

The Honorable Board of Lander County Commissioners met in regular session in the Commission Chambers of the Lander County Courthouse in Battle Mountain, Nevada on April 11, 2013 at 9:00 a.m.

PRESENT: **STEVEN STIENMETZ, COMMISSIONER**
 BRIAN GARNER, COMMISSIONER
 DAVID MASON, COMMISSIONER
 PATSY WAITS, COMMISSIONER
 NICOLE TING, DEPUTY DISTRICT ATTORNEY
 ROGENE HILL, FINANCE DIRECTOR
 CATHY MYERS, DEPUTY CLERK

ABSENT: **DEAN BULLOCK, COMMISSIONER**
 SADIE SULLIVAN, CLERK

9:00 A.M.

Vice Chairman Steinmetz called the meeting to order.

Let the record reflect a quorum of four Commissioners.

Donnie Negro led the Pledge of Allegiance.

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

APPROVAL OF AGENDA NOTICE

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

APPROVAL & ACCEPTANCE OF MINUTES

MARCH 13, 2013 – BUDGET WORKSHOP

MARCH 14, 2013 – REGULAR SESSION

MARCH 25, 2013 – SPECIAL SESSION

MARCH 28, 2013 – REGULAR SESSION

Lander County Board of Commissioners

Meeting of April 11, 2013

Commissioner Waits commented there was a correction on the March 28, 2013 minutes. The bottom pages of the minutes reflected the wrong date. The correction had already been made prior to the meeting.

Commissioner Waits moved to approve the March 13th Budget Workshop special session, March 14th regular session, and the March 28th regular session with those corrections. Seconded by Commissioner Mason, the motion was voted and carried.

APPROVED

COMMISSIONER REPORTS

Commissioner Mason was ill for the Planning Commission meeting so he did not have anything to report at this time.

Commissioner Waits reported on her attendance of the Public Lands meeting on April 1, 2013. There are four Counties going for a County resolution. The Counties include Nye, Lander, Eureka, and Esmeralda. A coalition letter is being put together regarding the Recourse Management Plan that will be submitted to BLM. She also attended an informal meeting on April 4, 2013 with the BLM, three representatives (two from the Austin Office), and the Forest Service regarding the Kingston and Austin fire concerns.

Commissioner Stienmetz reported on his attendance of the LEPC meeting on April 9, 2013. The Emergency Response trailer were gone through, and they also approved, with one of the grants, to purchase more SCBAs.

Commissioner Garner reported on his attendance at the Racetrack and Motocross track when they turned the lights on. He said they are amazing and we got our money's worth. Both tracks have taken pride in the track and doing a lot of work to make them look good.

PAYMENT OF THE BILLS

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

STATE OF NEVADA EMPLOYEE'S BENEFITS

Commissioner Garner moved to ratify check #44001 in the amount of \$16,757.43 to State of Nevada. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

Commissioner Garner moved to approve the submitted expenditure in the amount of \$171,446.16 from check 344006 through #44084. Seconded by Commissioner Waits, the motion was voted and carried with Commissioner Mason abstaining from the vote on check

#44044, Commissioner Waits abstaining from the vote on check #44081 and Commissioner Garner abstaining from the vote on check #44009. **APPROVED**

PAYROLL CHANGE REQUEST

1. Employee change request for employee #1356, New Hire, Seasonal Grounds Keeper, \$10.00 per hour, effective April 1, 2013.
2. Employee change request for employee #1207, New Hire, Seasonal grounds Keeper, \$10.00 per hour, effective April 1, 2013.
3. Employee Change Request for employee #1496, Full-time Position, Communications Officer, \$15.71 per hour, effective April 8, 2013.
4. Employee change request for employee #1577, New Hire Network Computer Analyst, \$2,923.08 bi-weekly, effective April 15, 2013.

Commissioner Garner moved to approve. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

PUBLIC COMMENT

No public comment.

FINANCE

- 1) Discussion For Possible Action Regarding Budget Review, Contracts, Financial Update & Other Matters Properly Related Thereto: Rogene Hill, Finance Director, updated the Board the tentative budgets are complete and will be sent to the State today (April 11, 2013). They have been working on negotiations materials with Undersheriff Robert Quick, and creating a game plan for negotiations. The Economic Survey Quarterly Report is also complete and will be sent to the State along with the Budget.

Accounts receivable for the month of March 2013 are as follows:

WATER: \$8,965.00
SEWER: \$12,034.00
WATER & SEWER MISC: \$12.00
LANDFILL: \$20,628.00
AMBULANCE: \$2,475.00

Lander County Board of Commissioners

Meeting of April 11, 2013

ACCTS AT COLLECTIONS: \$15,984.00
TOTAL: \$60,098.00

BUILDING

- 2) **Discussion For Possible Action Regarding Operation & Projects For The Building Department & Other Matters Properly Related Thereto:** Anna Panola, Building Department, updated the Board to update them on the operations and projects of March 2013. They had 19 new permits issued and one non permitted inspection. The Newmont Copper Leach project is ongoing, and future projects include the Old Clark Apartments expansion, Elquist Street Subdivision – Duplex project, Lemaire Road – Duplex project, Old Smith Detroit shop/remodel and addition. In the south County the projects are the Verizon Tower in Austin and the Com-Net tower in Kingston. There are also 11 open construction building permits in the south County. Ms. Panola also stated the Battle Mountain Raceway and Motocross lighting and fencing projects are complete, and L.A. Perks was scheduled to be on site, at the Battle Mountain Airport, to check the fuel system issues that need to be repaired. **UPDATE**

ROAD & BRIDGE SOUTH

- 3) **Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge South Department & Other Matters Properly Related Thereto:** Burt Ramos, Road and Bridge South, (via telephone conference) updated the Board he will be meeting with the Forest Service to flag Gold Park to get the road put in. He attended a pre-construction conference for the water line they will be putting in. they should have that finished before they start paving the Dump Road. Mr. Ramos said all was going well in Austin. **UPDATE**

ROAD & BRIDGE NORTH

- 4) **Discussion For Possible Action Regarding Operations & Projects For The Road & Bridge North Department & Other Matters Properly Related Thereto:** Donnie Negro, Road and Bridge North, updated the Board they are back at Willow Creek hauling product. They have also been hauling on Allen Road, and they have large piles of waste material so they are slopping the shoulders of the roads and building them up. The oil should be arriving within the following week, and they have been spraying weeds. Everything else is going well. **UPDATE**

PUBLIC WORKS

- 5) Discussion For Possible Action Regarding Operations & Projects For The Public Works Department & Other Matters Properly Related Thereto: Jake Edgar, Public Works Foreman, updated the Board that a second attempt to drill for well #9 should begin the week of April 15, 2013. They have received invoices from Carson Pump for the work they have done on Wells #7 and #8. They will get one more bill on the rental of the pumps that are in current use. Mr. Edgar stated they had a huge water leak on the outside of the Jail on April 10, 2012, but they were able to get it fixed. They are getting ready to do the extension on the shop, the cart barn at the golf course has been started, and the gazebo for the golf course is moving slowly. Mr. Edgar has also received the engineered plans for the septic tank at the golf course and the percolation test will be sent to the State. He is still waiting for Hunewill to start the Water and Sewer Project between Fourth, Fifth, Sixth, and Seventh Streets. He has also been working with a gentleman regarding the utilities and water and sewer issues on the Courthouse. There are also some future plans for a multi-family housing complex by the soccer field.

UPDATE

Jake Edgar stated we will not have an Engineer in time to get his projects going, so he is asking the Commission to allow him to go with Day Engineering to get his projects going.

Commissioner Garner and Stienmetz said they would need a proposal. The Commission can approve up to \$50,000.00 before they have to go out to bid for engineering.

DISCUSSION ONLY

- 6) Discussion For Possible Action Regarding The Fourth Installment Of The Rate Increase For Water Billing; Approval Of A Resolution To Modify The Fee Schedule For The Battle Mountain Water System; & Other Matters Properly Related Thereto: Ali Rodriguez, Water and Sewer, asked the Commission to approve this fourth year out of the five years the Board in 2010 to increase the water billing. The sewer will stay the same. This is to offset operational costs.

Ms. Rodriguez explained, for clarification to Commissioner Waits, the sewer and water are billed on the same bill, but they are separated out. She explained the flat rate for sewer is \$38.00 and the new rate for water is \$25.15 if the customer is using 5000 gallons or less. There are no other fees tacked on other than if the usage goes over the 5000 gallons.

Commissioner Garner moved to uphold the price rate increase. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

Commissioner Stienmetz reopened item #5

PLANNING COMMISSION

- 7) Discussion For Possible Action Regarding Acceptance Of The Sheep Creek Road Extension (From Mulligan Approximately 1,900 Feet South) Into Lander County Rural Road System & Other Matters Properly Related Thereto: Jay Wintle requested to finish up the extension on the 1,900 feet of Sheep Creek Road. Hunewill built the road and they worked with the engineer to get it approved. It has gone through the Planning Commission in January 9th with one condition that the cattle guard would be reinstalled and the fence line. It has been done, and Donnie Negro, Road and Bridge North, has approved it.

Donne Negro, Road and Bridge North, said this is good to go, and he complemented Mr. Wintle on a fine job on the road. Mr. Wintle put the utilities across, put the cattle guard across, and this is one of the roads they will pave after the first of July.

Commissioner Mason moved for the Commission to uphold the recommendation of the Planning Commission and the certification of the Engineer, Road and Bridge Foreman, and the Lander County Planning Commission and approve the acceptance of Sheep Creek Road extension, from Mulligan approximately 1,900 feet south, into the Lander County Rural Road System. Seconded by Commissioner Garner, the motion was voted and carried. **APPROVED**

COMMISSIONERS

- 8) Discussion For Possible Action Regarding Approval/Disapproval Of The Interlocal Contract Between Lander County & The Division Of Health Care Financing & Policy (DHCFP) Authorizing The Division Of Welfare & Supportive Services & DHCFP To Provide The Administrative Services Necessary To Implement The Program Of Medical Assistance To Individuals Who Meet Financial & Medical Eligibility Criteria & The County To Provide The Non-Federal Share Of The DHCFP For Medical, Administrative & Transaction Costs Incurred As A Result Of The Medical Assistance Program; & Other Matters Properly Related Thereto: Leah Lamborn, Nevada Department of Health and Family Services, (via telephone conference), explained this is a request to move forward and approve a contract between Lander County and the Division of Health Care Financing and Policy. This is known as the County match program. Counties are responsible for indigent care, and they pay the non-federal share of certain Medicaid expenditures for institutionalized recipients. Due to the passage of SB45 is also includes waiver recipients who meet a level of care that could be institutionalized, but due to these additional waiver services they receive they are able to remain in their home. This

Lander County Board of Commissioners

Meeting of April 11, 2013

contract is a zero dollar contract because it is basically a reimbursement of expenses for a certain population. Ms. Lamborn also stated SB3 looks like it may be moving forward, which reinstates and restores the eight cent cap for Counties. Once the County hits that eight cent cap in revenue the County's obligation to pay anything above that no longer exists.

Commissioner Waits questioned attachment A, #7, where it says "to determine the amount owed by each County for the non-federal share of Medicaid costs including medical claim payments Medicare Part B premiums, Medicare Part D payments, and administration costs and so forth." Commissioner Waits asked if the County is paying everything that Medicare does not pay.

Ms. Lamborn said that was correct, so if the recipients are on Medicare they are due eligible, so they get Medicare and Medicaid, and they pay the Medicare premiums, the co-payments, deductibles, and anything that Medicare does not cover. Then the County is responsible for the non-federal share.

There was discussion on if the County is charged for Medicaid Part A premium.

Commissioner Mason moved to defer.

Commissioner Mason withdrew his motion

Commissioner Garner moved for the County to approve the Interlocal contract between Lander County and the Division of Health Care Financial and Policy (DHCFP) authorizing the Division of Welfare and Supportive Services and DHCFP to provide the administrative services necessary to implement the program of medical assistance to individuals who meet financial and medical eligibility criteria and the County to provide the non-federal share to DHCFP for medical, administrative and transaction costs. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

- 9) Discussion For Possible Action Regarding Approval/Disapproval Of The Racetrack Lease Agreement Between Lander County & The Battle Mountain Stock Car Racing Association For Lease Of The Stock Car Racing Facility Located Next To The Battle Mountain Airport & Other Matters Properly Related Thereto: There was a question from the Board on Lander County being named as an additional insured.

Commissioner Garner explained Ms. Gonzalez needs to call James Brown and get an accord certificate for Lander County as an additional insured.

Angie Gonzalez, Battle Mountain Stock Car Racing Association, (via telephone conference) said she would get one.

Commissioner Garner moved to approve the contract between Lander County and the Racetrack lease agreement. Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

Ms. Gonzalez asked who she gives the accord certificate to. The Board told her to take it to the Clerk's office.

Commissioner Stienmetz reopened this item after item #11.

Rogene Hill, Finance Director, questioned if there was anything in the contract they need to address about the utilities with the new lighting out there. Ms. Hill suggested specifying the Racetrack is responsible for the lighting.

Commissioner Garner stated Ms. Hill is probably right, but the County has never turned on the utilities for the Racetrack. The utilities are in the Racetracks name.

- 10) Discussion For Possible action Regarding Lander County Code 9.12.040 & The Request By Leslie Jorgensen, Battle Mountain High School Teacher Representing The Battle Mountain High School Junior Class, To Extend Curfew Hours For One Hour, form 12:01 A.M. To 1:01 A.M., For The Junior-Senior Prom On Saturday, April 20, 2013 & Other Matters Properly Related Thereto:** Commissioner Garner moved for the Commission to extend curfew to be effective on April 21, 2013 from 12:01 a.m. to 1:01 a.m.

Leslie Jorgensen asked if something could be done so they don't have to come back to do this every year.

Commissioner Stienmetz said they are working on a Resolution that will be put on a future agenda so they would just have to call the Sheriff's Office to get it approved. They are going to try to do this for all special events where the curfew needs to be modified.

Seconded by Commissioner Waits, the motion was voted and carried. **APPROVED**

- 11) Discussion For Possible Action Regarding Approval Of An Agreement Between Lander County & The Nevada Division Of Forestry For Wildland Fire Protection At A Cost Of \$150,000.00 Per Year For Two (2) Years To Be Paid By Lander County & In Return The Division Of Forestry Will Pay Expenses For Qualifying Wildland Fire Suppression Within Lander County & Other Matters Properly Related Thereto:** Commissioner Mason said he doesn't see any dates on this, although he knows it starts July 1st and is for two years. He thinks there should be some dates on the contract.

Commissioner Garner asked Nicole Ying, Deputy District Attorney, if this had been review and is ready to go.

Ms. Ting said it has been reviewed and is ready.

Commissioner Waits shared her concern of the escaped prescribed burns. If a fire gets away from someone then she is concerned the County has to pay for it. Barry Burt, Assistant Fire Management Officer with the Bureau of Land Management, stated in a case like that they should get Law Enforcement involved and do an investigation.

Donnie Negro, Road and Bridge North, explained they will bill the individual on a prescribed burn like that if the investigation came back with that conclusion.

Mr. Burt stated the BLM operates the same way.

Commissioner Waits asked if there is a difference on the County's liability of whether is arson or a prescribed burn.

Commissioner Garner answered it absolutely is and the Fir Investigator will go after the individual or entity civilly.

Mr. Burt from their prospective, if the Bureau of Land Management goes out and plans a prescribed fire; they have several stops in place to decide if they will go forth or not depending on weather conditions and fuel conditions.

If a land owner is doing a prescribed burn they need to contact the Sheriff's Office to inform them they will be doing a burn.

Commissioner Garner moved for the County to accept the approval the agreement between Lander County and the Division of Forestry for the Wildland Fire Protection at the cost of \$150,000.00 per year for two years to be paid by Lander County in return the Division of Forestry will pay expenses for qualifying Wildland fire suppression within Lander County. The motion was seconded by Commissioner Waits; with the understanding that the County is covering more than just Wildland fire suppression, but also for personal safety. The motion was voted and carried. **APPROVED**

Commissioner Stienmetz reopened item #9 at the request of Rogene Hill, Finance Director.

12) Discussion For Possible Action Regarding Approval Of The Extra Work Order Authorizing For Stantec Consulting Inc., In An Amount Not To Exceed \$10,000.00, For Extra Services Pertaining To The Preparation Of The Rebid Package For The Austin Loneliest Highway Visitors Center Project Approved By The Lander County Board Of Commissioners At The March 28, 2013 Commission Meeting & Other Matters Properly Related Thereto: Commissioner Waits moved for the Commission to approve the extra work order authorization for the Austin Loneliest Highway Visitor's Center Project for Stantec Consulting not to exceed \$10,000.00. Seconded by Commissioner Mason.

Rogene Hill updated the Board they have received the third payment request so they are all caught up on the requests for the Austin Loneliest Highway.

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

13) Discussion For Possible action To Accept/Deny A Demand For Damages For Lander County To Pay Dalton Wilson \$4,695,667.20, For Alleged Civil Right Violations In 2007, & Other Matters Properly Related Thereto: Commissioner Garner moved to deny damages in the amount of \$4,695,667.20 to Dalton Wilson. Seconded by Commissioner Mason, the motion was voted and carried. **DENIED**

14) Discussion For Possible Action Regarding Update By Phil Hanna, Battle Mountain General Hospital CEO, On The Emergency Medical Services In Lander County, Under Administration By Lander County Hospital District (LCHD), & Other Matters Properly Related Thereto: Phil Hanna, Battle Mountain Hospital CEO, updated the Board on the second quarter of the Emergency Medical Service (EMS). Mr. Hanna is pleased and feels the services are exceeding his expectations. He provided a comparison from 2011 and 2012 that responses are up by over 100%, billed responses are up by 150%, and charges are up by a factor of eight over the period last year. He stated this is due to the fact they are a paramedic service and they can charge more for services provided. There has been a significant reduction of individuals trying to drive themselves to the hospital and he feels this is quite a public safety accomplishment. Medicare has done some evaluation on applications that were submitted on time, and have agreed to start paying for services and have paid retroactive back to July 1st when the services started.

Commissioner Garner stated it is his understanding that of the \$240,000.00 the hospital has collected 66%, and the subtotal is \$134,000.00. The County gave the hospital \$25,000.00 a month for three months for a total of \$75,000.00 so the hospital is down to \$59,000 and a cost report of 30%.

Mr. Hanna explained this is a document they prepare every year and submit to Medicare and Medicaid. For the percentage of Medicare patients the hospital provided

Lander County Board of Commissioners

Meeting of April 11, 2013

services to that were paid are demonstrated cost from Medicare or that patient group. They are projecting, through that process; they will be able to pick up about 30% of unreimbursed expenses from this service that, as critical access hospital, they have the cost report opportunity that is not extended to anyone else. The total to Mr. Hanna is the \$31,000.00 which is right on the target with the budget presented.

Commissioner Garner asked if, as the County, if we are looking at an additional \$31,000.00 for those three months.

Mr. Hanna said yes which is half of what it was and has moved right to the budget that he had presented.

Commissioner Stienmetz asked what we are still paying Humboldt General Hospital.

Mr. Hanna said the gentleman they were paying for is now a Lander county EMS employee, but they are still cooperating with training and education. Being part of the consortium, they have had a \$125,000.00 training manikin to be stored in Lander County. We are benefitting from things like that. They are still working on expanding the services to southern Lander County, and through the consortium he can qualify for other federal dollars to get community Paramedicine established in southern Lander County. When Battle Mountain is busy and needs additional help, Humboldt General has been called to back Lander County up and there is no additional charge for their services.

There was discussion of putting a four wheel drive ambulance in Austin and putting the two wheel drive back in Battle Mountain. There was also discussion of the Austin and Kingston medical clinics being Rural Health Clinics and the possibility of obtaining a Frontier Demonstration Grant for southern Lander County. He is very optimistic of what can be done with the medical center in Austin and Kingston and the EMS and community Paramedicine. **DISCUSSION & UPDATE ONLY**

COUTHOUSE/ADMINISTRATION BUILDING PROJECT

- 15) Discussion For Possible Action Regarding Status Of The Lander County Courthouse/Administration Building Project & Other Matters Properly Related Thereto: Max Bunch, Justice of the Peace, updated the Board he has received the final information from VanWoertBigotti and it has been submitted to the District Attorney's Office. He said he was 17th in line for review.

Commissioner Garner explained to Nicole Ting, Deputy District Attorney, they need this contract immediately. If they need to send it out to be reviewed they can do that.

Ms. Ting said she has been working on it.

Commissioner Garner asked what the Commission needs to tell her to get this contract made a priority. If they need to authorize overtime or for someone to help her, they can do that right now. They don't want to lose the construction season. The contract was given to the District Attorney's Office on March 25, 2013.

Ms. Ting said this contract is a priority and she will check on the resource of the second reviewer. Ms. Ting said she could not give a time frame, but it is a priority.

There was discussion of hiring someone to help Ms. Ting, and there being a source of funding to pay for that help.

Judge Bunch said he would get Ms. Ting a copy of the letter from VanWoertBigotti, if she has not already received it, which provides the basics of the negotiations to go into the contract. Judge Bunch also explained VanWoertBigotti will be here in two weeks and this could potentially be on the agenda. They will show the Bard what the Building would look like and whether they are going to do one or two story. He received preliminary space requirements and planning. The Architect will be here on April 25th and 26th go visit with all the offices to fine tune what they are looking for in this building. They will then be moving forward at that time. **DISCUSSION & UPDATE**

16) Correspondence/Reports/Potential Upcoming Agenda Items:

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

1. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE (WCA), to Lander County Commissioners, e-mail regarding March 1, 2013 minutes from Western Counties Alliance sponsored special meeting in Washington D.C.
2. KENNETH R. BROWN, WESTERN COUNTIES ALLIANCE (WCA), to Lander County Commissioners, e-mail regarding March 21, 2013 Salt Lake Tribune article entitled "Judge Rules Largely in Favor of Utah on Rural Roads Dispute.
3. ELKO BOARD OF COMMISSIONERS, to Lander County Commissioners, Letter supporting the University of Nevada Cooperative Extension Budget Reinstatement.
4. CHRISTOPHER G. NIELSEN, NEVADA DEPARTMENT OF TAXATION, to Chairman Dean Bullock, Lander County Board of Commissioners, letter approving Lander County to

remain as a Guaranteed County under the Supplemental City-County Relief Tax pursuant to Nevada Revised Statutes (NRS) 377.057.

5. STEVE BRADHURST, CENTRAL NEVADA REGIONAL WATER AUTHORITY (CNRWA), to Lander County Commissioners, e-mail regarding outcome of March 15, 2013 CNRWA meeting, legislation of interest to the Authority, and upcoming DNRWA meeting scheduled for June 14, 2013.
6. MADISON JOHNSON, GERBER LAW OFFICES, LLP, to Lander County Commissioners, letter regarding March 23, 2013 Las Vegas Review-Journal article entitled "Sage Grouse Plan Shows Common Sense."

Commissioner Waits commented on correspondence #4 from the Department of Taxation regarding the Tax Relief Guarantee Status for Lander County. Commissioner Waits expressed her compliments to the Finance Department who pursued that and Rex Massey who went before the Commission and pled Lander County's case. We now have the County Relief Tax Guarantee Status for at least another year.

Rogene Hill also updated that Rex Massey, through the DOE, can do some research back to 1996 to show the volatility of the mining of our town to be better prepared next year when they go before the Tax Commission.

For upcoming agenda items there will potentially be the signing of the VanWoertBigotti contract, and Grace Powrie, Treasurer, would like to add the tax sale on a future agenda. The tax sale is April 25, 2013 at 9:00 a.m. at the Civic Center.

Commissioner Garner moved to go into Closed Session. Seconded by Commissioner Waits, the motion was voted and carried.

CLOSED SESSION PURSUANT TO NRS 288.220

17) Closed Labor Session With Management Representatives To Discuss Upcoming Labor Negotiations:

PUBLIC COMMENT

Max Bunch, Argenta Justice of the Peace, commented the previous Executive Director incorporated the Court employees into the Local 3 Union Contract on seven or eight items. Judge Bunch stated there is an Employee Management Relations Board decision that says Court employees cannot be with other Unions. They can be a Union on their own, they are a separate Branch of Government under the Court, and he is informing the Board those employees will not

Lander County Board of Commissioners

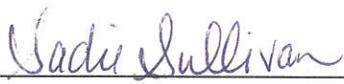
Meeting of April 11, 2013

be combined with the Operating Engineer Local 3 people. The statute requires the Commissioners and the Judges negotiate and do that separately. The Commissioners and Judges set the salaries and benefits. Similar to the Supreme Court of Nevada, they have their own rules and control their own employees. The Legislature does not control their employees.

ADJOURNMENT

There being no further business before the Board at this time, Commissioner Garner moved to adjourn the meeting of April 11, 2013. Seconded by Commissioner Waits, the motion was voted and carried unanimously. **ADJOURNED**


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

ATTEST: 
LANDER COUNTY CLERK

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