th, if we wanted to make any comments on that with NDOW.

37 And on a local level, I wanted to remind everyone that Austin
38 Chamber of Commerce does have their wine walk set for this
39 Saturday. And that's from 2:00 to 5:00 in Austin with a dinner at
40 Stokes Castle under the stars. So once again, you're all invited.

1 Thank you.

2 COMMISSIONER CLARK: Because of the Monday holiday, PLUAC
3 was moved back to next Monday. So I don't have anything to
4 report.

5 CHAIRMAN BAKKER: Okay.
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8 **STAFF REPORTS**
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10 CHAIRMAN BAKKER: Staff reports on meetings and conferences
11 and seminars attended.

12 KEITH WESTENGARD: All right. We did have the meeting with
13 -- over the levee with the Corps of Engineers and Summit. And
14 as Commissioner Mills stated, that is on the agenda for
15 discussion.

16 I did have a conference call regarding the sagebrush focal
17 areas. And I do have a draft environmental impact study if
18 anybody would like to review it. If any of the commissioners
19 would like to review it, let me know. I'll let you review it.

20 We did have a conference call with FEMA as well regarding
21 the levee. That'll all be discussed here at the -- at that
22 agenda item.

23 We met with J-U-B to go over our -- our three projects.
24 J-U-B has had some personnel changes. J.D. Heithoff is no more
25 longer -- no longer with J-U-B. So they've assigned us a new
26 consultant. And their chairman of the board came down with the
27 new consultant. And we had a -- a meeting with them to discuss
28 our projects.

29 I participated in the Newmont social impact assessment the
30 day before yesterday. And that was pretty interesting. We'll see
31 how that comes out. That report should be out later this year.

32 I too attended the supreme court hearing with Commissioner
33 Waits and the district attorney. And it was an interesting
34 experience.

35 I just want to remind the commissioners that we do have the
36 upcoming NACO conference in November. If anybody's interested in
37 going, please let me know. I can make arrangements for that for
38 you to attend with -- with the rooms.

39 I want to remind you that I'll be on vacation next week and
40 out of the area. So if you do have any concerns or needs that

1 come up, please contact Bert and he will deal with you -- with
2 your issues.

3 Other than that, that's all I have.

4 CHAIRMAN BAKKER: Thank you.

5 KEITH WESTENGARD: Thank you.

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8 **PUBLIC COMMENT**

9
10 CHAIRMAN BAKKER: Public comment for non-agendized items
11 only.

12 Persons are invited to submit comments in writing and/or
13 attend and make comments on any non-agenda item at the board
14 meeting, if any, and discussion -- discussion of those comments
15 at the discretion of the board. All public comment may be
16 limited to three minutes per person, again at the discretion of
17 the board. Reasonable restrictions may be placed on public
18 comment based upon time, place, and manner, but public comment
19 based upon viewpoint may not be restricted.

20 Any public comment?

21 (No comment.)
22
23

24 **CONSENT AGENDA**

25
26 CHAIRMAN BAKKER: Okay. Consent agenda.

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

35 One, approval of agenda notice, September 8th, 2016; two,
36 approval of minutes, August 11th, 2016; three, approval of
37 minutes, August 25th, 2016; four, approval of minutes,
38 August 26th, 2016; five, payment of bills; six payroll change
39 requests.

40 We need to take out 25th and the 26th, three and four;

1 right? Sadie?

2 COUNTY CLERK SULLIVAN: Correct.

3 CHAIRMAN BAKKER: Okay.

4 COMMISSIONER MILLS: I'll make a motion to approve the
5 consent agenda excluding the meeting minutes for August 25th,
6 2016, and the meeting minutes for August 26th, 2016.

7 COMMISSIONER WAITS: I'll second that motion.

8 CHAIRMAN BAKKER: Doug made a motion. Patsy seconded.

9 Any public comment?

10 (No comment.)

11 CHAIRMAN BAKKER: All in favor?

12 COMMISSIONER MILLS: Aye.

13 CHAIRMAN BAKKER: Aye.

14 COMMISSIONER WAITS: Aye.

15 COMMISSIONER CLARK: Aye.

16
17
18 **COMMISSIONERS**

- 19
20 1) **Discussion and possible action to approve/disapprove the**
21 **placement of a historic mining marker within the Lander**
22 **County road and bridge right-of-way, and all other matters**
23 **properly related thereto.**
24

25 CHAIRMAN BAKKER: Commissioners. Number 1, discussion and
26 possible action to approve/disapprove the placement of historic
27 mining marker within the Lander County road and bridge
28 right-of-way, and all other matters properly related thereto.

29 COMMISSIONER CLARK: Morning, Bert.

30 BERT RAMOS: Morning, gents, --

31 COMMISSIONER WAITS: Good morning.

32 BERT RAMOS: -- and Patsy.

33 Okay. So is all this -- Bert Ramos for the record -- is all
34 this is, is we have the right-of-way through BLM. So BLM, they
35 have to go get the right-of-way from BLM. But BLM notifies
36 anybody that holds a right-of-way in there.

37 And if we have any objection to it, then we have to object.
38 If not, then we're just here to make sure that you guys are good
39 with us putting it in there. And it's not a problem on us. We
40 don't mind it being there a bit.

1 COMMISSIONER WAITS: And you're fine with it? You checked
2 out where it's going to be and --
3 BERT RAMOS: Yeah. Should be no problem.
4 COMMISSIONER WAITS: Doesn't -- doesn't block any of our
5 important signs or anything like that? So --
6 BERT RAMOS: Nope.
7 COMMISSIONER WAITS: -- we're cool.
8 COMMISSIONER MILLS: Seems kind of out of the way.
9 BERT RAMOS: Yeah. It -- it's quite a ways out in the
10 middle of nowhere, but it works out.
11 COMMISSIONER WAITS: Thank you.
12 COMMISSIONER MILLS: So it's not going to be a problem for
13 future --
14 CHAIRMAN BAKKER: Development?
15 COMMISSIONER MILLS: -- development, underground anything?
16 BERT RAMOS: No. And -- and is all we can really do is
17 write a letter of objection. And that can be overruled --
18 COMMISSIONER MILLS: Right.
19 BERT RAMOS: -- if they see it that way. So it's --
20 COMMISSIONER MILLS: So...
21 BERT RAMOS: I don't see a problem with it.
22 CHAIRMAN BAKKER: Okay.
23 BERT RAMOS: That's it. Thank you.
24 COMMISSIONER CLARK: Well, I'll make a motion to approve
25 the placement of a historic mining marker within Lander County
26 road and bridge right-of-way.
27 COMMISSIONER MILLS: I'll second.
28 CHAIRMAN BAKKER: Art made a motion. Doug seconded.
29 Any public comment?
30 (No comment.)
31 CHAIRMAN BAKKER: All in favor?
32 COMMISSIONER WAITS: Aye.
33 CHAIRMAN BAKKER: Aye.
34 COMMISSIONER MILLS: Aye.
35 COMMISSIONER CLARK: Aye.
36 CHAIRMAN BAKKER: Okay. Motion carries.
37
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1 **2) Discussion and possible action to approve/disapprove funding**
2 **in the amount of \$800.00 to the Lander County Kids Club to**
3 **assist in the community Halloween carnival on October 28,**
4 **2016, and all other matters properly related thereto.**
5

6 CHAIRMAN BAKKER: Two. Discussion and possible action to
7 approve/disapprove the funding in the amount of \$800 to the
8 Lander County Kids Club to assist in the community Halloween
9 carnival on October 28th, 2016, and all other matters properly
10 related thereto.

11 COMMISSIONER CLARK: Good morning.

12 SHAYNE VILLANUEVA: Good morning.

13 LAUREN CAMPBELL: Good morning. Lauren Campbell.

14 SHAYNE VILLANUEVA: Shayne Villanueva.

15 LAUREN CAMPBELL: So what we would like to do -- in the
16 past, we've always had a community Halloween carnival where the
17 kids could come. And they get to play the games and win candy.
18 So we would like to go forward with that tradition and kind of
19 bring it back to the community. I think it's a really fun one.

20 Traditionally, it was on Halloween night. However,
21 Halloween's on a Monday this year and everybody has school on
22 Tuesday. So that's why we are do -- we want to do it on the 28th.

23 And we did discuss it with the Chamber of Commerce members
24 and just let them know that, you know, after business
25 trick-or-treat we would be there at the civic center.

26 So the Halloween carnival part would be absolutely a
27 hundred percent free for all community members. The kids would
28 just come in and play the games and win the candy.

29 Because we are a new organization, we always try to do a
30 fundraiser part with any community event that we do.

31 So we are going to be doing a bingo that will coincide with
32 the carnival. So while parents are at bingo, their kids are safe
33 and monitored by volunteer individuals in the other side of the
34 civic center playing games.

35 CHAIRMAN BAKKER: Okay.

36 COMMISSIONER WAITS: Do you have any idea on the amount of
37 children that will be coming based on --

38 LAUREN CAMPBELL: Um.

39 COMMISSIONER WAITS: -- some of the other Halloween, you
40 know, evenings they've had?

1 LAUREN CAMPBELL: Well, in the past, I just know from
2 experience from when I've taken my own children, they probably
3 get around 100 to 200 children that come through.

4 With the bingo portion going on at the same time, I'm not
5 sure how that's going to affect the numbers. We may expect to see
6 a little bit more children come through because the bingo part
7 will bring out some of the families who don't participate in,
8 like, the business trick-or-treat.

9 And also with the business trick-or-treat being the same
10 day, everyone's already dressed up and they can come have dinner
11 and play games. So we hope to bring out some more families in
12 the community for some family time.

13 COMMISSIONER WAITS: I -- I most certainly appreciate what
14 you're doing. And I especially appreciated your breakdown of --
15 of your \$800.

16 I just thought that was a -- a lot of -- of money. Hoping
17 you could sustain some of it for the county to pay out on -- on
18 that.

19 Because I know, you know, Austin does one too. And we've
20 never, you know, given to them for anything. In fact, very
21 often we've had the sheriff's department out of their budget pay
22 for some of the things that -- that went on through Halloween.

23 But I'm certainly glad that you're doing it. And -- and I,
24 like I said, I -- I appreciate your breakdown on it.

25 COMMISSIONER CLARK: I like it. I think it's great. You
26 guys never stop working for the community.

27 And I'll make a motion to give the Kids Club \$800 to assist
28 with the community Halloween carnival on October 28th.

29 And if you don't have enough money for candy, let me know.
30 I'll give you some money myself.

31 LAUREN CAMPBELL: Thank you, we --

32 COMMISSIONER CLARK: I don't think --

33 LAUREN CAMPBELL: -- really appreciate it.

34 COMMISSIONER CLARK: You know, I'm looking here at the
35 candy and I'm thinking you're going to need more because I think
36 you'll have a good turnout. That's a good idea to go with bingo
37 and -- and the carnival. You know where I live.

38 LAUREN CAMPBELL: Okay. We -- we really appreciate it.

39 SHAYNE VILLANUEVA: Thank you.

40 CHAIRMAN BAKKER: Art made a motion.

1 COMMISSIONER MILLS: I'll second.
2 CHAIRMAN BAKKER: Doug seconded. Gene, we have grant
3 money? Don't we have a fund with grant money in it? Or where
4 will the \$800 come from?
5 GENE ETCHEVERRY: Yes. There's a fund that --
6 CHAIRMAN BAKKER: Okay.
7 GENE ETCHEVERRY: -- we can do that.
8 CHAIRMAN BAKKER: Just making sure.
9 GENE ETCHEVERRY: Yes.
10 CHAIRMAN BAKKER: Thank you.
11 DEPUTY DISTRICT ATTORNEY HY FORGERON: Just to clarify,
12 Mr. Chairman, is the "I'll give you some extra money" part of
13 the motion?
14 COMMISSIONER CLARK: That was just an informative.
15 DEPUTY DISTRICT ATTORNEY HY FORGERON: Okay.
16 COMMISSIONER CLARK: But I'm good for it.
17 CHAIRMAN BAKKER: Okay. Any public comment?
18 (No comment.)
19 CHAIRMAN BAKKER: All in favor?
20 COMMISSIONER MILLS: Aye.
21 CHAIRMAN BAKKER: Aye.
22 COMMISSIONER WAITS: Aye.
23 COMMISSIONER CLARK: Aye.
24 LAUREN CAMPBELL: Thank you very much.
25 CHAIRMAN BAKKER: Thank --
26 SHAYNE VILLANUEVA: Thank --
27 CHAIRMAN BAKKER: -- you.
28 SHAYNE VILLANUEVA: -- you, guys.
29

30 3) Discussion and possible action to temporarily close Weaver
31 and Altenburg Avenues on September 16, 2016, from 11:00 a.m.
32 to 3:00 p.m., and temporarily close Old 8A Highway Monday
33 through Saturday from 1:00 p.m. to 3:45 p.m. so the WHPSC
34 racers can test their bikes before trials, and all other
35 matters properly related thereto.
36

37 CHAIRMAN BAKKER: Three. Discussion and possible action to
38 temporarily close Weaver and Altenburg Avenue on September 16,
39 2016, from 11:00 a.m. to 3:00 p.m. and temporarily close Old 8A
40 Highway Monday through Saturday from 1:00 p.m. to 3:45 p.m. so

1 the WHPSC racers can test their bikes before trials, and all
2 other matters properly related thereto.

3 PAULA TOMERA: Paula Tomera, Lander County Convention and
4 Tourism. Good morning.

5 CHAIRMAN BAKKER AND COMMISSIONER MILLS: Good morning.

6 COMMISSIONER WAITS: Good morning, Paula.

7 PAULA TOMERA: So we're asking for a closure of the Weaver
8 and Altenburg.

9 We always do a -- a -- the bike races over the -- the drag
10 races over by the duck ponds. This is a yearly thing. I think
11 this is, maybe, 8 years that we've been doing this particular
12 thing.

13 Last year we had it surveyed so that they can become
14 records as well. So that gains popularity every year.

15 The Old 8A Highway, after talking with our sheriff and the
16 highway patrol, we thought that it would be better that we could
17 come and ask for that road to be closed from 1:00. And we're
18 thinking instead of 3:45 maybe 3:30 to make sure parents can
19 come into town on that road and get their kids when school's
20 out.

21 It's mostly just a safety issue. Last year they were
22 trying their bikes out and, you know, were having oncoming
23 traffic while they were trying to do that.

24 It certainly, you know, is a nice thing that we're doing for
25 them. It's not necessary. So if you, you know, don't approve of
26 it, then they'll just have to try it out when they run on 305.

27 So but -- I have a letter of support that was included in
28 your packet from the highway patrol, Arthur Aten, and Ron Unger.

29 And if approved, we would be, hopefully, putting an ad in the
30 paper as well as announcing it on our Facebook pages, the marquee,
31 and various places to let people know that it'll be closed for
32 that period of time during each day.

33 COMMISSIONER CLARK: I think this is a great event that you
34 put on, Paula. I think it's something that will grow. And I
35 think we really need to support this.

36 PAULA TOMERA: Thank you.

37 COMMISSIONER CLARK: So I'll make another motion.

38 My motion is to temporarily close Weaver and Altenburg
39 Avenues, September 16th, 2016, from 11:00 a.m. to 3:00 p.m. and
40 temporarily close Old 8A Highway Monday through Saturday from

1 1:00 p.m. to 3:45 so WHPSC racers can test their bikes before
2 trials.

3 COMMISSIONER WAITS: I'll second that motion.

4 CHAIRMAN BAKKER: Art made a motion. Patsy seconded.
5 Bert?

6 BERT RAMOS: Bert Ramos, for the record. Yeah.

7 CHAIRMAN BAKKER: You good with everything?

8 BERT RAMOS: Yeah, I think it's a good deal.

9 CHAIRMAN BAKKER: Is this going to affect the county in any
10 way?

11 BERT RAMOS: Might slow down some traffic down there. But
12 they have an alternate route they can take. They can --

13 CHAIRMAN BAKKER: Okay.

14 BERT RAMOS: -- see some of our other roads.

15 CHAIRMAN BAKKER: Just making sure.

16 PAULA TOMERA: And we've -- we've purchased some additional
17 signage. And then we'll get the barriers and that. And then
18 I've asked each of the teams -- because we'll have that closed
19 down -- each of the teams to have a car placed at every entrance
20 that could possibly be on that road while they're doing their
21 trials and have someone watching it so there wouldn't be an
22 accidental entry onto the road.

23 COMMISSIONER MILLS: Ron, is that -- is that type of a road
24 closure appropriate to have just a car parked in front of the
25 thing? Or is there something --

26 PAULA TOMERA: We'll have barriers --

27 COMMISSIONER MILLS: -- more than they --

28 PAULA TOMERA: -- as well.

29 COMMISSIONER MILLS: -- need to do? So we can do it --

30 SHERIFF RON UNGER: I think as long as --

31 COMMISSIONER MILLS: -- correctly?

32 SHERIFF RON UNGER: -- you have some barriers or some cones
33 up. And that's what Sadie was just asking me if --

34 COMMISSIONER MILLS: Oh.

35 SHERIFF RON UNGER: Usually the road closures come through
36 the county commissioners to Bert or Road and Bridge. They'll do
37 a -- they'll do the road closures.

38 CHAIRMAN BAKKER: Okay.

39 BERT RAMOS: We'll have to put the proper signage up.

40 CHAIRMAN BAKKER: Okay. Just making sure.

1 COMMISSIONER MILLS: Just want to do it right.
2 BERT RAMOS: Yeah. For sure.
3 PAULA TOMERA: Yeah.
4 SHERIFF RON UNGER: And we'll have people out there during
5 this event controlling the area.
6 CHAIRMAN BAKKER: Okay.
7 Any other public comment?
8 COUNTY CLERK SULLIVAN: I have a question.
9 Sadie Sullivan, for the record.
10 Normally we have a form to sign off. Is this -- that's
11 what I was asking Ron as well, but I --
12 PAULA TOMERA: Typically, it is -- the form that we give
13 you is for NDOT. This is not -- this is a county road. So we
14 don't really -- we would just need approval from the commission
15 to do --
16 COUNTY CLERK SULLIVAN: Okay.
17 PAULA TOMERA: -- a temporary unless you have some other --
18 BERT RAMOS: No.
19 PAULA TOMERA: -- form.
20 COUNTY CLERK SULLIVAN: Okay.
21 PAULA TOMERA: To my knowledge, there isn't a form.
22 CHAIRMAN BAKKER: You may want to create one. Not now, but
23 future.
24 BERT RAMOS: Yeah.
25 CHAIRMAN BAKKER: Next time.
26 PAULA TOMERA: Okay.
27 CHAIRMAN BAKKER: Okay.
28 BERT RAMOS: That'll work.
29 CHAIRMAN BAKKER: Any other public comment?
30 (No comment.)
31 CHAIRMAN BAKKER: All in favor?
32 COMMISSIONER MILLS: Aye.
33 CHAIRMAN BAKKER: Aye.
34 COMMISSIONER WAITS: Aye.
35 COMMISSIONER CLARK: Aye.
36 PAULA TOMERA: Thanks.
37 CHAIRMAN BAKKER: Thank you.
38 PAULA TOMERA: And then --
39 COMMISSIONER WAITS: Thank you, Paula. This is going to be
40 more exciting than ever. Better year.

1 PAULA TOMERA: I think so. And I just wanted to extend an
2 invitation to you. On Tuesday, we have the show-and-shine at
3 the civic center. The -- the racers will set up their bikes.
4 The school kids come at 1:00 o'clock and start meeting the
5 racers.

6 We have members from NCOT, which is Nevada Commission on
7 Tourism, coming.

8 And if you have the time, if you could come and visit and
9 kind of meet some of the people that are going to be at the
10 event and hopefully talk with some of the NCOT commissioners.
11 We're hoping for some more support for next year to advertise it
12 and make it even better. So we have a lunch so feel free to
13 come.

14 CHAIRMAN BAKKER: Thank you.

15 COMMISSIONER WAITS: Thank you.

16
17 **4) Discussion and possible action to approve/disapprove the**
18 **modified cooperative agreement for the creation of**
19 **Nevadaworks and authorize the chair to sign, and all other**
20 **matters properly related thereto.**
21

22 CHAIRMAN BAKKER: Four. Discussion and possible action to
23 approve/disapprove the modif- -- modified cooperative agreement
24 for the creation of Nevadaworks and authorize the chair to sign,
25 and all other matters properly related thereto.

26 COMMISSIONER CLARK: Good morning, John.

27 JOHN THURMAN: Good morning.

28 John Thurman, for the record, from Nevadaworks.

29 If you recall, I was here in February with majority of the
30 agreement that you have in front of you. That was signed by not
31 only Lander County but the other 12 counties in the agreement.

32 Subsequently, it went to the Attorney General's Office
33 where they asked for some additional language.

34 I'm back in front of you today with that agreement with
35 number 18 on there, a couple of other slight items that need
36 corrected. But number 18 is the item that the Attorney
37 General's Office asked be included.

38 And if you have any questions, I'm here to answer those.

39 COMMISSIONER WAITS: Our legal has looked at that, right?

40 DEPUTY DISTRICT ATTORNEY HY FORGERON: If --

1 COMMISSIONER CLARK: I'm fine.
2 DEPUTY DISTRICT ATTORNEY HY FORGERON: You probably have
3 had the experience that if you have -- draw up an agreement and
4 you give it to a lawyer, there's going to be a change just
5 because we can.
6 I don't think that the changes to this agreement affect the
7 substance in any way.
8 CHAIRMAN BAKKER: Thank you, Hy.
9 COMMISSIONER WAITS: The only question that I had, John,
10 was all the way through it's talking about creation of the
11 Nevadaworks. I'm going, Creation? That's -- it's kind of an
12 amendment. It's not really a creation; right?
13 Or are you creating a new --
14 JOHN THURMAN: It's an amendment to the original document,
15 --
16 COMMISSIONER WAITS: Okay.
17 JOHN THURMAN: -- which created --
18 COMMISSIONER WAITS: That's what I thought.
19 JOHN THURMAN: -- Nevadaworks. Right.
20 COMMISSIONER WAITS: That's not quite the terminology --
21 JOHN THURMAN: Right.
22 COMMISSIONER WAITS: -- that we have, but that's -- that's
23 cool. Thank you.
24 JOHN THURMAN: Uh-huh.
25 COMMISSIONER CLARK: Well, I'll make a motion to approve
26 the modified cooperative agreement for the creation of
27 Nevadaworks and authorize the chair to sign.
28 COMMISSIONER MILLS: Second.
29 CHAIRMAN BAKKER: Art made a motion. Doug seconded. Any
30 public comment?
31 (No comment.)
32 CHAIRMAN BAKKER: All in favor?
33 COMMISSIONER MILLS: Aye.
34 CHAIRMAN BAKKER: Aye.
35 COMMISSIONER WAITS: Aye.
36 COMMISSIONER CLARK: Aye.
37 CHAIRMAN BAKKER: Thank you, John.
38 COMMISSIONER WAITS AND JOHN THURMAN: Thank you.
39 COMMISSIONER MILLS: Thanks.
40 COMMISSIONER CLARK: Thanks, John. Good to see you again.

1 JOHN THURMAN: Yeah.

- 2
3 5) Discussion and possible action to approve/disapprove the
4 temporary closing of East Front Street and State Route 305,
5 Battle Mountain, Nevada 89820, for the homecoming parade,
6 September 23, 2016, and all other matters properly related
7 thereto.

8
9 CHAIRMAN BAKKER: Discussion and possible action to
10 approve/disapprove the temporary closing of East Front Street
11 and State Route 305, Battle Mountain, Nevada 89820, for the
12 homecoming parade, September 23rd, 2016, and all other matters
13 properly related thereto.

14 Is it -- I think we need to postpone this till 10:30;
15 right? --

16 KEITH WESTENGARD: Yeah.

17 CHAIRMAN BAKKER: -- or something? Okay. So we're going
18 to move on until we -- a student's coming from the high school.
19 So...

20
21 PUBLIC WORKS

- 22
23 6) Discussion and possible action to approve/disapprove a
24 cost-sharing plan with Road and Highway Builders to repave
25 1900 East, Battle Mountain, Nevada 89820, in an amount not to
26 exceed \$60,000.00, and all other matters properly related
27 thereto.

28
29 CHAIRMAN BAKKER: Public works. Six, discussion and
30 possible action to approve/disapprove a cost-sharing plan with
31 the Road and Highway Builders to repave 1900 East, Battle
32 Mountain, Nevada 89820, in an amount not to exceed 60,000, and
33 all other matters properly related thereto.

34 Mr. Ramos.

35 BERT RAMOS: (Indiscernible.)

36 COMMISSIONER CLARK: Looking pretty sharp there today,
37 Bert.

38 BERT RAMOS: The -- Bert Ramos, for the record.

39 So is what we have is Road and Highway Builders, in the
40 process of redoing our freeway out here, were hauling on one of

1 our side roads to a NDOT pit and we blew out the road.
2 So we came to an agreement if it -- if the commission will
3 agree to it for us to pay for a portion of the material and for
4 them to put it down and make it right again.
5 Long story short.
6 CHAIRMAN BAKKER: Okay.
7 COMMISSIONER CLARK: Is --
8 COMMISSIONER MILLS: I --
9 COMMISSIONER CLARK: -- it --
10 COMMISSIONER MILLS: -- understand --
11 COMMISSIONER CLARK: -- in your budget?
12 BERT RAMOS: Yeah. We do have -- I do have a budget that I
13 can cover it with.
14 COMMISSIONER CLARK: Okay.
15 COMMISSIONER MILLS: I understand that when they redo the
16 road, they're going to build it heavier to handle --
17 BERT RAMOS: Well, we've --
18 COMMISSIONER MILLS: -- this traffic? Or is that --
19 BERT RAMOS: They've already kind of -- you know,
20 typically, most road failures are subject to ba- -- base
21 failures starts before the road failure. So they've already
22 hauled a bunch of their grindings on it when they -- when --
23 when the road was falling apart. And so we pretty much already
24 put a substantial amount of base under it. So yeah, it'll be
25 more of a commercial, industrial type of a road when they're
26 finished this time. Shouldn't have a problem hauling all that
27 material back out.
28 COMMISSIONER WAITS: So it's going to be improved just a
29 little bit?
30 BERT RAMOS: It'll be improved a whole bunch.
31 CHAIRMAN BAKKER: Okay.
32 COMMISSIONER WAITS: I'll make a motion we approve the
33 cost-sharing plan with Road and Highway Builders to repave 1900
34 East Battle Mountain, Nevada, in the amount not to exceed
35 \$60,000.
36 COMMISSIONER MILLS: I'll second.
37 CHAIRMAN BAKKER: Patsy made a motion. Doug seconded.
38 Any public comment?
39 (No comment.)
40 CHAIRMAN BAKKER: All in favor?

1 COMMISSIONER MILLS: Aye.
2 CHAIRMAN BAKKER: Aye.
3 COMMISSIONER WAITS: Aye.
4 COMMISSIONER CLARK: Aye.
5 BERT RAMOS: Thank --
6 CHAIRMAN BAKKER: Thank --
7 BERT RAMOS: -- you --
8 CHAIRMAN BAKKER: -- you, Bert.
9 BERT RAMOS: -- very much.
10 CHAIRMAN BAKKER: Keep up the good work.
11 BERT RAMOS: It's -- I think I'm up one more time.
12 CHAIRMAN BAKKER: Yeah, you're next too, I guess.

13
14 7) Discussion and possible action to approve/disapprove Jay
15 Wintle to develop Faded Sage Drive, June 30, 2017, at which
16 time the county will take over maintenance of the completed
17 road, and all other matters properly related thereto.
18

19 CHAIRMAN BAKKER: Discussion and possible action to
20 approve/disapprove Jay Wintle to develop Faded Sage Drive, June
21 30, 2017, at which time the county will take over maintenance of
22 the completed road, and all other matters properly related
23 thereto.

24 Jay. Good morning.

25 JAY WINTLE: Morning.

26 Jay Wintle, for the record.

27 CHAIRMAN BAKKER: Thank you.

28 COMMISSIONER WAITS: Good morning.

29 JAY WINTLE: Good morning. What I'm proposing is finishing
30 Faded Sage Road.

31 In exchange, I would expect the county to come up -- put it
32 on the paving plan from 26th through Allen Road.

33 To finish Faded Sage Road, I'd like to do it within the
34 calendar year and have it on the next year's budget.

35 Faded Sage Drive, re- -- I require about 3,000 feet to do my
36 development. There's an additional almost 1800 feet that I would
37 build to county specs just because I think it's -- benefits the
38 area for me and the county.

39 COMMISSIONER WAITS: This basically was all approved when
40 you came before us originally with the --

1 JAY WINTLE: The road --
2 COMMISSIONER WAITS: -- original plan.
3 JAY WINTLE: -- the road -- the road's on legal
4 right-of-way. There's no problem with the road. I just would
5 like to extend for -- we have a looping road from basically the
6 golf course all the way to Allen Road. This would complete a
7 loop.
8 CHAIRMAN BAKKER: So you'll put in the base?
9 JAY WINTLE: I -- I'll put in the base and build it to
10 county specs. That would be about 4700 feet of road I would
11 build. And I would expect the county to put a guarantee that
12 they'll come back and pave it on the two seven -- 2017 budget
13 from end of 26th all the way to Allen Road, which is about
14 almost 8,000 feet.
15 BERT RAMOS: Bert Ramos, for the record.
16 I don't know that we can put a guarantee on it. We can try
17 to put that in our paving plan. But I'd hate to see us put a
18 guarantee on it without --
19 COMMISSIONER MILLS: That -- a guarantee of paving is a new
20 thing to me. I thought it was -- you would build it to spec and
21 the county would take it as a county road and be responsible for
22 the road, not necessarily that we would pave it within a certain
23 time.
24 JAY WINTLE: Well, yes, --
25 COMMISSIONER MILLS: That's --
26 JAY WINTLE: -- but I'm extending -- I'm building 1700 feet
27 of road that is not required for my -- and I'm building the road
28 that will be used. I understand.
29 COMMISSIONER MILLS: Correct. I don't --
30 JAY WINTLE: I understand that. But, I mean, it'll -- the
31 road will just get destroyed if the road's tied in. I mean,
32 half the traffic that goes -- there's going to start using the
33 other exit. Like I say, and it's a great benefit to the county.
34 It --
35 COMMISSIONER MILLS: It is.
36 JAY WINTLE: -- makes an alternative -- alternative access
37 to that area, as long as -- as well as the bridge over 305. It
38 gives you an alternative back to get to the -- you know, if
39 something happened to the freeway bridge --
40 COMMISSIONER MILLS: Right.

1 JAY WINTLE: -- over 305, over the freeway.
2 COMMISSIONER MILLS: Right.
3 JAY WINTLE: If something happened to it, it gives an
4 alternate route to the --
5 COMMISSIONER MILLS: This is where --
6 JAY WINTLE: -- south part of town.
7 COMMISSIONER MILLS: My understanding of it was that the
8 county would take it over as a county road and maintain it,
9 not -- not necessarily we'd be --
10 JAY WINTLE: Well, I ain't sure --
11 COMMISSIONER MILLS: -- obligated --
12 JAY WINTLE: -- I want to --
13 COMMISSIONER MILLS: -- to pave that.
14 JAY WINTLE: -- build that. Yeah, I ain't sure I want to
15 build it if -- I mean, that's why I'm proposing it. I ain't
16 sure I want to build it without a guarantee that it's going to
17 get paved.
18 COMMISSIONER MILLS: Mm.
19 COMMISSIONER CLARK: There's a lot of roads out in Hill Top
20 that are a lot older than that, that haven't been paved. Don't
21 you think we should pave those before we pave yours? They've
22 been waiting a lot longer.
23 JAY WINTLE: I just run it as a proposal. It don't mean...
24 I mean, the coun- -- it benefits the county.
25 COMMISSIONER MILLS: It does.
26 JAY WINTLE: It benefits the county --
27 COMMISSIONER CLARK: Yeah, it does.
28 JAY WINTLE: -- greatly. I'm building 1700 feet of road
29 that I have no interest in, as long as the other people. The
30 right-of-way's there. And it benefits my development to have it
31 paved. But if you're not paving it, I -- I have no benefit in
32 building that 1700 feet of road or building -- like we discussed
33 before, I've build -- I have about 3,000 foot of road up in --
34 to develop out there. I have no -- to drive it to be built
35 within a calendar year, I'll probably stretch it out five, ten
36 years before it'll be built. It's just that this is so close to
37 being reality, what we've tried to get in that area, I would
38 step up and do -- do a part of it if the county would --
39 COMMISSIONER MILLS: What's the --
40 JAY WINTLE: -- guarantee to step up --

1 COMMISSIONER MILLS: What would it cost to pave that?
2 BERT RAMOS: I don't know. One minute.
3 I'm in full support of us paving it. Trust me. I don't --
4 CHAIRMAN BAKKER: You just don't want a guarantee stamped
5 on it --
6 COMMISSIONER MILLS: Yeah, --
7 CHAIRMAN BAKKER: -- because there's --
8 COMMISSIONER MILLS: -- I don't want --
9 CHAIRMAN BAKKER: -- no --
10 COMMISSIONER CLARK: You can't do --
11 BERT RAMOS: Yeah, --
12 COMMISSIONER CLARK: -- that.
13 BERT RAMOS: -- I'm just --
14 CHAIRMAN BAKKER: -- guarantees.
15 BERT RAMOS: -- I'm just --
16 JAY WINTLE: No, I --
17 BERT RAMOS: -- I'm more worried --
18 JAY WINTLE: -- understand --
19 BERT RAMOS: -- where we stand come --
20 JAY WINTLE: -- that too.
21 BERT RAMOS: -- budget.
22 JAY WINTLE: But, I mean, you understand my point. I hate
23 to throw out what I'm doing without a guarantee that somebody's
24 going to follow through.
25 CHAIRMAN BAKKER: I can guarantee you he'll try.
26 JAY WINTLE: Yeah.
27 BERT RAMOS: Yeah.
28 COMMISSIONER MILLS: We can guarantee we'll maintain it
29 when it becomes a county road.
30 JAY WINTLE: Yeah.
31 BERT RAMOS: About 600,000.
32 Like I say, this is the -- the important part about this is
33 it gives an alternate access to Allen Road, which everybody's
34 been looking for. And this is separate of Round Mountain Drive,
35 which goes to Allen, which is potentially planned to go to Allen
36 when the -- when they get the casino in out here at the
37 reservation. So it's completely separate, gives an alternate
38 loop. I'm in support of it. I just -- I just hate to promise
39 something that we don't know where we stand come budget time.
40 But I'm in full support of it. We've talked to property

1 owners that in the past had problems with the road going on the
2 other side. And there's an agreement in place that this -- this
3 doesn't really affect.

4 This is another way around without causing too much turmoil
5 and helping the whole community.

6 So I'm in full support. I just don't know where we stand
7 --

8 CHAIRMAN BAKKER: We'll see where we're --

9 BERT RAMOS: -- come budget.

10 CHAIRMAN BAKKER: -- at in February.

11 COMMISSIONER MILLS: Yeah. Well, I -- I agree with you.
12 It -- it's just that guarantee of paving part of it that I'm not
13 sure we can.

14 COMMISSIONER CLARK: I like the concept of having access
15 from 305 to Allen Road. It's long overdue. But I -- you know I
16 don't -- there's no guarantees in life, let alone a guarantee of
17 getting a paved road before other dirt roads that we maintain
18 are paved.

19 So --

20 BERT RAMOS: I could guarantee that --

21 COMMISSIONER MILLS: So --

22 BERT RAMOS: -- I'll put in the packet for the
23 budget-setting process. Whether they approve it or not is
24 completely --

25 COMMISSIONER MILLS: Right.

26 BERT RAMOS: -- separate.

27 JAY WINTLE: Do we want to wait to --

28 COMMISSIONER MILLS: Because --

29 JAY WINTLE: -- do we want to wait to -- to the budget? Or
30 we can work it as a mutual agreement to develop this road?

31 COMMISSIONER MILLS: We could. I mean, I don't want to --
32 I don't want to guarantee budget funds before we get to budget.

33 JAY WINTLE: No, I mean.

34 COMMISSIONER MILLS: I just don't have --

35 JAY WINTLE: I mean, not guarantee them, but maybe this is
36 --

37 CHAIRMAN BAKKER: Something that needs to come back --

38 JAY WINTLE: -- six months early, eight months early --

39 CHAIRMAN BAKKER: Yeah.

40 JAY WINTLE: Maybe we ought to come back in six, eight

1 months and try to work together.
2 CHAIRMAN BAKKER: I would say we postpone this till March
3 --
4 COMMISSIONER MILLS: That's -- and that's probably not a
5 bad idea.
6 CHAIRMAN BAKKER: Um.
7 COMMISSIONER MILLS: Because I don't want to make you a
8 guarantee and then not --
9 JAY WINTLE: Well, I --
10 COMMISSIONER MILLS: -- follow through.
11 JAY WINTLE: -- I understand you can't make a -- I
12 understand where you're coming from.
13 COMMISSIONER MILLS: Right.
14 JAY WINTLE: And you understand where I'm coming from.
15 Though without --
16 COMMISSIONER MILLS: Right.
17 JAY WINTLE: -- a guarantee, it would be, you know, --
18 COMMISSIONER MILLS: Right.
19 JAY WINTLE: -- I build the county --
20 COMMISSIONER MILLS: All that --
21 JAY WINTLE: -- 1700 feet of road for just goodwill.
22 COMMISSIONER MILLS: The whole idea behind it's wonderful.
23 It's great. It is beneficial to the county.
24 JAY WINTLE: It mean, it benefits both of us greatly.
25 COMMISSIONER MILLS: Yes.
26 JAY WINTLE: Like I said, benefits me. Then it --
27 COMMISSIONER MILLS: But I don't want to --
28 JAY WINTLE: -- creates that --
29 COMMISSIONER MILLS: Like I said, I don't want to make
30 guarantees we're not --
31 JAY WINTLE: Yeah. I understand that.
32 COMMISSIONER MILLS: -- we don't know that we can follow
33 through on.
34 JAY WINTLE: We ought --
35 CHAIRMAN BAKKER: So --
36 JAY WINTLE: -- to just --
37 CHAIRMAN BAKKER: -- Jay, I -- yeah. I say we come back in
38 March and then we'll revisit it after we -- during our budget
39 process.
40 COMMISSIONER MILLS: During budget process.

1 CHAIRMAN BAKKER: And then we'll see where we sit.
2 JAY WINTLE: Yeah, that won't bother me because I'll
3 probably just build a short section --
4 CHAIRMAN BAKKER: Okay.
5 JAY WINTLE: -- to do what I need to do. And then, like I
6 said --
7 CHAIRMAN BAKKER: Right.
8 JAY WINTLE: -- if we need to extend it out, well --
9 BERT RAMOS: That works.
10 CHAIRMAN BAKKER: And then you'll have your guarantee one
11 way or the other.
12 JAY WINTLE: No, that's what I say. We can --
13 CHAIRMAN BAKKER: Yeah.
14 JAY WINTLE: -- sit down with a guaran- -- you know, we can
15 get down to budget. We can go write down --
16 CHAIRMAN BAKKER: Yeah, --
17 JAY WINTLE: -- a --
18 CHAIRMAN BAKKER: -- so --
19 JAY WINTLE: -- guarantee letter that we're both going
20 to --
21 COMMISSIONER WAITS: As far as the agenda item too, it
22 doesn't say "additional." It said to develop Faded Sage Drive
23 and at which time the county will take over maintenance of the
24 completed road and all other matters.
25 So I'm caught a little off guard too because I didn't --
26 JAY WINTLE: Yeah --
27 COMMISSIONER WAITS: -- know. I didn't know.
28 JAY WINTLE: Well, I'm off guard. That ain't what we --
29 COMMISSIONER WAITS: I didn't know you wanted to pave it.
30 JAY WINTLE: Bert kind of discussed --
31 COMMISSIONER WAITS: And I thought we'd already approved
32 this once. So I went, What's the problem here? But if -- I
33 mean, we -- we can make a motion on exactly the way it stays.
34 But that's not going to completely change that.
35 JAY WINTLE: No, it's not going to --
36 COMMISSIONER WAITS: So I agree --
37 JAY WINTLE: I mean, --
38 COMMISSIONER WAITS: -- with my fellow commissioners.
39 We'll just wait and put it. And -- and I'm sure you know from
40 the conversation, it'll be a priority for us. We'll

1 certainly --
2 JAY WINTLE: No.
3 COMMISSIONER WAITS: -- see what we can do to try and
4 complete that because it sounds really, really something we
5 could do.
6 COMMISSIONER MILLS: Right.
7 CHAIRMAN BAKKER: Okay.
8 COMMISSIONER WAITS: Thank you.
9 JAY WINTLE: Okay, thanks.
10 CHAIRMAN BAKKER: Thank you, guys.
11 COMMISSIONER MILLS: Thank you.
12 COMMISSIONER CLARK: Thank --
13 CHAIRMAN BAKKER: Thanks, --
14 COMMISSIONER CLARK: -- you.
15 CHAIRMAN BAKKER: -- Jay.
16 BERT RAMOS: Here you go, Jay.
17 JAY WINTLE: Thank you.
18 CHAIRMAN BAKKER: Mr. Forgeron, do I need a motion to table
19 that until budgets?
20 DEPUTY DISTRICT ATTORNEY HY FORGERON: (Indiscernible.)
21 CHAIRMAN BAKKER: Okay.
22 DEPUTY DISTRICT ATTORNEY HY FORGERON: (Indiscernible.)
23 CHAIRMAN BAKKER: I'll entertain a motion.
24 COMMISSIONER MILLS: I'll make a motion to table Agenda
25 Item 7 until budget time.
26 COMMISSIONER WAITS: I'll second that motion.
27 CHAIRMAN BAKKER: Doug made a motion. Patsy seconded.
28 Public comment?
29 (No comment.)
30 CHAIRMAN BAKKER: All in favor?
31 COMMISSIONER MILLS: Aye.
32 CHAIRMAN BAKKER: Aye.
33 COMMISSIONER WAITS: Aye.
34 COMMISSIONER CLARK: Aye.
35
36 8) Discussion and possible action to approve/disapprove the
37 public works director to begin negotiations with Newmont for
38 their dewatering program to assist in the purchase of two (2)
39 pond liners, and all other matters properly related thereto.
40

1 CHAIRMAN BAKKER: Mr. Ramos.
2 Number 8. Discussion and possible action to
3 approve/disapprove the public works director to begin negotiations
4 with Newmont for their dewatering program to assist in the
5 purchase of two pond liners, and all other matters properly
6 related thereto.

7 BERT RAMOS: Okay. So since this is negotiations, I hate
8 to put direct deals on it because maybe they won't even want to
9 negotiate.

10 Is what I need first is approval to go start maybe going
11 down this path with Newmont. Is what I'm looking for is to --
12 some of our old leach ponds that we had out here at the
13 wastewater facility, the sewer treatment plant, I would like to
14 line with pond liners.

15 And in return, maybe we could do some -- the mine does a
16 dewatering program every year. They pay a company to haul water
17 off from their -- from the mine to -- when -- during the winter
18 months, when the evaporative ponds can't hold what they need to
19 haul off.

20 So I would like to be able to store some of their water for
21 them there and let it evaporate in the summer in return for our
22 ponds being lined. And the benefit to that is, is when we
23 decant or -- all of our effluent from our wastewater treatment
24 plant, the water that goes out after it's been treated, if we
25 have a problem with our plant in the winter, say the bugs die or
26 whatever the problem may be, we have to put that water in these
27 holding ponds. And it's fine in the summer because we get
28 plenty of evaporation. But if we have a long-term problem in
29 winter, we can overflow our evaporation ponds. Then we have a
30 problem with state, as far as where we're going to put this
31 treated water that isn't perf- -- that still has some
32 contamination in it.

33 So it would give us backup where we can -- we could decant
34 into ponds all winter long if ever need be and potentially can
35 get it done for us for no cost.

36 COMMISSIONER WAITS: Just for clarification, let me see if
37 I missed something here.

38 There's a problem in the wintertime with evaporation, for
39 not only us but also the mine.

40 BERT RAMOS: Uh-huh.

1 COMMISSIONER WAITS: So we're saying, if you help us with
2 the liners, we'll take some of your water in the wintertime?

3 BERT RAMOS: Yep.

4 COMMISSIONER WAITS: And then that will take maybe one --
5 one pond. And then we'll have an extra pond for us.

6 BERT RAMOS: Hopefully. And even if we have to not have an
7 extra pond for, say, a year or two, whatever -- whatever,
8 however, if -- like I say, it's all for negotiation. I just
9 wanted to come to you guys first.

10 CHAIRMAN BAKKER: So you'll bring it back with the
11 negotiated terms --

12 BERT RAMOS: With --

13 CHAIRMAN BAKKER: -- when --

14 BERT RAMOS: -- with --

15 CHAIRMAN BAKKER: -- it's all approved.

16 BERT RAMOS: -- some different terms. It'll probably come
17 back in front of you many times. But my thoughts are, if we
18 have to survive the way we are right for now for a year or two
19 and -- and kind of just hope that we don't have any major
20 problems with our wastewater treatment plant, like we have
21 for -- in years past. And we work with NDEP and they work with
22 us pretty well. But this just gives us a bigger room for error.

23 COMMISSIONER WAITS: Well backup.

24 BERT RAMOS: Exactly.

25 COMMISSIONER WAITS: No, I understand that. But I was just
26 clarifying that we both have the problem. We're going to do
27 the -- if they do the liners for us, we're going take their
28 water, but not all their water. We're going to have an extra
29 pond for us. That's what I'm saying.

30 BERT RAMOS: Oh, yes.

31 COMMISSIONER WAITS: That's what I was trying to clarify.

32 BERT RAMOS: Oh, yes. We're going to have to have --

33 COMMISSIONER WAITS: Two ponds.

34 BERT RAMOS: We're going to have to have --

35 COMMISSIONER WAITS: We'll take one of --

36 BERT RAMOS: -- additional --

37 COMMISSIONER WAITS: -- theirs.

38 BERT RAMOS: -- room. I mean, it wouldn't make much sense
39 if we didn't add any room for ourselves. That's --

40 COMMISSIONER WAITS: Okay.

1 BERT RAMOS: -- that's the plan.
2 COMMISSIONER MILLS: How --
3 COMMISSIONER WAITS: Thank you.
4 COMMISSIONER MILLS: -- how big are these ponds?
5 BERT RAMOS: A few million gallons apiece.
6 COMMISSIONER MILLS: Oh, okay.
7 CHAIRMAN BAKKER: Take a lot of water.
8 BERT RAMOS: Uh-huh.
9 COMMISSIONER WAITS: Do you have any idea of what -- what
10 the liners cost?
11 BERT RAMOS: Not --
12 COMMISSIONER WAITS: Approximate?
13 BERT RAMOS: Depend- -- depending on the -- the mil -- the
14 thickness of the liner. And then there's a bunch of different
15 factors as far as how -- how you're going to tie the ponds
16 together and things that -- that make the price vary from --
17 COMMISSIONER WAITS: But you'll have --
18 BERT RAMOS: -- one place to another --
19 COMMISSIONER WAITS: -- that all checked out when you come
20 back?
21 BERT RAMOS: Yeah. Rough -- rough number -- and like I
22 say, I hate to put numbers on things because they're so subject
23 to change and depending on, like I say, the thickness of the
24 liner, but roughly \$300,000 apiece.
25 COMMISSIONER WAITS: Thank you.
26 BERT RAMOS: It's just a real rough number.
27 CHAIRMAN BAKKER: Thank you, Bert. I think it's a great
28 idea. But with that, can -- I'll entertain a motion.
29 COMMISSIONER MILLS: I make a motion to allow the public
30 works director to begin negotiations with Newmont for a
31 dewatering program.
32 COMMISSIONER CLARK: Well, I'll second it.
33 CHAIRMAN BAKKER: Doug made a motion. Art seconded.
34 Any public comment?
35 (No comment.)
36 CHAIRMAN BAKKER: All in favor?
37 COMMISSIONER MILLS: Aye.
38 CHAIRMAN BAKKER: Aye.
39 COMMISSIONER WAITS: Aye.
40 BERT RAMOS: Thank you very much.

1 COMMISSIONER CLARK: Aye.
2 COMMISSIONER WAITS: Thank you, --
3 CHAIRMAN BAKKER: Art?
4 COMMISSIONER WAITS: -- Bert.
5 COMMISSIONER CLARK: Aye.
6 COMMISSIONER WAITS: Appreciate your vision on that.
7 COMMISSIONER CLARK: Aye. Aye, aye, aye.
8 CHAIRMAN BAKKER: Thank you.
9
10

11 **UPDATES**

12
13 9) **Update from human resources director regarding her duties and**
14 **all other matters properly related thereto.**
15

16 CHAIRMAN BAKKER: Nine. Update from human resources
17 director regarding her duties and all other matter properly
18 related thereto.

19 BECKY JOHNSON: Good morning.

20 COMMISSIONER CLARK: Good morning, Becky.

21 CHAIRMAN BAKKER: Good morning.

22 COMMISSIONER MILLS: Good --

23 COMMISSIONER WAITS: Good --

24 COMMISSIONER MILLS: -- morning.

25 COMMISSIONER WAITS: -- morning.

26 BECKY JOHNSON: Becky Johnson, HR.

27 So since my last update, I've currently been in review of all
28 of our personnel files.

29 The last audit that we had by POOL/PACT was actually when
30 the HR director prior to Joy was here. So we're about due to
31 have an audit through POOL/PACT and make sure that everything is
32 in order.

33 We also will be going through an audit with the Department of
34 Public Safety on our fingerprints. They come in every few years
35 and make sure I'm maintaining everything to their standards. So
36 we'll be going through that.

37 Bert and I did interviews yesterday in Austin for the
38 Maintainer 2 position. We did make an offer. The gentleman
39 accepted. And he will be starting October 3rd.

40 And we currently have a landfill full-time gatekeeper ad

1 that is running. It will close September 13th at 4:00 p.m. and
2 then we'll proceed with interviews.
3 And that's what I have --
4 COMMISSIONER CLARK: If --
5 BECKY JOHNSON: -- right now.
6 COMMISSIONER CLARK: -- if you put this, like, in a song
7 format, would it be easier for you?
8 BECKY JOHNSON: Absolutely. I don't know why it's so hard
9 for me in front you guys when I can get on stage and be so
10 comfortable. I don't know.
11 COMMISSIONER CLARK: We're your audience, Beck.
12 BECKY JOHNSON: Yeah. If I could sing it, I'd be good.
13 COMMISSIONER CLARK: Okay.
14 BECKY JOHNSON: So...
15 COMMISSIONER WAITS: Music -- music in the background help
16 at all?
17 BECKY JOHNSON: It might. Yeah.
18 COMMISSIONER WAITS: We'd love it.
19 BECKY JOHNSON: Yeah. Is there any --
20 COMMISSIONER MILLS: So just curious. We just went through
21 a change in insurance and that's all done and --
22 BECKY JOHNSON: Finally.
23 COMMISSIONER MILLS: -- we're -- we're okay on that?
24 Everybody's --
25 BECKY JOHNSON: I've had some good reviews and some bad
26 reviews. A lot of our employees are really enjoying the fact
27 that there an HMO and a PPO in one --
28 COMMISSIONER MILLS: Okay.
29 BECKY JOHNSON: -- plan. Prominence has been very good
30 about making sure our employees know that, hey, we need to
31 switch to HMO to -- to save you some money.
32 So I'm very happy with it.
33 COMMISSIONER MILLS: Good.
34 BECKY JOHNSON: Yes.
35 COMMISSIONER WAITS: How about the information on Summit?
36 Has that gone out in our payroll or anything to all of our --
37 KEITH WESTENGARD: Not yet.
38 BECKY JOHNSON: It is going to be going through the --
39 COMMISSIONER WAITS: -- employees.
40 BECKY JOHNSON: -- paper. I received an email from Gina.

1 And they're going to be doing a press release. And she was
2 wanting to know exactly, you know, how we wanted to do it. So I
3 gave her some outlets that we use.

4 So that'll be getting out to our --

5 COMMISSIONER CLARK: Yeah, because I've --

6 BECKY JOHNSON: -- citizens of Lander County.

7 COMMISSIONER WAITS: Appreciate for the whole county, but
8 I'm saying as far as our employees? Can we put something in
9 like the payroll checks or something? The little --

10 BECKY JOHNSON: I most certainly can. I have not --

11 COMMISSIONER WAITS: -- a little flyer --

12 BECKY JOHNSON: -- as of --

13 COMMISSIONER WAITS: -- with --

14 BECKY JOHNSON: -- this date. But --

15 COMMISSIONER CLARK: I'm -- I'm really interested in the
16 additional \$35 that you pay. And then you're covered
17 nationwide.

18 I'd like to get that paperwork out --

19 BECKY JOHNSON: Okay.

20 COMMISSIONER CLARK: -- to everybody too. I know I'll sign
21 up for it. Just unbelievable what this has transformed into.

22 BECKY JOHNSON: Okay.

23 CHAIRMAN BAKKER: Any other questions?

24 COMMISSIONER MILLS: Nope.

25 CHAIRMAN BAKKER: Okay. Thank --

26 COMMISSIONER MILLS: Thank --

27 CHAIRMAN BAKKER: -- you, --

28 COMMISSIONER MILLS: -- you.

29 CHAIRMAN BAKKER: -- Becky.

30 BECKY JOHNSON: It was --

31 COMMISSIONER CLARK: Thank you.

32 BECKY JOHNSON: -- painless. Yes. Thank you.

33 COMMISSIONER CLARK: Painless.

34 COMMISSIONER MILLS: She lived.

35
36 **10) Update regarding the status of the Battle Mountain**
37 **Recreational Center project and all other matters properly**
38 **related thereto.**
39

40 CHAIRMAN BAKKER: Update regarding the status of the Battle

1 Mountain Recreational Center project and all other matters
2 properly related thereto.

3 COMMISSIONER MILLS: Oh. I talked to Casey yesterday.
4 He's indicated that he probably wouldn't be here today.

5 But I'll just follow up with a -- after my meeting with him
6 yesterday, again, with the steel building, that it was -- it was
7 delayed for five weeks. And we got that back in line, which is
8 wonderful.

9 So we're -- no delays in the schedule and everything's going
10 pretty well.

11 Again, they're going to be pouring cement around the
12 perimeter of the pool tomorrow.

13 And then on Monday, they're going to do -- they're going to
14 gunite the actual pool, begin doing that process, and that will
15 take several days. And on that, everything's going well. I think
16 they're all on schedule.

17 CHAIRMAN BAKKER: Yeah, it looks good.

18 COMMISSIONER MILLS: Although the bad news is there was a
19 drop in our safety rating to 92 percent. Figured you'd be happy
20 about that one. Huh?

21 So they're working on that.

22 CHAIRMAN BAKKER: Thank you, Doug. Appreciate it.

23 Any public comment?

24 (No comment.)
25

26 **11) Update from the state health nurse regarding clinic**
27 **operations and all other matters properly related thereto.**
28

29 CHAIRMAN BAKKER: Eleven. Update from the state health
30 nurse regarding clinic operations and all other matters properly
31 related thereto.

32 ABBY BURKHART: Good morning.

33 CHAIRMAN BAKKER: Good morning.

34 COMMISSIONER WAITS: Good morning.

35 ABBY BURKHART: Abby Burkhardt, for the record.

36 So we're into my busy time of the year.

37 Kicked off in August with shots for seventh graders and
38 preschool screenings and shots --
39

40 (Cell phone ringing.)

1
2 ABBY BURKHART: -- for kindergarteners. Wiped my fridge
3 clean out. I'm expecting --
4

5 (Cell phone ringing.)
6

7 CHAIRMAN BAKKER: Hold on, Abby.
8 Bert.

9 BERT RAMOS: It's Gene, not me.

10 CHAIRMAN BAKKER: Bert.

11 GENE ETCHEVERRY: (Indiscernible.)

12 BERT RAMOS: Uh-oh.

13 UNIDENTIFIED PARTICIPANT: It's what it sounds like.

14 UNIDENTIFIED PARTICIPANT: Throw that (indiscernible) away.

15 CHAIRMAN BAKKER: Gene. Oh.

16 UNIDENTIFIED PARTICIPANT: And it was loud too. I heard
17 it.

18 COMMISSIONER CLARK: Yeah.

19 See me after the meeting for some detention.

20 UNIDENTIFIED PARTICIPANT: Okay.

21 CHAIRMAN BAKKER: All right, Abby. I'm expecting my
22 shipment of federal vaccine -- federal flu vaccine starting this
23 week to finish up with adult vaccines next week.

24 And I have flu PODS planned for Battle Mountain and
25 Austin-Kingston.

26 Battle Mountain is October 13th from 4:00 p.m. to 8:00 p.m.
27 at the John Peters Health Services Building. It'll be a
28 drive-through clinic.

29 We are using that as a LEPC drill this year. So some
30 things have changed as far as the incident command structure.
31 That's why Kerry Tuckett came to visit you guys about road
32 closures.

33 So just so you guys know, it'll run the same. It's just
34 different people getting involved.

35 Austin-Kingston will be October 26th from 10:00 a.m. to
36 2:00 p.m. at the ambulance barn in Austin.

37 And I'm working with Ann Miles for the Kingston location.
38 I'm not sure yet on her schedule. I don't want to disrupt the
39 clinic. So I'll be in the parking lot, if they're going to be
40 there. If they're not going to be there, we'll probably do it

1 the same as we did last year, inside the clinic.
2 COMMISSIONER WAITS: I'm sorry. The date in Austin again
3 was Aug- --
4 ABBY BURKHART: October 26th.
5 COMMISSIONER WAITS: 26th?
6 ABBY BURKHART: Uh-huh. And I'll partner with EMS so that
7 we can house both of those locations at the same time --
8 COMMISSIONER WAITS: Both places?
9 ABBY BURKHART: -- and get that -- uh-huh.
10 COMMISSIONER CLARK: If we -- if someone should miss the
11 day that you have the drive-through, can they come to your --
12 come to your office and get a shot?
13 ABBY BURKHART: They can. They're just not free after
14 that.
15 COMMISSIONER CLARK: Okay.
16 ABBY BURKHART: I charge a \$20 administration fee for
17 the -- the shots.
18 Also this year at the health fair on October 15th, I'll be
19 setting up a table, offering flu shots for the \$20 administration
20 fee.
21 COMMISSIONER CLARK: How many flu shots do you give out?
22 ABBY BURKHART: I -- it's tough.
23 Last year, my numbers were down, which is why I'm going
24 back to an evening drive-through flu POD this year. It seemed
25 to work better, catch people before they're out of town hunting,
26 sports, and all of that --
27 COMMISSIONER CLARK: Yeah.
28 ABBY BURKHART: -- good stuff for the weekend.
29 COMMISSIONER CLARK: Okay.
30 ABBY BURKHART: So we're going to try that and see if we
31 get a better turnout. Last year, we gave 700 shots in the POD
32 alone. In the clinic, I give at least another 50 to 75 a month
33 throughout flu season.
34 Some people think about February that it's just too late
35 to -- to get it, but it's not. So those are just educational
36 things that I'm working to overcome.
37 COMMISSIONER CLARK: How many do you purchase?
38 ABBY BURKHART: Federally funded, I purchase a thousand
39 every year.
40 COMMISSIONER WAITS: Okay.

1 ABBY BURKHART: But then there's -- there's other --
2 there's private sources as well as what we call VFC, which is
3 vaccines for children. And I can order those monthly throughout
4 the season --

5 COMMISSIONER CLARK: Okay.

6 ABBY BURKHART: -- as needed. So it -- the demand and
7 supply type of thing.

8 COMMISSIONER CLARK: So we're covered.

9 ABBY BURKHART: Uh-huh.

10 COMMISSIONER CLARK: Okay.

11 COMMISSIONER WAITS: Thank you.

12 ABBY BURKHART: I'll send flyers, Patsy, through Keith once
13 I get -- once I work out whether --

14 COMMISSIONER WAITS: Thank you.

15 ABBY BURKHART: -- Kingston will be drive-through --

16 COMMISSIONER WAITS: You can --

17 ABBY BURKHART: -- or walk-through.

18 COMMISSIONER WAITS: -- email it to Miteshell too at --

19 ABBY BURKHART: Okay.

20 COMMISSIONER WAITS: -- the commissioners' office.

21 ABBY BURKHART: Okay. Will do.

22 COMMISSIONER WAITS: Thank you.

23 CHAIRMAN BAKKER: Okay.

24 COMMISSIONER CLARK: Thank you, --

25 CHAIRMAN BAKKER: Public --

26 COMMISSIONER CLARK: -- Abby.

27 ABBY BURKHART: Thank you.

28 CHAIRMAN BAKKER: -- comment?

29 COMMISSIONER MILLS: Thank you.

30 CHAIRMAN BAKKER: Okay. Thanks, Abby.

31 ABBY BURKHART: Thanks.

32
33 **12) Update from Jake Tibbits regarding resource management issues**
34 **and all other matters properly related thereto.**
35

36 CHAIRMAN BAKKER: Number 12 needs to be tabled until next
37 time, Keith.

38 KEITH WESTENGARD: Yes. Due to some scheduling conflicts,
39 we had to rearrange Mr. Tibbits' visit with the commission.

40 I would like to, maybe if we could, take a short break.

1 And then if we could come back and hit Item 16. We do have the
2 Corps and Summit expecting call right around 10:00 to discuss --

3 CHAIRMAN BAKKER: Okay.

4 KEITH WESTENGARD: -- Item 16.

5 COMMISSIONER WAITS: So Jake is going to come in to Austin?

6 KEITH WESTENGARD: No, he'll be coming the end of October.
7 He's going --

8 CHAIRMAN BAKKER: Okay.

9 KEITH WESTENGARD: -- to come to Austin --

10 COMMISSIONER CLARK: October 27th?

11 KEITH WESTENGARD: Yes.

12 COMMISSIONER WAITS: Oh.

13 KEITH WESTENGARD: To the --

14 CHAIRMAN BAKKER: Okay.

15 KEITH WESTENGARD: -- 27th here.

16 CHAIRMAN BAKKER: We're going to take a short break.
17 Austin?

18 MITESHELL LANHAM: Okay.

19 CHAIRMAN BAKKER: Okay. Thank you.

20 KEITH WESTENGARD: Thank you.

21
22 (Break taken between 9:55 a.m. and 10:04 a.m.)
23

24 CHAIRMAN BAKKER: I call this meeting back -- oh, Austin?
25 Are you there?

26 MITESHELL LANHAM: We're here.

27 CHAIRMAN BAKKER: Okay. Call this meeting back to order.
28 And I'm going to jump to -- I'm not jumping anywhere.
29

30 **13) Update regarding the Lander County Administration Building**
31 **and all other matters properly related thereto.**
32

33 CHAIRMAN BAKKER: Update regarding the Lander County
34 Administration Building and all other matters properly related
35 thereto.

36 JUDGE MAX BUNCH: The last time that I come before the
37 commission explaining that we were looking at reheats for
38 certain areas in the building due to the cold weather last year.
39 And so we've had that meeting, again, yesterday. And we are
40 moving forward in that.

1 So I hope you're not cold just because I said that and put
2 your coat on. But this room has a reheat.

3 So there are -- there are seven rooms that need a reheat.
4 There -- the staff bathrooms in the back hallway; the human
5 resources needs a reheat, which also has a conference room next
6 to it that -- that is part of the HR; the assessor's office; and
7 the assessor's elected office; the building department; the
8 treasurer, and the treasurer elected office.

9 So as I understand it from yesterday's meeting, Anna from the
10 Building Department is going to go talk to the assessor and the
11 treasurer to see what time schedule is going to work for them,
12 whether it's going to be during business hours, whether it's going
13 to be after hours, or whether it's going to be on the weekends.

14 So just -- I wanted to be able to update you and let you
15 know. And then if you had any questions -- I know you may have
16 had questions last time and you couldn't say anything because I
17 did it in public comment. But it was only because I only knew 24
18 hours before that. So I wanted to put it on the agenda in case
19 there were any questions from any of you that -- that deals with
20 that. So...

21 COMMISSIONER WAITS: So this will be like real soon?

22 JUDGE MAX BUNCH: This will probably be the first part of
23 October. We've -- we've been working for -- well, since the
24 beginning of summer trying to get the building cool, trying to
25 get everything adjusted. We've spent weekly meetings throughout
26 this whole time to -- to get it done.

27 Also, to get everybody an update, if you -- if an employee or
28 personnel was to come in on a weekend or after hours, there is a
29 thermostat knob -- where's it at? -- back there. If you just turn
30 the thermostat knob a little bit, it will occupy the building and
31 will start up the -- either the air handler or -- or the boiler if
32 it's -- if it needs to throw heat in. So -- but to get air moving
33 around, you just turn the knob. Because we go into unoccupied
34 mode at a certain time to save money.

35 So we're trying to get our -- the building on a schedule.
36 So if you come in on the weekends, the building's a little
37 warmer inside. They're trying to get a set point so that when
38 it hits that set point that the air conditioner or the air comes
39 on automatically to try and keep the building at a certain
40 temperature or between a temperature range of about 68 to 72, 73

1 degrees.

2 So we're trying to keep the building in there. So we're
3 working on a schedule. And we've been doing a lot of tests over
4 the last five weekends. So -- to try and get that down to where
5 we need to be.

6 We had an -- I don't know if Anna said anything. Is Anna
7 here? Anna's not here. Anna and I walked it -- what we call an
8 11-month walk-through with CORE Construction yesterday and the
9 architect. That's 11 month on our warranty on the building. So
10 everything that's happening is -- is under warranty at this point
11 in time. And so we went through, found a few things that -- that
12 they need to fix. And the warranty personnel from CORE
13 Construction was also here.

14 And so we're -- we're trying to get a list together so that
15 there will be some warranty work going on throughout the building.

16 So -- so I wanted to keep you updated as to what was going on
17 as far as that is concerned.

18 CHAIRMAN BAKKER: Okay.

19 JUDGE MAX BUNCH: Any questions from anybody?

20 CHAIRMAN BAKKER: Any questions?

21 COMMISSIONER CLARK: Keep up the good work, Max.

22 JUDGE MAX BUNCH: Okay.

23 CHAIRMAN BAKKER: Yep.

24 Public comment?

25 JUDGE MAX BUNCH: Thank you. Appreciate it.

26 COMMISSIONER WAITS: Thank you.

27 COMMISSIONER MILLS: Thank you.

28 CHAIRMAN BAKKER: Okay.

29 Thanks, Max.

30 Now we got -- we're jumping to 16, Keith?

31 KEITH WESTENGARD: Please.

32 CHAIRMAN BAKKER: I got to call --

33 KEITH WESTENGARD: Both the numbers should be there for
34 someone from the Corps.

35

36 (Attempting to connect by telephone with participants from
37 the Army Corps of Engineers.)

38

39 FEMALE VOICE RECORDING: Sorry, --

40 CHELSEA STEWART RECORDING: -- Chelsea Stewart --

1 FEMALE VOICE RECORDING: -- is not available.

2
3 (Attempting to connect by telephone with participants from
4 Summit Engineering.)
5

6 TOM GALLAGHER: Hello.

7 CHAIRMAN BAKKER: Tom?

8 TOM GALLAGHER: Yeah.

9 CHAIRMAN BAKKER: Hi. We're on your item.

10 TOM GALLAGHER: Okay.

11 CHAIRMAN BAKKER: Hey, hold on.

12 Austin, are you still there?

13 MITESHELL LANHAM: We're still here.

14 CHAIRMAN BAKKER: Okay. Sounds good.

15 TOM GALLAGHER: What does my item say so I address it?

16 CHAIRMAN BAKKER: Haven't quite gotten that far yet.

17 TOM GALLAGHER: Oh. Okay.
18
19

20 **COMMISSIONERS**
21

22 16) **Discussion and possible action regarding the direction to**
23 **proceed with the Battle Mountain levee project and all other**
24 **matters properly related thereto.**
25

26 CHAIRMAN BAKKER: Sixteen. Discussion and possible action
27 regarding the direction to proceed with the Battle Mountain
28 levee project and all other matters prop- -- all other matters
29 related thereto.

30 TOM GALLAGHER: Okay.

31 CHAIRMAN BAKKER: Chelsea is not on the -- and Chelsea
32 didn't pick up so she's not on the phone.

33 TOM GALLAGHER: Okay.

34 CHAIRMAN BAKKER: Not that -- it's not a big deal. So --

35 KEITH WESTENGARD: So this -- this --

36 TOM GALLAGHER: I --

37 KEITH WESTENGARD: -- is a result of --

38 TOM GALLAGHER: -- (indiscernible) --

39 KEITH WESTENGARD: -- this -- Tom, --

40 TOM GALLAGHER: I --

1 KEITH WESTENGARD: -- this is a result --
2 TOM GALLAGHER: I think --
3 KEITH WESTENGARD: -- of our meeting we had the other day
4 to have the commission decide if we're going to continue with
5 the Army Corps or if we're going to continue with your proposal
6 to move the levee completely out of Corps jurisdiction and into
7 county jurisdiction. And with that, I'll let you take -- take
8 the floor.
9 TOM GALLAGHER: I can't really hear Keith.
10 CHAIRMAN BAKKER: I know. It's hard to hear. When we did
11 that special, it was hard to hear too.
12 TOM GALLAGHER: Okay.
13 KEITH WESTENGARD: This -- Tom, this is just a result of
14 the meeting that we had the other day with the Army Corps and
15 you to take --
16 TOM GALLAGHER: Oh.
17 KEITH WESTENGARD: -- the direction of -- or let the
18 commission decide the direction, if we're going to continue with
19 the Corps, defund the Corps -- or defund the project, or if
20 we're going to have them look at your proposal moving the levee
21 completely onto county property, completely off of the Corps
22 jurisdic- -- or out of the Corps jurisdiction. And with that,
23 I'll let you take over.
24 TOM GALLAGHER: Okay. Since that meeting -- and Keith was
25 involved and I think Doug was on the phone -- we -- we talked
26 with (indiscernible), I think. We talked with FEMA. Had a
27 conference call with FEMA.
28 And I -- personally, I'm here with Clint Thiesse and Mateo
29 Franzoia, who are both working on this project.
30 I didn't hear any real showstoppers out of FEMA, unless one
31 of you guys heard something that was -- that was scary.
32 So we -- we proceeded with the preliminary idea of moving
33 the levee out of Corps jurisdiction. And -- and we've looked at
34 two alternatives. One of them is the one that you got from me
35 the last time I was at the meeting. The other one is
36 straightening out the loop in the middle between 304 and maybe
37 even between -- oh, clear between the railroad and Interstate
38 80.
39 That cuts the length of the levee down quite a bit. And it
40 adds about 14 acres of land out of the floodplain that the county

1 owns right now and gets it completely away from the houses that
2 the Corps was questioning. So we're -- we're going along those
3 two tracks.

4 Going to be a meeting in Oakland with FEMA next Tuesday to
5 run this whole thing by them and see what they think.

6 In regards of staying with the Corps or going this route, I
7 don't know who's going to live long enough to have anything
8 result from the Corps' participation in this thing. I hate to
9 say that, but I -- that's definitely the way I feel.

10 CHAIRMAN BAKKER: I agree. My grandkids will be dealing
11 with this.

12 TOM GALLAGHER: Yeah. Yeah.

13 CHAIRMAN BAKKER: Tom, there was one question. The only --
14 the culvert under 80. Did you guys --

15 TOM GALLAGHER: Right.

16 CHAIRMAN BAKKER: -- did you guys have a design or anything
17 in mind so far?

18 TOM GALLAGHER: Well, we're talking about putting wing
19 walls on it.

20 CLINT THIESSE: Basically a flood wall.
21 Couple-hundred-foot flood wall in lieu of the levee at those
22 locations.

23 TOM GALLAGHER: To divert it into the culvert and stay as
24 far away from Corps jurisdiction as we possibly can.

25 CHAIRMAN BAKKER: Hey, Tom, who just talked? I need them
26 to state their name, please.

27 TOM GALLAGHER: It's Clint Thiesse.

28 CHAIRMAN BAKKER: Okay. You got that?

29 COUNTY CLERK SULLIVAN: Casie?

30 CHAIRMAN BAKKER: Casie?

31 KEITH WESTENGARD: Thiesse.

32 TOM GALLAGHER: Thiesse. T- --

33 KEITH WESTENGARD: T- --

34 TOM GALLAGHER: T-H-I-E-S-S-E.

35 CHAIRMAN BAKKER: T-H-. Did you get that, Sadie?

36 Okay. Thank you.

37 TOM GALLAGHER: Okay.

38 CHAIRMAN BAKKER: Um.

39 TOM GALLAGHER: Um.

40 CHAIRMAN BAKKER: Okay. I mean as long as there's a design

1 for that. Because I know that would probably be the only
2 hang-up --

3 TOM GALLAGHER: Right.

4 CHAIRMAN BAKKER: -- as far as Corps and jurisdiction. I
5 would hate to build it and them come in and say, oh, tough.
6 So...

7 TOM GALLAGHER: Well, I think -- and that's the reason that
8 I was on the phone with Amodei's office in Washington. I talked
9 to Jason Reader about this thing and told him we may need some
10 assistance if we end up touching the existing levee, which he --
11 I -- I think they feel pretty positive about.

12 And we also may need some assistance in achieving funding
13 from FEMA, which I know I owe Rex Massey a call. He called me
14 back, and then this weekend kind of got in the way. But I will
15 give him a call sometime today and give him a heads-up of
16 where -- where we are and what we're planning on doing, if it's
17 the direction of the commission.

18 You know this -- this is -- this is not a -- a done deal to
19 follow our recommendation. But I think -- it's like I told you
20 before, if we're not going to do anything, then we ought to get
21 somebody else to do it because I don't do that very well.

22 CHAIRMAN BAKKER: No, I hear you. So...

23 TOM GALLAGHER: I think we did get a break out of the
24 Corps. We did get their topo the other day. Have we put that
25 together with our topo to be sure it's the same?

26 MATEO FRANZOIA: Yeah, I -- I brought it in. This is Mateo
27 Franzoia speaking now.

28 TOM GALLAGHER: And you brought it in? And it matches?

29 MATEO FRANZOIA: Yeah. Yeah. Yeah.

30 CHAIRMAN BAKKER: Hey, Mateos, will -- what's your last
31 name?

32 MATEO FRANZOIA: Franzoia, F-R-A-N-Z-O-I-A.

33 CHAIRMAN BAKKER: Okay. Our transcriber's going to need it
34 so...

35 MATEO FRANZOIA: No worries.

36 I brought it in. It only shows the flood area. It doesn't
37 match with our entire topo because don't -- we have a larger
38 boundary. But otherwise there's a one-hundredth-of-a-foot
39 difference, average difference over the whole area, which is
40 not --

1 TOM GALLAGHER: It's --
2 MATEO FRANZOIA: -- very large.
3 TOM GALLAGHER: Not even a design concern or consideration.
4 And I don't think FEMA has any problem with what we're doing.
5 Right now, now that we finally have their topo, we can use either
6 one.
7 I have not gotten any of their hydrology yet, which it was my
8 indication in that meeting they were going send to us.
9 CHAIRMAN BAKKER: Right.
10 I would say we move forward. You -- you've got a meeting
11 with FEMA next week. Is what you said? Or next month?
12 TOM GALLAGHER: Tentatively scheduled for Tuesday, I
13 believe --
14 CHAIRMAN BAKKER: Okay.
15 TOM GALLAGHER: -- in Oakland.
16 CHAIRMAN BAKKER: And I would say --
17 TOM GALLAGHER: If any of you --
18 CHAIRMAN BAKKER: -- as long as --
19 TOM GALLAGHER: -- want to go to Oakland.
20 CHAIRMAN BAKKER: -- FEMA -- no, I'm good. As long as
21 FEMA signs off on it, I would say it's the cheaper route to go
22 anyway. Wouldn't you --
23 COMMISSIONER MILLS: Yes.
24 CHAIRMAN BAKKER: -- agree, Doug?
25 COMMISSIONER MILLS: There are -- there are a couple points
26 I would like to bring up from our discussion with the Corps.
27 In -- in -- in some of the delays that we're getting from Corps
28 in -- in getting this thing constructed.
29 They came out and did a cultural survey. And they found 60
30 cultural artifacts on the site. So I asked them, what is -- what
31 is a cultural artifact? What does that mean?
32 And they said that's anything that they find out there that's
33 over 50 years old. And what they found was trash. And they had
34 to take a picture of and catalog each piece that they found.
35 And I was -- I was -- I was actually -- at first I was kind
36 of embarrassed that we had trash that had been sitting out there
37 for 50 years. And then I found out that actually that was part of
38 a dump site at one time, which I didn't --
39 COMMISSIONER CLARK: Yeah.
40 COMMISSIONER MILLS: -- know. So that -- they had to go

1 through and catalog each piece of culture that they found out
2 there.

3 We also found out that the Corps of Engineers will not raise
4 Front Street. We will have to do that ourselves. Because, of
5 course, Front Street will have to go over the levee.

6 We -- we don't want to go through the levee because that
7 just creates other problems. So it'd have to be raised.

8 CHAIRMAN BAKKER: You don't want a big hole right there?

9 COMMISSIONER MILLS: No, that doesn't help. So Corps will
10 not deal with the road. We would have to do that ourselves
11 anyway, which we're planning to do with the project that Summit
12 is working on.

13 TOM GALLAGHER: It also won't touch of any of the
14 utilities. Pardon me for inter- -- interrupting, Doug.

15 COMMISSIONER MILLS: Right.

16 CHAIRMAN BAKKER: Now who --

17 COMMISSIONER MILLS: Also --

18 CHAIRMAN BAKKER: -- owns Front Street?

19 COMMISSIONER MILLS: -- if -- if they don't raise -- if
20 they don't raise Front Street, then the Corps of Engineers views
21 the levee as an incomplete project because they -- they will
22 have not have raised the road. And it's an incomplete project
23 if they don't raise it, which throw -- that's a whole catch-22
24 situation there.

25 Their plan is to raise the existing levee one foot in height
26 on average and three feet wider at the base.

27 CHAIRMAN BAKKER: Hey.

28 COMMISSIONER MILLS: And that's what they plan on doing.

29 There's a problem with --

30 Oh, okay. So when I'm saying Corps, I mean Corps of
31 Engineers, not -- not CORE construction.

32 All right.

33 There's -- there is a problem with utilities because there
34 are several utilities that are crossing the levee. And Corps of
35 Engineers determined that none of those utilities were permitted
36 to cross the levee. So they would all have to be permitted before
37 they can proceed.

38 That includes -- let's see. There's -- there's six of them,
39 including gas, power -- there's electric -- and the
40 transcontinental fiber-optic cable.

1 COMMISSIONER CLARK: Oh.
2 COMMISSIONER MILLS: And they say if they don't get them
3 permitted, they have to be removed.
4 Well, personally, I'm not -- I don't want to be responsible
5 for removing the transcontinental fiber-optic cable because that
6 would screw up one-half of the country or the other. I don't know
7 which one. But I don't want to be part of that.
8 TOM GALLAGHER: I asked them who we would call to get
9 permission to remove it.
10 COMMISSIONER MILLS: Yeah.
11 TOM GALLAGHER: They didn't know that. So they would have
12 to be permitted.
13 Which I'm sure is not going to be a problem.
14 COMMISSIONER MILLS: Yeah. That won't be a long process.
15 TOM GALLAGHER: No.
16 COMMISSIONER MILLS: There are -- there are several
17 encroachments on the existing levee. And the encroachments
18 are -- are houses that are built too close to the levee.
19 At first Corps said that -- first thing they said was, we
20 don't have to move any houses. We're just going to take
21 people's yards. And then they said, there is one house that
22 we're going to have to move over one foot.
23 Again, our perspective is we don't want to mess with that.
24 We don't want problems with people and their homes and their yards
25 and their houses.
26 The -- and we've talked to Corps several times about changing
27 the shape of the levee. Because if you've seen maps of the levee
28 or seen the levee you know it curves around between the interstate
29 and the railroad track. It doesn't go straight. It curves right
30 up along where the houses are over there.
31 We've talked to them about straightening it out so that we
32 know longer have those encroachment problems. And they're
33 not -- I don't know if they're just not listening or they're
34 just not willing to make those changes. So they --
35 CHAIRMAN BAKKER: They're going to see --
36 COMMISSIONER MILLS: They're insisting that there's
37 encroachments and they're going to have to resolve all those
38 encroachments. It's just --
39 TOM GALLAGHER: Well they said right on the agenda that the
40 levee cannot be moved.

1 COMMISSIONER MILLS: Yeah.
2 TOM GALLAGHER: That was their interpretation.
3 And I don't think they even have any idea of who the
4 ownership is on the side of -- on the water side of the levee.
5 But I'm -- I'm sure they have a line item for --
6 COMMISSIONER MILLS: Right.
7 TOM GALLAGHER: -- some appraiser to go in there and
8 appraise everything and find out how much it costs to move a
9 house one foot or if you're better off tearing down the whole
10 neighborhood or what.
11 CHAIRMAN BAKKER: I think they're all taking bets to see if
12 we'll really do it.
13 TOM GALLAGHER: Well, I know --
14 COMMISSIONER MILLS: So --
15 TOM GALLAGHER: -- the way I'd bet if I was -- if I was
16 going to be betting.
17 CHAIRMAN BAKKER: Right.
18 COMMISSIONER MILLS: The other -- couple -- couple small
19 items. The -- the total area of the levee that they're
20 considering working on is 29 acres.
21 And they did say the levee was built in 1968, the whole
22 historical thing.
23 One of the things they also said is, we -- we talked about
24 this cultural site idea. And they said the levee is now almost a
25 cultural site. It's almost that old. And we've -- we've made
26 zero progress in the last 50 years trying to get this corrected
27 and fixed.
28 So as Tom was saying, if we -- if we continue working through
29 Corps, with the things that they keep finding that are wrong with
30 building the levee -- and -- and again, we're talking about
31 raising the levee one foot and widen the base of it three feet.
32 That's all we're talking about to make the levee correct. And
33 it's just dirt.
34 So the -- the hoops we're jumping through to try to get this
35 accomplished are astounding.
36 One of the other things they've talked about is digging
37 down 60 feet and putting in a -- a wall. It's -- I don't know.
38 It's -- it's --
39 TOM GALLAGHER: Stop the underseepage.
40 COMMISSIONER MILLS: Yeah. For -- for underseepage. So

1 the water doesn't go underneath it, they want to go down 60 feet
2 and put a wall in 60 feet down to keep the water from coming
3 underneath the levee. It's just astounding the things that they
4 want us to do.

5 TOM GALLAGHER: Quite frankly, I'd like to see if we could
6 actually do that, but I'd hate to do it on your nickel.

7 COMMISSIONER MILLS: Yeah.

8 CHAIRMAN BAKKER: Yeah. I don't want to do that on the
9 taxpayer dollar either.

10 TOM GALLAGHER: No.

11 COMMISSIONER MILLS: So we did talk to them. To have -- to
12 have Summit Engineering design and build the levee, I think our
13 -- we don't have a -- a full cost estimate on it yet, but it --
14 for the complete levee from the southern end that's not even
15 started yet all the way to the northern end that -- that goes in
16 on the north end of town beyond the railroad tracks is cheaper
17 than the Corps of Engineers building the section from the
18 freeway to the railroad tracks.

19 They're looking at spending around \$10 million to do that
20 little piece of -- of the levee. And it just makes no sense. It
21 makes no sense at all.

22 TOM GALLAGHER: They're thinking they may be able to apply
23 for funding in 2019. And then I'm not sure how long it takes to
24 get funding approved after that.

25 COMMISSIONER MILLS: Yeah.

26 TOM GALLAGHER: So I -- I know that most of us will be
27 quite a bit older by the time this thing happens, if it ever
28 does with the Corps.

29 COMMISSIONER MILLS: There are -- there are a couple other
30 issues. One is that Corps is saying that they're going -- if --
31 if we don't have them -- if we don't have them build the levee,
32 they're going to send us a bill for some of our share of the
33 work that they've done. And it comes out to about \$400,000.

34 And I told them, I would rather spend \$400,000 of county
35 money to have you not spend \$10 million of our tax monies to build
36 that levee.

37 And then we'll just build the -- the levee ourselves. That's
38 why we're talking about de-authorizing the levee. And by
39 de-authorizing, it means that -- that the Corps of Engineers would
40 drop the levee. They would not be responsible for it anymore.

1 They would just be completely out of the picture.

2 The de-authorization process, they didn't know how it
3 worked. I don't think they've ever de-authorized a -- a project
4 from -- from what they said. It didn't sound like -- they
5 didn't know how to do it. They didn't know how long it would
6 take. They guessed it would take at least a year for them to
7 de-authorize the levee so that they would no longer have
8 anything to do with it. And they would just be out of the
9 picture. Which is what we're seeking to do. To get them out.
10 And we'll just build it ourselves.

11 Part of the reason we want to build the levee is we did
12 some -- we did some rough calculations on what we think it's
13 costing our citizens of our county for flood insurance. And if
14 you -- if you calculated about a -- a thousand or \$1200 a year per
15 household, we're looking at about half a million dollars a year
16 that our county's citizens are paying for flood insurance.

17 And we're trying to reduce those costs or hope -- well, we're
18 expecting to reduce those costs. We don't know if we'll be able
19 to eliminate those costs. But we're looking at reducing those
20 costs.

21 The interesting part of it is that FEMA is the one who has
22 decided that we're in a flood zone and is imposing those flood
23 insurance costs.

24 And the Corps of Engineers and FEMA barely talk to each
25 other.

26 And when Corps of Engineers builds the levee, there's no
27 guarantee that FEMA would accept it because they use different
28 modeling practices and they use different engineering practices to
29 determine what is required to build the levee.

30 So what we're proposing here is that we kind of move Corps
31 out of the picture, build the levee ourselves with direct contact
32 with FEMA, with approvals and whatnot from FEMA, and go directly
33 to FEMA who's imposing those insurance costs on us so that we have
34 more of a guarantee that the levee will actually do what we want
35 it to do.

36 And -- and part of it is that I don't think there's anybody
37 here that ever thinks there's ever going to be a flood here
38 again like there was back in 1962. So in many ways, the levee
39 is a waste completely.

40 We are building a levee to relieve our county citizens of

1 flood insurance costs. We're not really building a levee to
2 protect the town from a flood. Because we don't think there's
3 ever going to be another one.

4 So that's -- that's why we're doing all this.

5 COMMISSIONER CLARK: Was -- was there any discussion about
6 the insurance issue?

7 COMMISSIONER MILLS: Yes.

8 COMMISSIONER CLARK: Because when the Corps came, when we
9 started to get aggressive with this program, they said that it
10 wasn't the government; it was the banks. And that was why they
11 couldn't guarantee us that we would be -- I think it's in an
12 X-zone.

13 COMMISSIONER MILLS: Well, that's -- that -- that all comes
14 through FEMA.

15 Because FEMA's the one that's requiring the flood insurance.

16 CHAIRMAN BAKKER: And they --

17 COMMISSIONER MILLS: Your flood --

18 CHAIRMAN BAKKER: -- classify the --

19 COMMISSIONER MILLS: -- insurance --

20 CHAIRMAN BAKKER: -- the zones.

21 COMMISSIONER MILLS: -- might be through FEMA or through a
22 bank or whatever.

23 COMMISSIONER WAITS: FEMA designates the flood zones.

24 CHAIRMAN BAKKER: Yeah.

25 COMMISSIONER MILLS: Yes.

26 CHAIRMAN BAKKER: That the banks use.

27 COMMISSIONER MILLS: So if FEMA -- if FEMA changes the
28 flood zone designation, that will -- that will relieve us of the
29 flood insurance responsibility.

30 So it all -- it all comes back to FEMA. And if Corps and
31 FEMA don't even work together, it all -- it, again, becomes kind
32 of ridiculous that we're dealing with Corps.

33 COMMISSIONER CLARK: So if we go and we get away from the
34 Army Corps of Engineers on this issue and do it ourselves, we'll
35 be in direct contact with FEMA instead of through the Army
36 Corps --

37 COMMISSIONER MILLS: Right.

38 COMMISSIONER CLARK: -- working with two government
39 agencies, we'll be working with one.

40 COMMISSIONER MILLS: And Tom is already in direct contact

1 with FEMA.

2 COMMISSIONER CLARK: Okay.

3 COMMISSIONER MILLS: He's already contacted them. He's
4 working with them already.

5 COMMISSIONER CLARK: And our costs will be substantially
6 less.

7 COMMISSIONER MILLS: Yes.

8 TOM GALLAGHER: Well, yeah.

9 CHAIRMAN BAKKER: Hey, Tom, when you talk to FEMA, see if
10 they --

11 TOM GALLAGHER: Yeah.

12 CHAIRMAN BAKKER: -- can give us model on -- or well, not
13 even a model. Just see what they would -- after this levee is
14 built, what they would classify our flood zone and how that
15 would affect the banks.

16 TOM GALLAGHER: We'll bring that up with them.

17 CHAIRMAN BAKKER: Okay. And see what they say.

18 TOM GALLAGHER: Yeah.

19 You -- you may still be in the 500-year floodplain. But
20 that's -- you know, most of the planet is.

21 CHAIRMAN BAKKER: Right.

22 TOM GALLAGHER: (Indiscernible) on top of that hill.

23 One -- one ray of sunshine they did bring up when I told them
24 it was taking an extremely long time to accomplish this, they
25 said, this is really nothing at all, that they have levees that
26 they've been working on for 40 years and they still aren't built.
27 So --

28 COMMISSIONER CLARK: Well, and when they do build them,
29 they don't seem to hold up too good where they need them the
30 most, like in Louisiana.

31 TOM GALLAGHER: Well, I think they classified Lander County
32 as little Louisiana, personally.

33 I think they're -- they're really looking for some -- I don't
34 know what they're looking for.

35 I know that a lot of us have been in Nevada for a long time.
36 And I haven't spent a lot of time in Louisiana. But I think the
37 flood risk there is just a touch higher.

38 And I guess with the election coming up, we don't have any
39 idea what kind of funding we'd end up with on the other side of
40 that anyway.

1 CHAIRMAN BAKKER: Right.
2 TOM GALLAGHER: So...
3 CHAIRMAN BAKKER: So...
4 COMMISSIONER MILLS: And just -- just one other point is
5 that we are trying to get a grant from FEMA to help us construct
6 the section between Interstate 80 and the railroad tracks. And
7 I think the number that was thrown out was about \$3 million in
8 grants.
9 TOM GALLAGHER: That's what I've heard is 3 to 3 1/2
10 million.
11 COMMISSIONER MILLS: So that's -- we're looking to get
12 those monies. And then with the fund that we already have for
13 the levee project, we can certainly finish the rest of the levee
14 with the money that we already have.
15 TOM GALLAGHER: I sincerely believe so.
16 COMMISSIONER WAITS: Well, Tom, when you brought this up --
17 shoot. It's been so long now I can't remember -- last year, the
18 year before, whenever, and we were looking at the Corps and how
19 they were dragging their feet and the cost of it.
20 And you said, okay, if we give them this one area to do and
21 then the county pays for all the rest, we can save this much, we
22 can be on target, we can really start moving.
23 So this'll be just a very small portion that you're going
24 to come up and say, we're going to take this away from the
25 Corps; let's just let the county do the whole thing. So that's
26 what you're proceeding to do is to talk to FEMA with that in
27 mind. Is that correct?
28 TOM GALLAGHER: Yes, and -- we did talk to them with that
29 in mind on the phone the other day. But I wanted a face-to-face
30 with -- I wanted our guys to have a face-to-face with FEMA and
31 be sure to let them know what direction we're going.
32 The only -- the major concern I have now is if we straighten
33 that levee out, we would actually be taking undeveloped property
34 out of the flood plain, which FEMA does not -- I guess they
35 don't -- they don't build projects to do that.
36 But I think we can get around that by the difference in
37 construction costs. How much levee did we save going straight
38 across instead of through that loop?
39 UNIDENTIFIED PARTICIPANT: 1500 feet.
40 TOM GALLAGHER: Cutting 1500 feet out of the levee and

1 putting 14 acres of dry ground that -- that Lander County
2 already owns on the downhill side of the levee.

3 So that's a -- that's a pretty substantial benefit.

4 What's the total length of the levee?

5 UNIDENTIFIED PARTICIPANT: 150- -- I mean fif- --

6 UNIDENTIFIED PARTICIPANT: 150,000. 15,000 feet.

7 TOM GALLAGHER: So we're taking -- we're cutting out 10
8 percent of the length.

9 UNIDENTIFIED PARTICIPANT: So it's -- it's three miles
10 long, basically.

11 TOM GALLAGHER: We're cutting out basically 10 percent of
12 it, if we straighten that loop out. And I'm sure you guys have
13 that or have seen that -- I gave you that drawing the other day
14 that shows that big loop in it.

15 CHAIRMAN BAKKER: Okay.

16 Well, I think -- I'll entertain a motion.

17 COMMISSIONER WAITS: We really don't need a motion right
18 now; do we? He's --

19 CHAIRMAN BAKKER: To give him authorization to proceed with
20 negotiations with FEMA? And --

21 COMMISSIONER WAITS: But he already has all that. And --
22 and I think he knows how we feel. I go, what -- what do you
23 need a motion out of solidify?

24 CHAIRMAN BAKKER: You want to give him authority to keep
25 going down the road he's going or not?

26 COMMISSIONER WAITS: Well, I see no reason to pull that
27 authority. No, he's already got it.

28 KEITH WESTENGARD: Are we going to continue with the Corps
29 of Engineers?

30 COMMISSIONER WAITS: Well, that we don't know till we
31 actually get the figures and he talks to FEMA; right?

32 KEITH WESTENGARD: Yes.

33 COMMISSIONER WAITS: Or we know it's going to be less? You
34 want to make a decision now? Is that what you're saying?

35 I mean, I --

36 CHAIRMAN BAKKER: Doug.

37 COMMISSIONER WAITS: You know, Tom represents us. We gave
38 him -- we pulled out and gave him the authority on many of these
39 meetings.

40 COMMISSIONER MILLS: Uh-huh. Well, we've discussed this at

1 a commission meeting last year and decided to have Summit
2 construct and build the meet- -- or build the levee without the
3 Corps. We've already --

4 COMMISSIONER WAITS: Right.

5 COMMISSIONER MILLS: -- voted on that once.

6 COMMISSIONER WAITS: That's what I said. And then the
7 Corps came back into it. So I -- I don't see any difference.
8 He knows where we are. He's going to bring the figures before
9 us. And then we can decide on the amounts and do the approval
10 with the amounts. I'm okay with it. Whatever you guys want to
11 do.

12 CHAIRMAN BAKKER: Tom?

13 TOM GALLAGHER: Well, I -- I -- I don't get to vote. But
14 anyway.

15 I just want to be sure we have the authorization to move
16 ahead.

17 We're probably going to be talking to Keith about the --
18 we've been working under that contract where we've been working
19 with the Corps and everything else. And we have money left in it.
20 But it's going to take more to get to where we need to be to get
21 this done.

22 And I'll get with my guys, Keith, and find out what that's
23 going to be. Because we didn't plan on redoing all the
24 hydrology and all the rest of that stuff. We thought the Corps
25 was going to do it. But anyway.

26 CHAIRMAN BAKKER: Well, my understanding this agenda item
27 was that you guys wanted to make sure you had the authorization
28 to move forward.

29 TOM GALLAGHER: That's what I -- that's what I want to be
30 sure of.

31 CHAIRMAN BAKKER: That was my understanding.

32 COMMISSIONER WAITS: And I thought that's what we gave you
33 one of the times --

34 CHAIRMAN BAKKER: Well, --

35 COMMISSIONER WAITS: -- and it was --

36 CHAIRMAN BAKKER: -- he just wanted reassurance.

37 COMMISSIONER MILLS: I believe.

38 COMMISSIONER WAITS: Do it again.

39 COMMISSIONER CLARK: Just to be sure.

40 TOM GALLAGHER: Double the pleasure.

1 CHAIRMAN BAKKER: Thank you. Yeah, we will.
2 COMMISSIONER CLARK: I'll make a motion --
3 TOM GALLAGHER: Okay.
4 COMMISSIONER CLARK: -- to proceed with the Battle Mountain
5 levee project on our own.
6 COMMISSIONER WAITS: Through Summit.
7 COMMISSIONER CLARK: Through -- yeah, through Summit.
8 CHAIRMAN BAKKER: Art made a motion.
9 COMMISSIONER MILLS: I'll second.
10 CHAIRMAN BAKKER: Doug seconded. Any public comment?
11 (No comment.)
12 CHAIRMAN BAKKER: All in favor?
13 CHAIRMAN BAKKER AND COMMISSIONER MILLS: Aye.
14 COMMISSIONER WAITS: Aye.
15 COMMISSIONER CLARK: Aye.
16 CHAIRMAN BAKKER: Well, Tom, there's your reassurance, your
17 authorization. And then let's see where this takes us.
18 TOM GALLAGHER: Okay. If it's any help, we all voted yes
19 too so that's...
20 CHAIRMAN BAKKER: I appreciate it, since --
21 COMMISSIONER MILLS: That's good.
22 CHAIRMAN BAKKER: -- you're doing the work.
23 COMMISSIONER WAITS: Appreciate your support there.
24 CHAIRMAN BAKKER: Thanks, Tom.
25 TOM GALLAGHER: All right. Thank you. Bye.
26 CHAIRMAN BAKKER: Okay. Let's move back.
27 Unless, Sammi, you don't want to go to school and -- and you
28 want to just sit here a while.
29 What item was that?
30 SAMMI WILSON: Item five.
31 RUSSELL KLEIN: Five.
32 CHAIRMAN BAKKER: Five.
33
34 5) Discussion and possible action to approve/disapprove the
35 temporary closing of East Front Street and State Route 305,
36 Battle Mountain, Nevada 89820, for the homecoming parade,
37 September 23, 2016, and all other matters properly related
38 thereto.
39
40 CHAIRMAN BAKKER: Okay. Discussion and possible action to

1 approve/disapprove the temporary closing of East Front Street
2 and State Route 305, Battle Mountain, Nevada 89820, for the
3 homecoming parade, September 23rd, 2016, and all other matters
4 properly related thereto.

5 SAMMI WILSON: Yep, my --

6 COMMISSIONER CLARK: Good morning.

7 COMMISSIONER WAITS: Hi.

8 SAMMI WILSON: Good morning.

9 CHAIRMAN BAKKER: Please state your name for the record.

10 SAMMI WILSON: My name is Sammi Wilson. I'm the Battle
11 Mountain student -- student council president.

12 And that's what we want to do. We want to have our annual
13 homecoming parade on September 23rd. And the parade will start
14 at 12:00. And we're asking you guys to close the State Route
15 305 and East Frontage Street.

16 CHAIRMAN BAKKER: Are you sure you want a homecoming
17 parade?

18 SAMMI WILSON: Yes.

19 COMMISSIONER CLARK: Is this -- is this the new principal?

20 SAMMI WILSON: This is our principal. Yeah.

21 COMMISSIONER CLARK: You need to come up and get acquainted
22 too, young man.

23 RUSSELL KLEIN: All right. My name is Russ Klein. I'm the
24 new principal at Battle Mountain High. And --

25 CHAIRMAN BAKKER: How --

26 RUSSELL KLEIN: -- happy to be here.

27 COMMISSIONER WAITS: Welcome to --

28 CHAIRMAN BAKKER: Good morning.

29 COMMISSIONER WAITS: -- Lander County.

30 COMMISSIONER CLARK: Welcome.

31 CHAIRMAN BAKKER: Any questions?

32 COMMISSIONER CLARK: I'll make a motion to approve the
33 temporary closing of East Front Street and State Route 305 for
34 the homecoming parade, September 23rd, 2016.

35 COMMISSIONER MILLS: I'll second.

36 CHAIRMAN BAKKER: Art --

37 COMMISSIONER CLARK: And authorize the chair to sign.

38 CHAIRMAN BAKKER: Okay. Art made a motion. Doug seconded.
39 Any public comment?

40 COMMISSIONER WAITS: I just had a quick one in here. It

1 said this is per the map of the public works director. And I'm
2 looking at the information. It says, traffic control shall be
3 in accordance with the revised map prepared for parades by the
4 Lander County public works director.

5 So have you spoken with our public works director, --

6 SAMMI WILSON: Yes, --

7 COMMISSIONER WAITS: -- Bert Ramos?

8 SAMMI WILSON: -- I have.

9 COMMISSIONER WAITS: And he's putting the map together for
10 you?

11 SAMMI WILSON: I couldn't tell --

12 COMMISSIONER CLARK: It would be --

13 CHAIRMAN BAKKER: Keith will --

14 COMMISSIONER CLARK: -- the same --

15 CHAIRMAN BAKKER: -- make sure that --

16 COMMISSIONER CLARK: -- route we --

17 CHAIRMAN BAKKER: -- he gets --

18 COMMISSIONER WAITS: It's just part of the terms --

19 SAMMI WILSON: Yeah.

20 CHAIRMAN BAKKER: Keith --

21 SAMMI WILSON: Okay.

22 CHAIRMAN BAKKER: -- will make sure it gets taken --

23 COMMISSIONER WAITS: -- so be sure --

24 CHAIRMAN BAKKER: -- care of.

25 RUSSELL KLEIN: As per --

26 COMMISSIONER WAITS: -- you have it.

27 RUSSELL KLEIN: -- last year.

28 COMMISSIONER WAITS: Okay.

29 RUSSELL KLEIN: Can we say that?

30 SHERIFF RON UNGER: I can answer that for her.

31 Ron Unger, sheriff.

32 The map's already been approved. I've signed off on it,
33 fire department, and also Nevada Highway Patrol, I believe DOT.

34 SAMMI WILSON: Yeah.

35 SHERIFF RON UNGER: So it'll go from Etcheverry's. Same
36 way we've taken them every single year.

37 COMMISSIONER CLARK: For every parade.

38 COMMISSIONER WAITS: Yeah.

39 SHERIFF RON UNGER: Every parade.

40 COMMISSIONER CLARK: Yeah.

1 SHERIFF RON UNGER: So...
2 CHAIRMAN BAKKER: Okay.
3 SHERIFF RON UNGER: We'll drop them off right there at the
4 front of the school. So the map's already been approved by
5 those entities.
6 CHAIRMAN BAKKER: Okay. Thank you, Ron.
7 COMMISSIONER WAITS: Thank you.
8 CHAIRMAN BAKKER: Any public comment?
9 (No comment.)
10 CHAIRMAN BAKKER: Okay. All in favor?
11 COMMISSIONER MILLS: Aye.
12 CHAIRMAN BAKKER: Aye.
13 COMMISSIONER WAITS: Aye.
14 COMMISSIONER CLARK: Aye.
15 CHAIRMAN BAKKER: Have fun. Thank you, --
16 SAMMI WILSON: Thank you.
17 CHAIRMAN BAKKER: -- guys.
18 COMMISSIONER WAITS: Have a --
19 RUSSELL KLEIN: Thank you --
20 COMMISSIONER WAITS: -- great one.
21 RUSSELL KLEIN: -- very much.
22 COMMISSIONER CLARK: Good luck.
23 CHAIRMAN BAKKER: Okay. I think we're 14.
24 COUNTY CLERK SULLIVAN: Sean, can I have you sign this
25 (indiscernible) copy?
26 There's two of them.
27 CHAIRMAN BAKKER: What's the date?
28 COUNTY CLERK SULLIVAN: The 8th.
29 CHAIRMAN BAKKER: There's three of them.
30 Or is that --
31 Okay.
32 Okay.
33 SAMMI WILSON: Thank you.
34 CHAIRMAN BAKKER: Thank you, guys.

35
36 **14) Discussion and possible action regarding proposed settlement**
37 **agreement terminating cooperative agreements between Lander**
38 **County, Humboldt County, and Pershing County regarding the**
39 **Humboldt County Juvenile Detention Center, and all other**
40 **matters properly related thereto.**

1 CHAIRMAN BAKKER: Fourteen. Discussion, possible action
2 regarding proposed settlement agreement terminating cooperative
3 agreements between Lander County, Humboldt County, and Pershing
4 County regarding the Humboldt County Juvenile Detention Center,
5 and all other matters properly related thereto.

6 I'm going to refer this to our legal counsel. Maybe.

7 DEPUTY DISTRICT ATTORNEY HY FORGERON: Thank you,
8 Mr. Chairman. I believe that the board members have probably
9 heard quite a bit about the division of the two judicial
10 districts as well as the necessary division of the physical
11 aspects of the, formerly, Sixth Judicial District juvenile
12 department.

13 I hope that you have a copy of the agreement in your packet.

14 The effect of this over the months that the counties have
15 been negotiating with one another is to essentially turn over the
16 real property, that is, the juvenile detention center and
17 administrative offices, which are currently located in Winnemucca,
18 to Humboldt County, free of any claims by Pershing or Lander
19 County in return for certain financial benefits that are outlined
20 in the agreement and to give to the three counties those items of
21 personal property, vehicles, furniture, things like that, that
22 they had in their possession in 2015 so that we're essentially
23 clearing the slate.

24 Humboldt County has their juvenile detention center. We
25 have our juvenile departments. And we will have to be making
26 arrangements for housing of juveniles sometime in the future.

27 The agreement provides that with respect to any juveniles,
28 not those on youth parole, but any juveniles that we may
29 currently have in the detention center, they could continue to
30 be housed at a certain rate, but that the Humboldt juvenile
31 center will not be required to take any of the Eleventh District
32 juveniles in the future, absent some future written agreement
33 between those parties.

34 So we will be in the position, if we execute this agreement,
35 of having cut the cord. And Lander County, along with Mineral and
36 Pershing, for their own juveniles, will be in the position of
37 negotiating with other counties that have juvenile detention
38 facilities for housing our juveniles in the future, hopefully at a
39 much less costly rate than the one Humboldt County wants if we
40 want to continue to use them.

1 The agreement has been executed by Humboldt County. I have
2 three originals that were executed by the Humboldt County
3 Commission as well as their district attorney.

4 My information from Mr. McDonald is that Pershing County
5 has executed theirs along with Bryce having done his execution.
6 That's being forwarded.

7 So the matter before you now is to approve the formal
8 agreement, authorize the chairman to sign. Once all of the
9 signatures have been completed, then each county will record its
10 own copy, and we'll go our separate ways.

11 CHAIRMAN BAKKER: Perfect.

12 COMMISSIONER WAITS: I do have a question on -- on what you
13 just brought up. Actually, it's number 5 under our contract
14 here where you said, if we have a juvenile there now, they'll
15 stay, and we'll pay them the 350 a day. But that --

16 DEPUTY DISTRICT ATTORNEY HY FORGERON: Yes.

17 COMMISSIONER WAITS: -- we need a new contract if we're
18 going to use them.

19 Do not we also use Elko?

20 DEPUTY DISTRICT ATTORNEY HY FORGERON: We can. And that
21 was, I think, the original intention when we first started
22 talking about these negotiations because the rate there is -- or
23 at least at that time. I'm not sure about today, but at least
24 at that time was considerably less than what we would be paying
25 Humboldt County. So we --

26 COMMISSIONER WAITS: Okay, so --

27 DEPUTY DISTRICT ATTORNEY HY FORGERON: -- we have that
28 alternative.

29 COMMISSIONER WAITS: Okay.

30 DEPUTY DISTRICT ATTORNEY HY FORGERON: We have a place --

31 COMMISSIONER WAITS: But --

32 DEPUTY DISTRICT ATTORNEY HY FORGERON: -- to put them.

33 COMMISSIONER WAITS: -- we could. We could go ahead and --
34 and make up a new -- a new contract saying, if we want to house
35 them, we pay 350 a day or whatever. Right?

36 DEPUTY DISTRICT ATTORNEY HY FORGERON: We could do that.
37 Hopefully, if we did that, the rate would be considerably less.
38 But yes, we definitely could negotiate a new agreement.

39 COMMISSIONER WAITS: Okay. Because I'm -- I'm concerned
40 about right now if -- if the district court wants to put them

1 somewhere and we don't have any agreements, we're canceling this
2 one, which we've been doing in process for some time, but what
3 do we have?

4 Do we have Elko right now that we could put them in?

5 DEPUTY DISTRICT ATTORNEY HY FORGERON: We can put them in
6 Elko, yes.

7 COMMISSIONER WAITS: Okay. So we're okay. We're not
8 caught in between and we have to take them home?

9 Okay.

10 DEPUTY DISTRICT ATTORNEY HY FORGERON: Right.

11 COMMISSIONER WAITS: All right. Thank you.

12 COMMISSIONER CLARK: There are other programs available,
13 China Springs.

14 DEPUTY DISTRICT ATTORNEY HY FORGERON: It all depends on
15 where the placements are. Most of our juvenile placements, if
16 they're in detention, are very short term.

17 COMMISSIONER CLARK: Right.

18 DEPUTY DISTRICT ATTORNEY HY FORGERON: They're held
19 overnight or they might be held for a weekend. Not very many of
20 them are on an extended placement in juvenile detention.

21 COMMISSIONER CLARK: Okay.

22 DEPUTY DISTRICT ATTORNEY HY FORGERON: As you indicate, if
23 it's going to be something like that, oftentimes they're
24 placed -- well, they might go clear to NYTC if they're really
25 bad. Or they may go to China Spring or some other placements
26 that would not be the Humboldt County or Elko County juvenile
27 detention.

28 COMMISSIONER CLARK: So we're going to cut the costs
29 considerably --

30 DEPUTY DISTRICT ATTORNEY HY FORGERON: That's our --

31 COMMISSIONER CLARK: -- for the --

32 DEPUTY DISTRICT ATTORNEY HY FORGERON: -- hope.

33 COMMISSIONER CLARK: -- county?

34 DEPUTY DISTRICT ATTORNEY HY FORGERON: Yes, definitely.

35 CHAIRMAN BAKKER: Okay. With that, I'll entertain a
36 motion.

37 COMMISSIONER CLARK: Well, I'll make a motion to settle --
38 or to terminate the cooperative agreement between Lander County
39 and Humboldt County and Pershing County regarding the Humboldt
40 County Juvenile Detention Center.

1 COMMISSIONER WAITS: And authorize.
2 COMMISSIONER CLARK: And authorize the chair to sign.
3 CHAIRMAN BAKKER: Patsy made a motion.
4 COMMISSIONER WAITS: I'll second the motion.
5 CHAIRMAN BAKKER: Or --
6 COMMISSIONER CLARK: Art --
7 CHAIRMAN BAKKER: Art --
8 COMMISSIONER CLARK: -- made --
9 CHAIRMAN BAKKER: -- made --
10 COMMISSIONER CLARK: -- the --
11 CHAIRMAN BAKKER: -- a motion. Sorry. Patsy --
12 COMMISSIONER WAITS: He knew I was --
13 CHAIRMAN BAKKER: -- seconded.
14 COMMISSIONER WAITS: -- going to second. You knew.
15 CHAIRMAN BAKKER: Any public comment?
16 (No comment.)
17 CHAIRMAN BAKKER: All in favor?
18 COMMISSIONER MILLS: Aye.
19 CHAIRMAN BAKKER: Aye.
20 COMMISSIONER WAITS: Aye.
21 COMMISSIONER CLARK: Aye.
22 CHAIRMAN BAKKER: Sorry, Art. Sorry, --
23 COMMISSIONER CLARK: No, that's --
24 CHAIRMAN BAKKER: -- Patsy.
25 COMMISSIONER CLARK: -- fine.

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15) Discussion and possible action to approve/disapprove the memorandum that authorizes Vaisala to transfer contract and payments to DBT Transportation and authorize the chair to sign, and all other matters properly related thereto.

CHAIRMAN BAKKER: Okay. Fifteen. Discussion and possible action to approve/disapprove the mem- -- memorandum that authorizes Vaisala to transfer contract and payments to DBT Transportation and authorize the chair to sign, and all other matters properly related thereto.

KEITH WESTENGARD: Earlier this year, we did enter into a contract with Vaisala for our AWOS, our automated weather systems, at both our airports.

They are -- have sold part of their services to DBT

1 Transportation Services, LLC.
2 This is just a -- a formality for you to okay them
3 transferring the contract to this new company. It doesn't cost
4 us any more. There are no additional costs in it. And I -- the
5 DA's Office has looked it over.
6 COMMISSIONER WAITS: Do you remember when -- when they
7 increased their prices on this --
8 KEITH WESTENGARD: Uh-huh.
9 COMMISSIONER WAITS: -- and they were going to put in some
10 kind of high technology system in Austin and Battle Mountain
11 both for us at no cost, has that --
12 KEITH WESTENGARD: That --
13 COMMISSIONER WAITS: -- that hasn't been done?
14 KEITH WESTENGARD: That has not been done.
15 COMMISSIONER WAITS: Is that something --
16 KEITH WESTENGARD: And --
17 COMMISSIONER WAITS: -- DBT will honor?
18 KEITH WESTENGARD: Yes, Vaisala will honor that as part of
19 the transfer. Yes.
20 COMMISSIONER WAITS: Okay.
21 KEITH WESTENGARD: And it's -- it's a software issue that
22 they're trying to work through. My understanding. Last
23 conversation --
24 COMMISSIONER WAITS: Okay.
25 KEITH WESTENGARD: -- with --
26 COMMISSIONER WAITS: So all terms --
27 KEITH WESTENGARD: -- J-U-B.
28 COMMISSIONER WAITS: -- of our contract stay the same?
29 KEITH WESTENGARD: Yes.
30 COMMISSIONER WAITS: Okay.
31 CHAIRMAN BAKKER: Okay.
32 With that...
33 COMMISSIONER MILLS: I'll make a motion to approve the
34 memorandum that authorizes Vaisala to transfer contract and
35 payments to DBT Transportation.
36 CHAIRMAN BAKKER: And authorize.
37 COMMISSIONER MILLS: And authorize the chair to sign.
38 CHAIRMAN BAKKER: Doug made a motion.
39 COMMISSIONER WAITS: I'll second the motion.
40 CHAIRMAN BAKKER: Patsy seconded.

1 Any public comment?
2 (No comment.)
3 CHAIRMAN BAKKER: All in favor?
4 COMMISSIONER MILLS: Aye.
5 CHAIRMAN BAKKER: Aye.
6 COMMISSIONER WAITS: Aye.
7 COMMISSIONER CLARK: Aye.

8
9
10 **CORRESPONDENCE**

11
12 **17) Correspondence, reports, potential upcoming agenda items.**

13
14 CHAIRMAN BAKKER: Okay. Seventeen. Correspondence,
15 reports, and potential upcoming agenda items.

16
17 (The following correspondence was received:

18 1. Monthly reports to the Lander County Commissioners,
19 July 2016.

20 2. United States Department of the Interior, Bureau of
21 Land Management, Mount Lewis Field Office, decision regarding
22 wild horse and burro program and Rocky Hills herd management
23 area fertility control darting.)

24
25 COMMISSIONER CLARK: I think we all got a copy of the
26 letter sent from the two ladies in Silver Springs on water.

27 I think we're going to cover that with Jake Tibbits. The
28 concern is even on private wells, you're going to have to put a
29 meter. And you may be limited on the amount of water that you're
30 allowed to use.

31 It's going to be a lot of legislative stuff coming up about
32 water. Jake will get it all straightened out, be able to explain
33 all the ins and outs of it.

34 But that's basically what the concern is coming out. The
35 people that don't live and have municipal water, they're going
36 to have to put a meter on their well, and then the state may
37 dictate how much water you get.

38 COMMISSIONER WAITS: That -- that's true. We've been
39 talking about some of the BDRs that our water engineer certainly
40 is putting forth.

1 But most of these refer to the critical management areas.
2 And right now we only have one critical management area, and
3 that's Eureka. And that's why Jake has been invited over to talk
4 to us.

5 So the next one that they're watching so closely -- in
6 order to be a critical management area, you have to be 300
7 percent over appropriated. And so they're looking at Pahrump,
8 which is really some problems.

9 But other than that, we aren't facing that. So we're still
10 going to fight these -- these --

11 COMMISSIONER MILLS: Yeah, once they --

12 COMMISSIONER WAITS: -- laws that the --

13 COMMISSIONER MILLS: -- once these --

14 COMMISSIONER WAITS: -- legislature will be looking at.

15 COMMISSIONER MILLS: Yeah.

16 COMMISSIONER WAITS: Right. And we're all on top of it.

17 So we can reassure them that we're watching that closely
18 with all of the different committees we sit on for water.

19 CHAIRMAN BAKKER: Okay.

20 Anything else?

21 KEITH WESTENGARD: I would like to remind the commissioners
22 that the next meeting, September 22nd, is in Austin.

23 And we have advertised it in the paper. And I would ask Ally
24 to do it again for us. We did it -- we canceled the last one that
25 was supposed to be today, in the paper. And then we readvertised
26 the required length of time in the newspaper, and we're going to
27 go a little bit over that.

28 So...

29 CHAIRMAN BAKKER: Okay.

30 KEITH WESTENGARD: And we have it scheduled for
31 10:00 o'clock in the courthouse in Austin on September 22nd.

32 CHAIRMAN BAKKER: Awesome.

33 Okay. You guys got anything else? Nope.

34 Okay.

35
36
37 **PUBLIC COMMENT**

38
39 CHAIRMAN BAKKER: Public comment for non-agendized items
40 only.

1 Persons are invited to submit comments in writing and/or
2 attend and make comments on any non-agenda item at the board
3 meeting, if any, and discussion of those comments at the
4 discretion of the board. All public comment may be limited to
5 three minutes per person, again at the discretion of the board.
6 Reasonable restrictions may be placed on public comment based
7 upon time, place, and manner, but public comment based upon
8 viewpoint may not be restricted.

9 Any public comment?

10 (No comment.)

11 CHAIRMAN BAKKER: Okay. With that...

12
13
14 **ADJOURNMENT**

15
16 COMMISSIONER CLARK: Make a motion to adjourn.

17 COMMISSIONER MILLS: Second.

18 CHAIRMAN BAKKER: Art made a motion. Doug seconded.

19 Any public comment?

20 (No comment.)

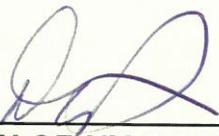
21 CHAIRMAN BAKKER: All in favor?

22 COMMISSIONER MILLS: Aye.

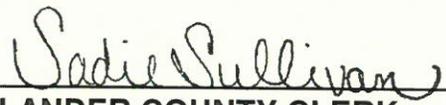
23 CHAIRMAN BAKKER: Aye.

24 COMMISSIONER WAITS: Aye.

25 COMMISSIONER CLARK: Aye.

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30 
31 _____
32 **CHAIRMAN OR VICE CHAIRMAN OF THE**
33 **BOARD OF LANDER COUNTY**
34 **COMMISSIONERS AND THE LANDER**
35 **COUNTY LIQUOR BOARD**

36 ATTEST:

37 
38 _____
39 **LANDER COUNTY CLERK**

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