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 23, 2015, at 1:00 p.m. Transcript produced by Tiffany Elkington, C.C.R., #930.

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

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

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

[Meeting commenced on April 23, 2015, at 1:00 p.m.]

CHAIRMAN STIENMETZ: All right. I'd like to call to order the April 23rd, 2015, Lander County commissioners' meeting, Town Board of Battle Mountain, and Austin Board of County Highway Commissioners to order.

(Indiscernible), will you lead us in the pledge, please.

(Pledge of Allegiance.)

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

(Moment of silence.)

COMMISSIONER REPORTS

CHAIRMAN STIENMETZ: We'll go to commissioners' reports on

meetings, conferences, and seminars attended. Doug?

COMMISSIONER MILLS: The only thing I've got is that I met with Tom Gallagher from Summit Engineering this morning. And he gave me an update on the levee project.

There's some things that are changing. The biggest one is that, apparently, the -- the current levee that's been constructed that was done under the direction of the Corps of Engineers. The Corps of Engineers are now saying they're not interested in taking care of that whole section of levee. They only want to do approximately half of that and fix it.

They're stating that the lower half that goes around behind the fairgrounds and the admin building is not -- does not fit their cost-benefit analysis. In other words, they feel that the property that would protect is not valuable enough for them to build a levee to protect.

So I -- in talking with Tom, he also states that even though they have no interest in repairing that section of the levee, apparently, they're not going to let us fix it unless it's under their direction and their control.

So they're kind of holding us under their thumb on that piece of the levee.

So Tom is going to draft a letter with some specific statements and questions that Mark Amodei is going to go to the Corps of Engineers with. So we've got Mark Amodei working on our side helping us out with this.

So until some of that happens, we won't know where we can go with that specifically yet.

But one of the things we're hoping to do is get that last southern section of levee out of the Corps of Engineers' control or out of their jurisdiction so that we can just fix it ourselves and take care of it, because it will be a lot less hassle and a lot less problem than having to deal with Corps of Engineers on that.

But we'll -- a lot of that is -- a lot of this is iffy. It depends on what happens a lot with this meeting that Mark Amodei has with the Corps of Engineers.

I do have a map of the whole section of the levee and what it entails. And if any of you want to see that or kind of go over that, I can show that to you and let you see what it all entails and what's going on there, if you have any further

questions on it.

And that's it.

CHAIRMAN STIENMETZ: Sean, you have --

COMMISSIONER BAKKER: We had a rec center meeting, went over different designs, kind of starting our budget, what we can get out of the money we have.

Next -- the next meeting, the architects are actually going to be here to present a design to everyone so everyone can see it.

Also, we are going to formalize our committee. And Ted did some research, legal research, but -- on our formal committee, and to formalize it, we're going to have Judie Allen, Keith Westengard, Max Bunch, Doug Mills, me, and Ted Herrera as legal counsel.

So just putting that out there.

DISTRICT ATTORNEY HERRERA: Ad hoc committee.

COMMISSIONER BAKKER: Ad hoc committee.

So -- but that's all I got.

COMMISSIONER CLARK: I had one correspondence that was sent to me by mistake and I turned it over to Keith and Ted. They got it straightened out. Some group wanted me to sign an amendment to a contract that we ratified and --

KEITH WESTENGARD: Yes, it's actually this one.

COMMISSIONER CLARK: I don't know why they sent it to me to sign and send back.

KEITH WESTENGARD: It's actually in this meeting, yes.

DISTRICT ATTORNEY HERRERA: Which one is it?

COMMISSIONER CLARK: But I didn't sign it and I knew what to do.

COMMISSIONER BAKKER: Good choice.

DISTRICT ATTORNEY HERRERA: It's Number 10 -- that's Number 10. Yeah.

COMMISSIONER CLARK: Okay.

CHAIRMAN STIENMETZ: Patsy.

COMMISSIONER WAITS: Thank you.

I didn't have any committee meetings. But I did attend Rural Roundup, which is the department of tourism. The old Nevada commission on tourism has changed their name to department and travel Nevada. And that was in Minden -- that was excellent -- for -- for three days with the territories and all the folks attending. And the exciting things that are still coming up that

Nevada's doing with tourism internationally is just off the charts. It's unbelievable with the people that are still coming in from other countries and what they're doing.

I do have a NACO meeting tomorrow. But I wanted to bring you up to date on a couple of the things that were going on.

And one is, of course, the tracking of the bills. You can go on the NACO website and do that. But there were a couple of things that were important to us that I wanted to highlight. Both of our NACO bills granting functional home for the county, the home rule for counties that Senate Bill 29 and allowing longevity pay for county-elected officials to be optional -- that's Senate Bill 30 -- were voted off the Senate floor unanimously.

And finally, the SB 482, that's the one that would increase the pay for all county-elected officials. It not only went out of committee, but that also was voted off the floor unanimously. So the support is there and it is going. And I'm sure most of you have probably heard by now that on April 14th, the actual Senate bill was passed, which includes the Secure Rural Schools. And that came out of the Senate. The measure authorizes 500 million through the SRS program to support local schools, transportation, infrastructure, emergency response, and other critical services.

This actually involves about 720 counties throughout the United States on this. There's 41 states that actually get Secure Rural Schools.

The bill also expedites the SRS payments to counties by requiring the federal government to make payments within 45 days of the bill's enactment. So that was really exciting.

And the bill also helps counties provide the Medicaid services by permanently extending the programs that are benefiting the low income seniors and working families.

It says, "Each year counties invest nearly $70 billion to provide healthcare services to their residents. This legislation will help counties deliver health care services to some of our most vulnerable populations."

So we're glad that our folks on Capitol Hill actually were doing something. It's a direct impact that's very positive.

CHAIRMAN STIENMETZ: Thank you. All I have is on April 10th I attended a SLUPAC meeting in Elko.

And anything else to go on the agenda?

STAFF REPORTS

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

KEITH WESTENGARD: I just have a few things. One of the things that I -- I would like the commission to start thinking about is the -- is the courthouse we're in right now as well as the administrative building that we're going to be moving out of sometime in -- toward the end of the year when the new building's complete.

I get a lot of questions on what we're going to do with it. I'm going to have it put on the agenda for discussion. So I -- I would like the commission to start thinking about their thoughts and where we're going to go with the buildings once we move out, as well as the furnishings. We're not going to be taking all the furnishings and so forth. So that's going to be upcoming.

I sit on a Homeland Security grant funding working group committee. We are in the process of handing out around $6 million in grant money.

Humboldt County applied for a mobile command post that I support wholeheartedly. And it would be used within Humboldt County, Lander County -- or it's available in Humboldt, Lander, and Pershing.

Elko put in a grant for their community -- community -- community emergency response training, which I support as well. And I hope to get the committee to approve the funding on that.

I continue to work with Phil Hanna on the hospital contract. We should have something, hopefully, in the next month that we'll be able to bring to -- that I'll be able to bring to the commission for you to look over and decide how -- what you'd like to do.

I did receive a letter from Joseph Holly. He's the chairman for the Battle Mountain Band. And he did support that land transfer between BLM and the Battle Mountain Band. They're very appreciative of the support that we gave them. I'd like to read -- I'd like to get you a copy of the letter, but I'd like to read a little piece of it here.

It said, The band would also like to express its support for a road that the Lander County is considering constructing to connect State Route 305 and Allen Road. We understand that the

proposed road would either connect with or run adjacent to the land the band is seeking to have transferred from BLM. The proposed road would provide additional circulation between Interstate 80, exits 229 and 231 on the southwest side of town and importantly additional access routes for emergency vehicles. The band believes the proposed road would be an asset to our community and looks forward to further discussions with Lander County on the road."

So I believe that's pretty positive. We did have some preliminary talks about the other part of the road. So that could be a -- a great help to us in the future when we look at getting that road improved. Other than that, that's it.

CHAIRMAN STIENMETZ: All right.

PUBLIC COMMENT

CHAIRMAN STIENMETZ: Now we go to public comment for non-agendized items only.

Do we have any public comment?

LESLEY BUNCH: Excuse me. Lesley Bunch, Lander County recorder. I just wanted to mention that we're starting a project pretty soon, starting from 1861 forward to digitize all of our documents so that we will -- it's the most latest and updated project that we can possibly do to sustain and save our information all the way back.

So we're going to start that pretty soon. We're going to get it digitized in step one. And then there are a couple of steps after that to organize it. Eventually, it will be on ADS for everyone to see -- not ADS, I'm sorry. That's silly -- the Lander County website for everyone to see all the way back, forward. And so this way we will assuredly not lose anything. And I just wanted to mention that.

CHAIRMAN STIENMETZ: Thanks.

COMMISSIONER BAKKER: Good job.

CONSENT AGENDA

CHAIRMAN STIENMETZ: Now we have consent agenda.

All matters listed under the consent agenda are considered routine and may be acted upon by the board of county commissioners with one action without extensive discussion.

Any member of the board or any citizen may request that an item be taken from the consent agenda, discussed, and acted upon separately during the meeting. Consent agenda materials are available at the Lander County clerk's office for viewing and copies are available for a nominal charge.

Number one is the March 18th, 2015, budget meeting minutes.

Two is the March 26th, 2015, minutes.

Three is the April 1st, 2015, special meeting minutes,

Fourth is the April 6th, 2015, special minutes.

Five is April 9th, 2015, minutes.

Six is April 13th, 2015, special meeting minutes.

Seven is payment of the bills.

And eight is payroll change request.

COMMISSIONER WAITS: Mr. Chairman, I need to pull number one, number four, and number five for corrections to those minutes, separately.

COMMISSIONER BAKKER: Oh. I make a motion to pull number one, number four, and number five from the consent agenda.

COMMISSIONER WAITS: We don't need a motion.

CHAIRMAN STIENMETZ: You don't need a motion.

COMMISSIONER BAKKER: Oh.

COMMISSIONER WAITS: It's fine.

CHAIRMAN STIENMETZ: We just need a motion to go ahead and approve the ones that --

COMMISSIONER WAITS: Yeah. If you don't want to pull anything else, then --

CHAIRMAN STIENMETZ: Yeah.

COMMISSIONER WAITS: -- we can make a motion that we approve the remaining consent agenda.

COMMISSIONER BAKKER: Okay. I make a motion to approve number two, number three, number six, seven, and eight.

COMMISSIONER MILLS: I'll second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

CHAIRMAN STIENMETZ: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.
Okay. I'll start with the March 18th minutes, which are our budget. And actually, the only corrections I have was a name. And the name was repeatedly incorrect. So it starts with page number 22 and runs through page 31. And I don't know whether you want each -- each time that she's mentioned. It's Shannon Thiss should be T as in Tom, -H-I-S-S, Sam, Sam. And we have down Shannon Fisk, F-I-S-K.
So on all those pages, all the way through, she's mentioned many times. And that's the only correction is on her name.
So if -- if you want, you don't need any of these individual lines with that; do you?
COUNTY CLERK SULLIVAN: No.
COMMISSIONER WAITS: I'll make a motion that we -- do you want the one corrected on yours?
COMMISSIONER BAKKER: Yeah. Page 15. I already told you though. Page 15, line 36.
I made a motion and seconded it.
COMMISSIONER WAITS: So we need to know who it was --
COMMISSIONER BAKKER: Apparently.
COMMISSIONER WAITS: -- who actually said, I'll second Sean.
COMMISSIONER BAKKER: Yeah.
COMMISSIONER WAITS: So I'll make a motion we approve those corrected minutes of March 18th.
COMMISSIONER BAKKER: Second.
CHAIRMAN STIENMETZ: Any public comment?
(No comment.)
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER MILLS: Aye.
COMMISSIONER BAKKER: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.
CHAIRMAN STIENMETZ: Aye.
COMMISSIONER WAITS: My next one is April 6th. That was our special meeting minutes.
This is page 3, line 127. Actually, it -- it reads a little strange. The way it's worded is -- is really -- isn't exactly

what happened. It says, Patsy Waits stated we should stay neutral because of an agreement could not be made. And this is regarding a bill that -- SB 461 -- that we were discussing. Actually, I didn't make a statement that we should stay neutral. I made a statement that NACO took the position to stay neutral and that NACO would voice the concerns of the county during any of the hearings. So it's just a little bit on the misunderstanding when it was transcribed.

COUNTY CLERK SULLIVAN: Can you confirm the page and the line number?

COMMISSIONER WAITS: Yes. Again, page 3, line 127. It's under legislative matters, number B.

Got it? Okay.

With that correction, I make a motion that we approve the April 6th special meeting minutes.

COMMISSIONER BAKKER: Second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER MILLS: Aye.

COMMISSIONER BAKKER: Aye.

CHAIRMAN STIENMETZ: Aye.

COMMISSIONER WAITS: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Thank you. The next one is April 9th, and that was our regular minutes.

I have a couple of corrections on that one.

The first one is page 6, line 39. And that is a name correction. On page 6, that was our LEDA business workshop that we had. And the lady that presented that was Michele Reeves, R-E-E-V-E-S.

And then on page 58, line 32. And she has it's Shannon Thiss. We just did a correction on the other one. And it wasn't. It was Shannon Berumen who made that statement.

If there's no other corrections, I'll make a motion that we approve April 9th --

COMMISSIONER BAKKER: Second.

COMMISSIONER WAITS: -- minutes as corrected.

COMMISSIONER BAKKER: Second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER MILLS: Aye.
COMMISSIONER BAKKER: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.
CHAIRMAN STIENMETZ: Aye.

FINANCE

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

CHAIRMAN STIENMETZ: All right. We'll go to Item 1. Update on budget review, contracts, financial update, and other matters properly relating thereto.
COMMISSIONER WAITS: Hi, Nan.
NAN ANCHO: Good afternoon.
CHAIRMAN STIENMETZ: Hello.
NAN ANCHO: How are you?
COMMISSIONER BAKKER: Good.
COMMISSIONER WAITS: Good.
NAN ANCHO: I just have the Accounts Receivables for the month of the March -- the outstanding Accounts Receivables for the month of March: Water, we have $13,914; Sewer, z13,196; Miscellaneous Water/Sewer, $85; Landfill 12,010, for a total of outstanding Accounts Receivable of 39,205.
And that's all I have on my part today. Easy.
COMMISSIONER BAKKER: Thanks, Nan.
COMMISSIONER WAITS: Thank you.

EXECUTIVE DIRECTOR

2) **Discussion and possible action to initiate the process to hire a building/maintenance groundskeeper department head position by June 1, 2015, and all other matters related thereto.**

CHAIRMAN STIENMETZ: Item 2, discussion and possible action to initiate a proposal -- a process to hire a building/maintenance, slash, groundskeeper department head position by June 1st, 2015, and other matters properly related thereto.

KEITH WESTENGARD: This position was approved for July 1st, 2015. I would like to try to bring the position on a little bit sooner in order to start the early -- early mid-spring maintenance on the golf course.

I spoke with Nan. It would be -- we've got the money in the budget to do it. The sal- -- the salary and benefits part of that would be about $9,000. And we do have the money to do that.

So with your approval, I'd like to s- -- to get the process going. And -- and as it is, we were figuring it out this morning. The earliest we're going to be able to hire is going to be June 8th, if I was able to get out the announcement next week.

So it's going to be three weeks.

COMMISSIONER WAITS: Do you have the job description already written up?

KEITH WESTENGARD: I have it in draft format. So yes.

Because that was part of the holdup is I wouldn't be able to get it to the -- to you guys for approval until the last meeting in May. If you were to approve it the last meeting in May, we would advertise it for two weeks, do interviews, and the soonest, absolute soonest, would be June 8th. So it's going to be about three weeks early.

COMMISSIONER BAKKER: Okay. With that, I'll make a motion to initiate the process to hire a building/maintenance and groundskeeper department head position June 1st, 2015.

COMMISSIONER CLARK: Second.

CHAIRMAN STIENMETZ: Any public comment?

COMMISSIONER WAITS: Keith, as long as we're doing that, I really wish they would be on board now. I'm sure you do too.

KEITH WESTENGARD: Yeah.

COMMISSIONER WAITS: Because this is our critical time for the golf course.

KEITH WESTENGARD: It is.

COMMISSIONER WAITS: So what is being done in the interim

until this person comes on?

KEITH WESTENGARD: I -- what I've done is I got together with Jake. We are looking at the possibility of bringing a consultant in for -- for this period of time between now and when we get the -- the groundskeeper position in place.

So that's -- that's one of the options we're looking at right now to try to get something going.

COMMISSIONER WAITS: I don't remember if you were at any of the meetings. I think it was last year when we voted to do a consultant for the golf course. Do you remember that? It was quite a bit of money --

CHAIRMAN STIENMETZ: Uh-huh.

COMMISSIONER WAITS: -- to bring the consultants in to tell us all the expert ideas. And we couldn't find one.

KEITH WESTENGARD: Well, actually we do have -- we got a quote from one. Thirty-one hundred, I think. Was it 3100?

The one Jake -- the one Jake brought -- yes. Remember the travel and mileage from Idaho?

NAN ANCHO: That would -- that didn't include the expenses to -- that was just their -- their rate, but it didn't include the --

KEITH WESTENGARD: No, --

NAN ANCHO: -- expenses.

KEITH WESTENGARD: No, he -- he did get a full --

Jake got a full quote from them. And it was around 31- or 3200 to have them come in. So that's -- that's the interim fix until we can get the groundskeeper position filled.

COMMISSIONER WAITS: Thank you.

KEITH WESTENGARD: If -- if we are able to still -- we got this quote about two weeks ago. So -- working on it.

RITA ROGERS: Rita Rogers. I have a question. The description of this position?

KEITH WESTENGARD: Uh-huh.

CHAIRMAN STIENMETZ: Can you --

RITA ROGERS: When will it --

CHAIRMAN STIENMETZ: -- come up here --

RITA ROGERS: -- be available?

CHAIRMAN STIENMETZ: -- so we can hear you, please.

RITA ROGERS: Rita Rogers. I'm just asking, when would be the description of that position available?

KEITH WESTENGARD: The job description?
RITA ROGERS: Uh-huh.
KEITH WESTENGARD: It would be available to the public as soon as the county commission approve it.
RITA ROGERS: Okay, so they won't be approving it until --
KEITH WESTENGARD: Probably the last meeting in May.
RITA ROGERS: Okay.
KEITH WESTENGARD: Yeah.
CHAIRMAN STIENMETZ: Thank you.
Any other public comment?
(No comment.)
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER BAKKER: Aye.
COMMISSIONER MILLS: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.
CHAIRMAN STIENMETZ: Aye.
COMMISSIONER CLARK: Did we miss this?
COMMISSIONER WAITS: Consent agenda.
COMMISSIONER CLARK: Oh, that's minutes.

3) Discussion and possible action to appoint the finance director as the assistant executive director in the absence of the executive director when needed, and all matters properly related thereto.

CHAIRMAN STIENMETZ: Item 3, discussion for possible action to appoint the finance director as the assistant executive director in the av- -- in the absence of the executive director when needed, and all matters properly related thereto.
KEITH WESTENGARD: I would like to ask the commission to appoint Nan Ancho as the assistant executive director in my absence.
I will be away from my post for up to a month, four to six weeks, here very soon. And I want someone to assume my full authority and the full authority the commission has given me to keep the county operating and be able to give answers in a timely manner and be my -- be me when I'm gone.
COMMISSIONER WAITS: So is this just a temporary position while you're gone this time or was it something that will --

KEITH WESTENGARD: It'll -- it'll --

COMMISSIONER WAITS: -- intend to stay on and --

KEITH WESTENGARD: Yeah.

COMMISSIONER WAITS: -- when you're not here --

KEITH WESTENGARD: Yes.

COMMISSIONER WAITS: -- at another time?

KEITH WESTENGARD: Yes. It's a -- I'm asking for a permanent assignment from your -- appointment from you, from the commission. But what sparked this was my absence coming up that I would like to have somebody be able to take care of county matters in my absence.

COMMISSIONER WAITS: Okay, with that, we've also discussed -- what? -- whether it's going to impact the salary?

KEITH WESTENGARD: I haven't got to that point yet. Right now it's -- it's -- it's -- I shouldn't say we haven't -- I have discussed it. I have thought about it. I haven't brought it to you yet for final approval. I want to get somebody in place. This was kind of a -- I don't want to say a last-minute thing. But something that came up quicker than I thought it was going to come up. If that makes sense.

COMMISSIONER WAITS: It does. And I appreciate what you're saying. And most certainly the county needs direction. And if you're not available, but I'm -- I'm disappointed it isn't all at one time because we're making decisions without all of the facts. But we have to do what we have to do. So thank you.

COMMISSIONER CLARK: I -- I think that you need to look at more responsibility. That -- that means more pay, in my opinion. And it's pretty hefty responsibility. So along with the hefty responsibility should come equal pay for the amount.

KEITH WESTENGARD: And I agree with you, Commissioner Clark.

DISTRICT ATTORNEY HERRERA: (Indiscernible) add into the motion -- (indiscernible) -- you should know --

KEITH WESTENGARD: Okay.

DISTRICT ATTORNEY HERRERA: -- as to whether or not she can be appointed in your absence.

KEITH WESTENGARD: Okay.

DISTRICT ATTORNEY HERRERA: Then you would -- you would bring it up in an agenda to -- to give that pay for that new position that they're creating. They're creating a new

position.

KEITH WESTENGARD: Okay.

So I will be -- I'll get it to you hopefully the next meeting. And I've discussed it with Nan a little bit. I've discussed it with the district attorney a little bit. So I just want to be sure we're -- I'm in line with what I'd like to do salary-wise.

COMMISSIONER CLARK: Okay.

KEITH WESTENGARD: But I do agree with you on that. And that has been discussed.

CHAIRMAN STIENMETZ: Do we have any public comment on this? I guess we should get a motion first.

COMMISSIONER BAKKER: Okay. I'll make a motion to appoint the finance director as assistant executive director.

COMMISSIONER CLARK: In the absence.

COMMISSIONER BAKKER: In the absence of the executive director.

COMMISSIONER MILLS: I'll second.

COMMISSIONER WAITS: Explain to me why that would only be in the absence then because isn't she always the assistant executive director?

COMMISSIONER CLARK: No.

KEITH WESTENGARD: Well, --

COMMISSIONER WAITS: She steps in as executive director in your absence.

KEITH WESTENGARD: That is -- that is correct.

COMMISSIONER WAITS: But the motion is for assistant executive director in your absence. And that sounds --

DISTRICT ATTORNEY HERRERA: If I may, Commissioner Waits. Ted Herrera for the record. You are actually creating a new position.

And it would be -- and you're absolutely correct -- it would -- she would always be the assistant executive director, if you -- if you go along with this.

It's not a temporary position, in other words.

It's tabled for -- it's not tabled -- it's on the agenda to create the position of an assistant executive director and to have that person be Nan Ancho.

COMMISSIONER BAKKER: Yeah. So I'm going to amend that. I make a motion to appoint the finance director as the assistant

executive director.

COMMISSIONER MILLS: I'll second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER: Aye.

COMMISSIONER MILLS: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

CHAIRMAN STIENMETZ: Aye.

KEITH WESTENGARD: Thank you.

COMMISSIONER CLARK: And you'll get back to us at our next meeting?

KEITH WESTENGARD: On the next meeting, you'll have something on here to discuss the salary. Yes.

LANDER COUNTY PLANNING COMMISSION

4) Discussion and possible action regarding the approval of a zone change request from property owner Jay Wintle for Lander County Assessor Parcel Numbers 010-280-17, 010-280-21, and 010-280-25; from Farm and Ranch District (A-3) to One-Acre Agriculture District (A-1), and other matters properly related thereto.

CHAIRMAN STIENMETZ: Four is discussion and possible action regarding the approval of a zone change request from property owner Jay Wintle of Lander County Assessor Parcel Number 010-280-17, 010-280-21, and 010-280-25; from the Farm and Ranch District, A-3, to one-acre Agricultural District, A-1, and other matters properly relating thereto.

JAN MORRISON: Jan Morrison, Lander County community services officer. This was approved unanimously by the planning commission at their last meeting. There were some neighbors who came and addressed some concerns. All were satisfied. The neighbors have been renotified if they wanted to come today that they could speak up. And I don't see that any are here. But they were fine.

The applicant will go ahead -- Jay will go ahead and speak

to you some of the mitigating factors he's going to put in. But basically you're going from A-3 to A-1, which A-3 is basically a unlimited agricultural zoning. A-1 is more geared towards residences and includes improvements --

COMMISSIONER CLARK: For --

JAN MORRISON: -- such as --

COMMISSIONER CLARK: -- what, Jan?

JAN MORRISON: Residences, homes.

COMMISSIONER CLARK: Okay.

JAN MORRISON: More of a home use. And it includes paving roads and light improvements as directed through our county.

COMMISSIONER CLARK: So it's a one-acre parc- -- parcel where you can have animals?

CHAIRMAN STIENMETZ: One or two, it says. Less than two.

JAN MORRISON: Yes.

COMMISSIONER CLARK: Okay.

JAN MORRISON: With limitations. It's definitely not animals, like you would have in a farm area. So A-1 is much less intense use. It's more of a residential.

And as Mr. Wintle can address and I've put in here, he has agreed when he parcels these, and he's going do a merging and a resubdivision process with his parcel mapping, he will put in deed restrictions that does not allow this property to be subdivided any less than two net acres. And that allows for growth. So those are basically two-and-a-half acre -- gross acre pieces.

COMMISSIONER CLARK: And this is the land that would be east of the golf course?

JAY WINTLE: No, this is --

COMMISSIONER CLARK: Where's it at?

JAY WINTLE: Well, it's out at the end of 26.

COMMISSIONER MILLS: You have a map in your --

COMMISSIONER BAKKER: It's out by my house.

JAY WINTLE: Jay Wintle.

COMMISSIONER CLARK: Oh, okay.

COMMISSIONER WAITS: So --

COMMISSIONER MILLS: So -- go ahead.

COMMISSIONER CLARK: I didn't have --

COMMISSIONER WAITS: A deed restriction for the no less than two acre was -- was that a recommendation --

COMMISSIONER CLARK: Oh, okay.

COMMISSIONER WAITS: -- from planning and zoning or was that something --

JAY WINTLE: Oh, it's --

COMMISSIONER WAITS: -- just to --

COMMISSIONER CLARK: Oh.

JAY WINTLE: It was kind of common agreement.

JAN MORRISON: Yeah.

COMMISSIONER MILLS: So that -- that was something I was concerned about. Because apparently the zoning -- our zoning rules allow for one acre, but you're agreeing to two.

JAY WINTLE: Yes.

COMMISSIONER MILLS: And that is something you are freely agreeing to?

JAY WINTLE: Yes.

COMMISSIONER MILLS: Okay. I just wanted to be sure that was -- that was clear because --

JAN MORRISON: It was great. And it's voluntary.

COMMISSIONER MILLS: Yeah.

JAN MORRISON: He came up with it. And he spoke with the neighbors. And it was what an open meeting -- it was pretty good in that. And pretty appropriate in that area. There is a mix. And there's probably more five- and two-and-a-half-acre parcels coming down the road that will be built in that area. But it still preserves the rural --

COMMISSIONER MILLS: Right.

JAN MORRISON: -- nature of the area, which I think it's pretty important.

COMMISSIONER MILLS: Right. Because one of the things I'm concerned is about -- is -- is maintaining some consistency as we do --

JAN MORRISON: Yes.

COMMISSIONER MILLS: -- these kinds of things. I don't want -- because you're agreeing to the two acres. And I don't want someone else coming along later and going, well, I want one or...

I'd like to see a lot of consistency when we do these is -- is my big --

JAN MORRISON: Yes.

COMMISSIONER MILLS: -- concern on this.

JAN MORRISON: I agree. And in general, people will not go down to A-1 because it's -- it's more heavily upon the developer to put in roads, but it's --

COMMISSIONER MILLS: Right.

JAN MORRISON: -- it's nice to have someone willing to do that. And as I said, with -- and his arrangement and the way he's doing it, the neighbors are fine with it. So that was very important.

COMMISSIONER CLARK: How many potential customers can we get for Water and Sewer?

JAY WINTLE: Water and sewer is not available in the area yet.

COMMISSIONER CLARK: Well, it'd be good to get it out there. We need customers.

DISTRICT ATTORNEY HERRERA: I had a question for clarification sake, legally. Is -- is he agreeing to provide the roads on this?

UNIDENTIFIED PARTICIPANT: Yeah.

JAY WINTLE: Yeah, when I do a parcel map I will.

DISTRICT ATTORNEY HERRERA: Okay. So -- so this is going to be a -- you're making an exception here to our -- what our ordinance says. And -- in the future, when somebody comes to do this, you should be consistent and -- and have them build roads too. See what I'm saying?

CHAIRMAN STIENMETZ: Mm-hm.

COMMISSIONER MILLS: That's -- is -- that's what I'm saying. That's one of my concerns about --

COMMISSIONER CLARK: Okay.

COMMISSIONER MILLS: -- these exception thing and all this is -- is where does our consistency come in?

UNIDENTIFIED PARTICIPANT: Yeah.

JAN MORRISON: So we're --

DISTRICT ATTORNEY HERRERA: Right now.

JAN MORRISON: Yeah.

DISTRICT ATTORNEY HERRERA: Today.

JAN MORRISON: Sorry.

COMMISSIONER MILLS: Right.

JAN MORRISON: Yeah. So this is a zone change only. When he comes in front of you with any kind of maps, whether it's subdivision, tentative, final, or parcel maps, n- -- those

will come in, in front of you, and they're not finalized. They're not accepted by county until the roads and the agreed upon improvements are constructed.

COMMISSIONER CLARK: Will -- will this speed up the sale of this property?

DISTRICT ATTORNEY HERRERA: It's --

CHAIRMAN STIENMETZ: Who knows?

JAN MORRISON: Yeah.

DISTRICT ATTORNEY HERRERA: If --

JAN MORRISON: I don't know.

DISTRICT ATTORNEY HERRERA: It's the first legal step, --

JAN MORRISON: Yeah.

DISTRICT ATTORNEY HERRERA: -- Commissioner Clark. It's the -- you -- you can't sell the real property as real property until this is done.

JAY WINTLE: You can sell it as a large parcel though.

DISTRICT ATTORNEY HERRERA: Right.

JAY WINTLE: You can --

COMMISSIONER CLARK: Yeah, -- well, it's just --

JAY WINTLE: -- market --

COMMISSIONER CLARK: -- well, it's just --

JAY WINTLE: -- it as --

COMMISSIONER CLARK: -- this is --

JAY WINTLE: -- until this is done.

COMMISSIONER MILLS: Right.

COMMISSIONER CLARK: It seems as if we're moving in this direction. And being at half capacity with -- with what we have available right now, I'm -- I'm looking for potential customers for the county.

And I know we don't have water and sewer out that way, but we can start planning in that direction.

Because the way I understand it, you're only going to be allowed so much access to using septic in that area. We're going to have that colony casino going out there.

So it just makes sense to start moving in that -- in that direction with our -- with our utilities.

DISTRICT ATTORNEY HERRERA: Well, that -- we can't do this on this agenda.

CHAIRMAN STIENMETZ: Can't mess -- it's not anything we can --

COMMISSIONER BAKKER: Okay.

CHAIRMAN STIENMETZ: -- discuss on this agenda.

COMMISSIONER BAKKER: With that, I'll make a motion. I make a motion that we approve the zone change request for Jay Wintle for Lander County Assessor Parcel Numbers 010-280-17, 010-280-21, and 010-280-25 from Farm and Ranch District, A-3, to one-acre Agriculture District, A-1.

COMMISSIONER MILLS: I'll second.

CHAIRMAN STIENMETZ: Any public --

JAN MORRISON: Can --

CHAIRMAN STIENMETZ: -- comment?

JAN MORRISON: -- can I ask that you'll include the condition that future parceling will include a deed restriction? Did you say that?

COMMISSIONER BAKKER: No.

COMMISSIONER MILLS: We need to include a deed restriction of --

JAN MORRISON: I trust him, --

COMMISSIONER MILLS: -- not less than --

JAN MORRISON: -- but I'd like --

COMMISSIONER MILLS: -- two acres.

JAN MORRISON: -- it in writing.

COMMISSIONER BAKKER: Oh. Okay. With the condition that when these --

JAN MORRISON: Sorry, Jay.

COMMISSIONER BAKKER: -- parcels are split, a deed restriction be placed on each parcel bearing them from being parceled out less than two acres in net size.

JAN MORRISON: Thank you.

COMMISSIONER MILLS: I will second that.

CHAIRMAN STIENMETZ: Any public comment?

LENNIE SHEPHERD: I just am curious how many acres we're talking here.

COMMISSIONER CLARK: He needs to come up here.

UNIDENTIFIED PARTICIPANT: You need to stand up.

CHAIRMAN STIENMETZ: State your name.

LENNIE SHEPHERD: My name is Lennie Shepherd, and I'm just curious how many acres? So how many parcels?

JAY WINTLE: Jay Wintle. We're talking about 71 acres, be roughly 26 parcels.

LENNIE SHEPHERD: Okay. I was just curious.

RITA ROGERS: Rita Rogers. This area, is this over there by the Indian colony?

COMMISSIONER BAKKER: No.

RITA ROGERS: Is this what we're talking --

COMMISSIONER BAKKER: Rita, --

JAY WINTLE: No. This is --

COMMISSIONER CLARK: In between.

RITA ROGERS: We're talking --

COMMISSIONER CLARK: In between.

COMMISSIONER BAKKER: Right here.

RITA ROGERS: Here.

JAY WINTLE: Ten to twenty-six, basically.

RITA ROGERS: Okay, the highway.

JAN MORRISON: Colony is --

RITA ROGERS: Austin --

JAN MORRISON: -- over --

RITA ROGERS: -- highway.

JAN MORRISON: -- here. Uh-huh. School is over here. This is Humboldt and --

RITA ROGERS: And the reason I'm asking this is that we've come up against this in the past, out there in Hill Top.

We all have five-acre lots. They are agriculture. We've had others try to come in and make them one-acre lots so they could put different things out there.

And it's always been voted down. I -- I don't know who your neighbors are, but if he is allowed to do this, is this going to going to open it up for all of us out in Hill Top to do the same thing?

And I've been told that from the Austin highway, this way can no longer put septics in. That that's been stopped --

COMMISSIONER CLARK: That was my concern.

RITA ROGERS: -- because of the water table and everything else.

So I mean, if he's going to be allowed to do this, then this is going to open it up for everybody else to be able to zone change their properties and what they can do.

And in the past, we've had people take and -- even their five-acre lots -- do not keep them up. Do not maintain roads. Do not fence. And we have problems. This has all happened in the

past.

So this could open up a can of worms in this county. I mean, I understand we need people in here. We need, you know, to develop. But I also know what we have put up with in the past. We get them in for a minute, then they're gone. And then we have rubbish to contend with.

And I've been here for almost 40 years; so I'm looking at the future, not because of our past.

JAN MORRISON: And -- and I can just say that in partial form, the master plan in the Hill Top area is all five acres or more.

RITA ROGERS: Yes.

JAN MORRISON: And so in order to do a zone change out there, a person would not only have to do a zone change, a master plan, they'd be going against the master plan. So you -- I would say you're about as protected as you can be out there.

This area of the master plan is a little bit different, and it does allow for higher density.

RITA ROGERS: Okay.

JAN MORRISON: So -- but Hill Top is pretty much --

RITA ROGERS: We're okay and --

JAN MORRISON: -- well protected because everything goes through public hearings.

RITA ROGERS: Right.

JAN MORRISON: And so this --

RITA ROGERS: I just know what we've dealt with in the past.

JAN MORRISON: Sure.

RITA ROGERS: I've been here long enough to know that, basically, the garbage we have to pick up and clean up, that costs the county a lot of money and it costs taxpayers even more.

So this is something that, you know --

JAN MORRISON: Yeah.

RITA ROGERS: -- I really think needs to be looked at, not just because, you know, we need growth.

COMMISSIONER CLARK: Right, I -- now, the way I understand your question is, we have five-acre parcels out at Hill Top --

RITA ROGERS: Uh-huh.

COMMISSIONER CLARK: -- that were being subdivided?

RITA ROGERS: They tried. No. It --

COMMISSIONER BAKKER: They got voted down.

(Simultaneous indiscernible cross talk.)

UNIDENTIFIED PARTICIPANT: (Indiscernible) a couple of places.

COMMISSIONER CLARK: Okay.

RITA ROGERS: Yeah. And, you know, this is what I'm -- I'm concerned about. I mean, I'm not real sure just where you're at.

JAN MORRISON: Uh-huh.

RITA ROGERS: And the neighbors out there. But when you start doing for one, then it opens it up where you have to it for others.

COMMISSIONER MILLS: Doesn't this -- doesn't this --

COMMISSIONER WAITS: Not necessarily.

COMMISSIONER MILLS: -- fall under the Battle --

RITA ROGERS: So --

COMMISSIONER MILLS: -- Mountain town?

COMMISSIONER WAITS: Yeah.

COMMISSIONER MILLS: Isn't that part of -- so it's kind of separate?

JAN MORRISON: Well, not necessarily --

COMMISSIONER MILLS: The way it's --

JAN MORRISON: -- the town --

COMMISSIONER MILLS: -- viewed?

JAN MORRISON: -- boundaries. But there is a master plan; --

CHAIRMAN STIENMETZ: Yeah.

JAN MORRISON: -- so the county has --

COMMISSIONER MILLS: Okay.

JAN MORRISON: -- adopted a master plan. And Hill Top is five acres or more. And so nothing can stop anybody from coming in front of you and asking, --

COMMISSIONER MILLS: Right.

JAN MORRISON: -- but it's generally incumbent upon the planning commission and the county commissions to uphold the master plan. And -- and I suspect that's what's happened in the last. If they've tried, they haven't been successful because it's been uphill.

RITA ROGERS: Right.

JAN MORRISON: I can't address that because I have -- I wasn't there, but --

RITA ROGERS: And mine is, is, you know, it's going to put a master plan together, is going to be responsible for the roads that get put in, the roads that's going to be maintained. Or is that going to come back on the county to maintain and put out the expense of keeping these roads up because that's what happened in the past?

JAN MORRISON: Sure.

RITA ROGERS: They've put these roads in, then they walk out and then the county is left to have to pay for everything. And I just think we need to really look into, on -- especially our roads, you know, of being maintained.

COMMISSIONER CLARK: The way I understand it, Rita, is that the owner-builder's responsible to bring it up to standards for the county to pave.

JAN MORRISON: Depends on the zoning.

RITA ROGERS: I tell you.

JAN MORRISON: Before any map is accepted, whether it's an ag -- agriculture, five acres or more -- pro- -- the roads do not have to be paved. But they have to bring up to a county rural road standard. Before parcel maps or subdivision maps are allowed to be recorded, all those notes have to be tested through the Road and Bridge Department and accepted by the county. And then once the county accepts it, then the county maintains them. Now, that hasn't been a perfect procedure in the past and hasn't always been followed. And that's why there were a lot of issues, I know, --

RITA ROGERS: Yes.

JAN MORRISON: -- in Hill Top that the county has been cleaning up. But I can say from the past year or so forward, that's been stopped. And code is being followed. And all roads are being tested before the county accepts them.

COMMISSIONER CLARK: So when you say "maintained," does that mean fix the potholes or does that mean plow the roads when it snows? God wish it --

JAN MORRISON: Yeah, --

COMMISSIONER CLARK: -- would snow.

JAN MORRISON: -- it's pretty much everything. It becomes county property at --

RITA ROGERS: It becomes county.
JAN MORRISON: -- that point in time.
COMMISSIONER CLARK: Oh, okay. Yeah, --
JAN MORRISON: So that's --
COMMISSIONER CLARK: -- the county.
JAN MORRISON: -- why you want good roads being built so that they --
RITA ROGERS: And maintained.
JAN MORRISON: -- last.
RITA ROGERS: And like I said, I know what we have gone through in the past. I've been with this county for a long time. And, you know, we get new in. And then they try to bring stuff in. But in the end, we get left holding it.
And so --
JAN MORRISON: Right.
RITA ROGERS: -- I mean, it really needs to be looked at before any big decisions, I think, should be made. But that's just --
COMMISSIONER WAITS: I can certainly --
RITA ROGERS: -- my opinion.
COMMISSIONER WAITS: I appreciate what you're saying Ms. Rogers because it is true.
RITA ROGERS: It is.
COMMISSIONER WAITS: But let me assure you that each zone request change is looked at individually.
RITA ROGERS: As individual and --
COMMISSIONER WAITS: Absolutely.
RITA ROGERS: -- really looked --
COMMISSIONER WAITS: This has been --
RITA ROGERS: -- at.
COMMISSIONER WAITS: -- before the planning commission. All the neighbors have been notified. They've all had options to come before them and -- and tell --
JAN MORRISON: And --
COMMISSIONER WAITS: -- what it is.
JAN MORRISON: -- our road department.
COMMISSIONER WAITS: Yeah, so --
RITA ROGERS: And our road department. I've been there.
JAN MORRISON: Absolutely. Yeah.
COMMISSIONER WAITS: Yeah, so that that --

RITA ROGERS: I worked there.

COMMISSIONER WAITS: The fact that we do this today, like Jan said, doesn't stop somebody else from putting in a zone change request.

RITA ROGERS: Okay.

COMMISSIONER WAITS: But that would be looked at --

RITA ROGERS: At that time --

COMMISSIONER WAITS: -- very, very --

RITA ROGERS: -- of what they want --

COMMISSIONER WAITS: -- differently under --

RITA ROGERS: -- their zone at.

COMMISSIONER WAITS: -- your restrictions and our master plan and ideas and --

RITA ROGERS: Okay.

COMMISSIONER WAITS: -- the neighbors and all for that area.

RITA ROGERS: Okay.

COMMISSIONER WAITS: So I --

RITA ROGERS: Very good. I'm like you.

COMMISSIONER WAITS: But thank you.

RITA ROGERS: I want this public. I want it known that we --

JAN MORRISON: That's right.

RITA ROGERS: -- really need to look into this. This is, you know, been here a long time. And I --

COMMISSIONER CLARK: Well, what I see --

RITA ROGERS: -- want to make sure --

COMMISSIONER CLARK: -- the problem --

RITA ROGERS: -- we do the right thing.

COMMISSIONER CLARK: The problem with Hill Top is you live here and you build a nice home and you maintain your five acres, and then somebody moves in next --

RITA ROGERS: Oh, believe me, --

COMMISSIONER CLARK: -- door.

RITA ROGERS: -- I know.

COMMISSIONER CLARK: And they move in some old camp trailers or whatever. And then they leave and they don't --

RITA ROGERS: They don't.

COMMISSIONER CLARK: They don't ever come back --

CHAIRMAN STIENMETZ: We're getting --

COMMISSIONER CLARK: -- again.
CHAIRMAN STIENMETZ: -- a little bit --
RITA ROGERS: They don't come --
CHAIRMAN STIENMETZ: -- off the --
RITA ROGERS: -- back. It's bad.
COMMISSIONER CLARK: And there's --
CHAIRMAN STIENMETZ: -- agenda item here.
COMMISSIONER BAKKER: Yeah.
RITA ROGERS: So anyway. Anyway, that was what I wanted to bring up and make sure that we kind of are all on the --
JAN MORRISON: Thank you.
COMMISSIONER BAKKER: Thank you.
RITA ROGERS: -- same page here.
CHAIRMAN STIENMETZ: All right. We have a first and second. Any other public comment?
(No comment.)
COMMISSIONER BAKKER: Aye.
COMMISSIONER MILLS: Aye.
COMMISSIONER CLARK: Aye.
CHAIRMAN STIENMETZ: Aye.
COMMISSIONER WAITS: Aye.
JAN MORRISON: Thank you.
JAY WINTLE: Thank you.

COMMISSIONERS

5) Discussion and possible action to approve/disapprove the First Baptist Church of Battle Mountain putting on the Fourth of July events in the park, and other matters properly related thereto.

CHAIRMAN STIENMETZ: All right. Number 5, discussion and possible action to approve/disapprove the First Baptist Church of Battle Mountain putting on the Fourth of July event in the park, and other matters properly relating thereto.
PASTOR JON LAYDEN: So good morning -- not good morning -- good afternoon.
My name is Pastor Jon Layden.
And just a couple quick things on the item. I'm the pastor

of the Assemblies of God Church. And we would be the ones leading it.

This is Pastor John from the Baptist Church.

PASTOR JOHN SMITH: And we're not leading it.

PASTOR JON LAYDEN: Yeah. So I know there's -- there may have been a confusion on whoever wrote the agenda. It's happened before in other situations.

But I will actually be -- myself and my church will actually be leading it, if you guys choose to approve it.

Back in March, I think it was March 18th, where we had the confusion about the agenda and all that. So you guys approved the funding for it, of $4,000.

And now I'm here to actually get the event approved by you and stuff. And so what we will be doing -- and I don't know if you read the packet that I turned in. But we will be doing something similar to what we did for Easter. I don't know if you guys attended that at all. But we had a bunch of inflatables. We had food. We had some entertainment, things like that.

We will be doing pretty much the same thing, except on Fourth of July we have some vendors that are interested in selling their items and their food as well. They're also -- we're trying to get some different types of entertainment. There's been a gentleman that stepped up and said that he knows a couple of bands.

We're thinking of doing some type of kids show or presentation, and whatnot and stuff. And so, but we wanted to put it out there that we'd like to help the community in this way. And this is only just for the events in the park, not the fireworks, not the parade, not anything else. This is just strictly the park.

COMMISSIONER WAITS: Now, when you were here before at our budget meeting, I think we talked about the insurance. And you said that was -- that was --

PASTOR JON LAYDEN: Our --

COMMISSIONER WAITS: And you've checked into that --

PASTOR JON LAYDEN: -- our church --

COMMISSIONER WAITS: -- and that can be handled --

PASTOR JON LAYDEN: -- already has --

COMMISSIONER MILLS: -- on your own?

PASTOR JON LAYDEN: -- insurance, because our insurance company expects churches to do --

COMMISSIONER WAITS: So --

PASTOR JON LAYDEN: -- events.

COMMISSIONER WAITS: -- the extra additional funding is for the inflatables and your --

PASTOR JON LAYDEN: Yeah.

COMMISSIONER WAITS: -- bands and --

PASTOR JON LAYDEN: Yes.

COMMISSIONER WAITS: -- the things you mentioned?

PASTOR JON LAYDEN: This is strictly for -- well, there's -- there's the inflatables. There's the entertainment. There's the supplies that we would need for, like example, gas for the generators and extension cords and stuff like that.

And then we have some promotional expenses.

I don't know if you remember, but for Easter, we sent out a postcard advertising the event and things like that. We were going to make some posters and really get the word out there.

PASTOR JOHN SMITH: And actually at the Easter block party, we had approximately, for two days, we had sixt- -- over 1600 people that were involved in our community --

COMMISSIONER WAITS: Oh.

PASTOR JOHN SMITH: -- in that.

COMMISSIONER MILLS: Have you gone before the Lander County Board of Convention and Tourism for any funding for advertising or anything for this?

PASTOR JON LAYDEN: To be honest, I found out about this about a little over a month ago.

And so I was told by -- I believe it was Paula who previously did this -- that I had to go before you and stuff. So to be honest, I'm new at this specific event.

And so -- and so I'm just doing what I've been told.

COMMISSIONER BAKKER: Oh, man.

COMMISSIONER WAITS: This is --

COMMISSIONER BAKKER: We potentially approved the funding.

PASTOR JON LAYDEN: Okay.

COMMISSIONER BAKKER: So what we need you to do, what we've been doing with everybody -- you didn't come to the second budget hearing -- but we need quotes.

PASTOR JON LAYDEN: Okay.

COMMISSIONER BAKKER: And then you'll come back and put in for the request that we potentially funded.

PASTOR JON LAYDEN: Okay.

COMMISSIONER BAKKER: We'll look at your quotes and then decide from there.

PASTOR JON LAYDEN: S- -- okay.

COMMISSIONER WAITS: Um, I'm --

DISTRICT ATTORNEY HERRERA: Did we agendize the --

COMMISSIONER WAITS: -- confused.

DISTRICT ATTORNEY HERRERA: -- wrong church?

COMMISSIONER WAITS: We did --

PASTOR JON LAYDEN: Yes.

COMMISSIONER WAITS: -- potentially --

PASTOR JON LAYDEN: Yes, you --

COMMISSIONER WAITS: -- and he --

PASTOR JON LAYDEN: -- did.

COMMISSIONER WAITS: -- is before --

PASTOR JON LAYDEN: But we're --

COMMISSIONER WAITS: -- us today.

CHAIRMAN STIENMETZ: So we can't really do anything --

COMMISSIONER BAKKER: We have quotes or --

PASTOR JOHN SMITH: Right.

(Simultaneous indiscernible cross talk.)

COMMISSIONER WAITS: Yeah.

PASTOR JOHN SMITH: Exactly.

CHAIRMAN STIENMETZ: -- before us --

PASTOR JOHN SMITH: Exactly.

CHAIRMAN STIENMETZ: -- with an agenda r- -- agenda items right.

PASTOR JON LAYDEN: We just got the leading church and stuff and so...

COMMISSIONER WAITS: Okay. I'm still confused because we potentially did it. And -- but he missed the next meeting.

PASTOR JON LAYDEN: Yes.

COMMISSIONER WAITS: So he's coming before us today for the actual approval of the --

DISTRICT ATTORNEY HERRERA: I doubt the church -- we agendized --

CHAIRMAN STIENMETZ: No, it's the wrong church. He's got to come back before us.

DISTRICT ATTORNEY HERRERA: It's the wrong church.

COMMISSIONER WAITS: One of them is the First Baptist Church.

DISTRICT ATTORNEY HERRERA: But he's not leading.

COMMISSIONER CLARK: John Smith. But he's not asking for money.

PASTOR JOHN SMITH: No, but I will. I'm a pastor. I'll ask for money.

COMMISSIONER CLARK: That's not -- that's --

PASTOR JOHN SMITH: I have no problem with that.

COMMISSIONER CLARK: -- not on the agenda.

COMMISSIONER WAITS: So we need both -- both Pastor Johns on the agenda? Is what --

DISTRICT ATTORNEY HERRERA: Well, not all --

COMMISSIONER WAITS: We're saying?

DISTRICT ATTORNEY HERRERA: -- of them are asking for --

COMMISSIONER BAKKER: Just the one.

DISTRICT ATTORNEY HERRERA: -- money. So the one that wants the money, his church needs to be listed correctly on the --

COMMISSIONER WAITS: And that's the First Assembly of --

PASTOR JOHN SMITH: Well, actually we are doing it together. I'm not leading it. Because we're doing some other stuff. And --

COMMISSIONER WAITS: Okay.

PASTOR JOHN SMITH: -- honestly, I have so much on my plate right now between flying from state to state and doing everything, I don't have the time --

COMMISSIONER WAITS: It's a joint venture, but we --

PASTOR JOHN SMITH: It's a joint --

COMMISSIONER WAITS: -- got the wrong --

PASTOR JOHN SMITH: -- venture.

COMMISSIONER WAITS: -- church --

PASTOR JOHN SMITH: Yes.

PASTOR JON LAYDEN: Yes.

COMMISSIONER WAITS: -- to do that.

COMMISSIONER BAKKER: Now, did we potentially approve the funding or did -- how'd that work?

NAN ANCHO: You --

COMMISSIONER WAITS: Yeah.

NAN ANCHO: -- potentially approved $4,000.
COMMISSIONER BAKKER: Yeah.
DISTRICT ATTORNEY HERRERA: For what church?
NAN ANCHO: For the Assembly of God church.
COMMISSIONER BAKKER: Okay.
PASTOR JON LAYDEN: That's --
COMMISSIONER WAITS: So we need to have that --
PASTOR JON LAYDEN: -- that's mine.
COMMISSIONER WAITS: -- come back?
UNIDENTIFIED PARTICIPANT: Yeah.
COMMISSIONER WAITS: Okay.
COMMISSIONER BAKKER: So yeah, --
CHAIRMAN STIENMETZ: You have to come back.
COMMISSIONER BAKKER: And when you --
PASTOR JON LAYDEN: So I have to --
CHAIRMAN STIENMETZ: And re-agendize --
PASTOR JON LAYDEN: -- re- --
CHAIRMAN STIENMETZ: -- for you.
COMMISSIONER BAKKER: We need quotes.
PASTOR JON LAYDEN: I can redo this whole thing over again?
CHAIRMAN STIENMETZ: Yeah.
COMMISSIONER BAKKER: Yeah, sorry.
COMMISSIONER MILLS: We need -- we need some sort of budget when you bring (indiscernible).
COMMISSIONER BAKKER: Yeah, you need --
PASTOR JON LAYDEN: Because I --
COMMISSIONER BAKKER: -- to come back with quotes --
PASTOR JON LAYDEN: -- will have a rough --
COMMISSIONER BAKKER: -- and everything.
PASTOR JON LAYDEN: -- budget and -- because it was one of the questions in the packet.
COMMISSIONER WAITS: Yeah. It was the first time, I believe, --
COMMISSIONER BAKKER: Yeah, it's --
COMMISSIONER WAITS: -- but not this time.
COMMISSIONER BAKKER: Well, when you submit -- when you resubmit this request for, --
PASTOR JON LAYDEN: Okay.
COMMISSIONER BAKKER: -- you need to put quotes in here.
COMMISSIONER WAITS: And that includes the cleanup of the

park and everything too; right?
PASTOR JON LAYDEN: Yeah, yeah, yeah.
COMMISSIONER WAITS: Okay.
PASTOR JON LAYDEN: There's --
COMMISSIONER WAITS: Great.
PASTOR JON LAYDEN: -- things like that in there.
COMMISSIONER WAITS: I'm sorry we asked --
PASTOR JON LAYDEN: So --
COMMISSIONER WAITS: -- you to do --
PASTOR JON LAYDEN: -- so again --
COMMISSIONER WAITS: -- this again.
PASTOR JON LAYDEN: Just so I understand, because it's my first go at this. So --
COMMISSIONER BAKKER: Most of ours too.
PASTOR JON LAYDEN: So I'll start all over. And then at the next commissioner meeting, --
COMMISSIONER WAITS: Yes.
PASTOR JON LAYDEN: I re-present it all over again?
COMMISSIONER WAITS: Yes.
CHAIRMAN STIENMETZ: Yes.
COMMISSIONER WAITS: Right.
PASTOR JOHN SMITH: So my question --
CHAIRMAN STIENMETZ: Because this was agendized wrong.
PASTOR JOHN SMITH: -- now is: How detailed of a budget do you need? Do you need one like we would do annually at our church where it's itemized down to the nickel, the penny?
COMMISSIONER WAITS: No.
COMMISSIONER MILLS: It doesn't have to be --
COMMISSIONER CLARK: Insurance.
COMMISSIONER MILLS: -- that exact, no.
COMMISSIONER WAITS: No, the insurance is already included. But the other items like how much for inflatables? How much for your --
COMMISSIONER BAKKER: Yeah.
COMMISSIONER WAITS: -- band?
PASTOR JON LAYDEN: Okay.
COMMISSIONER WAITS: That type of thing.
COMMISSIONER BAKKER: Different stuff like that. Yeah.
PASTOR JON LAYDEN: Okay.
COMMISSIONER MILLS: Round numbers are good.

PASTOR JON LAYDEN: Okay.
COMMISSIONER MILLS: Nan likes those.
KEITH WESTENGARD: Commissioner Stienmetz?
CHAIRMAN STIENMETZ: Yeah.
KEITH WESTENGARD: Why don't we get together?
PASTOR JON LAYDEN: Okay.
KEITH WESTENGARD: And I will go over with you how to --
COMMISSIONER BAKKER: Yeah.
KEITH WESTENGARD: -- set this up so they can see -- see what they need to see.
PASTOR JON LAYDEN: Okay.
KEITH WESTENGARD: And get with me and come to my office or I'll come over to your church --
PASTOR JON LAYDEN: Okay.
KEITH WESTENGARD: -- and write this up for the first meeting in May, which'll be the 14th, I believe.
PASTOR JON LAYDEN: Okay.
KEITH WESTENGARD: And we'll get it on the agenda --
PASTOR JON LAYDEN: Awesome.
KEITH WESTENGARD: -- and take care of things.
PASTOR JON LAYDEN: I appreciate that.
KEITH WESTENGARD: That way we're not trying to give -- give information and it gets convoluted.
PASTOR JON LAYDEN: Yeah, it does.
KEITH WESTENGARD: We can sit down and ask questions.
PASTOR JON LAYDEN: Okay. Yeah, because normally these types of events take, like, three, four months and stuff. So we're coming out two months. And so we're just trying to get our ducks in a row and do it well and stuff and so -- but okay, well, thank you so much for your time.
COMMISSIONER WAITS: We appreciate you taking it on.
PASTOR JON LAYDEN: Yeah.
COMMISSIONER WAITS: I'm sorry you have to do this one more --
PASTOR JON LAYDEN: Yeah.
COMMISSIONER WAITS: -- time.
PASTOR JON LAYDEN: Thank you.
COMMISSIONER WAITS: See you at the next one.
PASTOR JON LAYDEN: Yeah.

6) Discussion and possible action to consider a letter of interest from Christy Apple-Johnson to full the vacancy of Ami Rogers, vice chair Lander County Convention & Tourism Authority, and other matters properly related thereto.

CHAIRMAN STIENMETZ: All right. Going to Number 6. Discussion and possible action to consider a letter of interest from Christy Apple-Johnson to fill the vacancy of Ami Rogers, vice chair Lander County Convention and Tourism Authority, and other matters properly related thereto.

CHRISTY APPLE-JOHNSON: Hi.

COMMISSIONER MILLS: Hi.

CHAIRMAN STIENMETZ: Please state your name.

COMMISSIONER BAKKER: Hi.

CHRISTY APPLE-JOHNSON: I'm Christy Apple-Johnson.

COMMISSIONER WAITS: Thank you. We're glad you could be with us this morning -- this afternoon.

COMMISSIONER MILLS: Yeah.

COMMISSIONER WAITS: Got to --

COMMISSIONER MILLS: Get used to that.

COMMISSIONER WAITS: -- get used to these commission meetings; right? Excuse me.

So I guess one of my first questions is, I know that they advertised this, but I don't know how many people put in a letter of interest. So I'm sure --

DISTRICT ATTORNEY HERRERA: It -- it's my understanding from talking to Sadie that this was the only letter of interest we received.

COUNTY CLERK SULLIVAN: Correct.

DISTRICT ATTORNEY HERRERA: And that's why we put in front of --

COMMISSIONER WAITS: Okay. And the time frame is all done so -- right?

DISTRICT ATTORNEY HERRERA: Now, as some background, we're filling a position. So that she is -- if you guys appoint her -- and lady -- appoint her to fill a position held by someone else, it's just being he- -- she would only hold that position until the other person, until Ami Rogers' term is over. So it's not her own term. She's filling someone else's term.

COMMISSIONER WAITS: I understand.

DISTRICT ATTORNEY HERRERA: And it's my understanding that --

COMMISSIONER WAITS: We've already accepted Ami Rogers' -- yeah -- resignation.

DISTRICT ATTORNEY HERRERA: It expires 6/30/14 -- oh, wait -- 6/30/16. Now this was a two-year appointment.

And later on today, we are discussing an agenda item because the ordinances state that these boards are only a one-year appointment. And yet, this was a two-year appointment. And it wasn't changed by ordinance or it wasn't changed by statute or -- or any other means. So we're going to get to that, but it will not affect this appointment is -- is my point.

This appointment would -- would stand until 6/30/16.

And it's not the appointment as vice chair, only as -- as a county-at-large position.

CHRISTY APPLE-JOHNSON: At-large position. Uh-huh.

COMMISSIONER WAITS: Board member. I make a motion that we approve Christy Apple-Johnson to fill the vacancy of Ami Rogers until the end of her -- yeah -- her term, which is 6/30/16 for the Lander County Convention and Tourism Authority.

DISTRICT ATTORNEY HERRERA: At-large position.

COMMISSIONER WAITS: The position is at large.

COMMISSIONER MILLS: I'll second that.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

RITA ROGERS: I do have a question on it because we're getting ready to do the board thing with all of us. Okay. So the term --

COUNTY CLERK SULLIVAN: Just a moment.

RITA ROGERS: Oh, I'm sorry.

COUNTY CLERK SULLIVAN: Could you state your name again?

RITA ROGERS: Rita Rogers.

COUNTY CLERK SULLIVAN: Thanks. Each time when you speak.

RITA ROGERS: I'm sorry.

COUNTY CLERK SULLIVAN: Thank you.

RITA ROGERS: Like I said, we're getting ready, you know, because of our board and stuff. So the tourism convention board, they have a time limit? Like everyone that is on that board? Is that true, Ted?

DISTRICT ATTORNEY HERRERA: Every board.
COMMISSIONER WAITS: All our boards do.
CHAIRMAN STIENMETZ: Every -- all our boards you're appointed for.
DISTRICT ATTORNEY HERRERA: You're appointed for Lander County.
RITA ROGERS: Because I know ours is one year.
CHAIRMAN STIENMETZ: Right.
RITA ROGERS: And I -- and we --
CHAIRMAN STIENMETZ: This is two years.
RITA ROGERS: -- redo. Okay. So --
DISTRICT ATTORNEY HERRERA: By ordinance, it's one year.
CHAIRMAN STIENMETZ: Oh, by ordinance one year.
DISTRICT ATTORNEY HERRERA: And that's what -- that's what the county -- certain county commissions in the past have done -- they decided they were going to make it two years, but they didn't realize there's an ordinance --
RITA ROGERS: On it.
DISTRICT ATTORNEY HERRERA: -- that says it's one year. So the ordinance would have to be changed if you want it for two years or three years or four years. Because right now -- and this is coming in front of us on Item Number 11.
RITA ROGERS: Yeah, --
DISTRICT ATTORNEY HERRERA: So that would be --
RITA ROGERS: -- that would be us at that time.
DISTRICT ATTORNEY HERRERA: -- a great place for us to discuss this.
RITA ROGERS: Okay. And the reason I'm asking on the tourism -- is the tourism board the same as the fair board now?
COMMISSIONER WAITS: No.
RITA ROGERS: Is that --
CHAIRMAN STIENMETZ: No.
RITA ROGERS: The fair board is diff- -- isn't the fair board --
CHAIRMAN STIENMETZ: They're an authority --
RITA ROGERS: That's a different --
CHAIRMAN STIENMETZ: -- and you're on a board.
RITA ROGERS: -- authority; right?
CHAIRMAN STIENMETZ: Yeah.
RITA ROGERS: Okay. That's what I needed to know for sure.

Okay.

DISTRICT ATTORNEY HERRERA: They're created by resolution.

RITA ROGERS: Oh okay. So -- I knew there were criteria --

DISTRICT ATTORNEY HERRERA: And --

RITA ROGERS: -- in order to be on that fair board. So --

DISTRICT ATTORNEY HERRERA: Yeah.

RITA ROGERS: Very good.

CHAIRMAN STIENMETZ: Any other public comment?

(No comment.)

CHAIRMAN STIENMETZ: I have a first and second. All in favor?

COMMISSIONER MILLS: Aye.

COMMISSIONER BAKKER: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

CHAIRMAN STIENMETZ: Aye.

COMMISSIONER BAKKER: Good luck.

CHRISTY APPLE-JOHNSON: Thank you.

COMMISSIONER WAITS: Thank you, Christy.

7) Discussion and possible action regarding approval of Proclamation No. 2015-02, a proclamation recognizing May 17th through 23rd, 2015, as Emergency Medical Services Week, and all other matters properly related thereto.

CHAIRMAN STIENMETZ: Now we'll go to Number 7. Discussion and possible action regarding approval of Proclamation No. 2015-02, a proclamation recognizing May 17th through the 23rd of 2015 as Emergency Medical Service Week, and other matters properly related thereto.

CASSANDRA SHOOPMAN: Good afternoon. I'm Cassandra Shoopman, lieutenant with Lander County EMS.

So I think most of you know every year that we've started, since we've been an EMS service, we've done an event in the community. We do a big barbecue outreach. We go to all the elementary schools, the senior centers in both northern and Lander -- or northern and southern. And then we do fun stuff like Maverick, BP pressure checks and blood sugars.

This is the first year that we're bringing it to you guys to do a proclamation recognizing it, as a county and as a commission.

I believe it was in your guys's packet. If not I have copies of the proclamation if you guys need them.

And so we're going to be doing the same things this week. I'm working with the principal at the elementary school to get the schedule set up so we can go and the little kids go through all of the ambulances and get to press buttons and see shiny lights. And then we'll be doing the big EMS barbecue in conjunction with the hospital's new building. We're doing the big open house. So we're going to make it a big party this year and have everyone come together to kind of support it.

COMMISSIONER WAITS: Well, we're glad you're here. We're glad you brought us the proclamation and give us an opportunity to thank you and be recognized. So I will make a motion we approve the Proclamation No. 2015-02, recognizing May 17th to May 23rd, 2015, as Emergency Medical Services Week.

COMMISSIONER BAKKER: Second.

COMMISSIONER WAITS: And for the chair or vice chair to sign the proclamation.

CHAIRMAN STIENMETZ: Any pu- --

COMMISSIONER BAKKER: Second. Go ahead.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER MILLS: Aye.

COMMISSIONER BAKKER: Aye.

COMMISSIONER WAITS: Aye.

COMMISSIONER CLARK: Aye.

CHAIRMAN STIENMETZ: Aye.

CASSANDRA SHOOPMAN: Thank you so much.

COMMISSIONER BAKKER: Thank you.

COMMISSIONER WAITS: Thank you.

8) Discussion and possible action to approve Resolution No. 2015-10, a Lander County resolution in support of Nevada Wildfire Awareness Month, May 2015, and other matters properly related thereto.

CHAIRMAN STIENMETZ: Item 8, discussion for possible action to approve re- -- Resolution No. 2015-10, a Lander County resolution in support of Nevada Wildfire Awareness Month,

May 2015, and other matters properly related thereto.

KEITH WESTENGARD: I was approached by Mike Whalen, BLM in Winnemucca. This is a -- an annual event. It's statewide. And it, like I said, it's annual. It's done every year.

So he has asked that -- that the commission sign the proclamation for national wildfire awareness week in Lander County or month -- I'm sorry -- national wildfire awareness month.

COMMISSIONER BAKKER: I'll make a motion to approve Resolution No. 2015-10, a Lander County resolution in support of Nevada Wildfire Awareness Month, May 2015.

And to authorize the chair or vice chair to sign.

COMMISSIONER MILLS: I'll second.

CHAIRMAN STIENMETZ: Any public comment?

(No comment.)

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER MILLS: Aye.

COMMISSIONER BAKKER: Aye.

CHAIRMAN STIENMETZ: Aye.

COMMISSIONER CLARK: Aye.

COMMISSIONER WAITS: Aye.

9) Discussion and possible action regarding the presentation by Ryan Hope to present information regarding the National Intergovernmental Purchasing Alliance Program, and other matters properly related thereto.

CHAIRMAN STIENMETZ: Number 9, discussion and possible action regarding the presentation by Ryan Hope to present information regarding the National Intergovernmental Purchase Alliance Program, and other matters properly related thereto.

RYAN HOPE: Thank you. Good afternoon.

CHAIRMAN STIENMETZ: Good afternoon.

RYAN HOPE: Appreciate you seeing me. My name is Ryan Hope. And I am employed by Gem State Paper & Supply. We're located in Elko, Nevada.

The end of last year, we partnered with the National Intergovernmental Purchasing Alliance to help lower procurement costs for public agencies and nonprofits of which Lander County would be one.

Through this program, through bulk purchasing, your expenses

and procurement costs can be lowered anywhere between 30 to 80 percent through enrolling in this program and -- and using the -- the appointed supplier in the area.

I presented this program to different department heads throughout the county and received the feedback that the majority of the maintenance and supplies for the county are provided through a private building services coordinator, who would not be eligible for this program and not eligible for the discounts, which is leaving a considerable amount of money on the table by -- by the contract that this is written into.

With the new facilities going up, I think it might be a good time to entertain the idea of using this program, possibly purchasing directly so you're eligible for these discounts and -- and saving the money for -- for other events.

I did include information about the program in your backup that was delivered to you last week.

There are a quite a few suppliers that are involved in this program. And that is all in the -- in your backup. I hope you received it. I do have a couple of extra copies if -- if those were somehow lost.

But the discounts are pretty significant. And for a small rural county to be able to compete with large metropolitan areas would be a -- quite a money saver for the county.

I would like to -- I would hope you would consider using this program to maybe lower your costs in the future and maybe consider buying directly rather than using a private contractor who provides her or his own supplies and then rebills the county for their janitorial and food service supplies.

COMMISSIONER WAITS: So it says there's actually no cost to the county --

RYAN HOPE: There's not.

COMMISSIONER WAITS: -- to belong. Because I know there's several government purchasing alliances that we do belong to.

RYAN HOPE: Correct.

COMMISSIONER WAITS: And perhaps it hasn't hit all these areas; so we don't like to leave those stones unturned, of course.

RYAN HOPE: There's no cost. Our company -- there is a -- a fee for us to belong, which we -- we have paid. But for you, the end user, there's no cost. There's no time commitment. And

there's no contract. It's a take it or leave it. If -- if you're pleased with it, you can continue. If not, you can withdraw at any time. There's really no negative side to this, from my point of view, for the county to enroll and even pick and choose which parts they want to use and which parts they don't. There's no obligation whatsoever for the county to be involved.

DISTRICT ATTORNEY HERRERA: I thought there was an enrollment requirement.

RYAN HOPE: To my knowledge, the county has already enrolled. On the list of suppliers, apparently several years ago, before we were even involved, someone approached the sheriff's department. And the -- and someone in the sheriff's department enrolled the county. The county's previously enrolled in this program.

DISTRICT ATTORNEY HERRERA: Okay.

RYAN HOPE: And so --

DISTRICT ATTORNEY HERRERA: That's what I wanted to hear.

RYAN HOPE: -- so that has taken place. It's just a matter of getting department heads on board and maybe rethinking the contract with the private building service coordinator. Maybe not so much discontinuing the use of them, but just buying directly your supplies, rather than building that into the contract where the private contractor provides those supplies and then is reimbursed.

COMMISSIONER WAITS: Okay. So, Ryan, explain to me again then, how are you -- are you the third party? I don't understand why you're -- why you're here if we can go directly and we've gone directly.

RYAN HOPE: If you see the list of suppliers --

COMMISSIONER WAITS: I did.

RYAN HOPE: -- and --

COMMISSIONER WAITS: But that has to be done by -- by the county itself, not by individuals from the county; right?

RYAN HOPE: The county's enrolled. They were vetted to verify that it's a legit public agency. And on the right-hand column, the second to the bottom network, we're -- we are the area supplier for the network janitorial services.

Network does not have any warehouses, delivery trucks, whatsoever. We are the representative of network.

If Lander County wants to participate in the National Intergovernmental Purchasing Alliance, it would have to be through Gem State Paper & Supply. We're the --

COMMISSIONER WAITS: I see.

RYAN HOPE: -- only --

COMMISSIONER WAITS: So you are one of the suppliers.

RYAN HOPE: One of them. Yeah, as --

COMMISSIONER WAITS: Okay.

RYAN HOPE: You can see the whole --

COMMISSIONER WAITS: I understand.

RYAN HOPE: -- entire list here.

COMMISSIONER WAITS: But everybody else we go to directly. For other supplies, like Office Depot.

RYAN HOPE: Office Depot. Yeah. We -- we are a network. Network is just a conglomeration of janitorial supply houses.

COMMISSIONER WAITS: Okay.

RYAN HOPE: So we are network.

COMMISSIONER WAITS: So for those supplies we come to you?

RYAN HOPE: Correct.

COMMISSIONER WAITS: Got it.

RYAN HOPE: For office supplies --

COMMISSIONER WAITS: Okay.

RYAN HOPE: -- differently. Auto parts, obviously. So on and so forth.

COMMISSIONER WAITS: I understand. Thank you.

DISTRICT ATTORNEY HERRERA: So this is more of a discussion item since we already belong to it.

RYAN HOPE: Yes. And when I spoke to Judge Bunch regarding the new courthouse, he said that the current purchasing program was -- a contract is signed with a private building services coordinator. And in the current agreement, that company provides supplies.

DISTRICT ATTORNEY HERRERA: Correct. Right. So but -- but for the county commissioners to decide to get out of the contract with that person, it has to be agendized separately from how it's agendized today.

Today it's only agendized whether or not they want to participate in an inter- -- intergovernmental program, which they're already signed up with.

RYAN HOPE: Okay.

DISTRICT ATTORNEY HERRERA: Which means this is basically for your information purposes --

RYAN HOPE: Okay.

DISTRICT ATTORNEY HERRERA: -- for you, the county commissioners.

RYAN HOPE: Very good.

DISTRICT ATTORNEY HERRERA: And I'm just letting you know.

RYAN HOPE: Very good. Okay.

COMMISSIONER WAITS: But if -- if the other one comes before us and we are in a contract and want to come out of that contract regarding what it is, there's no reason for him to come before us again because we already belong and we can --

DISTRICT ATTORNEY HERRERA: Right.

COMMISSIONER WAITS: -- just start doing business with you.

RYAN HOPE: Uh-huh.

CHAIRMAN STIENMETZ: Right.

DISTRICT ATTORNEY HERRERA: Absolutely.

COMMISSIONER MILLS: Do we have any idea what the terms of that contract are?

DISTRICT ATTORNEY HERRERA: No, not at this point.

COMMISSIONER WAITS: No, we -- it's not on the agenda. Okay. Thank you.

DISTRICT ATTORNEY HERRERA: I didn't realize that had been agendized today so --

COMMISSIONER MILLS: Okay.

DISTRICT ATTORNEY HERRERA: I could find out.

COMMISSIONER WAITS: Thank you. We appreciate --

COMMISSIONER MILLS: You just didn't know --

COMMISSIONER WAITS: -- you bringing it --

COMMISSIONER MILLS: -- off the top of your head?

COMMISSIONER WAITS: -- to our attention.

COMMISSIONER MILLS: What's going on there?

DISTRICT ATTORNEY HERRERA: Sorry. Bad day.

RYAN HOPE: Okay. I appreciate your --

COMMISSIONER MILLS: Thank you for telling us about this. Good to know.

RYAN HOPE: I appreciate your time.

10) Discussion and possible action regarding an amendment to the Health Services Contract, and other matters properly related thereto.

CHAIRMAN STIENMETZ: All right. Moving on to Item 10, and discussion and possible action regarding an amendment to the Health Service Contract, and other matters properly relating thereto.

COMMISSIONER CLARK: You need a copy?

DISTRICT ATTORNEY HERRERA: I'll go get it. It's on my desk.

KEITH WESTENGARD: Okay.

DISTRICT ATTORNEY HERRERA: One moment.

CHAIRMAN STIENMETZ: Okay. Can we take a five-minute break, please.

(Break taken between 2:08 p.m. and 2:16 p.m.)

CHAIRMAN STIENMETZ: All right. We're back to order on Item 10. Discussion for possible action regarding the amendment to the Health Services Contract, and other matters properly related thereto.

DISTRICT ATTORNEY HERRERA: What this is -- Ted Herrera for the -- for the record -- is currently, we have interstate, interlocal contract between public agencies, a two-year contract that became effective July 1st, 2013. And it was supposed to run through June 30th, 2015. And this contract was for approximately $45,612 per year, which is the $96,060 for that two-year period.

What the Division of Public and Behavior Health and Department of Health and Human Services are doing is putting together a public health nurse, and that's what this contract's about, the public health nurse and the mental health person. They're trying to put it together so that at the end of this year, this -- and that's what this amendment. This amendment is to extend a three-year contract -- or a two-year contract to three years. That's all we're talking about. They're going to amend it to extend it one more year at the same price we were paying per year, which is $45,612.

We currently, in talking to Nan or the assistant -- what is

she? assistant -- executive director, I should say.

We have budgeted potentially $96,000 for this coming year. So we -- twice as much as what we need. This is really a $45,000 contract.

COMMISSIONER WAITS: We budgeted the 96- for this year, but it was to cover two years; right?

DISTRICT ATTORNEY HERRERA: Well, that's because -- we thought the amendment was --

COMMISSIONER WAITS: Right.

DISTRICT ATTORNEY HERRERA: -- going to do that for another two years, but it's just a one-year.

COMMISSIONER WAITS: I'll make a motion that the commissioners approve the amendment to the Health Services Contract, which would make the new contract term July 1st, 2013, to June 30th -- excuse me -- July 1st, 2013, to June 30th, 2016, at the same cost.

COMMISSIONER CLARK: I'll second it.

CHAIRMAN STIENMETZ: Any public comment?

JUDGE MAX BUNCH: Yeah. I've got a question. Wasn't when Phil was here, said there would be no cost to the county moving in that at one point?

CHAIRMAN STIENMETZ: This has nothing to do with moving in the building. This is to pay for public nurse.

JUDGE MAX BUNCH: No, that's what we're talking about.

DISTRICT ATTORNEY HERRERA: No, what I'm talking about is that when the building is constructed, what they would like to do is put the public health nurse and the mental health person together.

JUDGE MAX BUNCH: I -- I understand that.

When Phil was here giving his report and he was asked that question, they -- they -- he told the commissioners that it wouldn't cost the county anything. It would be free for them to move in there.

KEITH WESTENGARD: That was the rental of the building.

DISTRICT ATTORNEY HERRERA: Not for their services. This is just for their services.

JUDGE MAX BUNCH: Okay, thanks.

CHAIRMAN STIENMETZ: Any other public comment?

COMMISSIONER WAITS: Was there a second?

CHAIRMAN STIENMETZ: What?

COMMISSIONER WAITS: Who seconded it?
COMMISSIONER CLARK: I seconded it.
COMMISSIONER WAITS: Thank you.
CHAIRMAN STIENMETZ: All in favor?
COMMISSIONER BAKKER: Aye.
COMMISSIONER MILLS: Aye.
CHAIRMAN STIENMETZ: Aye.
COMMISSIONER CLARK: Aye.
COMMISSIONER WAITS: Aye.

11) Discussion and possible action regarding length of terms for all Lander County boards and other matters properly related thereto.

CHAIRMAN STIENMETZ: Number 11, discussion for possible action regarding the length of term for all Lander County boards, and other matters properly related thereto.

DISTRICT ATTORNEY HERRERA: Okay.

CHAIRMAN STIENMETZ: I have a question for this.

DISTRICT ATTORNEY HERRERA: Okay.

CHAIRMAN STIENMETZ: Since it's Convention and Tourism is an authority, are they different than a board?

DISTRICT ATTORNEY HERRERA: They're still a board.

CHAIRMAN STIENMETZ: They're still a board.

KEITH WESTENGARD: They still follow under the --

DISTRICT ATTORNEY HERRERA: Yeah, they still fall under the board. They fall under the ordinance. As matter of fact, in your packet, you will see --

COUNTY CLERK SULLIVAN: 1.08.

DISTRICT ATTORNEY HERRERA: Hm?

COUNTY CLERK SULLIVAN: 1.08.

DISTRICT ATTORNEY HERRERA: Yeah, 1.08.

CHAIRMAN STIENMETZ: Oh, advisory board. All right.

DISTRICT ATTORNEY HERRERA: And then also at the end of that, you'll see board appointment list.

And you'll see that all of them have yearly appointments on it.

The ordinance, 1.08, talks about a one-year appointment. The -- the commission, at some point in time, maybe more than one commission, decided to make these two-year appointments, for

some of them, two-year appointments. But we can't do that unless we change the ordinance.

So right now, what we need to do, since some changes were made in some areas and some appointments were made for two years, we need to let those expire on their own in 2016.

And we had that with -- with the board we just filled the position on.

And -- and we can't stagger them because the ordinance says that they -- they all would be replaced on June 30th of that year.

So if you -- you have to decide whether or not you want to follow the ordinance, which I highly advise you to do, or amend it, or create a new one.

But the ordinance says it's one year. And the expiration dates is June 30th of that year. So --

And then the new appointment takes place the next day. However you want to do it, we are going to get everything right. And so we're going to have to move to one year at this time.

But again, I'll point out that -- that the current board had a two-year appointment, there's still one year left on that. And we need to allow that to expire on its own. To fix the problem we created, I guess.

COMMISSIONER MILLS: How hard is it to change the ordinance? Because that -- to me it makes sense to have two-year terms and stagger them because that way you're not wiping out -- there's no possibility of wiping out a whole board with all new people and messing up a board.

DISTRICT ATTORNEY HERRERA: It's easier for you than it is for me, Commissioner.

COMMISSIONER MILLS: Well, that's -- I'm all right with that.

DISTRICT ATTORNEY HERRERA: To answer your question. What you need to do and what I would suggest, since you have so many different boards and so many different types of boards --

COMMISSIONER MILLS: Right.

DISTRICT ATTORNEY HERRERA: You have Category 1 boards and Category 2 boards and Category 3 boards and Category 4 boards. You need to discuss this or at least think about it longer than today --

COMMISSIONER MILLS: Right.

DISTRICT ATTORNEY HERRERA: -- to decide if we want to treat the boards differently. Category 1 board is a -- is a statutory board, created by statute. We've created an ordinance or a resolution.

And Category 2, 3, and 4 boards are purely advisory boards. Although some of them don't think they are, they are.

And -- but there's a difference between Category 1 board and Category 2 boards and Category 3 boards. So you may want different --

COMMISSIONER MILLS: Terms.

DISTRICT ATTORNEY HERRERA: -- terms for --

COMMISSIONER MILLS: Right.

DISTRICT ATTORNEY HERRERA: -- different --

COMMISSIONER MILLS: Because longevity helps with --

DISTRICT ATTORNEY HERRERA: Right. And you --

COMMISSIONER MILLS: -- functioning.

DISTRICT ATTORNEY HERRERA: -- may want to do that. And -- and I don't have any thoughts of that. I'm just trying to get it together.

COMMISSIONER MILLS: So for today you just want to get it corrected for today.

DISTRICT ATTORNEY HERRERA: I want to get it corrected so everyone's on the same page. That the ordinance -- the ordinance --

COMMISSIONER MILLS: Is --

DISTRICT ATTORNEY HERRERA: -- trumps anything -- any action this county commission has taken in the past without changing the ordinance.

COMMISSIONER MILLS: Okay.

DISTRICT ATTORNEY HERRERA: That's my main point today.

COMMISSIONER MILLS: So you want to fix this all to one-year terms today. And then we can work all this other junk out later.

DISTRICT ATTORNEY HERRERA: Yeah. But in saying that, I point out that we need to let them expire in 2016, the ones that have already been appointed.

COMMISSIONER MILLS: Okay.

DISTRICT ATTORNEY HERRERA: And that's -- that's -- even though it's a little over a year, it was two-year appointment.

COMMISSIONER MILLS: Right.

DISTRICT ATTORNEY HERRERA: It's -- we need to carry through with that. But now we're on notice.

COMMISSIONER WAITS: So last year, when the commission took this action, they -- they changed to two years, but it didn't affect everyone? Or it did affect everyone?

DISTRICT ATTORNEY HERRERA: It didn't affect everyone, for some reason.

COMMISSIONER WAITS: So do you know offhand which ones it affected and which ones it didn't?

DISTRICT ATTORNEY HERRERA: Sadie and I have been trying to -- we've been trying to do a little research on that. And it's very difficult to do. So that's why we thought we'd put this in front of the commission and just understand that some of these boards expire in 2015, June 2015. And some of them, at least one, at least one board, they expire in 2016.

So we have to let the ones in 2015 expire when they're supposed to and make new appointments at -- at that point in time. And we have to allow the one board that expires in 2016 for them to fill their positions into 2016.

But we need to decide what we're going to do. But we really have a year and two months.

So -- so I would suggest you -- you put one or two commissioners on this and have them do some type of a -- or create an ad -- ad hoc committee to --

COMMISSIONER WAITS: Well, --

DISTRICT ATTORNEY HERRERA: -- to decide these things.

COMMISSIONER WAITS: I guess I'm a bit confused. Because we still have some that will be expiring in 2015.

DISTRICT ATTORNEY HERRERA: Yes.

COMMISSIONER WAITS: And -- and if I they come before us now with new people --

DISTRICT ATTORNEY HERRERA: All we can do is one year.

COMMISSIONER WAITS: Is one year.

DISTRICT ATTORNEY HERRERA: Absolutely.

COMMISSIONER WAITS: With the ordinance.

UNIDENTIFIED PARTICIPANT: Right.

COMMISSIONER WAITS: Okay. Now this doesn't affect any of the commissioners sitting on because we appoint the first of January on ours. So --

DISTRICT ATTORNEY HERRERA: And what I found --

COMMISSIONER WAITS: So we're talking just citizens that sit on these committees; correct?

DISTRICT ATTORNEY HERRERA: From what -- what I've discovered so far, Commissioner Waits, is that the Lander County Convention and Tourism, previously known as the Fair and Rec Board, is the only board that I see at this time that has a two-year appointment.

RITA ROGERS: We're only one.

DISTRICT ATTORNEY HERRERA: Yeah.

RITA ROGERS: We're one year.

DISTRICT ATTORNEY HERRERA: There may be other boards, but this is the only one I've -- I've found --

COMMISSIONER WAITS: Okay.

DISTRICT ATTORNEY HERRERA: -- that had two-year appointments. So I'm suggesting we allow those to expire in 2016. And when you appointed -- when you appointed the county-at-large position, previously held by Ami Rogers, you -- you told her that she expires in 2016. So we should follow along with that.

FRANK WHITMAN: A heads up. Austin here. Frank Whitman. The PLUAC board also has two-year terms.

DISTRICT ATTORNEY HERRERA: Not according to ordinance they don't.

FRANK WHITMAN: Well, I'm on a two-year term.

DISTRICT ATTORNEY HERRERA: Do you have any statutory authority to back that up?

FRANK WHITMAN: No, I don't. I just know the last time I put it in, I was told by the commissioners that it was a two-year term and I was (indiscernible).

DISTRICT ATTORNEY HERRERA: Right. And that was -- that's the invalid appointment that we're talking about today.

FRANK WHITMAN: Well, my current position is invalid; is that correct?

DISTRICT ATTORNEY HERRERA: No. No. It's valid. When does it expire?

FRANK WHITMAN: Two thous- -- June -- end of June '16.

COMMISSIONER WAITS: So you were appointed last year; right, Frank?

FRANK WHITMAN: Yes.

DISTRICT ATTORNEY HERRERA: And what board was that?

FRANK WHITMAN: The public lands.

DISTRICT ATTORNEY HERRERA: Okay. Thank you for bringing that to our attention. So I'll amend my further earlier comment and say that we should allow the public lands also to expire at the end of the two-year appointment.

COMMISSIONER WAITS: I think we'd have to go through the minutes from last year to see if we've missed anybody else because it was the intention as people were coming up last year to give them the two years. And I don't know who all it affected either. So we may have somebody else.

DISTRICT ATTORNEY HERRERA: We may, but -- and they all should expire in June. We can't stagger these things. We can't have some expire in January and some expire in June. Because the ordinance says that they all expire.

COMMISSIONER WAITS: I understand. And we'll have to look at --

DISTRICT ATTORNEY HERRERA: We're going to have to look at this.

COMMISSIONER WAITS: -- fixing this. I would certainly concur that we need to do this sooner rather than later.

COMMISSIONER MILLS: Right.

COMMISSIONER WAITS: And so even though we have a long time to do this and we're honoring those, I'd like to get it handled however you want to do it through a resolution or change of the ordinance or something. So can we put this back on the agenda?

DISTRICT ATTORNEY HERRERA: Yes, you can. I will continue to look into this. If you -- if I could get -- get a county commissioner to -- to agree to discuss this with me, when I -- when I come up with something. Sean?

COMMISSIONER BAKKER: Yeah, I will. Anybody else?

DISTRICT ATTORNEY HERRERA: If that's -- if you guys approve that --

COMMISSIONER CLARK: I'd be available.

DISTRICT ATTORNEY HERRERA: That's fine. Then I can discuss that with them. And -- and not violate any open meeting laws in doing so.

COUNTY CLERK SULLIVAN: And if I may. Sadie Sullivan for the record.

When it was stated on a meeting to have it come every two years was so that the year rolls around so quickly. So the two

years was so it wasn't so quick or what have you.

Also, it was stated that if they did choose to change it to the two years, we'd have to follow the statute for an ordinance. When it comes down to an ordinance to change it, like Mr. Herrera had said, we bring it before the board. It also has to be published --

COMMISSIONER WAITS: Public hearing.

COUNTY CLERK SULLIVAN: -- for two weeks for a public -- yes, for a public hearing. Then if you do choose to approve it, then it also is published again for another two weeks. So I believe what happened is they were on the right track, it just was never --

DISTRICT ATTORNEY HERRERA: They just never --

COUNTY CLERK SULLIVAN: -- followed through to change that ordinance.

And like Mr. Herrera had stated, some people feel that the understanding was that at the end of the year the ordinance states from July 1 through June 30th of every -- so that needs to be corrected. We need to follow the ordinance, like Mr. Herrera has said.

COMMISSIONER WAITS: I'll make a motion that we -- we table the length of terms, for our Lander County boards, until our second meeting in June and have our district attorney look into this --

DISTRICT ATTORNEY HERRERA: Along --

COMMISSIONER WAITS: -- for us.

DISTRICT ATTORNEY HERRERA: -- with two commissioners.

COMMISSIONER WAITS: Do you want two commissioners?

COMMISSIONER CLARK: Yeah.

DISTRICT ATTORNEY HERRERA: I thought they both --

CHAIRMAN STIENMETZ: Yeah.

COMMISSIONER WAITS: Along with --

COMMISSIONER CLARK: Sean and Art.

COMMISSIONER WAITS: -- with the appointment of two commissioners, Commissioner Bakker and Commissioner Clark.

DISTRICT ATTORNEY HERRERA: (Indiscernible.)

COMMISSIONER CLARK: There we go.

COMMISSIONER BAKKER: Second.

CHAIRMAN STIENMETZ: Any public comment?

COMMISSIONER WAITS: Did that give you enough time, Ted?

DISTRICT ATTORNEY HERRERA: Yes, that should.

COMMISSIONER WAITS: Are we okay with that?

DISTRICT ATTORNEY HERRERA: With Sadie's help and guidance and investigative skills.

COUNTY CLERK SULLIVAN: Okay.

CHAIRMAN STIENMETZ: Public comment?

SHIRLEY SHEPHERD: My name is Shirley Shepherd. And I'm currently the chairman of the Lander County Events Center.

And I wanted to listen to this term limits thing.

But our board is one year. And we all put in letters every year to be reappointed. We have had some issues, I guess, from the public, on our board in the community, which has caused hate and discontent. And all five of us board members need a question answered to -- for us to even put our letters in this year. And that is: Are we insured through the county to be sued civilly by any of our decisions?

DISTRICT ATTORNEY HERRERA: I don't know.

RITA ROGERS: And our decisions -- we don't make decisions unless we get an approval from -- oh, pardon me. Rita Rogers -- we are an advisory board. And all we are is if we see things that need to be done, then we get ahold of the right department, which is Jake Edgar who is over us with Public Works, you know, to get things done.

If it pursues anything really big, then we get the approval from the county commissioners. We go to Jake first. Then we go, you know, to the county commissioners.

And so -- but like I said, like she said, there has been a problem this year. There are certain ones wanting to know how they can get on the board. And we've tried to tell them that in May you get your letter in that you want to be on this board. It goes in to the county commissioners, and they approve who either gets on the board or who stays on the board.

And, you know, we do a one-year. And -- and I'm one, I think a two-year would even be good, because when you get on a board, you're just learning what needs to be done, and then it's over with. And if you get somebody new, then, you know, more problems arise. But we have always been just one year. And -- and we've all stayed together. I mean, we are ones that really believe in the rodeo grounds and --

SHIRLEY SHEPHERD: But I can't believe that --

RITA ROGERS: -- we only go by what commissioners --

SHIRLEY SHEPHERD: I can't believe that nobody knows that if we're -- if we are --

DISTRICT ATTORNEY HERRERA: Well, is there -- there's usually a current agreement with your board; correct?

RITA ROGERS: There is with the county commissioners. They have --

DISTRICT ATTORNEY HERRERA: And it's not in place at this time; correct?

SHIRLEY SHEPHERD: I have no idea what kind of agreement you're talking about.

RITA ROGERS: Yeah.

DISTRICT ATTORNEY HERRERA: Well, there's no agreement?

SHIRLEY SHEPHERD: No.

DISTRICT ATTORNEY HERRERA: Yeah. There's an agreement -- on -- on -- and I know that the agreement's expired. That's why I'm unable to answer a question. When the county commissioner has a contract with your board to do certain things for the rodeo grounds and stuff and that contract's not valid, it's -- I'm unable to legally answer your question on whether you're covered since the contract is not current.

SHIRLEY SHEPHERD: Would this --

RITA ROGERS: But we've --

SHIRLEY SHEPHERD: -- have been a --

RITA ROGERS: -- never had a --

SHIRLEY SHEPHERD: -- contract we --

RITA ROGERS: -- contract.

SHIRLEY SHEPHERD: -- should have signed? Would this have been a contract we all should have signed?

RITA ROGERS: Yeah. We're -- we're just appointed --

UNIDENTIFIED PARTICIPANT: They're a volunteer.

RITA ROGERS: -- on June 1st. On the board.

DISTRICT ATTORNEY HERRERA: Okay. It's -- it's the bylaws. It would be covered in that. I'm going to have to look into this.

RITA ROGERS: Okay. And this is what we were concerned about because like I said, you know, we're an advisory board. We only -- and the county commissioners have approved the rules and regulations of the rodeo grounds. We had that.

And any event, anybody that would love to use the rodeo

grounds, they sign a contract with --

DISTRICT ATTORNEY HERRERA: With your board.

RITA ROGERS: -- the county.

DISTRICT ATTORNEY HERRERA: No, with your board.

RITA ROGERS: It's a county. It's -- it'll state county on there. It is a county contract with the county to use this facility.

UNIDENTIFIED PARTICIPANT: Approved by the commissioners.

DISTRICT ATTORNEY HERRERA: But there's an agreement --

RITA ROGERS: Approved by commissioners.

DISTRICT ATTORNEY HERRERA: -- with the commissioners and their board.

KEITH WESTENGARD: There's the bylaws that the commission approves.

DISTRICT ATTORNEY HERRERA: There's bylaws that the commission approves.

SHIRLEY SHEPHERD: Yes. Yes.

DISTRICT ATTORNEY HERRERA: The bylaws -- the bylaws don't run in perpetuity. It's from this point in time to this point in time. That's my understanding.

RITA ROGERS: Well, it is, because, like I said, --

DISTRICT ATTORNEY HERRERA: That's the contract I'm referring to.

So I would have to read those bylaws before I can answer your question.

SHIRLEY SHEPHERD: Which I gave to you at our meeting.

DISTRICT ATTORNEY HERRERA: Well, I don't have them in front of me now. I apologize. I didn't know you were going to ask me this question today.

RITA ROGERS: Yeah, and --

SHIRLEY SHEPHERD: Well, -- well, our -- our big -- why I'm asking it today is we have five members that we if we find out we are not covered civilly because of what's been going on in town, none of us are reapplying. Because nobody wants to take -- nobody wants to have that happen. And it's -- and it's going to happen with this -- with what's going on. So we have to have that answered for us to put in our --

UNIDENTIFIED PARTICIPANT: Nobody wants sued.

SHIRLEY SHEPHERD: -- letters.

DISTRICT ATTORNEY HERRERA: Nobody likes to be sued. I

agree.

RITA ROGERS: But the contract -- you know, if somebody comes to our meeting -- we have a meeting once a month -- and if they want to put any event on at the rodeo grounds, we put in the contract and the bylaws that the commissioners have approved. And they give us the dates they want it. We put those dates on the calendar. We've never turned anybody down. But they have to take and have an insurance, just like any time we do. Just like the Fourth of July, you know, they have to have an insurance to cover those events. So that they're responsible if anything or anyone or anything happens down there. They're responsible for that event.

DISTRICT ATTORNEY HERRERA: And you don't consider that a contract?

RITA ROGERS: It is with the county, not with us.

DISTRICT ATTORNEY HERRERA: No, you --

RITA ROGERS: But we're -- we're the advisory board. That's what I'm saying --

SHIRLEY SHEPHERD: The contract doesn't --

RITA ROGERS: We don't have a contract --

DISTRICT ATTORNEY HERRERA: The bylaws --

RITA ROGERS: -- to run that rodeo grounds.

DISTRICT ATTORNEY HERRERA: -- allow you to do that.

SHIRLEY SHEPHERD: Right.

RITA ROGERS: Yes.

SHIRLEY SHEPHERD: Right.

RITA ROGERS: We think. I mean, we've never signed a contract. We've -- we're just on a board --

SHIRLEY SHEPHERD: But I've talked to --

RITA ROGERS: -- of volunteers.

SHIRLEY SHEPHERD: I've talked to another board. And I'm not even sure what it is -- what the name of it is. And she says that that board pays for a policy that covers her for that. So that's what our question is.

DISTRICT ATTORNEY HERRERA: Okay. I'll have to look into it.

SHIRLEY SHEPHERD: Okay.

COMMISSIONER WAITS: We do have some boards that do that because it's --

SHIRLEY SHEPHERD: Uh-huh.

COMMISSIONER WAITS: -- required that they are a nonprofit 501(C) --

SHIRLEY SHEPHERD: Right.

COMMISSIONER WAITS: -- and that they have insurance.

SHIRLEY SHEPHERD: Right.

COMMISSIONER WAITS: Yours is an entirely different type of --

SHIRLEY SHEPHERD: Right.

COMMISSIONER WAITS: -- board.

SHIRLEY SHEPHERD: Right.

COMMISSIONER WAITS: That's our categories.

SHIRLEY SHEPHERD: Right.

COMMISSIONER WAITS: So I understand your concerns. And I'm sure our --

DISTRICT ATTORNEY HERRERA: Yeah, I'll look --

COMMISSIONER WAITS: -- district attorney will look into that for you.

DISTRICT ATTORNEY HERRERA: Your board is not a pure advisory board because you have other powers vested in you by the county commissioners by way of -- of --

RITA ROGERS: That we do for them.

DISTRICT ATTORNEY HERRERA: Yes.

RITA ROGERS: That we do for them.

DISTRICT ATTORNEY HERRERA: That's what I'm talking about is the contract. It's a contract between the county commissioners and you. And you volunteer to take this upon yourself. And you're vested with certain powers that that document gives you.

RITA ROGERS: Okay.

SHIRLEY SHEPHERD: Right.

UNIDENTIFIED PARTICIPANT: So they should be covered by insurance then.

RITA ROGERS: So --

DISTRICT ATTORNEY HERRERA: I don't know. I didn't write it up.

UNIDENTIFIED PARTICIPANT: No, but -- I mean if --

RITA ROGERS: You know.

DISTRICT ATTORNEY HERRERA: Until I look, I -- I won't know.

RITA ROGERS: So -- but, yeah, we do --

DISTRICT ATTORNEY HERRERA: But you should be.

RITA ROGERS: -- follow what the county wants us to do with the contract and that stuff --

DISTRICT ATTORNEY HERRERA: The only problem I have now is my understanding, for some reason, that it's not in place at this time. It has -- it has to be signed again.

I don't know if I'm correct about that, but that's what I --

RITA ROGERS: Well, what would you sign?

UNIDENTIFIED PARTICIPANT: I'm here.

DISTRICT ATTORNEY HERRERA: We'd have to look.

RITA ROGERS: Because we've never signed nothing.

KEITH WESTENGARD: When did they approve your bylaws? Was it last year or two years?

SHIRLEY SHEPHERD: Well, every -- every -- we have the --

COMMISSIONER BAKKER: Last year.

SHIRLEY SHEPHERD: The original --

COMMISSIONER BAKKER: It was last year.

SHIRLEY SHEPHERD: -- bylaws were approved --

KEITH WESTENGARD: So it was just set two months back.

SHIRLEY SHEPHERD: -- in like '99. And then as we've had to make different --

RITA ROGERS: Adjustments, --

SHIRLEY SHEPHERD: Adjustments, amendments to them, then we come before the board --

DISTRICT ATTORNEY HERRERA: Right.

SHIRLEY SHEPHERD: -- to -- and which the last one we made was maybe back in November, December of this year. And what it did, it just amended one of our bylaws that we had to have more --

KEITH WESTENGARD: It wasn't December. It was just a few months back, the bylaws were approved by the previous --

SHIRLEY SHEPHERD: Right.

KEITH WESTENGARD: -- commission. I thought it was two years.

DISTRICT ATTORNEY HERRERA: You thought it was two years.

SHIRLEY SHEPHERD: Right.

RITA ROGERS: And say with the contract that we, you know, we have the event, the people that use the rodeo grounds, they sign the contracts. And all it is, is -- is keeping the county safe, you know, that they have an insurance, that they're not,

you know, tearing things up. They don't go down on there on their own free will. I mean, we are county. And we have facilities for people to use. But I don't think it's the county's responsibility to furnish every little thing --

DISTRICT ATTORNEY HERRERA: No.

RITA ROGERS: -- for your --

DISTRICT ATTORNEY HERRERA: If you're following the bylaws and --

RITA ROGERS: Yeah.

DISTRICT ATTORNEY HERRERA: -- and the powers that the county commissioners vested in you, then you should be covered --

RITA ROGERS: Okay, that's what --

DISTRICT ATTORNEY HERRERA: -- because you're --

RITA ROGERS: -- we were very concerned about.

DISTRICT ATTORNEY HERRERA: You're only -- if you go outside of those bylaws, --

RITA ROGERS: Right.

COMMISSIONER CLARK: Right.

DISTRICT ATTORNEY HERRERA: -- I would suggest that you are culpable --

SHIRLEY SHEPHERD: But -- but --

DISTRICT ATTORNEY HERRERA: -- or you could be.

SHIRLEY SHEPHERD: But -- but these -- but we are hearing that people are saying we are going outside of these bylaws.

RITA ROGERS: And we're not.

DISTRICT ATTORNEY HERRERA: Well, that --

CHAIRMAN STIENMETZ: (Indiscernible) court.

RITA ROGERS: You know, that's what we're --

DISTRICT ATTORNEY HERRERA: As long as --

RITA ROGERS: -- concerned about.

DISTRICT ATTORNEY HERRERA: -- I've been an attorney, people have asked me, can I be sued? And my answer is absolutely.

UNIDENTIFIED PARTICIPANT: Yeah.

DISTRICT ATTORNEY HERRERA: That doesn't mean it's valid.

RITA ROGERS: Right. Right. So --

DISTRICT ATTORNEY HERRERA: So I'll look into it.

RITA ROGERS: Okay.

COMMISSIONER CLARK: Volunteer.

PASTOR JOHN SMITH: My name's John Smith. Very quick public comment.

I would suggest -- I would recommend to the commissioner court that when you start evaluating whether or not one-year or two-year term -- and I'm coming from a purely sociological point of view that teams take time to build. And if they're going to be successful in what they're doing, they need to be allowed enough time to build a team atmosphere or else it's going to be -- you know, since I've been in the community, it's always been stuff between people since I've been here a year. And I've heard all kinds of things. But I think it's because of -- even in my own church.

And so I think it's because of lack of team connection. And so if you do one-year terms, you -- you are basically, in my opinion, out of years of doing leadership, you are sabotaging the team's effectiveness.

And so I think that the teams would be a lot more effective the longer terms they're given.

RITA ROGERS: Yes.

PASTOR JOHN SMITH: That's all I wanted to say.

COMMISSIONER WAITS: Thank you.

RITA ROGERS: Thank you.

COMMISSIONER BAKKER: Thank you.

CHAIRMAN STIENMETZ: Thank you.

RITA ROGERS: Because that's true.

CHAIRMAN STIENMETZ: All right. We --

COURTHOUSE/ADMINISTRATION BUILDING PROJECT

12) Discussion for possible action regarding the status of the Lander County courthouse/administration building project, and other matters properly related thereto.

CHAIRMAN STIENMETZ: So now we're on, Item 12. Discussion for possible action regarding the status of the Lander County courthouse, slash, administrative building project, and other matters properly related thereto.

COMMISSIONER BAKKER: Oh. That was a long discussion.

JUDGE MAX BUNCH: Hello to the commission.

COMMISSIONER BAKKER: How's it going, guys?

COMMISSIONER WAITS: Hi, guys.

JUDGE MAX BUNCH: All right. So here we go. The --

COMMISSIONER BAKKER: Max Bunch.

JUDGE MAX BUNCH: Yes. Max Bunch for the record. Sorry. Thank you, Mr. Chairman. Mr. Casey Gunther, here on here on behalf of CORE.

The elevator installation is going to beginning on about May 4th.

Ceramic tile is going to be put up around May 4th.

Roofing is about 97 percent complete, including -- including the parapet cap.

Sheetrock is about 80 percent complete with the majority -- the remainder being in corridors and courtrooms and commissioners' chambers.

Taping and texture is approximately 45 percent complete.

Painting is ongoing as we're there. In fact, I was there this morning, and there was a little wet spot in a few spots, if I remember correctly.

COMMISSIONER WAITS: Did you find it?

JUDGE MAX BUNCH: We did. I don't know. It wasn't on my (indiscernible). I think it was on my finger.

Grip ceilings have started and will be ongoing.

The mechanical, electrical, and plumbing overhead and grid ceilings is still ongoing.

The inmate transfer and the stair pours are -- are happening today as we speak.

The snow melt hydronics is being installed at this location. It was quite a -- quite a view from the area that we had of where we could see it.

The exterior of stucc- -- the exterior of stucco is completed on three sides of the building. Up at the windows, I don't know if anybody saw where they're white on some sides of the buildings. And they're working on trying to get that finished.

All storefront glazing is installed with the exception of the front entry -- front entry and the main loading area, which is on the south side of the building. We have a loading area for the bottom floor, top floor, and the main. I don't know if you've looked at it, but it's got a lot of scaffold work going on in

there, and they're trying to get that taken care of.

The FM 200 system is complete and ready for inspection towards project completion.

The phone lines and internet connection were supposed to start yesterday. I'm not sure where that is, because I didn't have that answer when I got this information.

So that's pretty much the -- the building of what's happening and what's going on.

We told you we would bring back to you the -- the flag options. We have a -- a couple options here. So...

CASEY GUNTHER: Do we take them up there?

JUDGE MAX BUNCH: I don't know. You might have to come down here and kind of look at it and see.

So we have one here that's a little lighter gray and a little darker gray. The darker gray is on the top there.

And -- and then we have some fringe options as you can see on the Battle Born flag. We have gold on the Lander County flag. We have white and, I believe, it's gold on the US flag also.

So --

UNIDENTIFIED PARTICIPANT: Is that a sheep?

JUDGE MAX BUNCH: Is that a sheep? No. Those are --

UNIDENTIFIED PARTICIPANT: Shadows.

UNIDENTIFIED PARTICIPANT: Cows.

JUDGE MAX BUNCH: No, those are -- yeah, those are cows and shrubs, sage brush.

UNIDENTIFIED PARTICIPANT: And what?

JUDGE MAX BUNCH: Sage brush.

So --

COMMISSIONER CLARK: Ground sage brush.

JUDGE MAX BUNCH: So we're -- we're looking for -- from -- from everybody the -- the pick between the two. There -- there was two other ones that were given us, but they were very, very light gray. And they didn't really look well.

The flag store in Sparks gave us the -- gave us the samples to look at. And the other ones really didn't look well. And I didn't think they'd be good for presenting. So I took the best two out of the four that were here. And then we asked for some samples of the fringe to see what you wanted to do.

And these are on interior rooms, for example, the commissioners' room, the two courtrooms that those flags will be

in.

COMMISSIONER CLARK: Well, I like the darker because it sets the blues off.

UNIDENTIFIED PARTICIPANT: I do too.

COMMISSIONER CLARK: Yeah. Sets the blues off a little bit nicer as far as the fringe.

JUDGE MAX BUNCH: I could (indiscernible).

COMMISSIONER CLARK: I'm not a fringe kind of guy.

COMMISSIONER BAKKER: I think the blue looks the best.

UNIDENTIFIED PARTICIPANT: Wow. We always thought you were out on the fringes.

COMMISSIONER BAKKER: I'd go with that or gold. I don't know.

COMMISSIONER CLARK: We could do that.

COMMISSIONER BAKKER: Do one of each.

COMMISSIONER CLARK: Which one --

JUDGE MAX BUNCH: I mean, the first question we have to have is -- is the -- is the flag color.

UNIDENTIFIED PARTICIPANT: The dark gray.

JUDGE MAX BUNCH: If we're good with dark gray --

COMMISSIONER CLARK: It sets off. It sets off.

JUDGE MAX BUNCH: -- we can take that. And then the second option would be potentially what -- what type of fringe.

COMMISSIONER WAITS: Well, the gold definitely sets it off.

COMMISSIONER MILLS: It does.

COMMISSIONER WAITS: But I think I like the navy blue. It's more subtle. I really do.

CHAIRMAN STIENMETZ: Yeah. I think it blends better.

COMMISSIONER WAITS: It looks rich.

CHAIRMAN STIENMETZ: Makes it look a lot better.

COMMISSIONER CLARK: There we go.

UNIDENTIFIED PARTICIPANT: Yeah, it's probably --

COMMISSIONER CLARK: 425 with the blue.

UNIDENTIFIED PARTICIPANT: Probably the blue.

JUDGE MAX BUNCH: Yep.

COMMISSIONER MILLS: Easy decision.

COMMISSIONER BAKKER: What do you guys think?

COMMISSIONER CLARK: Good job.

COMMISSIONER MILLS: Go take your pick.

JUDGE MAX BUNCH: Okay. So we're good to go dark with

the -- with the blue. And those will be the inside. And we'll -- eventually we'll have one drawn -- we'll have one made. And then bring it in. And then if -- if for some reason there's an issue with it, we will be happy to revisit the issue for you.

So -- and then -- and then there's one other thing, potentially. And I'm not quite sure.

We brought -- we brought the elected officials over to -- to look at -- at the rooms those -- those elected officials that have contacted me and wanted to go through it.

The district attorney's office went through. The clerk, the recorder, the treasurer. I wasn't asked. She could have asked me, and I may have forgotten, but the assessor.

And so basically we had a furniture plan yesterday for -- the furniture people were here and went through each department to see what they wanted, what they like, and what they didn't like.

And I believe that they hit every office between the two buildings, the administration and -- and the county.

I know that we were still here at 5:30, quarter to 6:00 last night, still working on stuff.

So -- and I know that there was a question from, from Grace about whether there was a window in the -- in her office or -- if -- Grace, do you want to talk about that, Grace, at all?

GRACE POWRIE: As long as it's there, I'm happy. It's just got to be so I can see out to my front.

JUDGE MAX BUNCH: Okay.

So -- so basically, --

COMMISSIONER MILLS: So question. Does that mean each department's going to do have different furniture?

JUDGE MAX BUNCH: Each department is going to have the same or similar look --

COMMISSIONER MILLS: Okay.

JUDGE MAX BUNCH: -- of furniture. The guidance -- the guidance that was given from the previous commission to the building committee to the architects that are helping with the design -- that the commissioners wanted to look in the front of the windows. And they wanted the public to see a consistent view --

COMMISSIONER MILLS: Good.

JUDGE MAX BUNCH: -- of everybody.

COMMISSIONER MILLS: Right. Okay.

JUDGE MAX BUNCH: So was there more than that?
COMMISSIONER CLARK: So is that what you've done? Max?
JUDGE MAX BUNCH: Pardon me.
COMMISSIONER CLARK: Is that what you've done? Stayed with what the commissioners wanted?
JUDGE MAX BUNCH: That's what I've done. And so actually this is a view from -- from Grace's office.
Grace, if you want to come up.
GRACE POWRIE: I see it. It's fine.
COMMISSIONER CLARK: Pretty darn nice.
JUDGE MAX BUNCH: Okay. So -- so they're -- and I will tell you that there was some questions. You're kind of -- see a coffee bar up there. There was some issues that -- that Grace and I had quite the lengthy discussion on.
And -- and so I just wanted to make sure -- and I don't know if there was miscommunication on her part, my part, or both of our parts -- that because she actually didn't walk into the office to look out to the counter. She looked out from the counter back. And I'm not sure if that was the misconception.
But -- but last night, Casey and I and Van Woert, Bigotti worked until about 11:00 o'clock last night trying to get these composed so that we would have them for the meeting today because I -- I understood through another party that there was an issue and that it would be brought up today. So I wanted to make sure that it was -- it was all -- all ready to go, and they knew exactly -- so we could have the information for you.
So, basically, this is the look out of -- the only -- the only difference in -- from the furniture plan that we have and that potentially Grace may have saw yesterday, is that her -- her desk would have to be moved in order to accomplish this.
It -- from -- from the corner, the opening is approximately ten feet?
CASEY GUNTHER: Yes.
JUDGE MAX BUNCH: Okay. So including the door and the windows and everything, it's approximately ten feet. And --
CASEY GUNTHER: The door has a seven-foot opening.
JUDGE MAX BUNCH: Okay.
So the whole thing from -- from the frame of the door, the whole frame, frame to frame, is -- is approximately ten feet.
And then there were -- how far was it across?

CASEY GUNTHER: Forty-six inches.

JUDGE MAX BUNCH: Okay. And it's 46 inches from the frame to the right corner of the picture that you're looking at.

So as you're looking at it from the frame here to the right corner is 46 inches.

But I -- did you want to look at that and see?

GRACE POWRIE: Grace Powrie for the record. My concern was I didn't even know there was a window in my office.

So with that being there, that's -- that was huge for me to be able to see (indiscernible) my work on the counter from my desk.

The only other thing that was a concern was that bar that was in front -- or what, I guess, he called it a coffee bar -- that it wasn't taller than what I could see out. So that I wasn't seeing coffee barn and not the front counter, to make sure that my clients -- or the customers up front -- you know, I have to see what's going on out in the front.

So as long as my view is not obstructed, I have no problem whatsoever. I just need to make sure it was open. And he has indicated today that it is open.

JUDGE MAX BUNCH: No, I indicated the other day that it was open.

GRACE POWRIE: Well, that's the -- that's all I need to do is make sure I can see out there and make sure my staff and my customers are okay.

COMMISSIONER CLARK: So was there a modification?

JUDGE MAX BUNCH: No, there was no modification.

COMMISSIONER CLARK: Okay.

JUDGE MAX BUNCH: There was actually a request and we were -- we were trying to work from the angle that we were going. And that's why we worked until late last night getting this -- getting this all accomplished.

COMMISSIONER CLARK: No change order?

JUDGE MAX BUNCH: There was no change order.

COMMISSIONER CLARK: Okay.

JUDGE MAX BUNCH: So -- at this -- at this point.

COMMISSIONER CLARK: It looks really nice.

JUDGE MAX BUNCH: So --

COMMISSIONER CLARK: That's nice. That's really --

JUDGE MAX BUNCH: You don't have anything, Casey?

COMMISSIONER CLARK: -- aesthetically valued.

CASEY GUNTHER: No, you've already hit on everything. Casey Gunther, for the record.

You've already hit on everything.

This view, just so everybody knows, is if -- is if Grace was sitting in her chair. They got the heights of the chair, the elevation. Just her looking out that way. So --

JUDGE MAX BUNCH: It's not like she has to stand up --

CASEY GUNTHER: Right.

JUDGE MAX BUNCH: -- to do this. This is from a sitting position in her chair to look at that -- that section.

And so I -- you know, this way -- I mean, when they were designing it, a lot of things have happened that we were able to take care of in the field. Some -- some offices had a five-foot coffee bar or (indiscernible). And I talked to that elected official and we got that down to a four foot, where the other two would be the same as in the administration office and the treasurer's office.

The -- the assessor way back when and the clerk, way back when, had indicated they didn't want a coffee bar in there.

And basically what that coffee bar does, there's a column. If you'll see on the left picture that coffee bar. There's a column there. And that's -- and they were trying to kind of cover up the column. You can't move the column. It's holding up the roof. It's holding up the second floor. You just can't move it.

And, you know, they tried to put as many columns as they could in that building within walls. But then if you did that, you would take away a lot of that office space.

So we didn't -- obviously we didn't want to lose office space with the -- with the columns that were there.

So -- so -- there's offices that ended up with columns in -- in their offices. And some that didn't.

I think the majority of them did and the majority of them -- it's probably about a 50/50, I would say. So on the bottom floor is about 50/50 to have columns in their offices and ones that didn't.

COMMISSIONER CLARK: What's -- what's the projected move-in day?

JUDGE MAX BUNCH: Projected move-in date. I have no idea, to be honest with you.

COMMISSIONER BAKKER: June 1st.

COMMISSIONER CLARK: June 1st?

COMMISSIONER MILLS: June 1st? You guys are doing awesome.

CHAIRMAN STIENMETZ: 2016?

COMMISSIONER CLARK: Well, the reason I ask is because you guys had really good weather this winter. You didn't get any interruptions. I mean, no big interruptions anyway.

CASEY GUNTHER: Other than the lack of manpower.

JUDGE MAX BUNCH: Right.

COMMISSIONER CLARK: Okay.

JUDGE MAX BUNCH: So we have a contractual date with CORE Construction, October 2nd, with -- including, so far, one, which I'm thinking is only going to be the one time. We had one weather day in that whole entire time, which I'm -- we're in discussion as to whether it was a weather day or not.

CASEY GUNTHER: It absolutely was.

JUDGE MAX BUNCH: And I'm saying it's not. We're in that position.

So is there any other questions?

COMMISSIONER MILLS: Nope.

COMMISSIONER BAKKER: Keep it up. It's a good job.

COMMISSIONER CLARK: Good job.

COMMISSIONER MILLS: It's going to be a nice building. Thanks --

CHAIRMAN STIENMETZ: Thank you.

COMMISSIONER MILLS: -- for your work.

JUDGE MAX BUNCH: Thank you very much.

COMMISSIONERS

13) Correspondence/reports/potential upcoming agenda items.

CHAIRMAN STIENMETZ: Now we go to thir- -- 13. Correspondence, reports, potential upcoming agenda items.

Do we have any?

(The following correspondence was received:

1. BLM to Interested Public, final decision effective on issuance of drought management decision for Buffalo and South

Buffalo Allotments.

2. BLM to Interested Public, final decision effective on issuance of drought management decision for the JD Allotment.

3. BLM to Interested Public, final decision effective on issuance of drought management decision for the Shannon Station Allotment.

4. Monthly reports to Lander County Commissioners -- January 2015.

5. Monthly reports to Lander County Commissioners -- February 2015.

6. BLM to Interested Public, BLM Tonopah Field Office has prepared an Environmental Assessment which analyzes the impact of the proposed Cordex Eastside Exploration Project in Esmeralda County, Nevada.)

COMMISSIONER WAITS: Do we have some contracts coming up? I know Valley TV is up that we should be advertising on that one if we're going out. I don't know any others.

CHAIRMAN STIENMETZ: Is that all?

PUBLIC COMMENT

CHAIRMAN STIENMETZ: Then we go to public comment for nonagendized items. Do we have any public comment for non-agendized items at this time?

(No comment.)

CHAIRMAN STIENMETZ: Seeing none. I need one more motion.

ADJOURNMENT

COMMISSIONER CLARK: I make a motion to adjourn.

COMMISSIONER WAITS: Second.

CHAIRMAN STIENMETZ: All in favor?

COMMISSIONER BAKKER: I was just about to.

COMMISSIONER CLARK: That was faster than Doug.

(Meeting adjourned at 2:59 p.m.)

V.C.

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

ATTEST: Sadie Sullivan

LANDER COUNTY CLERK

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

STATE OF NEVADA)
) ss.
COUNTY OF ELKO)

I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY CERTIFY I TRANSCRIBED THE FOREGOING PROCEEDINGS FROM A "FOR THE RECORD" ELECTRONIC AUDIO RECORDING OF A MEETING WHICH TOOK PLACE THE 23RD DAY OF APRIL 2015, AND SAID RECORDING AND INFORMATION PERTAINING TO PARTICIPANT NAMES WAS PROVIDED TO ME BY THE LANDER COUNTY CLERK SULLIVAN; THAT THE SAME IS FULL, TRUE, AND AS CORRECT AS THE AUDIO RECORDING ALLOWED.

DATED AT SPRING CREEK, NEVADA,
THIS 14th DAY OF MAY 2015.

TIFFANY ELKINGTON, CCR #930