

1 The Honorable Board of Lander County Commissioners met in  
2 regular session in the Commission Chambers of the Lander County  
3 Courthouse in Battle Mountain, Nevada, on August 22, 2013 at 8:59  
4 a.m.

5  
6  
7 **PRESENT:** DEAN BULLOCK, COMMISSIONER  
8 STEVEN STIENMETZ, COMMISSIONER  
9 BRIAN GARNER, COMMISSIONER  
10 DAVID MASON, COMMISSIONER  
11 PATSY WAITS, COMMISSIONER  
12 SADIE SULLIVAN, COUNTY CLERK  
13 ANGIE ELQUIST, DISTRICT ATTORNEY  
14 SOVEIDA ROBINSON, HUMAN RESOURCES DIRECTOR

15  
16 **ABSENT:** ROGENE HILL, FINANCE DIRECTOR  
17

18 Let the record reflect the presence of a quorum of five  
19 Commissioners.

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

23  
24 [Meeting commenced on August 22, 2013 at 8:59 a.m.]  
25

26 CHAIRMAN BULLOCK: We're going to go ahead and call the  
27 meeting to order of the Lander County Commissioners Town Board of  
28 Battle Mountain and Austin Board of County Highway Commissioners.

29 COMMISSIONER STIENMETZ: Please, follow me in the pledge.  
30

31 (Pledge of Allegiance.)  
32

33 **APPROVAL OF AGENDA NOTICE**  
34

35 CHAIRMAN BULLOCK: Discussion for possible action regarding  
36 approval of Agenda Notice.

37 COMMISSIONER STIENMETZ: I'll make a motion to approve the  
38 Agenda Notice.

39 COMMISSIONER WAITS: Second.

40 CHAIRMAN BULLOCK: Any public comment?

1 (No public comment.)  
2 CHAIRMAN BULLOCK: All those in favor?  
3 COMMISSIONERS: Aye.  
4 CHAIRMAN BULLOCK: Those opposed?  
5 (None opposed.)  
6  
7

8 **APPROVAL & ACCEPTANCE OF MINUTES**

9  
10 CHAIRMAN BULLOCK: Discussion for possible action regarding  
11 approval and acceptance of Minutes of August 8, 2013 Regular  
12 Session, which we don't have, so we'll go on to the next item.  
13  
14

15 **COMMISSIONER REPORTS**

16  
17 CHAIRMAN BULLOCK: Commissioner Reports on meetings,  
18 conferences and seminars attended.

19 Dave?

20 COMMISSIONER MASON: Oh. I attended the Humboldt River Basin  
21 Water Authority meeting as an alternate for the first time. I  
22 wanted to check it out. And -- um, Steve was -- Steve Steinmetz  
23 was at the meeting, so I'll let him give the report. I did it for  
24 education.

25 And then 6:00 p.m. on -- on the 14<sup>th</sup> the Planning Commission  
26 met and had a regular meeting. And there was one deferred item  
27 and five items approved, which will all be before us. That's all  
28 I have.

29 CHAIRMAN BULLOCK: Okay. Patsy?

30 COMMISSIONER WAITS: Thank you. On the 16<sup>th</sup>, we had two  
31 meetings. We had our NACO meeting and also the Task Force  
32 Management meeting at the same time. Um, most of the NACO things  
33 of course he -- um -- Jeff is always kind enough to send so all of  
34 you are on top of that. Nothing real new, some problem areas  
35 still with -- with our wild horses and burros, of course.

36 Um, On the Task Force, they want us to do a -- not only a  
37 full report to each Board of Commissioners as we come back, but  
38 they've also asked that we agendize it so that the public will get  
39 an opportunity to come in and add any of their information as  
40 we're going along. So, um, I -- I will do that probably in the

1 next couple of meetings so that the public has at least an  
2 opportunity to know that we will be discussing that and bring you  
3 up to date on that.

4 The other meeting I attended was the Kingston Town Board  
5 Meeting last night. Grace Powrie was there explaining some of the  
6 tax situation on the lands that did not sell.

7 Um, and then the two conference calls: one with the BLM  
8 regarding our Regional Management Planning and the Four-County  
9 Coalition. And um, this -- there's some real concerned about when  
10 they're going to have that out for us. They were supposed to have  
11 out, at least the matrix or the agenda for us go through by  
12 August. And now, they're saying September. And they want it back  
13 in September. And the Four-County Coalition was having some  
14 problems with that saying, we don't have time to review it. It's  
15 a -- it's going be a very large document, plus bring it before our  
16 commissioners.

17 So they've asked if we can -- can have a little bit more time  
18 once that -- that hits our desk to review it and come before the  
19 Board in October. And I said, our -- our meeting in October was  
20 like the 10<sup>th</sup>. So it wouldn't do any good to have it the 1<sup>st</sup>,  
21 if --

22 So they're looking right now to see if we can delay that. We  
23 may have to do a letter but -- requesting the BLM give us some  
24 additional time -- but if they do, I do have the authorization to  
25 sign for the Coalition on that so --

26 So it's coming up real soon. We'll -- we'll know in the next  
27 couple of weeks what's going on to report on that. Thank you.

28 CHAIRMAN BULLOCK: All right.

29 COMMISSIONER GARNER: I'm good. Everything's in the --

30 CHAIRMAN BULLOCK: Okay. Steve?

31 COMMISSIONER STIENMETZ: All right. Like Dave said, I  
32 attended the Humboldt River Water Basin Authority meeting. Um,  
33 one of the concerns was seeding of the clouds. They've got the  
34 commitment from counties, but they haven't got any -- any money  
35 from the state to do this.

36 So what they're looking at -- Newmont's proposed to give  
37 them some money for it -- and Barrack. So they're going back and  
38 seeing -- figuring out with what they've got committed what we can  
39 do, how many stations we can run, or whatever it is. And then  
40 they're going to come back to us with that proposal late -- at the

1 next meeting.

2 And the Pershing County Water District said that they had to  
3 quit irrigating in the middle of July because there's no water  
4 left for them. And that they were up here for their cattle -- you  
5 know, they always dig at the bottom of the river to get water for  
6 them. And down here by the White Bridge at South Battle  
7 Mountain they -- or North Battle Mountain -- they started digging  
8 and hit water at three feet. When they got to Argenta, it was  
9 over ten -- ten feet before they hit water for the cows.

10 And that's all I got to report, well, other than looking at  
11 everything that's going on, it doesn't look like the drought's  
12 going to do be over real soon. It may go into next year yet. And  
13 beyond that, they're not sure.

14 CHAIRMAN BULLOCK: Okay. Thanks, Steve. I don't have  
15 anything.

16

17

18 **PAYMENT OF THE BILLS**

19

20 CHAIRMAN BULLOCK: So we'll go ahead and go on to discussion  
21 for possible action regarding Payment of the Bills.

22 UNIDENTIFIED PARTICIPANT: That was cool.

23 JANE BIANCHI: Darn it.

24 COMMISSIONER MASON: Sorry.

25 CHAIRMAN BULLOCK: You're no longer with us.

26 COMMISSIONER STIENMETZ: You've been eliminated, Dave.

27 COMMISSIONER WAITS: Mr. X.

28 JANE BIANCHI: Okay, I have a couple to throw out --

29 COMMISSIONER MASON: We're always a hit, aren't we, Jane?

30 JANE BIANCHI: Okay, first one 45398 in the amount of \$484.18  
31 to David J. Cormany; 45402 to H. E. Hunewill in the amount of  
32 \$1,727,805; 45417, \$5,316.70 to the State of Nevada, Public  
33 Employee Benefits; 45422 in the amount of \$682 to Tire Factory;  
34 45425, \$163.52 to Bioquip Products; um, 45426 in the amount of  
35 \$2,358.27 to Wells Fargo Remittance.

36 COMMISSIONER WAITS: For the record, I do need to abstain  
37 from Check #45584 for travel expenses.

38 COMMISSIONER MASON: For the record, I need to abstain from  
39 Check #45527 for travel.

40 COMMISSIONER GARNER: I need to abstain from Check 45473 Car

1 Wash.  
2 CHAIRMAN BULLOCK: And I need to abstain from Check 45480,  
3 travel.  
4 COMMISSIONER STIENMETZ: I have none.  
5 (Commissioners reviewing Payment of the Bills.)  
6  
7 **H. E. Hunewill Construction Co.**  
8  
9 COMMISSIONER GARNER: Make a motion to ratify Check #45402 in  
10 the amount of \$1,727,805 to H. E. Hunewill.  
11 COMMISSIONER STIENMETZ: I'll second the motion.  
12 CHAIRMAN BULLOCK: Any public comment?  
13 (No public comment.)  
14 CHAIRMAN BULLOCK: All those in favor?  
15 COMMISSIONERS: Aye.  
16 CHAIRMAN BULLOCK: Those opposed?  
17 (None opposed.)  
18  
19 **Wells Fargo Remittance**  
20  
21 COMMISSIONER GARNER: Make a motion to ratify Check #45426 in  
22 the amount of \$2,358.27 to Wells Fargo Remittance.  
23 COMMISSIONER STIENMETZ: I'll second the motion.  
24 CHAIRMAN BULLOCK: Any public comment?  
25 (No public comment.)  
26 CHAIRMAN BULLOCK: All those in favor?  
27 COMMISSIONERS: Aye.  
28 CHAIRMAN BULLOCK: Those opposed?  
29 (None opposed.)  
30  
31 **Bioquip Products, Inc.**  
32  
33 COMMISSIONER GARNER: Make a motion to ratify Check #45425 in  
34 the amount of \$163.52 to Bioquip Products.  
35 COMMISSIONER STIENMETZ: I second the motion.  
36 CHAIRMAN BULLOCK: Any public comment?  
37 (No public comment.)  
38 CHAIRMAN BULLOCK: All those in favor?  
39 COMMISSIONERS: Aye.  
40 CHAIRMAN BULLOCK: Those opposed?

1 (None opposed.)

2

3 **Tire Factory**

4

5 COMMISSIONER GARNER: Make a motion to ratify Check #45422 in  
6 the amount of \$682 to Tire Factory.

7 COMMISSIONER STIENMETZ: I'll second the motion.

8 CHAIRMAN BULLOCK: Any public comment?

9 (No public comment.)

10 CHAIRMAN BULLOCK: All those in favor?

11 COMMISSIONERS: Aye.

12 CHAIRMAN BULLOCK: Those opposed?

13 (None opposed.)

14

15 **State of Nevada**

16

17 COMMISSIONER GARNER: Make a motion to ratify Check #45417 in  
18 the amount of \$5,316.70 to State of Nevada.

19 COMMISSIONER STIENMETZ: I second the motion.

20 CHAIRMAN BULLOCK: Any public comment?

21 (No public comment.)

22 CHAIRMAN BULLOCK: All those in favor?

23 COMMISSIONERS: Aye.

24 CHAIRMAN BULLOCK: Those opposed?

25 (None opposed.)

26

27 **David J. Cormany**

28

29 COMMISSIONER GARNER: Make a motion to ratify Check #45398 in  
30 the amount of \$484.18 to David Cormany.

31 COMMISSIONER STIENMETZ: I'll second the motion.

32 CHAIRMAN BULLOCK: Any public comment?

33 (No public comment.)

34 CHAIRMAN BULLOCK: All those in favor?

35 COMMISSIONERS: Aye.

36 CHAIRMAN BULLOCK: Those opposed?

37 (None opposed.)

38

39 COMMISSIONER GARNER: Make a motion to approve submitted  
40 expenditures in the amount of \$1,644,496.18.

1 COMMISSIONER STIENMETZ: I'll second the motion.  
2 CHAIRMAN BULLOCK: Any public comment?  
3 (No public comment.)  
4 CHAIRMAN BULLOCK: All those in favor?  
5 COMMISSIONERS: Aye.  
6 CHAIRMAN BULLOCK: Those opposed?  
7 (None opposed.)  
8  
9 (Commissioners reviewing the Payment of the Bills.)  
10  
11 JANE BIANCHI: Thank you.  
12 CHAIRMAN BULLOCK: Thanks, Jane.  
13 COMMISSIONER MASON: Thank you.  
14 COMMISSIONER STIENMETZ: Thank you.  
15 COMMISSIONER WAITS: Thanks, Jane.  
16 JANE BIANCHI: You're welcome.  
17  
18

19 **PAYROLL CHANGE REQUESTS**

20  
21 CHAIRMAN BULLOCK: Discussion for possible action regarding  
22 Payroll Change Requests. I see none.  
23

24  
25 **PUBLIC COMMENT**

26  
27 CHAIRMAN BULLOCK: So we'll go ahead and go on to Public  
28 Comment for non-agendized items only.  
29 Seeing none, we'll take a two-minute recess.  
30 Because we have a public hearing. We can't start it until  
31 9:15.  
32

33 [Pause in meeting between 9:11 a.m. to 9:15 a.m]  
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1 PUBLIC HEARING PURSUANT TO NRS 533.363(4)

- 2  
3 (1) Public Hearing and discussion for possible action regarding  
4 Nevada Division of Water Resources Application 82799 filed by  
5 Ronald F. and Eleanor Greathead, through their agent John  
6 Milton, an application proposing to change the point of  
7 diversion and place of use of existing Permit 19060,  
8 Certificate 5239, from an underground source in Lander County  
9 to an underground source in Humboldt County, the proposed  
10 manner of use is for irrigation; and other matters properly  
11 related thereto.

12  
13 CHAIRMAN BULLOCK: Okay. We'll go ahead and call the meeting  
14 back to order.

15 This is -- we'll go to Item Number 1. It is 9:15. So we'll  
16 have a public hearing and discussion for possible action regarding  
17 Nevada Division of Water Resources Application 82799 filed by  
18 Ronald F. and Eleanor Greathead, through their agent John Milton,  
19 an application proposing to change the point of diversion and  
20 place of use of existing Permit 19060, Certificate 5239, from an  
21 underground source in Lander County to an underground source in  
22 Humboldt County, the proposed manner of use is for irrigation; and  
23 other matters properly related thereto.

24 MARK BRETHAUER: (Indiscernible) sorry to interrupt. I've  
25 just got to pass some information off. And Jay Fisher wanted to  
26 be here, but he got detained someplace else, so he asked me to  
27 step in for him real quick and provide you guys with a little  
28 piece of information here that he didn't have time to get into the  
29 packets. This is kind of a great description of what his  
30 investigation was and found it was -- he made a recommendation to  
31 go ahead and approve the transfer here. I have a copy here.

32 COUNTY CLERK SULLIVAN: (Indiscernible.)

33 MARK BRETHAUER: All right.

34 COUNTY CLERK SULLIVAN: Thank you.

35 MARK BRETHAUER: He said that this is just basically for a  
36 public water system. And with the bottom line just kind of  
37 describes his issues. He has no issues with the transference.

38 ~~JOHN MILTON: This is a different application than we're~~  
39 going to --

40 CHAIRMAN BULLOCK: Yeah. This is not the same one.

1 COMMISSIONER STIENMETZ: This is for Crescent Valley.  
2 JOHN MILTON: Yeah, this is -- that's the second public  
3 hearing.  
4 CHAIRMAN BULLOCK: There's three public hearings.  
5 MARK BRETHAUER: Okay -- (Indiscernible) forget the water  
6 issue. I saw Milton there.  
7 Which one is this going to be? The second one?  
8 CHAIRMAN BULLOCK: First one. Oh, this one?  
9 MARK BRETHAUER: This one here -- you know --  
10 JOHN MILTON: (Indiscernible.)  
11 MARK BRETHAUER: I don't know what's going on here.  
12 CHAIRMAN BULLOCK: That's, la --  
13 COMMISSIONER WAITS: Yeah.  
14 COMMISSIONER STIENMETZ: This is going --  
15 COMMISSIONER WAITS: -- this is it.  
16 COMMISSIONER STIENMETZ: -- from Lander County to Humboldt.  
17 CHAIRMAN BULLOCK: The second.  
18 COMMISSIONER WAITS: Mm-hm.  
19 MARK BRETHAUER: The second?  
20 CHAIRMAN BULLOCK: It has it. The top one is the right one.  
21 JOHN MILTON: Yeah.  
22 COMMISSIONER MASON: This one is -- goes with this one.  
23 MARK BRETHAUER: So we're okay then or not?  
24 CHAIRMAN BULLOCK: Yeah.  
25 MARK BRETHAUER: All right.  
26 JOHN MILTON: Mr. Chairman, for the record, my name is John  
27 Milton. I'm from Desert Mountain Surveying. And I prepared the  
28 application 82799 for the Greatheads. And Mr. Greathead is here  
29 in the audience, if you have any questions.  
30 We're here today, statutorily required to have a hearing in  
31 Lander County when any water is transferred out or in. The  
32 hearing's already been held in Humboldt County on the 15<sup>th</sup> of  
33 July. And the transfer was approved, recommended approval. And  
34 I'm here today to answer any questions you may have.  
35 CHAIRMAN BULLOCK: Do you have any?  
36 COMMISSIONER STIENMETZ: I don't have any questions.  
37 COMMISSIONER GARNER: I don't have any questions.  
38 COMMISSIONER STIENMETZ: It's all the same water basin,  
39 right?  
40 JOHN MILTON: Yes.

1 COMMISSIONER STIENMETZ: You just -- he'll pull it out here.  
2 He's gonna pull it out over here.

3 JOHN MILTON: Right. It's just across the line. Well, it's  
4 about 25-miles north of --

5 COMMISSIONER STIENMETZ: Yeah.

6 COMMISSIONER GARNER: I make a motion to approve the  
7 Application 82799 filed by Ronald F. and Eleanor Greathead,  
8 through their agent John Milton, an application to change a water  
9 point of diversion and place of use of existing Permit 19060,  
10 Certificate 5239, from an underground source in Lander County to  
11 an underground source in Humboldt County, the proposed manner of  
12 use is for irrigation.

13 COMMISSIONER STIENMETZ: I'll second the motion.

14 CHAIRMAN BULLOCK: Any public comment?

15 (No public comment.)

16 CHAIRMAN BULLOCK: All those in favor?

17 COMMISSIONERS: Aye.

18 CHAIRMAN BULLOCK: Those opposed?

19 (None opposed.)

20 JOHN MILTON: Thank you, very much.

21 COMMISSIONER STIENMETZ: Thank you.

22 CHAIRMAN BULLOCK: We're not at 20 after, are we?

23  
24 [Pause in meeting between 9:19 a.m. and 9:20 a.m]

25  
26  
27 **PUBLIC HEARING PURSUANT TO NRS 533.363(4)**

- 28  
29 (2) **Public Hearing and discussion for possible action regarding**  
30 **Nevada Division of Water Resources Application 82908 filed by**  
31 **Eureka County, through their agent Ronald Damele, an**  
32 **application proposing to change the point of diversion,**  
33 **manner and place of use of a portion of existing Permit**  
34 **63833, from within Lander County to within Eureka County; and**  
35 **other matters properly related thereto.**  
36

37 CHAIRMAN BULLOCK: Okay. It's 9:20. This is the time  
38 slotted for a Public Hearing and discussion for possible action  
39 regarding Nevada Division of Water Resources Application 82908  
40 filed by Eureka County, through their agent Ronald Damele?

1 COMMISSIONER GARNER: Damele.  
2 CHAIRMAN BULLOCK: Damele -- an application proposing to  
3 change the point of diversion, manner and place of use of a  
4 portion of existing Permit 63833, from within Lander County to  
5 within Eureka County; and other matters properly related thereto.  
6 COMMISSIONER WAITS: Um, along with all the -- the notices  
7 that they have to go through to do all this, is there something  
8 that says -- that identifies if there would be a risk to our  
9 county when you approve these types of things? If there is a  
10 risk, it would be so noted; is that correct?  
11 COMMISSIONER GARNER: Mm-hm.  
12 COMMISSIONER STIENMETZ: Mm-hm.  
13 COMMISSIONER GARNER: If there's a risk within the Basin, --  
14 COMMISSIONER STIENMETZ: Yeah.  
15 COMMISSIONER GARNER: ~~-- it will have a risk.~~  
16 COMMISSIONER STIENMETZ: It will tell you.  
17 COMMISSIONER WAITS: Okay. But I mean, that will all be part  
18 of it, if it did.  
19 COMMISSIONER STIENMETZ: Yeah.  
20 COMMISSIONER WAITS: So we're saying there is none? So,  
21 okay, thank you.  
22 COMMISSIONER GARNER: Yeah, if there's an impact. It's an  
23 impact.  
24 COMMISSIONER WAITS: Yeah, right.  
25 COMMISSIONER GARNER: Yeah. I've only seen it once, but --  
26 COMMISSIONER WAITS: Well, I mean, the other thing is that is  
27 it my understanding the City Engineer, even though we approve it,  
28 they can still disprove it; right? So we're not the final.  
29 COMMISSIONER STIENMETZ: Yeah. It's in the Humboldt River, I  
30 think, --  
31 COMMISSIONER GARNER: Basin.  
32 COMMISSIONER STIENMETZ: -- Basin. We went through this too.  
33 COMMISSIONER WAITS: Okay. Thank you.  
34 COMMISSIONER GARNER: I make a motion to approve Application  
35 82908 filed by Eureka County through their agent, Ronald Damele,  
36 proposing a change of point of diversion place of portion of  
37 existing permit 63833, from within Lander County to Eureka County.  
38 ~~COMMISSIONER STIENMETZ: I'll second the motion.~~  
39 CHAIRMAN BULLOCK: Any public comment?  
40 (No public comment.)

1 CHAIRMAN BULLOCK: All those in favor?  
2 COMMISSIONERS: Aye.  
3 CHAIRMAN BULLOCK: Those opposed?  
4 (None opposed.)  
5 CHAIRMAN BULLOCK: That's the way to begin.  
6 COMMISSIONER STIENMETZ: We make the motions too fast.  
7 COUNTY CLERK SULLIVAN: We could do it a little slower after  
8 three minutes. We have three minutes.

9  
10 [Pause in meeting between 9:22 a.m. and 9:25 a.m.]

11  
12  
13 **PUBLIC HEARING**

14  
15 (3) Public Hearing and discussion for possible action regarding  
16 approval/disapproval of Ordinance No. LC 2013-01, an  
17 ordinance amending Sections 15.24.020, 15.24.030(A)(1),  
18 15.24.030(A)(4), 15.24.030(8), 17.38.010(A), 17.58.020(G),  
19 17.60.010(G), 17.62.020(J), and 17.64.020(A) of the Lander  
20 County Code to only allow watchman's quarters, which include,  
21 but are not limited to, Recreational Vehicles (RVs), in  
22 operating mining operations, operating farm and ranch  
23 districts (A-3), operating commercial districts (C-1, TC, and  
24 C-2), and industrial districts (M); and making watchman's  
25 quarters subject to a special use permit; and other matters  
26 properly related thereto.

27  
28 CHAIRMAN BULLOCK: Okay. It's 9:25. We'll go ahead and have  
29 a Public Hearing and discussion for possible action regarding  
30 approval/disapproval of Ordinance No. LC 2013-01, an ordinance  
31 amending Sections 15.24.020, 15.24.030(A)(1), 15.24.030(A)(4),  
32 15.24.030(8), 17.38.010(A), 17.58.020(G), 17.60.010(G),  
33 17.62.020(J), and 17.64.020(A) of the Lander County Code to allow  
34 only watchman's quarters, which include, but are not limited to,  
35 Recreational Vehicles (RVs), in operating mining operations,  
36 operating farm and ranch districts (A-3), operating commercial  
37 district (C-1, TC, and C-2), and industrial districts (M); and  
38 making watchman's quarters subject to a special use permit; and  
39 other matters properly related thereto.

40 COMMISSIONER STIENMETZ: Is Anna here representing the

1 Building Department for this? If we do this, what it does is it  
2 still doesn't allow them to just set up --  
3 ANNA PENOLA: Correct.  
4 COMMISSIONER STIENMETZ: -- an RV out someplace and say it's  
5 watchman's quarters even though it's on a piece of --  
6 ANNA PENOLA: That's the whole point is --  
7 COMMISSIONER STIENMETZ: Just let them have them in the  
8 places they're supposed to have them where they're needed.  
9 ANNA PENOLA: Well, the five-acre parcels are A-2, which is  
10 agricultural zoning, but it's not -- they're not a functioning  
11 agricultural --  
12 COMMISSIONER STIENMETZ: So they just can't go throw their RV  
13 up out there?  
14 ANNA PENOLA: Absolutely. That's the whole point of the  
15 whole thing.  
16 COMMISSIONER GARNER: What about -- does it say -- like say,  
17 I know it says in the ranching. It doesn't say -- I didn't see  
18 it. Does it give a specific number?  
19 ANNA PENOLA: That's a case by case through the Planning  
20 Commission.  
21 COMMISSIONER GARNER: It says it's a permitted deal, but then  
22 we -- I don't want, you know, all of a sudden you show up with  
23 five of them.  
24 ANNA PENOLA: The example is, uh, Lakeside Trucking and  
25 Premier Gold. They each have one for that one property. And the  
26 Planning Commission allowed two. That permit allowed for two.  
27 COMMISSIONER GARNER: Okay. Because their splitting --  
28 ANNA PENOLA: Yes.  
29 COMMISSIONER GARNER: -- they're sharing that properly.  
30 COMMISSIONER STIENMETZ: Like on here where it talks about  
31 operating farm and ranching districts A-3. That's larger areas,  
32 right?  
33 But they all have to be special use permit, so that's where  
34 that comes in on?  
35 ANNA PENOLA: Correct.  
36 COMMISSIONER STIENMETZ: Permit. All right.  
37 COMMISSIONER MASON: Defining these changes is really for  
38 misuse, right?  
39 ANNA PENOLA: Correct.  
40 COMMISSIONER WAITS: Okay, then let me ask a question to

1 clarify on the agriculture, because we could have -- as we know,  
2 we have a lot of -- of seasonal workers that come in for the  
3 farms. And -- and we know that they're there now. So if they  
4 had, um, 800 acres that they were haying or whatever, and they  
5 brought three -- three RVs in, that would be up to the Planning  
6 Commission from what special use and tell them where it is.  
7 Because they may need to stretch them out or whatever.

8 ANNA PENOLA: And it's not for seasonal. That's not the  
9 point -- the seasonal -- we allow for seasonal to come in, and do  
10 a job, and they leave. They're not setting up shop and making a  
11 residence.

12 COMMISSIONER STIENMETZ: This is for permanent-type thing --

13 ANNA PENOLA: Correct.

14 COMMISSIONER STIENMETZ: -- where they have somebody actually  
15 living in that RV as a watchman over the --

16 COMMISSIONER WAITS: Okay.

17 COMMISSIONER GARNER: Project.

18 ANNA PENOLA: Seasonal is seasonal --

19 COMMISSIONER STIENMETZ: Seasonal. It's covered.

20 ANNA PENOLA: -- and it's allowable.

21 COMMISSIONER MASON: Mining -- on mining? Same thing though;  
22 isn't it?

23 COMMISSIONER STIENMETZ: Right.

24 ANNA PENOLA: Yes.

25 COMMISSIONER MASON: And BLM -- most of the mining is on BLM  
26 land anyway; isn't it?

27 COMMISSIONER GARNER: No.

28 COMMISSIONER STIENMETZ: Can be. A lot of it's private.

29 COMMISSIONER GARNER: So this --

30 ANNA PENOLA: It -- it's just as Steve said to -- so people  
31 can't -- they can't have 640 acres and plant an RV out there and  
32 then take off and then we're left with the trash and the  
33 demolition of it all. And it's a nuisance, and it destroys other  
34 people's properties, their trash.

35 COMMISSIONER STIENMETZ: And they're setting up, squatting.

36 ANNA PENOLA: Absolutely.

37 COMMISSIONER STIENMETZ: I make a motion the Commission  
38 uphold the June 12<sup>th</sup>, 2013 recommendation of the Lander County  
39 Planning Commission in approval and adoption of the Ordinance  
40 Number LC 2013-01, an ordinance amending Section 15.24.020,

1 15.24.030(A)(1), 15.24.030(A)(4), 15.24.030(8), 17.38.010(A),  
2 17.58.020(G), 17.60.010(G), 17.62.020(J), and 17.64.020(A) of the  
3 Lander County Code to only allow watchman's quarters, which  
4 include, but are not limited to, Recreational Vehicles (RVs) in  
5 operating mining operations, operating farms and ranch districts  
6 (A-3), operating commercial districts (C-1, TC, and C-2) and  
7 industrial districts (M) and making watchman's quarters subject to  
8 special use permits.

9 COMMISSIONER WAITS: I'll second that.

10 CHAIRMAN BULLOCK: Any public comment?

11 CINDY BRAM: Yes. What, uh --

12 CHAIRMAN BULLOCK: Could you go ahead and come on -- go ahead  
13 and come up here --

14 COMMISSIONER STIENMETZ: --state your name.

15 CHAIRMAN BULLOCK: -- and state your name, please.

16 CINDY BRAM: My name is Cindy Bram. And I would like to know  
17 just exactly what does this use permit pertain to?

18 I mean, what does it mean by getting a use permit to live in  
19 an RV?

20 COMMISSIONER MASON: Well, number one, it identifies  
21 publically what you're trying to accomplish on your piece of  
22 property or on somebody else's piece of property.

23 CINDY BRAM: Mm-hm.

24 COMMISSIONER MASON: And if you come before the Planning  
25 Commission for a permit or the owner of the property comes for a  
26 permit, then the Planning Commission can ask questions as to -- as  
27 to the use of that permit.

28 CINDY BRAM: I see. So then they can turn you down or -- or  
29 --

30 COMMISSIONER STIENMETZ: Basically --

31 COMMISSIONER MASON: Well, yeah, if it's inappropriate for  
32 the regulation, they could turn you down.

33 CINDY BRAM: Right.

34 COMMISSIONER MASON: If it's appropriate, chance -- there's  
35 no chance of turning it down. I mean, they wouldn't do it just to  
36 be mean.

37 CINDY BRAM: Yeah, because I mean, if you look around in  
38 town, out of town, there are hundreds of people that live in RVs  
39 on property.

40 COMMISSIONER MASON: Well, these regulations are basically

1 for misuse.

2 CINDY BRAM: Misuse? Okay.

3 COMMISSIONER MASON: Yeah, I mean, we're challenging the  
4 misuse of the properties throughout the county to come -- to come  
5 into compliance.

6 CINDY BRAM: I see.

7 COMMISSIONER STIENMETZ: To eliminate people just going and  
8 setting up a trailer someplace.

9 CINDY BRAM: Okay, well --

10 COMMISSIONER STIENMETZ: And not having proper sewer,  
11 electric and water and all that stuff to it. So you're not  
12 creating a health hazard --

13 CINDY BRAM: Okay. I see.

14 COMMISSIONER STIENMETZ: -- also along with it?

15 COMMISSIONER MASON: Or any other hazard.

16 COMMISSIONER STIENMETZ: Yeah.

17 CINDY BRAM: Okay. I understand.

18 COMMISSIONER MASON: Does that answer your question?

19 COMMISSIONER WAITS: And currently, our ordinances do not  
20 allow that. Um. And this will at least allow people that are --  
21 that are coming in and have a lot of material there to set up a  
22 watchman's quarters or -- or even in the agriculture areas where  
23 they are actually watching over something there, not just coming  
24 in to live and sit.

25 COMMISSIONER STIENMETZ: Yeah.

26 COMMISSIONER WAITS: -- and have no reason to be there other  
27 than living there.

28 CINDY BRAM: I see. Okay.

29 COMMISSIONER MASON: Do you fit into one of those categories?

30 CINDY BRAM: I do. But we have a nice setup.

31 COMMISSIONER STIENMETZ: Yeah, it's --

32 CINDY BRAM: It's not a piece of junk. And it's properly --  
33 everything's done properly.

34 ANNA PENOLA: Are you tied into sewer?

35 CINDY BRAM: Yes.

36 ANNA PENOLA: You're only allowed one sewer per parcel of --  
37 for your zoning. And it depends on the size of your tank and the  
38 amount. That's why it needs to be known. Septic tanks depending  
39 on the size of how many bedrooms and how many people are using for  
40 capacity and for health reasons.

1 COMMISSIONER STIENMETZ: Well, yeah, you've got to make sure  
2 you have adequate leach fields.  
3 CINDY BRAM: Right. I'm sure there is because there's only  
4 one person in the home. And there's only three people using the  
5 whole septic system.  
6 ANNA PENOLA: But your zoning is A-2?  
7 CINDY BRAM: I believe so, A-2 or 3. I'm not really sure.  
8 ANNA PENOLA: So it would not -- it would not fall under  
9 this. It's only for A-3 functioning.  
10 CINDY BRAM: Okay. It could be A-3. I'm not really sure.  
11 I'll have to look at the paperwork. I thought it was A-3, but I'm  
12 not positive. So --  
13 CHAIRMAN BULLOCK: Anna, you guys need to get together.  
14 COMMISSIONER STIENMETZ: Yeah, you should go talk to the  
15 Building Department.  
16 COMMISSIONER GARNER: They can help you out.  
17 COMMISSIONER STIENMETZ: Yeah, help you out and make sure --  
18 CINDY BRAM: Okay.  
19 COMMISSIONER STIENMETZ: -- everything's in compliance.  
20 CHAIRMAN BULLOCK: Okay. Any other questions?  
21 COMMISSIONER STIENMETZ: They're not there to throw you out.  
22 They're there to help you get in compliance.  
23 CINDY BRAM: Okay. Thank you.  
24 COMMISSIONER WAITS: Thank you.  
25 CHAIRMAN BULLOCK: Okay. Any other comments?  
26 ANNA PENOLA: I guess, for record, I'd just like to just  
27 state that RVs are only zoned, except for under special  
28 circumstances under watchman's quarters, in RV parks and mobile  
29 home parks.  
30 CHAIRMAN BULLOCK: Okay. Anything else?  
31 Okay, all those in favor?  
32 COMMISSIONERS: Aye.  
33 CHAIRMAN BULLOCK: Those opposed?  
34 CINDY BRAM: Opposed. I don't count?  
35  
36  
37  
38  
39  
40

1 **FINANCE**

2  
3 4) **Discussion for possible action regarding budget review,**  
4 **contracts, financial update and other matters properly**  
5 **relating thereto.**  
6

7 CHAIRMAN BULLOCK: Okay. Item Number 4, discussion for  
8 possible action regarding budget review, contracts, financial  
9 update and other matters properly relating thereto.

10 I didn't know if you were here for that or just --

11 UNIDENTIFIED PARTICIPANT: No.

12 CHAIRMAN BULLOCK: -- listening? So Rogene is out of town,  
13 so we'll go.

14 COMMISSIONER GARNER: Proposal to defer.

15 Commissioner Steinmetz: I'll second the motion.

16 CHAIRMAN BULLOCK: Any public comment?

17 (No public comment.)

18 CHAIRMAN BULLOCK: All those in favor?

19 COMMISSIONERS: Aye.

20 CHAIRMAN BULLOCK: Those opposed?

21 (None opposed.)  
22  
23

24 **INFORMATION TECHNOLOGY**

25  
26 (5) **Discussion for possible action regarding operations and**  
27 **projects for the IT Department and other matters properly**  
28

29 CHAIRMAN BULLOCK: Item Number 5, discussion for possible  
30 action regarding operations and projects for the IT Department and  
31 other matters properly relating thereto.

32 COUNTY CLERK SULLIVAN: He said he didn't have anything  
33 currently, unless you guys had questions, and I told him we could  
34 come get him.

35 CHAIRMAN BULLOCK: Anybody have any questions on the IT?

36 COMMISSIONER STIENMETZ: Yeah. He was over here this morning.  
37  
38  
39  
40

1        SENIOR CENTER

2  
3        6)    Discussion for possible action regarding adoption of the  
4        George Schwin Senior Center Transit Program Zero Tolerance  
5        Drug and Alcohol Testing policy and other matters properly  
6        related thereto.  
7

8            CHAIRMAN BULLOCK: Okay. Let's go on to Item Number 6,  
9 discussion for possible action regarding adoption of the George  
10 Schwin Senior Center Transit Program Zero Tolerance Drug and  
11 Alcohol Testing policy and other matters properly related  
12 thereto.

13            COMMISSIONER GARNER: I want to know from the DA.

14            COMMISSIONER WAITS: And my understanding, this has gone to  
15 POOL/PACT also for the approval.

16            ANGIE ELQUIST: Yeah, I haven't -- I haven't reviewed it. My  
17 understanding is POOL/PACT reviewed it.

18            COMMISSIONER WAITS: It's a very intense document. It's very  
19 good. And it's nice to see it really brought up to date. It's a  
20 concern for all of us in the county, I think.

21            CHAIRMAN BULLOCK: All right, Soveida?

22            SOVEIDA ROBINSON: Soveida Robinson, HR Director. We were  
23 audited by RLS & Associates out of Dayton, Ohio. We were  
24 contracted to have public transportation. And the reason for the  
25 auditing is we were not in compliance, because the Senior Center  
26 receives funds through NDOT for the transportation, which is the  
27 van. So that's the reason why this was done.

28            And once -- we used our RSL's [sic] template. And it's  
29 really good and filled in what we needed to put for our changes.  
30 And it then went on back to Mr. Sean Oswald, who was the person  
31 who was auditing. And he was fine with the policy. It then went  
32 on to POOL/PACT for their review. They were fine also with it.  
33 And that's where we are with it today. And that's where it's  
34 being presented to you.

35            COMMISSIONER GARNER: Are you fine with that, Angie?

36            ANGIE ELQUIST: Yeah.

37            COMMISSIONER GARNER: I make a motion to adopt the George  
38 Schwin Senior Center Transit Program's Zero Tolerance Drug and  
39 Alcohol Testing Policy.

40            COMMISSIONER WAITS: I'll second that.

1 CHAIRMAN BULLOCK: Any public comment?  
2 (No public comment.)  
3 CHAIRMAN BULLOCK: All those in favor?  
4 COMMISSIONERS: Aye.  
5 CHAIRMAN BULLOCK: Those opposed?  
6 (None opposed.)  
7  
8

9 ROAD AND BRIDGE SOUTH

10  
11 7) Discussion for possible action regarding operations and  
12 projects for the Road and Bridge South Department and other  
13 matters properly related thereto.  
14

15 CHAIRMAN BULLOCK: We'll go to Item Number 7, discussion for  
16 possible action regarding operations and projects for the Road and  
17 Bridge South Department and other matters properly relating  
18 thereto.

19 Joy, is Burt there?

20 JOY BRANDT: Yeah.

21 BURT RAMOS: Yeah. I'm here. I was looking for button to  
22 turn this thing on.

23 CHAIRMAN BULLOCK: Oh, okay.

24 BURT RAMOS: How's everybody doing this morning?

25 CHAIRMAN BULLOCK: Good.

26 COMMISSIONER STIENMETZ: Good. How are you doing, Burt?

27 BURT RAMOS: Good. Everything up here is going business at  
28 as usual. We're getting ready to start stockpiling our salt and  
29 sand, getting ready for winter. And that's about it. Little  
30 early on it, but rather be early than late.

31 So other than that, everything's -- is going well. The Gold  
32 Park deal is -- is in motion, so that will be coming up this -- at  
33 this next Commission meeting. I'll be letting you guys know where  
34 we're at there. So nothing else new and exciting. You guys have  
35 any questions?

36 COMMISSIONER STIENMETZ: No.

37 CHAIRMAN BULLOCK: I don't.

38 COMMISSIONER WAITS: Thank you.

39 CHAIRMAN BULLOCK: Thanks, Burt.

40 COMMISSIONER STIENMETZ: Thanks, Burt.

1 ROAD AND BRIDGE NORTH

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

7 CHAIRMAN BULLOCK: Item Number 8, discussion for possible  
8 action regarding operations and projects for the Road and Bridge  
9 North Department and other matters properly related thereto.

10 DONNIE NEGRO: Pretty much the same thing. We're getting  
11 ready, our salt, sand, and start hauling it.

12 And we've been getting crosswalks ready for school to start.  
13 It starts next -- what? -- Monday. Painting crosswalks. And then  
14 we went and mowed all the sidewalks, working on that to clear all  
15 the sidewalks so the kids can get to school. Life's good.

16 COMMISSIONER GARNER: Are they -- clearing up Fourth and  
17 Fifth alleys and all that, going into that school?

18 DONNIE NEGRO: I think they're done.

19 JAKE EDGAR: We've got -- I'll address the rest of that, but,  
20 yeah, we're -- they're finished with 98%.

21 COMMISSIONER GARNER: I -- so kids can get through? I know  
22 it was coming off for a long time.

23 JAKE EDGAR: Yep.

24 COMMISSIONER GARNER: I'm good.

25 CHAIRMAN BULLOCK: You mentioned the crosswalks, and this may  
26 not be the spot, but at some point we need to educate those kids  
27 on that lights on that crosswalk going across to where the coffee  
28 shop is because they -- they don't even know it's there to push  
29 the button.

30 I don't know if that's a police department or school or  
31 somewhere. I'd like to see them educate on -- because it does  
32 help. When it comes -- you can see those lights flashing?

33 DONNIE NEGRO: Maybe I'll talk to Unger and see if they can  
34 put an officer to get them in the crosswalks. I noticed that too.

35 CHAIRMAN BULLOCK: If -- even if they do use the crosswalks  
36 nobody uses the -- I mean, there's a button there so that those  
37 lights flash on that sign. And a lot of people aren't even aware  
38 the lights are there. And there is lights that will flash on  
39 those signs so that people know. That way coming over the  
40 overpass you are aware and such.

1 COMMISSIONER STIENMETZ: I didn't realize they had a button  
2 to turn them on.

3 CHAIRMAN BULLOCK: Yeah, there's a button.

4 COMMISSIONER WAITS: Do we -- do we have anything, like maybe  
5 our safety committee or something, can -- can go to school and  
6 just take a few minutes in each program?

7 CHAIRMAN BULLOCK: It would be good. I mean, it's really not  
8 a --

9 COMMISSIONER WAITS: Is there something like that?

10 CHAIRMAN BULLOCK: It is a county situation, but it isn't.

11 COMMISSIONER STIENMETZ: That's why we need to have a talk  
12 with the school.

13 CHAIRMAN BULLOCK: It's a state law and it's a school thing.

14 COMMISSIONER STIENMETZ: Yeah, it's the state's and the  
15 school's.

16 COMMISSIONER WAITS: But it would be county employees. If  
17 one of us went over to do that is what I'm saying is. Like if the  
18 sheriff's department went over to take a few minutes to talk to  
19 them or something.

20 CHAIRMAN BULLOCK: No, I understand.

21 COMMISSIONER WAITS: That's what I meant.

22 COMMISSIONER GARNER: It's an NDOT right-of-way, so you've  
23 got to careful with what --

24 COMMISSIONER WAITS: Yeah, I mean you would give them a  
25 safety program, a few minutes of just plain safety.

26 CHAIRMAN BULLOCK: See, you shouldn't have brought the  
27 crosswalks up.

28 JAKE EDGAR: I brought it up.

29 COMMISSIONER WAITS: Yeah, brought it up.

30 DONNIE NEGRO: I'll talk to Unger, and then I'm going to try  
31 to get him to put the 25-mile-an-hour or 15-miles-an-hour sign up  
32 again, because that quite a bit helps, over by the by the Eleanor  
33 Lemaire, and make sure that's where -- getting ready for school to  
34 start.

35 COMMISSIONER WAITS: We -- maybe we could just notify the  
36 school and ask them to do something like that? Who would notify  
37 them since we don't have an Executive Director?

38 COMMISSIONER GARNER: Ms. Penola.

39 COMMISSIONER WAITS: Great. Yeah. Thank you.

40 CHAIRMAN BULLOCK: Okay. Is that it, Donnie?

1 DONNIE NEGRO: Yeah.

2

3

4 **PUBLIC WORKS**

5

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

9

10 CHAIRMAN BULLOCK: Item Number 9, discussion for possible  
11 action regarding operations and projects for Public Works  
12 Department and other matters properly related thereto.

13 JAKE EDGAR: Morning.

14 COMMISSIONER STIENMETZ: Morning.

15 COMMISSIONER WAITS: Hey, Jake.

16 JAKE EDGAR: So basically we're still just doing water boxes.  
17 We've got one on Chukar Lane and four other ones throughout the  
18 town, um.

19 Starting with this Argenta Rim, LLC Apartments over here.  
20 We're marking out everything. They're getting ready to tie into  
21 the sewer and water, I guess, here shortly after they get their  
22 final map approved or whatever. So kind of working with those  
23 guys. Also working with the guys out -- at the end of Sheep  
24 Creek. I don't know what the road's called, but working with  
25 those guys. Other than that, everything's just pretty normal.

26 CHAIRMAN BULLOCK: Yeah, I see they're moving dirt -- in the  
27 apartments.

28 JAKE EDGAR: I'm hoping everything works for them.

29 COMMISSIONER GARNER: Good.

30 CHAIRMAN BULLOCK: Okay. If there's nothing else, --

31

32 10) **Discussion for possible action regarding the "Back Nine (9)**  
33 **Development Project" for the Mountain View Golf Course and**  
34 **the possibility of proceeding only with the design plans of**  
35 **the Back Nine (9); reapportionment of funds from the Back**  
36 **Nine (9) to the "Front Nine (9) Rehabilitation Project"; and**  
37 **other matters properly related thereto.**

38

39 CHAIRMAN BULLOCK: -- we'll go on to Item Number 10,  
40 discussion for possible action regarding the "Back Nine

1 Development Project" for the Mountain View Golf Course and the  
2 possibility of proceeding only with the design plans of the Back  
3 Nine; and reapportionment of funds from the Back Nine to the  
4 "Front Nine Rehabilitation Project"; and other matters properly  
5 related thereto.

6 JAKE EDGAR: So before we get into a big, long discussion,  
7 I -- I've had some time to think about it, and I think what we'd  
8 like to see and get some direction to do would be to put out three  
9 different options, um, in the big packet, bid alternates. First  
10 bid would be just to do the Back Nine. Second alternate would be  
11 to do just the front. And then third would be to do both  
12 combined, so that we can actually get a, uh, true number.

13 And then once we get the true number and we see what kind of  
14 options we have, and then bring it back in front of you guys to  
15 decide which direction you'd like to go.

16 CHAIRMAN BULLOCK: Okay, along those lines, as far as the  
17 lake, M & I Drilling -- first -- and not everybody's gotten back  
18 to me -- why can't I think of it -- Gold Corp. have donated  
19 equipment and people. And Gold Corp. says they will make the  
20 arrangements to get the liner in at a cheaper cost. So there is  
21 people out there --

22 COMMISSIONER STIENMETZ: That will help us.

23 CHAIRMAN BULLOCK: That will help us out. I don't have  
24 everybody back.

25 JAKE EDGAR: Yeah.

26 CHAIRMAN BULLOCK: So as far as cutting down that cost, there  
27 is the availabilities. Loren from Hunewill has volunteered to  
28 pave the cart paths, if we'll pay for the oil.

29 JAKE EDGAR: Question -- first.

30 CHAIRMAN BULLOCK: Okay.

31 JAKE EDGAR: -- foremost. Which I'm good with all that.  
32 When we do go to do oversight, the only thing I'm a little bit  
33 nervous about is if something happens and their companies or  
34 whoever at the time gets nervous if something goes wrong and they  
35 just bail on us. We don't really have any recourse as far as, you  
36 know, it wouldn't be the same thing as a contract. Um, but I know  
37 there's ways that you can do that and still have them do volunteer  
38 work, but there's no con

39 CHAIRMAN BULLOCK: There's no con -- it's strictly volunteer.

40 JAKE EDGAR: Right, but that's what I'm saying. If something

1 ever happened and they decided to walk off or whatever or their  
2 company called and said, sorry, Charlie, get your stuff off the  
3 property now. We have no recourse at that point in time. I mean,  
4 it is what it is.

5 CHAIRMAN BULLOCK: I understand that.

6 JAKE EDGAR: So I'm just --

7 CHAIRMAN BULLOCK: That's why right now there's two companies  
8 and there's a possibility of four or five --

9 JAKE EDGAR: Sure. I'm just saying.

10 CHAIRMAN BULLOCK: -- willing to move the dirt and do what it  
11 takes.

12 JAKE EDGAR: That -- that kind is only thing that makes me a  
13 little nervous, because I've seen the rest, how that works.

14 Um, if that's the direction you guys would like to take is to  
15 do the bid options and actually to see where it comes in, because  
16 right now basically we're going off of --

17 COMMISSIONER GARNER: So we could just still do these bid  
18 options. While the bid options are coming out, we can get -- we  
19 can get --

20 JAKE EDGAR: Yeah.

21 COMMISSIONER STIENMETZ: Get all the rest of the stuff and  
22 then when we get it, we can decide which way we want to go. And  
23 then we can talk to them and how much it will reduce the cost if  
24 we have --

25 COMMISSIONER GARNER: Exactly.

26 COMMISSIONER STIENMETZ: -- X company do the excavation --

27 JAKE EDGAR: Sure.

28 COMMISSIONER STIENMETZ: -- put in the liner and all this  
29 stuff. Then we have better idea of where we're at.

30 JAKE EDGAR: It's already designed, so I'm not, you know --

31 COMMISSIONER GARNER: Yeah, that's not --

32 JAKE EDGAR: That's already done, so we have everything we  
33 need. Um, the only portion is -- the biggest portion of it would  
34 be the cost of the pumping system and stuff. It's really not the  
35 pond or the liner.

36 COMMISSIONER STIENMETZ: Yeah.

37 COMMISSIONER GARNER: And as you're excavating, that's  
38 obviously because of the design and that's where they put the dirt

39 --

40 JAKE EDGAR: Sure.

1 COMMISSIONER GARNER: -- for the other green and stuff.  
2 JAKE EDGAR: So anyway, that's -- that's the direction I'd  
3 like to go just actually get firm numbers, because I don't believe  
4 that --  
5 COMMISSIONER GARNER: With -- with that, if you did that, in  
6 those big packages, they would give us the excavation cost. They  
7 would -- I mean, --  
8 COMMISSIONER STIENMETZ: -- they'll hopefully --  
9 COMMISSIONER GARNER: We can break that out and give that to  
10 the particular companies that wanted to donate as a project, so  
11 that they know exactly what they're in for.  
12 JAKE EDGAR: Right.  
13 COMMISSIONER GARNER: And we know what we're in for, and we  
14 know what they're going to donate.  
15 JAKE EDGAR: So that would be -- that's kind of what I'm  
16 looking for is direction to either put it out for bid like that  
17 or --  
18 COMMISSIONER GARNER: I think that's good.  
19 COMMISSIONER STIENMETZ: I think it's a great idea, Jake.  
20 JAKE EDGAR: -- don't do anything.  
21 COMMISSIONER GARNER: Because then we're also going to know  
22 what those numbers are as for ponds and for greens and for sands  
23 or whatever it might be, we can pull those out item by item. And  
24 if somebody wants to donate they can donate that hole or that  
25 whatever. But it gives us a cost. And it gives them an idea, and  
26 they know exactly what they're -- I'm good with that.  
27 COMMISSIONER STIENMETZ: I am too.  
28 COMMISSIONER MASON: And I think you should have a priority  
29 list. I mean, that's --  
30 COMMISSIONER GARNER: That would be.  
31 COMMISSIONER STIENMETZ: -- that's where --  
32 COMMISSIONER MASON: Cart paths shouldn't interfere with  
33 laying pipe or anything like that, you know. That's a good deal  
34 to have the cart paths, but we don't want to have to tear up what  
35 we've done.  
36 COMMISSIONER GARNER: That's like the last thing you do.  
37 COMMISSIONER STIENMETZ: That's the last thing they'll do is  
38 put in the cart paths.  
39 JAKE EDGAR: We'll be all right. But that -- that will all  
40 come out in the --

1 COMMISSIONER STIENMETZ: -- big packages.  
2 JAKE EDGAR: -- in the -- what the architect designs after  
3 that.  
4 But, so right now, basically, where we're sitting is the  
5 architect's already designed the Back Nine.  
6 What we're going to need to do is -- I'm going to have to  
7 spend a little extra money, which whatever, to get the sprinkler  
8 design done on the front. That way we at least have what we have  
9 to give to them to say this is what we want. So if that's the  
10 direction you guys want to take, I think it can work a little bit  
11 smoother for me anyway.  
12 COMMISSIONER WAITS: Jake, I think if you're -- if you're  
13 clear enough in doing this with the option, like -- like the lake  
14 and such. Then when the contractors bid this, they also know that  
15 that may -- may pull out. That's an extra. And that's a whole  
16 lot different the way they bid too?  
17 JAKE EDGAR: Right.  
18 COMMISSIONER WAITS: Because sometimes they want the whole  
19 thing and you start pulling out. And so I think you're on the  
20 right track to --  
21 COMMISSIONER GARNER: So it would --  
22 COMMISSIONER WAITS: -- make it known.  
23 COMMISSIONER GARNER: -- it would clearly be labeled that  
24 this is -- it could --  
25 COMMISSIONER WAITS: An extra item.  
26 COMMISSIONER GARNER: Numeral items on this could be  
27 voluntarily --  
28 JAKE EDGAR: And -- and again, you know -- right -- when we  
29 first started this, this was going to be design build. And now  
30 we're back into -- um, having to have an architect and an engineer  
31 and all that, which is okay. Um.  
32 COMMISSIONER STIENMETZ: Unless.  
33 JAKE EDGAR: They're all in place right now, so that's, I  
34 mean, we're good. I don't have to worry about nothing else.  
35 COMMISSIONER STIENMETZ: Good.  
36 COMMISSIONER GARNER: And there may be companies that want to  
37 --  
38 COMMISSIONER STIENMETZ: Do more of it. Do less of it. This  
39 will give them an idea of what's going on too.  
40 JAKE EDGAR: Yep.

1 COMMISSIONER STIENMETZ: I think it's a great idea. That's  
2 what we should do.

3 COMMISSIONER MASON: I think we should keep it on the agenda  
4 every meeting, so that you can update us.

5 COMMISSIONER STIENMETZ: He's going to update us.

6 JAKE EDGAR: Sure. So just I need direction.

7 COMMISSIONER GARNER: I make a motion that we put out a bid  
8 in three directions: an A, B and a C for the first -- the Front  
9 Nine, the Back Nine, and the rehabilitation of the -- and/or Front  
10 Nine and Back Nine with -- with, um -- proposed donations being  
11 withdrawn from the bid.

12 JAKE EDGAR: Okay.

13 COMMISSIONER STIENMETZ: I'll second the motion.

14 CHAIRMAN BULLOCK: Any public comment?  
15 (No public comment.)

16 CHAIRMAN BULLOCK: All those in favor?  
17 COMMISSIONERS: Aye.

18 CHAIRMAN BULLOCK: Those opposed?  
19 (None opposed.)  
20

21 **11) Discussion for possible action to approve the Amendment to**  
22 **Lander County's right-of-way grant, N-088150, for the Well**  
23 **#9 transmission main, and other matters properly related**  
24 **thereto.**  
25

26 CHAIRMAN BULLOCK: Okay. Let's go on to Item Number 11,  
27 discussion for possible action to approve the Amendment to Lander  
28 County's right-of-way, N-088150, for the Well #9 transmission  
29 main, and other matters properly related thereto.

30 JAKE EDGAR: I'm going to let Cody talk. This is Cody from  
31 Shaw Engineering. They handled the first right-of-way agreement  
32 with BLM. So this -- all this is is an amendment to the one we  
33 already have. And I'll let Cody kind of explain further, if you  
34 guys need it.

35 COUNTY CLERK SULLIVAN: Can I get a last name, as well?  
36 CODY BLACK: Cody Black with Shaw Engineering.

37 COUNTY CLERK SULLIVAN: Cody Black?  
38 CODY BLACK: Yes.

39 COUNTY CLERK SULLIVAN: Thank you.

40 CODY BLACK: Yeah. Like Jake said, it's just an amendment

1 for the previous right-of-way that was granted for the Wells 7 and  
2 8 transmission main. This is just to allow another pipeline  
3 within that existing 60-foot right-of-way. And BLM has done a  
4 pretty expeditious review of it. We wanted to make sure there  
5 were no additional clearances required by them on the beginning of  
6 this project here, which there weren't. And it's moving through  
7 smooth. And with this approval, we'll have the grant of the  
8 additional right-of-way for the second pipeline.

9 COMMISSIONER STIENMETZ: I make a motion the Commission  
10 approve the Amendment to Lander County's right-of-way grant  
11 N-088150 for the Well #9 transmission main.

12 COMMISSIONER GARNER: Second that.

13 CHAIRMAN BULLOCK: Any public comment?  
14 (No public comment.)

15 CHAIRMAN BULLOCK: All those in favor?

16 COMMISSIONERS: Aye.

17 CHAIRMAN BULLOCK: Those opposed?  
18 (None opposed.)

19 COMMISSIONER STIENMETZ: Thank you.

20 CHAIRMAN BULLOCK: Thanks.

21 COMMISSIONER WAITS: Thank you.

22

23

24 **ASSESSOR**

25

26 12) Discussion for possible action regarding approval/disapproval  
27 of the Professional Services Agreement between Lander County  
28 and The Sidwell Company for the Lander County Assessor's  
29 Office, for a total fee of \$132,526.00 plus \$2.25 per  
30 converted sketch, at a not to exceed dollar amount of  
31 \$10,000.00, for GIS Conversion and Software Implementation  
32 Services, and other matters properly related thereto.

33

34 CHAIRMAN BULLOCK: Item Number 12, discussion for possible  
35 action regarding approval/disapproval of the Professional Services  
36 Agreement between Lander County and The Sidwell Company for the  
37 Lander County Assessor's Office, for a total fee of \$132,526.00  
38 plus \$2.25 per converted sketch, at a not to exceed dollar amount  
39 of \$10,000.00, for GIS Conversion and Software Implementation  
40 Services, and other matters properly related thereto.

1 LURA DUVALL: This project we actually already have in place  
2 a portion of it. And it's on the website. And it's the  
3 interactive GIS system with the pictometry aerial photography  
4 overlay.

5 This is expanding what we already have. Um, and I'm going to  
6 let Tony kind of explain what we're doing. A portion of this will  
7 be, and I don't know if that's outlined, but it's in the contract,  
8 is that we're going to remap and actually renumber the entire  
9 county in a format that the state has directed that to all the  
10 counties eventually go to. Humboldt's in -- pretty close to being  
11 completed, I believe, um, in the renumbering.

12 And it's more -- much more efficient parceling system that  
13 you can actually identify the location of a property based on the  
14 number, because it -- within the description is quarter quarter  
15 section, township, and range. So anywhere you're at in the  
16 county, you'll be able to identify those parcels rather than the  
17 old book and page system that we're trying to get away from.

18 Um, with that said, um, I will let Tony kind of give you a  
19 little bit of overview of what we're doing. And this is out of,  
20 like I said, the assessor technology fund. This is specifically,  
21 one of the main items that the legislature wanted to see the  
22 counties implement is the aerial photography, the GIS, this kind  
23 of data, our websites, expand our websites. This is precisely  
24 what the intent of the technology funds are for.

25 So I'll let Tony go ahead and explain them. And then if you  
26 have questions, we'll try to answer them.

27 TONY PELLETTIERE: Morning.

28 COMMISSIONER WAITS: Morning.

29 COUNTY CLERK SULLIVAN: Last name?

30 TONY PELLETTIERE: Do you want my last name?

31 COUNTY CLERK SULLIVAN: Yes, please.

32 TONY PELLETTIERE: Pellettiere. P-E-L-L-E-T-T-I-E-R-E.

33 COUNTY CLERK SULLIVAN: All right. And you're with Sidwell?

34 TONY PELLETTIERE: Sidwell, yes.

35 COUNTY CLERK SULLIVAN: Thank you.

36 TONY PELLETTIERE: Good morning. So this project -- this  
37 proposed project is to really modernize the mapping that's here in  
38 the county. Um, it's to really augment what the mapping can do  
39 for, not just for Laura in the Assessor's office, but really  
40 countywide. So now, once this project is complete, you have a

1 true digital GIS mapping project that can be utilized by other  
2 departments within the county as well. Number one, public works,  
3 Planning and Zoning.

4 But the -- the big bulk of this project is to get those, the  
5 parcel, the cadastral data in a digital format that can be shared  
6 by -- shared by everybody. And then, we'll continue to update --  
7 I don't know if you've seen what's on the -- the county website  
8 now with the interactive map that this will continue to update  
9 that, and it will integrate with the pictometry data that's  
10 already there. So it's -- it's really a modernization project.

11 COMMISSIONER GARNER: Is this just town?

12 LURA DUVALL: The entire county.

13 TONY PELLETTIERE: The entire county.

14 LURA DUVALL: The entire county. Yes.

15 COMMISSIONER STIENMETZ: And you take --

16 LURA DUVALL: Every parcel.

17 COMMISSIONER STIENMETZ: -- information from pictometry and  
18 then you convert it?

19 TONY PELLETTIERE: No. We -- we tie them together.

20 COMMISSIONER STIENMETZ: That's what I mean. You tie them  
21 together so that they're accessible.

22 LURA DUVALL: We could actually show you a little  
23 demonstration, if you'd like. It's been on the website for quite  
24 some time. In fact, there's a lot of different agencies that use  
25 it, and the minute it's not working, I start getting phone calls  
26 and e-mails, because they use it on a daily basis.

27 You bring up a parcel record. And it brings up the map, and  
28 then it immediately puts the aerial photo overlay on it. So you  
29 see the outline of the parcel, plus everything that's on it,  
30 that's in that aerial photo. And then on the side, you can click  
31 on the parcel data, and it immediately takes you to the parcel  
32 data record in the Assessor's AS400. And then so you have all the  
33 data right there. It's extremely useful in that respect.

34 COMMISSIONER WAITS: So is it the parcel numbers that we're  
35 changing?

36 LURA DUVALL: That's a portion. And that will be at the  
37 latter part of this next year.

38 COMMISSIONER WAITS: So when that's completed, when we type  
39 in an old parcel, it'll automatically be converted to the new one?

40 TONY PELLETTIERE: For -- there will be a cross reference

1 grid. So you'll be able to type in an old --  
2 LURA DUVALL: Yes.  
3 TONY PELLETTIERE: -- the existing parcel number.  
4 COMMISSIONER WAITS: Like calling an old phone number that's  
5 disconnected, right, we can still get there?  
6 LURA DUVALL: Yes, I knew that was where you were going.  
7 COMMISSIONER GARNER: Where's this money coming from?  
8 LURA DUVALL: Assessor technology fund.  
9 COMMISSIONER STIENMETZ: That's what it's for.  
10 CHAIRMAN BULLOCK: So do have a timeline? Do you know about  
11 how long it will take or --  
12 TONY PELLETTIERE: Typically a project like this will run  
13 about six to nine months. And a lot of that is just scheduling  
14 because a big portion of this is training. So we have to  
15 coordinate training with Justin. But six to nine months is a  
16 doable time frame.  
17 COMMISSIONER GARNER: Is there an agreement?  
18 LURA DUVALL: Yeah, it's right here, and Angie reviewed it.  
19 And you should have it, I would imagine you should have it. And  
20 that does need to be signed, so --  
21 COMMISSIONER GARNER: I make a motion the Commission approve  
22 the Professional Service Agreement between Lander County and the  
23 Sidwell Company for the Lander County Assessor's Office for a  
24 total fee of \$132,526.00 plus \$2.25 per converted sketch, at not  
25 to exceed 10,000 for GIS conversion and software implementation.  
26 COMMISSIONER STIENMETZ: And authorize the chair to sign.  
27 COMMISSIONER GARNER: And authorize the chair to sign.  
28 COMMISSIONER STIENMETZ: I'll second the motion.  
29 CHAIRMAN BULLOCK: Any public comment?  
30 (No public comment.)  
31 CHAIRMAN BULLOCK: All those in favor?  
32 COMMISSIONERS: Aye.  
33 CHAIRMAN BULLOCK: Those opposed?  
34 (None opposed.)  
35 LURA DUVALL: Thank you.  
36 CHAIRMAN BULLOCK: Thank you.  
37 TONY PELLETTIERE: Thank you.  
38 CHAIRMAN BULLOCK: ~~She doesn't waste any time, does she?~~  
39 LURA DUVALL: She's on the ball.  
40 COMMISSIONER WAITS: She's on a roll.

1 CONVENTION & TOURISM AUTHORITY

- 2  
3 13) Discussion for possible action regarding Lander County's  
4 participation in this year's Nevada Day Parade on October 26,  
5 2013 in Carson City, and other matters properly related  
6 thereto.  
7

8 CHAIRMAN BULLOCK: Item Number 13, discussion for possible  
9 action regarding Lander County's participation in this year's  
10 Nevada Day Parade on October 26, 2013 in Carson City, and other  
11 matters properly related thereto.

12 LAURA SCHMIDT: For the record, I'm Laura Schmidt, the  
13 Executive Director for Lander County Convention and Tourism and --

14 PAULA TOMERA: Paula Tomera with Battle Mountain Chamber of  
15 Commerce.

16 LAURA SCHMIDT: I put this on the agenda because Commissioner  
17 Waits approached us with a letter from the Nevada Day group saying  
18 that they'd like all of the counties involved in this year's  
19 parade, um, because it is the kickoff to the 150<sup>th</sup> anniversary.  
20 And so I didn't think that it was something that I should take on  
21 myself, because it's representing the whole county, so I wanted to  
22 see what the commissioners thought about it.

23 CHAIRMAN BULLOCK: Oh, we'll let you.

24 LAURA SCHMIDT: Well, I called two other counties to find out  
25 what they were doing just to get some information for you guys.

26 Storey County has a committee they put together. So there's  
27 HR representation, law enforcement, a commissioner, and they got a  
28 committee together. And they're going to do a float. But  
29 logistically, it's a lot easier for them do a float. We're four  
30 hours from Carson City or however long it takes to get there. So  
31 I don't know that a float's an option for us, because you've got  
32 the logistics of it. You've got to put it together down there.  
33 You've got to have your team. You've got overnights. You've got  
34 whose vehicle. So I think a float's kind of a really -- I don't  
35 know that it's an option for us. But again, that's up to you  
36 guys.

37 Another county I reached out to was Elko. I talked to Don  
38 Newman. And he's part of a NCOT team. And they're putting  
39 together a float that represents multiple counties. And he said  
40 he would love for us to be a part of that. So that's another

1 option. We don't have to worry about all those logistics. And we  
2 just have whoever wants to go and represent Lander County on their  
3 float. And they'll have our flag or our -- whatever we want. And  
4 we can have our own collateral to hand out and still be part of  
5 the parade, but not -- not on such a big scale. Which I like plan  
6 B. And I have no problem heading it up, and -- and working with  
7 Don. And I spoke to Dee Helming and she -- she would like to be a  
8 part of it as well in support of Kingston and Austin to represent  
9 the whole county.

10 COMMISSIONER WAITS: I -- I was really sorry to see that the  
11 deadline without any penalties is coming up in just the middle of  
12 September to actually put in some kind of an entry.

13 LAURA SCHMIDT: Right.

14 COMMISSIONER WAITS: It's -- and if you don't hit that  
15 deadline, then you have to pay penalties. And I thought, my  
16 goodness, you know, we're talking a year away. And they're  
17 penalizing the counties, and we're just trying to --

18 LAURA SCHMIDT: Actually -- no, the parade is this year.

19 COMMISSIONER WAITS: October?

20 PAULA TOMERA: Nevada Day.

21 LAURA SCHMIDT: Yeah, it's 2013. It's not the parade for  
22 2014. It's the parade -- so it's two months away.

23 COMMISSIONER WAITS: Well, see --

24 LAURA SCHMIDT: That's why.

25 COMMISSIONER WAITS: -- I thought it was.

26 LAURA SCHMIDT: I thought initially, and then I went and did  
27 my homework. And it is -- it's October 26<sup>th</sup>, 2013. So that's why  
28 the deadline is so --

29 COMMISSIONER WAITS: That's interesting that they're doing it  
30 this year instead of --

31 LAURA SCHMIDT: Because they're kicking off. Well, the  
32 Nevada Day parade is the 75<sup>th</sup> anniversary this year.

33 COMMISSIONER WAITS: That's why. So it's kicking off the  
34 150<sup>th</sup>.

35 LAURA SCHMIDT: Yes. It's kicking off.

36 COMMISSIONER WAITS: I see. Well, that makes more sense.

37 LAURA SCHMIDT: So it's a real short window to do anything.

38 COMMISSIONER WAITS: We've got to do it quickly.

39 LAURA SCHMIDT: Yeah.

40 COMMISSIONER WAITS: Um.

1 CHAIRMAN BULLOCK: Well, I'm not going to volunteer, because  
2 I'm out of town. But -- you know, I'm willing to -- to see what  
3 we can do. I mean, I have -- I have reservations as far as  
4 joining versus if you put a float together, you can put it  
5 together here and make it disassemblable. I don't think that's  
6 the right word. Anyway. So it will disassemble.

7 LAURA SCHMIDT: Right.

8 CHAIRMAN BULLOCK: To where it can be assembled back  
9 together. To where you go down there, and it -- it can be  
10 reassembled. That's what a lot of those outfits do.

11 LAURA SCHMIDT: Right.

12 CHAIRMAN BULLOCK: You know, I'm willing to help on something  
13 like that. I just cannot be there. Um, if you --

14 LAURA SCHMIDT: If I -- If I can be there --

15 CHAIRMAN BULLOCK: -- you want to join on something, that's  
16 fine. But, I think, bottom line is we need to throw a committee  
17 together.

18 LAURA SCHMIDT: And that's -- and that's what I think. I  
19 think there's needs to be representation from all different parts  
20 of the county, so that -- and come up with an idea to um -- what  
21 the float needs to do. It needs to represent 75 years for the  
22 Nevada Day. And um --

23 CHAIRMAN BULLOCK: And I'm sure Mark's got a garage down  
24 there so --

25 LAURA SCHMIDT: Mark?

26 MARK BRETHAUER: (Indiscernible.)

27 CHAIRMAN BULLOCK: He's from Carson City.

28 LAURA SCHMIDT: You know, so then -- and yeah, there's  
29 funding. Because's there's -- I mean -- I don't know if we have  
30 to go down the night before and assemble it. You need to be ready  
31 at 9:00 a.m. the day of the parade.

32 CHAIRMAN BULLOCK: It wouldn't be the night before. You're  
33 not going to assemble something in one --

34 LAURA SCHMIDT: Yeah, I've never done a float.

35 CHAIRMAN BULLOCK: If you're joining one of the other  
36 counties, that's fine. You know, I'm willing to put it up to a  
37 committee and --

38 COMMISSIONER STIENMETZ: See what they can do.

39 CHAIRMAN BULLOCK: See what they can put together. I mean,  
40 if we want to join the others, that's fine. If we want to

1 assemble one, you know -- it's whatever. I mean, as far as I'm  
2 concerned, you got my support. I just cannot be there at that  
3 time.

4 COMMISSIONER GARNER: I can't be there, but I -- I can donate  
5 trailers or --

6 LAURA SCHMIDT: Well, I had thought about that.

7 COMMISSIONER GARNER: If we need trailers or trucks, we've  
8 got that.

9 LAURA SCHMIDT: Right. Look. What would the committee be  
10 made up of: I mean, who would be on this committee that you  
11 appoint?

12 COMMISSIONER GARNER: We were going to appoint you to make a  
13 committee.

14 CHAIRMAN BULLOCK: Yeah, you're the chairman.

15 COMMISSIONER STIENMETZ: You're the chairman. You get what  
16 you want for them.

17 LAURA SCHMIDT: It's a good thing --

18 COMMISSIONER STIENMETZ: I could be your vice chairmen.

19 LAURA SCHMIDT: And what about funding for it? I know I have  
20 reached out to my board chairman. I don't have a meeting until  
21 Wednesday night. But he was in support of -- of, you know, some  
22 funding for it, because it's going to cost money to do this.

23 COMMISSIONER GARNER: We have --

24 LAURA SCHMIDT: Well, obviously we'd look at donations to put  
25 it together and that kind of thing, but there's going to be some  
26 expenditures to do this.

27 COMMISSIONER GARNER: We've got two or three thousand left in  
28 that fund.

29 CHAIRMAN BULLOCK: We'll wipe it out before we ever get  
30 started.

31 LAURA SCHMIDT: But that -- that also is an option to help  
32 with some funding. And I'll find out more about that.

33 CHAIRMAN BULLOCK: And we'll find out more on the funding.

34 COMMISSIONER STIENMETZ: Yeah.

35 COMMISSIONER WAITS: When Rogene is here.

36 CHAIRMAN BULLOCK: Unless Sadie wants to step into it.

37 COUNTY CLERK SULLIVAN: No.

38 ~~COMMISSIONER STIENMETZ: I'm sure we can probably figure out~~  
39 something to help.

40 COMMISSIONER WAITS: I think it's great. They requested that

1 all the counties have representation this year. And I think it's  
2 great that we step up to do that, so --  
3 LAURA SCHMIDT: And I already have an idea. I'm not going to  
4 throw it out there, because some people might laugh.  
5 CHAIRMAN BULLOCK: And since how she stepped up, I think we  
6 got a commissioner just really available to be on that committee.  
7 LAURA SCHMIDT: A commissioner on that committee for sure to  
8 represent the county. Um, okay, so I will --  
9 COMMISSIONER GARNER: We need to represent that part of the  
10 county.  
11 COMMISSIONER STIENMETZ: What part?  
12 LAURA SCHMIDT: -- I will try to get some folks to get  
13 involved --  
14 COMMISSIONER GARNER: Southern.  
15 LAURA SCHMIDT: -- to commit to meet and talk about  
16 brainstorming ideas for a float. And what they -- what we can put  
17 together and what it can be made of?  
18 COMMISSIONER STIENMETZ: What kind of finances we need.  
19 LAURA SCHMIDT: Right. Because I've never done a float or  
20 been part of a parade, so I don't have any experience in this.  
21 COMMISSIONER STIENMETZ: I have. Just keep me off of it.  
22 CHAIRMAN BULLOCK: Just talk to Steve Seldin.  
23 COMMISSIONER WAITS: Oh, but (indiscernible).  
24 LAURA SCHMIDT: Yeah, yeah. And then I can come back.  
25 CHAIRMAN BULLOCK: And he'd help. I really think he would.  
26 LAURA SCHMIDT: Yeah.  
27 COMMISSIONER STIENMETZ: Yeah.  
28 LAURA SCHMIDT: Come back --  
29 COMMISSIONER WAITS: You might think about if Heather can  
30 cover that with a little blurb, too, of course, that we will be --  
31 LAURA SCHMIDT: -- a shout out --  
32 COMMISSIONER WAITS: -- looking for some volunteers --  
33 LAURA SCHMIDT: for people who want to be involved.  
34 COMMISSIONER WAITS: -- that have experience in floats or  
35 would like to.  
36 LAURA SCHMIDT: Yeah, I'll put a shout out together and  
37 e-mail it to her for sure. Um, and then shall I put it back on  
38 the agenda for September 5<sup>th</sup> meeting?  
39 COMMISSIONER GARNER: Yeah.  
40 CHAIRMAN BULLOCK: Sure. Yeah.

1 COMMISSIONER WAITS: That would be good. Thank you.  
2 LAURA SCHMIDT: Thank you.  
3 CHAIRMAN BULLOCK: In fact, you can keep it on there --  
4 LAURA SCHMIDT: Okay.  
5 CHAIRMAN BULLOCK: -- until we know what we're doing.  
6 LAURA SCHMIDT: All right. Thank you.  
7 COMMISSIONER WAITS: Thank you.  
8 CHAIRMAN BULLOCK: Thank you. Okay. I'm a little behind  
9 here.  
10 COMMISSIONER GARNER: 14.  
11 CHAIRMAN BULLOCK: Somebody was handing me papers to sign.  
12  
13

14 **COMMISSIONERS**

15  
16 14) **Discussion for possible action regarding request from Angela**  
17 **Alexander, Battle Mountain Archery Club, for a donation of**  
18 **land from Lander County in order to establish a permanent**  
19 **structure for the Archery Club, and other matters properly**  
20 **related thereto.**  
21

22 CHAIRMAN BULLOCK: Item Number 14, discussion for possible  
23 action regarding request from Angela Alexander, Battle Mountain  
24 Archery Club, for a donation of land from Lander County in order  
25 to establish a permanent structure for the Archery Club, and other  
26 matters properly related thereto --

27 COMMISSIONER WAITS: You don't look like Angela.

28 WAYNE ALEXANDER: I'm her husband. I'm Wayne Alexander. I'm  
29 the President of the Battle Mountain Archery Club.

30 COMMISSIONER WAITS: Hi, Wayne.

31 WAYNE ALEXANDER: So basically it was brought to our  
32 attention at one of the rec meetings that we attended to that was  
33 should approach the Commission to maybe possibly gain some  
34 property for the Archery Club, permanent.

35 COMMISSIONER GARNER: Donnie, how much do we have? How much  
36 do we own out there next to the gun range? Between the gun range  
37 and the -- on the end of that little mountain?

38 ~~DONNIE NEGRO: I think it's up on the hill, over on the hill.~~

39 COMMISSIONER GARNER: We don't have any next to it. It's a  
40 part.

1           DONNIE NEGRO: Yeah. I think it's up high, because where the  
2 water tank -- I don't know. There's some at the golf course. And  
3 there's some out on hilltop.

4           COMMISSIONER GARNER: I was just thinking the end of that  
5 mountain range would give them obstacles and stuff.

6           DONNIE NEGRO: I could check into it.

7           COMMISSIONER GARNER: Gives them rocks and gives them --

8           DONNIE NEGRO: And then the BLM's really getting into this,  
9 you know, the land deal they talked to us before. You know,  
10 there's land like up hilltop, hilltop and Lewis. I don't know if  
11 you want to go out that far.

12          COMMISSIONER GARNER: I'm trying to keep it closer to town so  
13 more people can utilize it.

14          DONNIE NEGRO: Huh?

15          COMMISSIONER GARNER: I think of trying to keep it closer to  
16 town, so more people --

17          DONNIE NEGRO: Yeah.

18          COMMISSIONER GARNER: It's easier, accessible. And they  
19 won't tear it up, and it can be policed a little bit easier.

20          DONNIE NEGRO: Yeah, there might be some at the airport back  
21 there behind the motor cross track, you know, in the fenced area.  
22 We can look into that.

23          JUDGE BUNCH: What about the remote-controlled airfield? And  
24 they can make it multiple use?

25          COMMISSIONER GARNER: It's flat. It's -- and we're trying to  
26 get something a little more --

27          DONNIE NEGRO: Hilly.

28          COMMISSIONER GARNER: -- something that you don't have to  
29 construct as much. Something that's already a little more  
30 readymade.

31          WAYNE ALEXANDER: I really don't mind if it's flat. As long  
32 as we can put a permanent structure there for a permanent -- like  
33 a clubhouse and in indoor shooting range where we can attract, um,  
34 people from out of town that shoot during the winter.

35          Because there's -- there's the NFAA indoor shoots. And  
36 there's only two places in the State of Nevada that you can  
37 actually sanction to shoot there: one's Vegas, one's Reno. So  
38 you've got people from Elko and stuff that would travel here to  
39 qualify for those shoots.

40          COMMISSIONER GARNER: Anna, can you help us with this?

1 ANNA PENOLA: Um, yeah, sure. What?  
2 COMMISSIONER WAITS: So you want -- you want us to deed the  
3 land to you?  
4 WAYNE ALEXANDER: Well --  
5 COMMISSIONER STIENMETZ: I don't think we can.  
6 COMMISSIONER WAITS: I mean, not use it, but actually deed it  
7 because you're going to permanent structure on it.  
8 WAYNE ALEXANDER: Well, I'd like to put a permanent structure  
9 --  
10 COMMISSIONER GARNER: Can you help us with locations?  
11 WAYNE ALEXANDER: -- on there, so we can actually have an  
12 indoor shoot so we can actually use it during the winter.  
13 COMMISSIONER WAITS: Do you have the funding for that?  
14 WAYNE ALEXANDER: No, not at the time. No.  
15 COMMISSIONER WAITS: First things first.  
16 WAYNE ALEXANDER: We need something --  
17 COMMISSIONER GARNER: They need land first.  
18 WAYNE ALEXANDER: -- so we can set up like an outdoor range  
19 also.  
20 JAKE EDGAR: We've got lots of property out by the sewer  
21 plant.  
22 COMMISSIONER GARNER: Yeah. Yeah.  
23 JAKE EDGAR: Three times.  
24 COMMISSIONER GARNER: But they're --  
25 JAKE EDGAR: I mean, it doesn't stink either.  
26 COMMISSIONER GARNER: But yeah.  
27 JAKE EDGAR: But it's -- there's a lot there.  
28 CHAIRMAN BULLOCK: I know. That's not a bad idea.  
29 COMMISSIONER GARNER: That's pretty. Can you -- I --  
30 UNIDENTIFIED PARTICIPANT: We're never going to use it.  
31 COMMISSIONER MASON: How big of a course is this? How many  
32 targets?  
33 COMMISSIONER GARNER: Five acres maybe? Is that all you  
34 need?  
35 WAYNE ALEXANDER: Well, you have 40 targets to be a  
36 sanctioned shoot.  
37 COMMISSIONER MASON: Forty.  
38 WAYNE ALEXANDER: Forty targets.  
39 COMMISSIONER MASON: And you need the --  
40 WAYNE ALEXANDER: For the outdoor shoots, you need 40 targets

1 to be sanctioned. For the indoor shoots --  
2 COMMISSIONER MASON: So pretty much like a golf course; isn't  
3 it?  
4 WAYNE ALEXANDER: Pretty much. It's not as big as a golf  
5 course, because, you know, you're -- your farthest shot's probably  
6 50 yards. So -- but it's got to be spread out so you don't have  
7 --  
8 COMMISSIONER STIENMETZ: -- people shooting at each other.  
9 WAYNE ALEXANDER: -- shooting each other.  
10 COMMISSIONER MASON: Yeah, right.  
11 COMMISSIONER WAITS: That's a good point.  
12 COMMISSIONER GARNER: Can you, Anna? or Gina?  
13 ANNA PENOLA: We can research it.  
14 COMMISSIONER GARNER: Can you research just what we have out  
15 --  
16 COMMISSIONER STIENMETZ: Work with them and see what we can  
17 find.  
18 COMMISSIONER GARNER: -- there?  
19 ANNA PENOLA: Absolutely.  
20 COMMISSIONER GARNER: -- just because it's more of the  
21 shooting range?  
22 ANNA PENOLA: Absolutely.  
23 COMMISSIONER GARNER: Or even the Motor Sports Complex out in  
24 that area? Or somewhere that's -- there's water kind of close to  
25 both of them and stuff. I don't know.  
26 COMMISSIONER STIENMETZ: Yeah, then work with her to see what  
27 you've got and then come back to us on it.  
28 ANNA PENOLA: Yeah.  
29 COMMISSIONER WAITS: And then bring it back to the  
30 commissioners.  
31 COMMISSIONER STIENMETZ: Make sure it fits your needs.  
32 COMMISSIONER GARNER: If there's something we have --  
33 WAYNE ALEXANDER: Absolutely.  
34 COMMISSIONER STIENMETZ: I don't know that we can give it to  
35 them. We can lease it to them.  
36 COMMISSIONER GARNER: Well, yeah, absolutely. Just like the  
37 racetrack.  
38 COMMISSIONER STIENMETZ: ~~It would be like the racetrack or~~  
39 anything else. You pay --  
40 WAYNE ALEXANDER: Yeah.

1 COMMISSIONER GARNER: Ten dollars a year.  
2 COMMISSIONER STIENMETZ: Ten dollars a year or something to  
3 lease.  
4 WAYNE ALEXANDER: Yeah, just someplace that eventually we can  
5 put a permanent structure there so we can have something to shoot  
6 in.  
7 CHAIRMAN BULLOCK: Could you give us pictures of an existing  
8 one or a sketch of conceptual of what you're thinking about?  
9 WAYNE ALEXANDER: Okay.  
10 CHAIRMAN BULLOCK: Just so we have a better idea?  
11 WAYNE ALEXANDER: Yeah. Basically all -- for a structure,  
12 basically all we need is to be able to shoot 30 yards, so three  
13 feet is a yard. So --  
14 COMMISSIONER STIENMETZ: How many feet?  
15 COMMISSIONER MASON: So there is one in Reno, right?  
16 WAYNE ALEXANDER: There's one in Reno and they shoot. They  
17 have one in Elko also.  
18 COMMISSIONER MASON: Could you get Reno to send us a copy of  
19 theirs?  
20 WAYNE ALEXANDER: Yeah.  
21 COMMISSIONER MASON: It's basically a footpath, isn't it?  
22 WAYNE ALEXANDER: Basically it's a clubhouse with -- it's  
23 basically just a shop is what they put up. It's just a pole barn  
24 structure with siding on it, and -- you know --  
25 COMMISSIONER MASON: But, I mean, you're following a path  
26 with signs saying --  
27 WAYNE ALEXANDER: Oh, you're talking --  
28 COMMISSIONER MASON: -- you know --  
29 COMMISSIONER STIENMETZ: He's talking about the outside ones.  
30 COMMISSIONER MASON: -- target number five.  
31 WAYNE ALEXANDER: You're talking about the outside ones.  
32 Yes. Well, what you do is you set up -- you have like target one,  
33 target two, target three. And you haven outline of a map of  
34 what -- what the course is basically, like you're following a golf  
35 course.  
36 COMMISSIONER MASON: Right.  
37 WAYNE ALEXANDER: And that's target one's here; target two's  
38 there.  
39 COMMISSIONER MASON: Could you get your hands on a copy of  
40 that so we could reproduce it?

1 COMMISSIONER GARNER: A footprint of somebody else's.  
2 COMMISSIONER STIENMETZ: Just an idea.  
3 WAYNE ALEXANDER: Yeah. I'll get something.  
4 COMMISSIONER GARNER: Okay.  
5 WAYNE ALEXANDER: Because they -- every time they go to one,  
6 they change the course.  
7 CHAIRMAN BULLOCK: No, just so we have an idea.  
8 COMMISSIONER STIENMETZ: Just so we have an idea.  
9 WAYNE ALEXANDER: I can get that.  
10 COMMISSIONER GARNER: Thank you, Anna.  
11 WAYNE ALEXANDER: I think I have that at home actually --  
12 COMMISSIONER STIENMETZ: Thanks.  
13 WAYNE ALEXANDER: -- from one of the courses last year.  
14 COMMISSIONER GARNER: And if you work with Gina and Anna --  
15 COMMISSIONER STIENMETZ: They can help you out with it.  
16 WAYNE ALEXANDER: Okay.  
17 COMMISSIONER MASON: The other question I'd have is: How do  
18 you raise money for this? Do you have membership?  
19 WAYNE ALEXANDER: Yeah, we have memberships.  
20 COMMISSIONER MASON: Is there a due? a fee? or what?  
21 UNIDENTIFIED PARTICIPANT: Yeah, it's \$35 for a single  
22 member. It's like 45 for a family.  
23 COMMISSIONER GARNER: It's like the gun club and all the  
24 other clubs.  
25 WAYNE ALEXANDER: It's like the gun club. It's like -- if  
26 you're a member, it's \$10 and a nonmember it's \$20 to shoot.  
27 COMMISSIONER MASON: I kind of agree with you that this is a  
28 hunting area. You're going have a lot of hunters come if you have  
29 a nice range set up.  
30 WAYNE ALEXANDER: I agree.  
31 COMMISSIONER MASON: And would there be a fee for using the  
32 range?  
33 COMMISSIONER WAITS: Mm-hm. Yes.  
34 WAYNE ALEXANDER: Yeah, if you're a member, you have access  
35 to that. Nonmembers --  
36 COMMISSIONER STIENMETZ: -- have to pay a fee to use it.  
37 WAYNE ALEXANDER: You have to pay a fee to use it.  
38 COMMISSIONER GARNER: Thank you.  
39 CHAIRMAN BULLOCK: Thanks.  
40 COMMISSIONER STIENMETZ: Thank you very much.

1 CHAIRMAN BULLOCK: We'll take a look into it.  
2 COMMISSIONER WAITS: Thanks, Wayne.

3  
4 **15) Discussion for possible action regarding the status of the**  
5 **grant from Lander County to the Battle Mountain Family**  
6 **Resource Center, and other matters properly related thereto.**  
7

8 CHAIRMAN BULLOCK: Item Number 15, discussion for possible  
9 action regarding the status of the grant from Lander County to the  
10 Battle Mountain Family Resource Center, and other matters properly  
11 related thereto.

12 I don't see anybody here.

13 It's just a -- what we're looking for is the clarification,  
14 because they are trying to clarify if they're going to receive the  
15 grant or not. At budget hearings, we just stated that there was  
16 liens and that it was on hold. So we either need to make that  
17 clear that in a motion that we will not or that we will release  
18 those funds.

19 COMMISSIONER GARNER: Did you read this, Angie?

20 COMMISSIONER WAITS: Did we have anything new, Angie?

21 COMMISSIONER GARNER: It's revoked?

22 ANGIE ELQUIST: No, it's revoked.

23 COMMISSIONER GARNER: Correct.

24 COMMISSIONER STIENMETZ: Yeah, there thing was revoked.

25 COMMISSIONER GARNER: I make a motion to not disperse funds.

26 COMMISSIONER STIENMETZ: Until they can comply.

27 COMMISSIONER GARNER: Until there is a updated status of  
28 which right now is -- remains revoked.

29 COMMISSIONER STIENMETZ: I'll second that motion.

30 CHAIRMAN BULLOCK: Okay. Any public comment?

31 (No public comment.)

32 CHAIRMAN BULLOCK: All those in favor?

33 COMMISSIONERS: Aye.

34 CHAIRMAN BULLOCK: Those opposed?

35 (None opposed.)  
36

37 **16) Discussion for possible action regarding issues with the HVAC**  
38 **system at the Mountain View Golf Course and other matters**  
39 **properly related thereto.**  
40

1 CHAIRMAN BULLOCK: Okay. Item number 16, discussion for  
2 possible action regarding issues with the HVAC system at the  
3 Mountain View Golf Course and other matters properly related  
4 thereto.

5 I asked to have this put on, because we've got a system that  
6 never has functioned. From the get go, we spent over \$9,000 and  
7 it still does not work. So -- where we heading, Anna?

8 ANNA PENOLA: I brought Jared in from Snyder Mechanical to  
9 help answer some questions that you guys may have, if --

10 COMMISSIONER WAITS: How old is the current system?

11 JARED BYLUND: Well, if you want, can I kind of give a --

12 CHAIRMAN BULLOCK: Come on up.

13 COMMISSIONER STIENMETZ: Come up front and state your name  
14 and everything for us, if you would, please.

15 JARED BYLUND: Jared Bylund with Snyder Mechanical.

16 COUNTY CLERK SULLIVAN: Could I get the spelling of the last  
17 name, please?

18 JARED BYLUND: You bet. B-Y-L-U-N-D.

19 COUNTY CLERK SULLIVAN: Thank you.

20 JARED BYLUND: No problem. Joe Lindsey called me back in  
21 February to come and take a look at the HVAC system at the  
22 clubhouse, along with a couple of other items. And I did so. We  
23 came out and took a look at it. I got up in the attic space,  
24 looked at it, and asked him what was wrong with the current  
25 system. He said that it wasn't very reliable. It wasn't cooling  
26 very well. I said, okay.

27 Put together a proposal to replace the furnace, which is the  
28 air handler portion of the system that pushes the air, the cooling  
29 coil, and then the condensing unit that sits outside. Um, that  
30 was also in February.

31 Didn't hear really anything back from him until first of  
32 June, during which he called me first of June and asked that we do  
33 the work, that he would issue a purchase order on it. We did the  
34 work the 27<sup>th</sup> and 28<sup>th</sup> of June. And as far as we knew, for the  
35 first couple of weeks, it was running fine. We did start up on it  
36 on the 28<sup>th</sup>, and it took off.

37 We got -- I had a gentleman, our service technician that  
38 ~~installed the system working out at Newmont Phoenix doing a little~~  
39 bit of work. And he came in one -- one evening from that job, um,  
40 just to do a courtesy check and see how the system was doing. And

1 -- I don't re -- he didn't tell me who, but somebody at that  
2 clubhouse told him that it hadn't really worked in the two weeks  
3 that it had been installed. So that was the first notification  
4 that, you know, we had that any -- any issues were occurring with  
5 it. And it was reported at that time that the system was freezing  
6 up.

7 If you know anything about HVAC, which I'm sure most of you  
8 do, freezing a coil can transpire in two situations typically:  
9 lack of air flow or refrigeration problem -- refrigeration charge.  
10 We checked both those. The air flow was fine. Um, the  
11 refrigeration charge was fine. The other issue that oftentimes  
12 can creep up and freeze coils if you're introducing humidity into  
13 the inflow -- into the building envelope. And in this case, there  
14 was a portable evap cooler that was running. And that does cause  
15 -- can cause a multitude of issues when you're trying to run a  
16 central air system with it. So we -- we instructed them not to  
17 run the portable evap cooler system because of that issue.

18 And we put another device on the coil called a free stat.  
19 What is it does is it -- once it senses that the coil is going to  
20 start to accumulate and create ice on the coil, it will shut the  
21 outdoor unit off so that more ice doesn't accumulate and you can  
22 still get air flow -- air flow through the coil. We put that on  
23 in July.

24 And as far as we know, it's -- it's working fine. The coil  
25 doesn't freeze up anymore. So there's not the thawing or freezing  
26 and thawing issues that was transpiring before. So that's kind of  
27 it in a nutshell.

28 CHAIRMAN BULLOCK: Okay, it's still freezing up. It's still  
29 dropping water into the men's restroom, which totally ruined the  
30 ceiling in the men's restroom, which was an installation flaw.  
31 Because we -- now we've got a damaged ceiling that we've got to  
32 deal with, because there wasn't a drain line that should have been  
33 ran outside, which was faulty workmanship. Okay. The  
34 installation was wrong. And so the system still does not work  
35 right. It was undersized.

36 JARED BYLUND: Well.

37 CHAIRMAN BULLOCK: Something was. The venting, the ducts,  
38 ~~somewhere something is undersized that it cannot handle it.~~

39 JARED BYLUND: Well, with -- with all due respect,  
40 Mr. Bullock, we put in a five-ton system and a five-ton system was

1 in there. That's what we -- we exchanged capacity for capacity.  
2 We didn't change any ductwork and that wasn't part of our proposal  
3 to change any ductwork.

4 CHAIRMAN BULLOCK: Okay, but -- okay, the reason that old  
5 system wasn't working, it wasn't big enough. So as a contractor,  
6 wouldn't you say, hey, I need to put a bigger system in here?

7 If it wasn't working before, that's why they went to swamp  
8 coolers. Now, we want to go back from swamp coolers to HVAC  
9 system. Isn't that telling you that the system was undersized?

10 JARED BYLUND: Not necessarily. I ran -- I ran a heat  
11 calculation on the building. And it did come up -- just under  
12 five ton of cooling was the recommended heat, heat load. So --  
13 and so when I saw that that was the calculation plus the fact that  
14 there was a five-ton system in there, we exchanged a five-ton for  
15 a five-ton. That was the basis of it.

16 CHAIRMAN BULLOCK: Okay, go ahead.

17 JARED BYLUND: The condensate drain was installed. I mean,  
18 there was a condensate drain there for the existing system. And  
19 you have to have condensate drain. That existing system -- and  
20 per my proposal, I said we could reconnect the condensate drain.  
21 And so that's what we did. So if there was a plug up or a backup  
22 in the condensate drain, that -- I mean, that was an existing  
23 condition that we inherited, I guess, you could say.

24 COMMISSIONER GARNER: Where does it go to?

25 JARED BYLUND: It goes to the outside.

26 COMMISSIONER GARNER: It does go to the outside?

27 JARED BYLUND: Yeah, mm-hm. And it's just used for the  
28 cooling portion for it, because that's the only time it  
29 condensates. During heat, it doesn't condensate.

30 SCOTT BULLOCK: Scott Bullock. I have the contract to manage  
31 the golf course out there. I was there for the meeting when they  
32 discussed it.

33 It was talked about, the way the ductwork, the way it ran,  
34 how it loops all the way to one end and comes all the way to the  
35 other. There's -- you can't get enough air flow back over there.

36 We also talked in that same beginning meeting about cutting  
37 two new vents above the bar, um, because there's no vents right  
38 there. ~~None of that has been done.~~

39 Um, the condensate line, um, drained into the bathroom, into  
40 the utility room, when it was first hooked up and flooded out the

1 bathroom. And I called the county, and they had someone come out  
2 and finish running the drain line outside from there. But it  
3 drained and flooded our bathroom first.

4 Um -- we, uh -- right after they installed the unit, we did  
5 run the Porta Cool for two days. And that system hasn't been able  
6 to keep up. And I have to keep my customers happy, so -- It's  
7 still not working right.

8 JARED BYLUND: Um, it's -- it's quite typical to run a  
9 condensate line to a -- condensate line to a waste line.  
10 That's -- per code, you can do that. And that's how it was  
11 existing. So literally we just reattached to what was there. We  
12 didn't go to the final end termination and see what it was  
13 attached to. It can run to the outdoor. Most people like it  
14 attached to the waste line. And so that's how it was originally  
15 done. So -- um, in regards to that, that's -- I mean, that was  
16 existing.

17 Um, I will say, though, that inside a building envelope, um,  
18 if you're trying to cool an area and you're using evaporative  
19 cooling, it introduces humidity into the air to the point that if  
20 you're trying to also run central air with it, that the coil is  
21 not able to keep up.

22 What -- what central air does, the basic principle behind  
23 central air is that it dehumidifies the air. It takes the  
24 humidity out of the air and cools the air. To flip it,  
25 evaporative cooling or a traditional swamp cooler does the exact  
26 opposite. It introduces water and then runs air across the water  
27 humidifying the air. So what you have when you run the two  
28 together is you typically have central air freezing up. The coil  
29 will freeze up literally like an ice block.

30 And then obviously to get rid of that ice, it has to thaw.  
31 And the thawing nature of that becomes water. And it has to go  
32 somewhere. Um, so when you -- those two systems cannot run  
33 together. And if they're competing against each other, the system  
34 will never work, whether it's undersized, oversized, right on the  
35 money, we can debate until we're blue in the face. But if we're  
36 competing evap cooler with central air, it will never work. I can  
37 promise you that.

38 ~~And if an evap cooling system has been running for a~~  
39 significant period of time, it will humidify the space, the walls,  
40 the sheetrock, all the building components, to the point to where

1 the central air system turns on, it's got to dehumidify not only  
2 the air, but the building itself as well, such as the sheetrock,  
3 the framing, the wood, everything. And it can take upwards of a  
4 week to dehumidify a building like that.

5 COMMISSIONER MASON: You said -- you said this is a five-ton  
6 air conditioner.

7 JARED BYLUND: Mm-hm.

8 COMMISSIONER MASON: And it's in the attic.

9 JARED BYLUND: Correct.

10 COMMISSIONER MASON: What would have to be done to put it  
11 outside?

12 JARED BYLUND: Good question. I'll explain it a little bit  
13 better. The furnace and the cooling coil are in the attic space.  
14 The condensing unit is outside on the ground, which is typical of  
15 a split system.

16 Um, there is refrigeration lines that run from the cooling  
17 coil to the condensing unit. So that's how it's set up. And you  
18 really obviously -- you can't put the furnace and the cooling coil  
19 outside.

20 COMMISSIONER MASON: I mean, we're getting wreckage from the  
21 system. And is it because the drain pan is not big enough to hold  
22 the water?

23 JARED BYLUND: Good question. Um, we -- we tested the  
24 existing condensate line and it did have an existing plug in it.  
25 We think we have it pushed out, the plug pushed out. So it ought  
26 to drain properly now.

27 Um, the other reason why there's high conden -- or high  
28 condensate drain issues is because if there's cooling being  
29 introduced -- evaporative cooling introduced, the air has to take  
30 the humidity out. And the humidity has got to go somewhere. It's  
31 going to be condensate and go down that condensate drain. So  
32 there's more condensate with the system because there's so much  
33 humidity in the building.

34 COMMISSIONER MASON: So the furnace is upstairs also? Is  
35 that what you're saying?

36 JARED BYLUND: It's in the attic space. Yes. Yep. And  
37 that's where the existing system was, along with the cooling coil.  
38 And then it attaches to the return air ductwork and the supply air  
39 ductwork.

40 COMMISSIONER MASON: Now, is it working now?

1 ANNA PENOLA: Chairman Bullock?  
2 CHAIRMAN BULLOCK: Go ahead.  
3 ANNA PENOLA: Um -- Joe didn't put in for the ductworking  
4 when the first proposal came out. He said, let's let it go and  
5 see. And if the ducting's good, fine. If not, we'll take care of  
6 that. Which I've got a proposal now. And that's the next step is  
7 to redo the ducting -- proposal to redo. The ducting is done with  
8 a flex, right?  
9 JARED BYLUND: Well, the existing system is all flex.  
10 ANNA PENOLA: Flex. And so it's compressed and restricting  
11 air flow. So they're going to do it right. And the quote for to  
12 do everything -- do you want to explain that?  
13 JARED BYLUND: Well, I'll --  
14 ANNA PENOLA: The type of system you want to put in.  
15 JARED BYLUND: Sure. And I'll preface it by saying, it's the  
16 last thing we quite frankly want to do. If we can get away  
17 without having to replace the duct system, I would like to stay  
18 away from it. Because quite frankly, it's a messy building.  
19 There's -- and it's hard to work up in that attic space. It's  
20 very, very difficult for anyone to work up in the attic space. So  
21 it requires more labor than a traditional job would. Um, but the  
22 existing ductwork is all flex.  
23 I apologize, your first name?  
24 SCOTT BULLOCK: Scott.  
25 JARED BYLUND: Scott. I met you before.  
26 As Scott mentioned before, it is all flex ductwork. And  
27 you've probably seen some of that. It comes insulated and then  
28 inside it has a flex plastic with a steel spiral that goes down  
29 it. It's coated. What that does over time, oftentimes, is  
30 collapse. That ductwork can collapse really easy because there's  
31 no rigid pipe inside of it.  
32 So that's what we would propose to do is to take out the flex  
33 and put in a galvanized sheet metal system that's rigid, that's  
34 not going to collapse on you. And then obviously line it with  
35 duct wrap, which is an insulation as well, so it's still  
36 insulated.  
37 COMMISSIONER WAITS: Would you clarify something for me --  
38 JARED BYLUND: You bet.  
39 COMMISSIONER WAITS: -- because I think I'm following you,  
40 but it sounds like, do we have a swamp cooler and an air

1 conditioner? Because you keep talking about the humidity it's  
2 bringing in. And then how it's trying to take all the humidity  
3 out.

4 CHAIRMAN BULLOCK: There's a Porta Cool in the door because  
5 the air conditioner is nonfunctional. It won't get it -- the  
6 temperature down.

7 COMMISSIONER WAITS: So it sounds like --

8 CHAIRMAN BULLOCK: Never has.

9 COMMISSIONER WAITS: Well, we may have to put two  
10 air-conditioners in and take out the swamp cooler. Is that it?

11 ANNA PENOLA: The swamp cooler was leaking last year, ruined  
12 the ceiling over the bar. That was removed. Ceiling repaired.  
13 And for this budget year is when the new system went in for a  
14 cooling system.

15 COMMISSIONER WAITS: Okay, but we can't have both.

16 ANNA PENOLA: No, and then when -- when the system isn't  
17 working, they brought in a Porta Cooler, which is like a swamp  
18 cooler.

19 COMMISSIONER WAITS: I see. I see. And we should have  
20 brought in an air conditioner. Is that what you're saying? And  
21 not a sw -- because they're fighting each other.

22 JARED BYLUND: They're fighting each other.

23 COUNTY CLERK SULLIVAN: Do we have that on?

24 ANNA PENOLA: We're trying to make the system work.

25 CHAIRMAN BULLOCK: We should have had an air conditioner that  
26 worked. Then we wouldn't have had to work worry about it.

27 COMMISSIONER WAITS: Gotcha. Gotcha.

28 COMMISSIONER MASON: Well, it's the plumbing that goes along  
29 with it.

30 COMMISSIONER WAITS: Okay, so --

31 COMMISSIONER MASON: The air vents --

32 JARED BYLUND: Yeah.

33 COMMISSIONER MASON: -- should have been rigid to begin with.

34 JARED BYLUND: Well, and you know, some of the problem you  
35 can get there is you just get lack of air flow when ductwork  
36 collapses. That flex ductwork you don't get the air flow.

37 CHAIRMAN BULLOCK: This is a flaw from the get go. And you  
38 just stated it. The fact is, you guys didn't want to do the  
39 ducting --

40 ANNA PENOLA: It wasn't.

1 CHAIRMAN BULLOCK: -- because it was dirty.  
2 ANNA PENOLA: It wasn't part of the proposal.  
3 CHAIRMAN BULLOCK: Because it wasn't a good -- yeah, because  
4 let's put it off and see what it does. Because you said it.  
5 Because it's a dirty area, nobody really wanted to do it.  
6 JARED BYLUND: No. I --  
7 CHAIRMAN BULLOCK: We actually backed off. What should have  
8 been done on this new system, because we didn't want to do the  
9 work in there, whether it's Joe or you, I don't care. But that's  
10 what it sounds like to me.  
11 JARED BYLUND: I wasn't asked to give a quote on the ductwork  
12 until just two weeks ago. So I -- I mean, I -- I was asked to  
13 give a quote way back in February on replacing the equipment.  
14 I don't -- I'm not trying to push blame on anyone or any one  
15 self. But the fact of the matter is, the ductwork didn't get  
16 brought up to me until two weeks ago, other than adding the little  
17 bit of ductwork or air into the bar area. That was the only time  
18 the ductwork was ever brought up to me until two weeks ago.  
19 CHAIRMAN BULLOCK: I guess here's my issue: two months later  
20 we still have a nonfunctioning unit.  
21 JARED BYLUND: And I don't blame you.  
22 CHAIRMAN BULLOCK: Okay, so we went through the hot part of  
23 the summer with this thing not working right. You're a  
24 professional. You should looked at that and been able to judge  
25 whatever it takes. Joe is over the buildings. I understand that.  
26 But he's not a professional when it comes to HVAC. The pressure's  
27 got to come back to you a little bit. You should have seen that  
28 system and known what we needed.  
29 COMMISSIONER GARNER: He can only bid what he's asked to bid.  
30 CHAIRMAN BULLOCK: And I understand that.  
31 JARED BYLUND: Well, and with all due respect, I think we  
32 offered something that was what was needed. I mean, to go even  
33 more than five tons of cooling, there's not a product out there  
34 with a split system of more than five tons. You have to actually  
35 add another split system.  
36 CHAIRMAN BULLOCK: And was that discussed?  
37 JARED BYLUND: No, that was not.  
38 CHAIRMAN BULLOCK: Okay.  
39 JARED BYLUND: No, it was not. Because he -- I was asked to  
40 replace like for like.

1 COMMISSIONER WAITS: Okay.  
2 CHAIRMAN BULLOCK: Okay. That's what I'm trying to get to  
3 the bottom of here.  
4 COMMISSIONER WAITS: And you think five-ton is adequate  
5 anyway is what you're saying?  
6 JARED BYLUND: I do.  
7 COMMISSIONER WAITS: So we go from there.  
8 JARED BYLUND: I do.  
9 COMMISSIONER WAITS: Okay.  
10 COMMISSIONER MASON: Should it all be moved out of the attic  
11 and just use the attic for conduit?  
12 JARED BYLUND: Good question. I don't think so. I think --  
13 it's -- it's quite normal to have a split system in the attic  
14 space. Um, there's not typically a problem with that. A lot of  
15 commercial buildings have systems in the attic space.  
16 COMMISSIONER MASON: How old is the system? How old is the  
17 condenser?  
18 JARED BYLUND: The condenser would be new. We installed it  
19 in June.  
20 COMMISSIONER MASON: So and the air -- and the air AC. I  
21 mean the furnace.  
22 JARED BYLUND: Is -- is new. The furnace and the coil and  
23 the condenser are all brand new?  
24 COMMISSIONER WAITS: They have replaced those.  
25 COMMISSIONER GARNER: I know the system goes from start to  
26 beginning. Is there -- and I know it's quite long, the ducting.  
27 Replacing the ducting, are you going with bigger to smaller just  
28 so you get the same or are you looping the system so it actually  
29 is --  
30 JARED BYLUND: Yeah, I have -- I have it drawn up. And  
31 certainly it could be modified. But the way I proposed it was  
32 to -- to come around and catch down that -- which wall would that  
33 be? Help me, Scott.  
34 COMMISSIONER GARNER: North.  
35 JARED BYLUND: The directions --  
36 SCOTT BULLOCK: North wall.  
37 JARED BYLUND: The north wall with all the windows?  
38 COMMISSIONER GARNER: Yeah.  
39 JARED BYLUND: Yeah, it would be the north wall and then it  
40 would carry back. And -- and there's another supply run that

1 catches the bar specifically that comes off that.  
2 COMMISSIONER GARNER: Can you -- can you loop it?  
3 JARED BYLUND: Yeah, we would -- we would loop it. And it  
4 wouldn't be a true loop. It would be more of an L. It would be  
5 one L that catches that north wall, and then off the plumbing it  
6 would L down the south wall and come back across and catch the  
7 bar.  
8 COMMISSIONER MASON: So would that take care of the problem?  
9 I mean, rigid ductwork for the whole building. If we just  
10 went to rigid ductwork, is the problem solved?  
11 JARED BYLUND: I -- I think it would certainly help. I don't  
12 know it wouldn't be solved at that point. We've done everything  
13 else.  
14 COMMISSIONER MASON: Along with rigid ductwork, how about a  
15 drain pan that's big enough to keep from destroying the building?  
16 JARED BYLUND: To just go underneath the furnace and the  
17 coil?  
18 COMMISSIONER MASON: Yes.  
19 JARED BYLUND: And that -- that would be something I think we  
20 could put in. I would have to go look at it to make sure that one  
21 would fit under there, that we'd have clearances. But I think  
22 that would be a good backup. The coil comes with a pan in it.  
23 COMMISSIONER MASON: I understand, but it's not big enough or  
24 it's blocked.  
25 JARED BYLUND: Exactly -- well, we got the block. But yes,  
26 as a backup, we could put in another.  
27 COMMISSIONER MASON: I mean, if we're going to repair our  
28 bathrooms and the ceilings and all that, we want to make sure if  
29 something goes wrong in the attic that there's enough drain pan  
30 there to keep from destroying the building again, right?  
31 JARED BYLUND: I would agree.  
32 COMMISSIONER MASON: So if you're putting in the rigid  
33 ductwork, why not put in a rigid drain pan at the same time?  
34 COMMISSIONER GARNER: I think --  
35 JARED BYLUND: I don't -- I was told here a week or so ago  
36 that the system was -- I had my -- my installer -- again, he was  
37 out at Newmont Phoenix on a project last week. And he came in on  
38 Thursday. And it was about 4:00 o'clock in the afternoon. And he  
39 told me that the temperature was holding at a 72 at 4:00 o'clock  
40 in the afternoon. So -- that was the last I had heard on

1 performance-wise. And it sounded to me as if that it was doing  
2 fine at that point. But perhaps this last week -- I don't -- I  
3 haven't heard anything beyond that.

4 SCOTT BULLOCK: The problem is is like -- like we try not to  
5 run that cooler unless we have to. But the problem is is when you  
6 have a heat load on weekends when you have tournaments and you get  
7 that many people.

8 JARED BYLUND: And doors opening.

9 SCOTT BULLOCK: Right. You can't -- it won't stay -- even  
10 stay cold at all. And when.

11 COMMISSIONER GARNER: Yeah, but --

12 SCOTT BULLOCK: The temperature gets over I'd say 93 to 95,  
13 --

14 JARED BYLUND: Outside?

15 SCOTT BULLOCK: Yeah, it can't keep up. I mean, and we ran  
16 the first week with, you know, the -- it was installed, we ran it.  
17 And it wouldn't keep up at all. We didn't run any of our systems.  
18 I had customers. It was 85, 95 degrees in there. And it just --  
19 it couldn't keep up because it was 105, 110 degrees outside.

20 COMMISSIONER GARNER: Yeah, but you just said -- now you go  
21 into a whole other thing. And I understand that too is if that  
22 ton --

23 SCOTT BULLOCK: It's --

24 COMMISSIONER GARNER: I'm no genius at this, but my house is  
25 72 degrees also. And it stays that way. But if I get two kids  
26 farting around for 20 minutes, my house is at 85.

27 And now you've got the golf course with doors opened, closed,  
28 opened, closed. It needs an additional unit? I mean, if it's  
29 probably designed for that square footage, great, with minimal  
30 door usage.

31 But if -- obviously, if we're going to have people in and  
32 out, in and out, we need to put air doors on it so it shoots the  
33 air down, so it doesn't lose all that cool. Or we need to put in  
34 an additional unit to help when it is like that. I mean, that's  
35 something that we ought to -- I mean.

36 COMMISSIONER STIENMETZ: Put that in the design.

37 COMMISSIONER GARNER: Like you're saying, if it's a  
38 minimal-use day, great. But like you're saying now, when the  
39 tournaments happen, well, it's not every day that we have  
40 tournaments, but there are tournaments.

1 SCOTT BULLOCK: Every Saturday.  
2 COMMISSIONER GARNER: So what are we doing?  
3 JARED BYLUND: And of course those are when you're trying to  
4 appease the most amount of people --  
5 COMMISSIONER STIENMETZ: Absolutely.  
6 JARED BYLUND: -- and make people happy.  
7 COMMISSIONER GARNER: Absolutely. So do we need an  
8 additional unit that kicks on when -- because the simple fact is a  
9 swamp cooler moves four times as much air as a central air unit.  
10 I mean, and that's where you're getting your effectiveness is just  
11 the air going by a hot, sweaty person, it does feel a lot cooler.  
12 So do we need air doors? Do we need -- maybe there's -- I  
13 don't know. There's the bottom effective tools to --  
14 COMMISSIONER MASON: It appears to me that what's been talked  
15 about here is that if the proper ductwork is in, this thing ought  
16 to run by -- run well. What -- the current ductwork, what is it?  
17 Four, six inches round? Right? Collapsible.  
18 JARED BYLUND: It is -- no, it's -- um, there's one section  
19 that's 16-inch. And then there's --  
20 COMMISSIONER MASON: Is that rigid?  
21 COMMISSIONER WAITS: No.  
22 JARED BYLUND: No.  
23 COMMISSIONER STIENMETZ: No.  
24 JARED BYLUND: It's all flex.  
25 COMMISSIONER MASON: See, it's not just not getting the flow  
26 of air. We're not -- I think that's what the problem is.  
27 COMMISSIONER STIENMETZ: No, I think even if you had a thing  
28 like that, high demand, it's still not going to keep it down  
29 because you just can't move that much air, if you've got a bunch  
30 of hot air coming into the building. It just --  
31 Even my house I set my thermostat at 72. And I don't open  
32 the doors until I know it's below 72. But if you just open and  
33 close the doors a little bit to let dogs in and out and whatever's  
34 going, the AC's always keep kicking on trying to keep up.  
35 SCOTT BULLOCK: You could put a second door.  
36 COMMISSIONER GARNER: Well, here's the other thing is that  
37 building does not have automatic door closers on it. So if you  
38 get somebody goes out and kicks the door open. And your bartender  
39 or whoever that's there, it might be two or three minutes before  
40 he can go over and get the door shut. I mean, you're totally

1 kicking yourself in the foot.  
2 SCOTT BULLOCK: I discussed with Joe in the budget, supposed  
3 to get new doors this year, I believe.  
4 ANNA PENOLA: New doors and stucco and windows.  
5 SCOTT BULLOCK: So that's still happening.  
6 COMMISSIONER GARNER: So which we do we want to go with this?  
7 Replace the ductwork and see what happens? I don't know.  
8 SCOTT BULLOCK: I just need a place that's cool.  
9 CHAIRMAN BULLOCK: I just want it out for discussion, because  
10 it's not working. I mean --  
11 COMMISSIONER MASON: We've got an expert in front of us.  
12 CHAIRMAN BULLOCK: It's not my decision.  
13 COMMISSIONER MASON: You're an expert; aren't you?  
14 JARED BYLUND: Well, I think some people in this room might  
15 argue that I'm not.  
16 COMMISSIONER MASON: And you're familiar with our problem.  
17 JARED BYLUND: I am.  
18 COMMISSIONER MASON: So what is your recommendation? I mean,  
19 just be blunt, you know. If we've got to throw it all out or  
20 what?  
21 JARED BYLUND: No, the existing equipment that's been  
22 replaced is certainly not --  
23 COMMISSIONER MASON: It's not what?  
24 JARED BYLUND: Is not bad. It's good equipment.  
25 COMMISSIONER MASON: Okay. So it's got to be the ductwork  
26 then. Would you agree or not agree?  
27 JARED BYLUND: It's either -- it's either one of two issues.  
28 It's either ductwork or heat load.  
29 COMMISSIONER MASON: Or both.  
30 JARED BYLUND: Or both, for that matter. Yeah, if you've got  
31 too much heat load and not enough ductwork.  
32 COMMISSIONER MASON: But if the ductwork's been expanded and  
33 we've got the pressure to move the air, that should take care of  
34 it; shouldn't it?  
35 JARED BYLUND: Well, and -- and to be honest with you, the  
36 size of the flexes is not necessarily the issue. It's -- the  
37 issue is that they're collapsing.  
38 COMMISSIONER MASON: Well then, yeah, it's the same thing. I  
39 mean, they're just not working.  
40 JARED BYLUND: But what I'm telling you is if we went up

1 there and did rigid ductwork, spiral-wise, it wouldn't be any  
2 smaller or bigger. It would be 16-inch on one line and 12 --  
3 COMMISSIONER MASON: But it's rigid. It's not going to  
4 collapse on you, and the flow of air is moving.  
5 JARED BYLUND: Correct.  
6 COMMISSIONER GARNER: The only other question is: Where are  
7 we pulling the fresh air from? in the attic?  
8 JARED BYLUND: The return air is -- is just a return air back  
9 into the space.  
10 COMMISSIONER GARNER: But, I mean, we're not -- we're not --  
11 JARED BYLUND: Not pulling any outside air.  
12 COMMISSIONER GARNER: It's just recircling.  
13 COMMISSIONER STIENMETZ: It's coming from inside the  
14 building.  
15 COMMISSIONER GARNER: Is that system -- is it free flowing,  
16 so we're not collapsing the intake? I mean, we're not trying to  
17 -- we're not trying to put out more than we can get in?  
18 JARED BYLUND: And the return is got quite a bit of capacity.  
19 I will tell you that.  
20 COMMISSIONER GARNER: Okay.  
21 JARED BYLUND: So we should be able to pull enough --  
22 COMMISSIONER GARNER: That's fine.  
23 JARED BYLUND: -- off of the return air side. Yeah, there  
24 are. And I believe they're both 16-inch. So it's got good return  
25 air.  
26 COMMISSIONER GARNER: So what is the timeline if we would go  
27 this route. What's the time line on getting something like this  
28 done?  
29 JARED BYLUND: On ductwork? Um, it would take about a week  
30 to do it -- a week, week and a half to do it.  
31 And then there would be some -- just some general issues on  
32 picking out different diffusers to get more air velocity into the  
33 space. Because the diffusers themselves are -- are undersized.  
34 So -- I mean, it -- I wouldn't think it would -- a week, a  
35 week and a half to install is about what it would be. Fall's  
36 probably your best time or spring, just because, you know, you'd  
37 get more even temperatures. You don't get the high spikes.  
38 COMMISSIONER GARNER: ~~So we can put this back on, Anna, as --~~  
39 and then we can decide that. I don't think we can decide that  
40 today. I don't know how else --

1 CHAIRMAN BULLOCK: No, I just want to -- aware of what's  
2 going on.  
3 COMMISSIONER GARNER: Can you put this back on, Anna? With  
4 --  
5 COMMISSIONER STIENMETZ: And get us a -- do we have a  
6 proposal for replacing all the ductwork?  
7 ANNA PENOLA: Yes.  
8 COMMISSIONER STIENMETZ: We can't do anything about it today  
9 either.  
10 COMMISSIONER GARNER: Okay.  
11 COMMISSIONER STIENMETZ: Diffusers.  
12 COMMISSIONER WAITS: Okay. We do not include replacement of  
13 the return air duct. There's no problem with the return air duct?  
14 JARED BYLUND: Yeah. That's what -- what I mentioned was  
15 that it's properly sized.  
16 COMMISSIONER STIENMETZ: He said it's not compressed or  
17 anything. So it's working fine.  
18 JARED BYLUND: And we could actually do a couple of rigid  
19 lines and then come down with flex and connect it.  
20 COMMISSIONER MASON: How big is the building that we're  
21 trying to cool?  
22 I mean for a five-ton air conditioner.  
23 JARED BYLUND: You're talking square footage?  
24 COMMISSIONER MASON: Yes. What is it?  
25 JARED BYLUND: It's 2400 square feet?  
26 SCOTT BULLOCK: Probably. It's that.  
27 COMMISSIONER MASON: I mean, five tons should be ample for --  
28 JARED BYLUND: Five tons -- the general rule in a residential  
29 application is a ton of air will cool 600 square feet.  
30 COMMISSIONER GARNER: You just put it back on, Anna?  
31 ANNA PENOLA: Yeah.  
32 COMMISSIONER STIENMETZ: Yeah, please.  
33 COMMISSIONER GARNER: Okay. thank you.  
34 JUDGE BUNCH: What was your last comment? How much cools 600  
35 square feet?  
36 JARED BYLUND: A ton of cooling will do 600 square feet.  
37 ANNA PENOLA: Okay.  
38 COMMISSIONER GARNER: Thank you.  
39 JARED BYLUND: Thank you, guys.  
40 COMMISSIONER MASON: Thank you. What did we accomplish here?

1 COMMISSIONER GARNER: We know what the problem is.  
2 CHAIRMAN BULLOCK: We know where we're going.  
3 COMMISSIONER WAITS: We had no idea before he sat down what  
4 was going on.  
5 COMMISSIONER MASON: Okay.  
6 COMMISSIONER STIENMETZ: Now we know it.  
7

8 **17) Discussion for possible action regarding payment for usage of**  
9 **the Porta Cool air cooler at the Mountain View Golf Course**  
10 **Clubhouse and other matters properly related thereto.**  
11

12 CHAIRMAN BULLOCK: Item number 17, discussion for possible  
13 action regarding payment for usage of the Porta Cool air cooler at  
14 the Mountain View Golf Course Clubhouse and other matters properly  
15 related thereto.

16 Before we get started, pursuant to NRS 281(A).420, I am  
17 disclosing that I may have an interest in a private capacity in  
18 this decision because of my son is Scott Bullock. And his company  
19 has a lease with the golf course. Even though I have an interest  
20 in a private capacity in this matter because my son is Scott  
21 Bullock, I believe my decision will not be affected by that  
22 interest. And any decision would not give me any more financial  
23 and/or personal gain or loss than anyone else that would be  
24 affected by this decision; therefore, I will not be abstaining  
25 from this decision.

26 COMMISSIONER WAITS: Okay, so help me here. This is the  
27 actual swamp cooler, the one that's fighting against the other  
28 one? And so we want to lease a swamp cooler in the interim? Or  
29 can we lease an air conditioner?

30 COMMISSIONER STIENMETZ: What this is for is a swamp cooler  
31 has been being used out there to keep it cool in the interim.

32 COMMISSIONER WAITS: Right.

33 COMMISSIONER STIENMETZ: But he's not got paid for it.

34 ANNA PENOLA: I would like to defer this until Joe can be  
35 here.

36 CHAIRMAN BULLOCK: And where is Joe?

37 ANNA PENOLA: Family emergency.

38 CHAIRMAN BULLOCK: Family emergency?

39 So meanwhile are we supposed to leave that in there or take  
40 it out?

1           We need to decide where we're going with this, regardless of  
2 Joe's here or not. This could be used somewhere else. Now, he's  
3 good enough to put it in there, because we as a county did not do  
4 anything to cool this building down. And we had people  
5 complaining. People were calling Joe complaining, friends of his,  
6 and I don't want to use the terminology that he used to me to --  
7 what had transpired.

8           ANNA PENOLA: I just think it's only fair for Joe to be here  
9 to defend himself.

10          CHAIRMAN BULLOCK: It's not a matter of defending himself.

11          COMMISSIONER MASON: No, it's a matter of what it is.

12          CHAIRMAN BULLOCK: It's a matter of, as a county, we have an  
13 obligation to cool this building. And this is how we were able to  
14 cool it. So are we going to --

15          COMMISSIONER STIENMETZ: Are we continuing to use it?

16          CHAIRMAN BULLOCK: -- do you want to continue it or take it  
17 out and let people be hot? It's not a matter -- of, you know,  
18 defending Joe. It's a matter of what are we going to do?

19          ANNA PENOLA: So do I have the authority to say, go ahead,  
20 Snyder, do to the ductwork and take the cooler out and go that  
21 way?

22          CHAIRMAN BULLOCK: You're missing the point.

23          ANNA PENOLA: Okay.

24          CHAIRMAN BULLOCK: We, as a county, did not go buy anything  
25 to cool down this building.

26          COMMISSIONER STIENMETZ: We could have went to someplace and  
27 bought one of these coolers and put it in there.

28          CHAIRMAN BULLOCK: We have not done anything to cool it down,  
29 even though this function was -- so something was put in there --

30          COMMISSIONER GARNER: We put the AC.

31          CHAIRMAN BULLOCK: And I'm not going to -- huh?

32          COMMISSIONER GARNER: We put the AC unit in.

33          UNIDENTIFIED PARTICIPANT: It didn't work.

34          CHAIRMAN BULLOCK: I know, but it didn't cool it down.

35          COMMISSIONER GARNER: I know, but we did do something.

36          CHAIRMAN BULLOCK: I know. I understand that. Meanwhile if  
37 you've ever been out at the golf course when there's just that AC,  
38 ~~it is extremely hot. Okay. So the matter~~

39          ANNA PENOLA: I think what -- there was the -- well, I'll let  
40 you guys finish, and then I'll --

1 CHAIRMAN BULLOCK: Okay.

2 SCOTT BULLOCK: Guys, this unit was put in before they ever  
3 even started putting the central air unit in.

4 The reason this unit was put in, because I had, for instance,  
5 I had a BLM state tournament that we held out there, getting a lot  
6 of people here to golf. Um, it's so hot inside the clubhouse, I  
7 had literally people leaving right after.

8 My contract -- I'm supposed to promote and maintain a place  
9 for people to come to golf and a nice place to come to that the  
10 county has. Um, so I used what resources I have and brought that  
11 in there because nothing had been done.

12 We've known that we needed something to cool the building  
13 since last year. And that's why this was put in because nothing  
14 had been done.

15 COMMISSIONER GARNER: I think -- was Joe aware of this? Was  
16 Joe asked for a portable cooling device?

17 SCOTT BULLOCK: I had talked to Joe about getting it fixed.  
18 And he kept telling me to wait. And I said, well, if I have to,  
19 I'm going bring my own cooler out here. Because I can't -- I  
20 can't keep -- I don't know how much money I've lost this year over  
21 this issue. I have to provide cooling for my customers if the  
22 county doesn't.

23 COMMISSIONER WAITS: So is the old one still working at all?

24 And is that what he's calling talking about with the swamp  
25 cooler versus the air conditioner?

26 CHAIRMAN BULLOCK: They took the old swamp cooler out --

27 COMMISSIONER WAITS: Okay.

28 CHAIRMAN BULLOCK: -- that was cooling the building. They  
29 took it out before they ever installed the AC.

30 COMMISSIONER WAITS: Okay. So the A --

31 CHAIRMAN BULLOCK: This is part of the problem.

32 COMMISSIONER WAITS: -- the AC is not working. And so Scott  
33 brought in this one, which is a swamp cooler, right?

34 SCOTT BULLOCK: Evaporative cooler.

35 COMMISSIONER STIENMETZ: Yeah, a portable one.

36 SCOTT BULLOCK: Yeah.

37 COMMISSIONER WAITS: But that's still fighting against the  
38 other one that's still --

39 CHAIRMAN BULLOCK: Even before. Even before there was  
40 nothing going.

1 SCOTT BULLOCK: Even before they installed this.  
2 CHAIRMAN BULLOCK: We had to cool it down. When we had the  
3 100-degree weather, there was no AC.  
4 COMMISSIONER STIENMETZ: As soon as they pulled out the old  
5 swamp cooler, you brought this in, right?  
6 COMMISSIONER WAITS: You're saying the AC --  
7 SCOTT BULLOCK: As soon as the temperatures got high enough  
8 we needed cooling.  
9 COMMISSIONER WAITS: -- isn't working at all, not at all.  
10 CHAIRMAN BULLOCK: It was not working in June until  
11 June 20<sup>th</sup>.  
12 COMMISSIONER WAITS: You didn't even turn it on?  
13 SCOTT BULLOCK: What's that?  
14 COMMISSIONER WAITS: You didn't even turn it on? This is the  
15 only unit we have right now, right?  
16 SCOTT BULLOCK: We tried to run that unit when we can. But  
17 it -- we tried when they first installed it, and it didn't work  
18 correctly.  
19 COMMISSIONER WAITS: It didn't work in June, and it hasn't  
20 worked, and it's not working today.  
21 SCOTT BULLOCK: It's not working correctly today.  
22 COMMISSIONER WAITS: So the only thing working is the swamp  
23 cooler?  
24 CHAIRMAN BULLOCK: Hold on. In June, there was no AC until  
25 June 28<sup>th</sup>.  
26 COMMISSIONER WAITS: Right. Right. But I'm saying but in  
27 June when they installed that -- June 28<sup>th</sup>.  
28 SCOTT BULLOCK: June 28th.  
29 CHAIRMAN BULLOCK: Up until June 28<sup>th</sup>, there was no  
30 air-conditioning whatsoever.  
31 COMMISSIONER WAITS: I understand that. I understand that.  
32 I'm just trying to get -- so when they installed it in June 28<sup>th</sup>,  
33 it still never worked at all?  
34 COMMISSIONER GARNER: It still works, but its --  
35 SCOTT BULLOCK: Not working correctly.  
36 COMMISSIONER GARNER: -- from June 28th on it works, but  
37 marginally.  
38 COMMISSIONER WAITS: Okay. Okay.  
39 COMMISSIONER GARNER: That's why this was used as an  
40 additional type of the capacity.

1 COMMISSIONER WAITS: So that's what we've got fighting.  
2 That's what I'm saying. And we definitely needs something. I  
3 mean I understand that.  
4 COMMISSIONER GARNER: That's what he's saying. This was  
5 something.  
6 COMMISSIONER WAITS: But rather than fighting.  
7 COMMISSIONER STIENMETZ: But the whole thing about it is if  
8 you didn't have that, you wouldn't have enough cooling in there to  
9 cool people.  
10 COMMISSIONER WAITS: Can we -- can't we still buy a window  
11 commercial air conditioner or something?  
12 ANNA PENOLA: Just don't use the AC and use the portable.  
13 COMMISSIONER STIENMETZ: That's what you're doing.  
14 ANNA PENOLA: So they're not fighting against each other.  
15 COMMISSIONER STIENMETZ: That's what you're doing, right?  
16 COMMISSIONER WAITS: Yeah, but that's what he's saying is  
17 fighting. One's taking humidity and one's putting it in.  
18 ANNA PENOLA: Not if you turn off the AC unit.  
19 COMMISSIONER GARNER: Which that's --  
20 COMMISSIONER STIENMETZ: The AC isn't adequate enough, so  
21 they leave the AC off and use the portable cooler.  
22 COMMISSIONER WAITS: I understand that.  
23 COUNTY CLERK SULLIVAN: And also too, I don't know if Patsy  
24 knows this, but there was a swamp cooler above the bar, correct?  
25 And then there's the central AC unit. So they took the swamp  
26 cooler out above the bar and covered that hole up in the inside.  
27 So that ductwork did not go that direction also. Just to clarify  
28 for you so that you know that previous to all this, there was a  
29 separate -- a separate swamp cooler versus that that he replaced.  
30 COMMISSIONER WAITS: I understand that. I just don't  
31 understand the fighting. I understand why we did this, but I'm  
32 saying, if we can buy a commercial air conditioner and stick it in  
33 there until all these things get fixed.  
34 CHAIRMAN BULLOCK: We should have.  
35 COMMISSIONER STIENMETZ: We didn't.  
36 SCOTT BULLOCK: Nothing --  
37 CHAIRMAN BULLOCK: We didn't.  
38 ~~SCOTT BULLOCK: Nothing was done.~~  
39 CHAIRMAN BULLOCK: The county didn't do anything. That's  
40 what I'm trying to say.

1 COMMISSIONER WAITS: Okay. But now all this is to simply pay  
2 Scott for bringing in his swamp cooler. Is that it?  
3 COMMISSIONER STIENMETZ: Yeah. Do we continue to do this?  
4 Or do we go buy one of the units and stick it in there?  
5 COMMISSIONER GARNER: How much is a -- how much is a unit?  
6 900?  
7 SCOTT BULLOCK: For what?  
8 COMMISSIONER WAITS: Yeah, around a thousand.  
9 COMMISSIONER STIENMETZ: The commercial wall unit?  
10 COMMISSIONER WAITS: Yeah.  
11 COMMISSIONER GARNER: A portable unit?  
12 COMMISSIONER WAITS: Around a thousand.  
13 SCOTT BULLOCK: If you go to NAPA, they're \$1400.  
14 COMMISSIONER GARNER: So what if the county just buys the  
15 unit and we keep it at the golf course?  
16 COMMISSIONER WAITS: Why would we buy it from NAPA? That's a  
17 terrible --  
18 COMMISSIONER GARNER: That's where you buy them.  
19 COMMISSIONER STIENMETZ: That's the only place that carries  
20 them.  
21 COMMISSIONER WAITS: No, no, no. I didn't mean it that way.  
22 COMMISSIONER MASON: Withdraw that.  
23 COMMISSIONER WAITS: No, I meant, why would we go to -- why  
24 wouldn't we use our purchasing power and -- and certainly get a  
25 county discount? I mean, just to go buy something wholesale? I  
26 mean retail, like that --  
27 COUNTY CLERK SULLIVAN: You're speaking about the Porta  
28 Cooler.  
29 COMMISSIONER WAITS: -- is not the way to look at it.  
30 COUNTY CLERK SULLIVAN: -- and she's speaking of the window  
31 mount, I think. Is that correct? Are you speaking of a window  
32 mount?  
33 COMMISSIONER WAITS: Yeah. I'd be happy -- big units.  
34 COUNTY CLERK SULLIVAN: And he's speaking of this Porta Cool,  
35 which is different.  
36 ANNA PENOLA: And that was the whole problem of taking the  
37 swamp cooler out. It was leaking and destroying the ceilings.  
38 COMMISSIONER GARNER: -- Yes.  
39 ANNA PENOLA: So yes, we need a decision --  
40 COMMISSIONER GARNER: This is a --

1 ANNA PENOLA: -- about which way to go. How to fix it, what  
2 to fix.

3 COMMISSIONER MASON: Well, we're back to that other question.

4 COMMISSIONER GARNER: This unit's a large commercial portable  
5 unit.

6 ANNA PENOLA: It's like the big black thing that has --

7 COMMISSIONER GARNER: Yeah, yeah. It's not something you buy  
8 at your local hardware store.

9 CHAIRMAN BULLOCK: There's company in Sparks that charges  
10 \$250 a day to rent one.

11 COMMISSIONER WAITS: I don't think we want to go there.

12 CHAIRMAN BULLOCK: No, here's the point, yeah, we should've  
13 done something a long time ago. The fact of it is this has been  
14 sitting out there saving our bacon for two months, two and a half,  
15 three.

16 SCOTT BULLOCK: June 17<sup>th</sup>.

17 ANNA PENOLA: I guess the reason this was brought up is that  
18 Joe was unaware that Scott was charging for the use of the Porta  
19 Cooler. He said, I'll bring it out and use it. And Joe said,  
20 fine. And when the bill came in, that's where the issue -- that's  
21 why it was brought to you guys.

22 CHAIRMAN BULLOCK: So we just thought out of the goodness of  
23 our heart people donate things to the county all the time.

24 COMMISSIONER GARNER: They do.

25 ANNA PENOLA: There was nothing brought up. No contract.  
26 That's all I'm saying. And that's all I have to say. And I'm  
27 going to go about my business.

28 COMMISSIONER MASON: Don't leave.

29 ANNA PENOLA: No, I've got things to do.

30 COMMISSIONER MASON: This is something to do.

31 SCOTT BULLOCK: What it is is --

32 COMMISSIONER GARNER: Well, I think we should just buy the  
33 unit and reimburse -- or buy the unit for the use of the unit  
34 and keep the -- keep the Porta Cool in the county system for other  
35 emergencies.

36 COMMISSIONER STIENMETZ: (Indiscernible.)

37 COMMISSIONER WAITS: Buy the unit from Scott?

38 COMMISSIONER GARNER: Yes.

39 COMMISSIONER WAITS: The swamp cooler?

40 COMMISSIONER GARNER: Yes. Reimburse him for the price of

1 the unit and keep it within our county facilities. Donnie can --  
2 Donnie knows where it's at. Jake knows where it's at. And if we  
3 an emergency somewhere else, we can use that cooler for an  
4 emergency.

5 COMMISSIONER MASON: Put a proper drain pan under it.

6 COMMISSIONER GARNER: Until the system is adequate, he can  
7 use it.

8 COMMISSIONER WAITS: What -- what kind of cost are we looking  
9 at?

10 COMMISSIONER STIENMETZ: That isn't fair to Scott. He's been  
11 using it this whole time.

12 COMMISSIONER GARNER: It doesn't --

13 COMMISSIONER STIENMETZ: He has his money tied up in it.

14 COMMISSIONER GARNER: It's -- it is the county's  
15 responsibility, within our contract, to provide the building, to  
16 provide it power, to provide --

17 COMMISSIONER STIENMETZ: Yeah.

18 COMMISSIONER GARNER: -- adequate AC cooling.

19 COMMISSIONER STIENMETZ: We provide the AC and everything out  
20 there in that building. It's not Scott's responsibility.

21 COMMISSIONER WAITS: Oh, I understand that. I don't have any  
22 problem with that at all. But I'm saying, we're now buying the  
23 unit. We're not going to pay him to use it. We're going to pay  
24 him for using it and buy the total unit from him. Is that --

25 COMMISSIONER GARNER: No, just simply buy the unit.

26 COMMISSIONER WAITS: And what kind of cost are we looking for  
27 reimbursement?

28 COMMISSIONER GARNER: We can pull up the NAPA receipt, bring  
29 it back to the budget -- or bring it back to the meeting and  
30 decide on it.

31 SCOTT BULLOCK: I could have been using this Porta Cool  
32 elsewhere I have a second one I rent out too.

33 CHAIRMAN BULLOCK: Like I said, there's lost revenue.

34 SCOTT BULLOCK: I've rented them out to the Hide-A-Way last  
35 year.

36 COMMISSIONER STIENMETZ: He should get reimbursed for some of  
37 his usage of it. I mean, it's a simple fact, he's had his money  
38 tied up in it.

39 SCOTT BULLOCK: Part of my business.

40 COMMISSIONER WAITS: Okay, it's just that --

1 SCOTT BULLOCK: If the county wants to go buy a Porta Cool,  
2 I'm not against that, putting it in out there.  
3 COMMISSIONER MASON: That doesn't make sense if we're going  
4 to fix the unit. If we're going to fix the whole building --  
5 SCOTT BULLOCK: The problem is --  
6 COMMISSIONER WAITS: We have to have something today.  
7 COUNTY CLERK SULLIVAN: (To Commissioner Garner) What was the  
8 amount of the bill he submitted?  
9 COMMISSIONER GARNER: (To County Clerk) I don't know.  
10 SCOTT BULLOCK: Yeah, you don't have anything that's been  
11 fixed already. I have an issue right now.  
12 COMMISSIONER WAITS: And it's still hot.  
13 COMMISSIONER STIENMETZ: Scott, what's the rental charge on  
14 that unit?  
15 COMMISSIONER GARNER: (To County Clerk) There was no  
16 correspondence.  
17 SCOTT BULLOCK: A hundred dollars a day.  
18 COMMISSIONER WAITS: A hundred dollars a day?  
19 COMMISSIONER GARNER: For how long?  
20 SCOTT BULLOCK: How long?  
21 COMMISSIONER GARNER: Three months.  
22 SCOTT BULLOCK: It's been in there since June 17<sup>th</sup>. And, um  
23 --  
24 COMMISSIONER GARNER: So tell me the dollar amount of the --  
25 SCOTT BULLOCK: The -- I submitted it.  
26 COMMISSIONER MASON: Does that include the electricity?  
27 COMMISSIONER WAITS: No.  
28 SCOTT BULLOCK: I submitted the bill to Joe originally for  
29 \$46-- or \$4700 and that was through the end of July -- through  
30 July 31<sup>st</sup>. And it's still out there today. And we still have  
31 to use it.  
32 COMMISSIONER WAITS: It seems like when we have a choice of  
33 leasing or buying, that that's what we need to look at to see  
34 which is more economical, not just to continue to rent at that  
35 type of --  
36 COMMISSIONER GARNER: I don't.  
37 COMMISSIONER WAITS: -- cost.  
38 SCOTT BULLOCK:-- You can call the Rental Guys in Susanville.  
39 It's \$150 a day for the same type of unit. And Camelot Rentals  
40 out of Sparks is \$250 a day.

1 COMMISSIONER WAITS: I don't doubt that. But what I'm saying  
2 is, if it's your personal unit, why -- why didn't you think about  
3 coming to us and buying one or something?

4 COMMISSIONER STIENMETZ: He talked to Joe.

5 SCOTT BULLOCK: I've talked to Joe. I've been out there.  
6 This is my second year. And it's been a headache the whole time.  
7 We took a unit out last year. We've known since last year. We  
8 didn't want it to ruin the sheetrock again and pay to get that  
9 done. This isn't like this just surprised and happened.

10 COMMISSIONER WAITS: I understand.

11 SCOTT BULLOCK: Nothing has been -- nothing was done. I  
12 talked to him about them getting the air-conditioning in March, in  
13 April, in May. All those months we talked about getting the  
14 air-conditioning put in because the heat's coming. And I have to  
15 cool down. I have a business to run. I have customers to cool.  
16 And, you know, fortunately I can't -- you know, because it's a  
17 contract with the county and the county maintains the building. I  
18 just can't jump and install a new unit and fix it. But none of  
19 that was done.

20 COMMISSIONER WAITS: I understand the position you were in.  
21 And I understand that you had to do something with the cooling. I  
22 -- I'm with you all the way. And I even understand that you've  
23 lost business because of it.

24 But I'm saying a hundred dollars a day, way after the fact,  
25 for the county to turn around and reimburse, I think is a bit more  
26 than -- than we had bargained for. And I think this should have  
27 presented much earlier in the game. I really do. I mean, we  
28 could've bought this unit several times over, Scott. And I don't  
29 know what you paid for it, but I don't think -- I think you should  
30 have just sold it to the county or done something or come to us  
31 sooner.

32 SCOTT BULLOCK: I would have rather not even put it in there.  
33 But the county didn't cool the building down.

34 CHAIRMAN BULLOCK: The county should have done something.

35 COMMISSIONER STIENMETZ: Right.

36 CHAIRMAN BULLOCK: It's not his responsibility. We failed as  
37 a county to do our job.

38 COMMISSIONER STIENMETZ: Right. It's our responsibility to  
39 cool that building.

40 CHAIRMAN BULLOCK: It's not his fault. He was just trying to

1 help his customers.  
2 COMMISSIONER STIENMETZ: He's the one that made it happen and  
3 Joe should have.  
4 COMMISSIONER WAITS: And I understand what he did.  
5 COMMISSIONER STIENMETZ: It should have been -- the Building  
6 Department should have been taking care of this. He knew about  
7 it.  
8 COMMISSIONER WAITS: Well, that's why Anna said, you know,  
9 why Joe isn't here to defend himself on that part, I understand  
10 that. Um, but what are we going to do from this point on?  
11 I mean, I'm -- I think a hundred dollars a day is bit  
12 excessive when we can buy -- buy it.  
13 COMMISSIONER MASON: Well, I thought in the -- today's agenda  
14 we talked about fixing the air -- air conditioner. What -- what's  
15 the deal?  
16 SCOTT BULLOCK: Okay, are they going to fix it today, Dave?  
17 COMMISSIONER MASON: Well, he said it would take a week and a  
18 half.  
19 COMMISSIONER WAITS: Yeah, but we haven't even approved it  
20 yet.  
21 SCOTT BULLOCK: From the time you approve it.  
22 COMMISSIONER STIENMETZ: From the time we give him permission  
23 to do it.  
24 SCOTT BULLOCK: Time to schedule and you're still three, four  
25 weeks out.  
26 CHAIRMAN BULLOCK: Meanwhile, they're still not cooled.  
27 COMMISSIONER STIENMETZ: And we haven't been cooled.  
28 COMMISSIONER MASON: Well, let's give this guy permission to  
29 fix the air conditioner and get on with it.  
30 COMMISSIONER WAITS: That's -- that's not what we're looking  
31 at now.  
32 COMMISSIONER GARNER: That's not what we're talking about.  
33 COMMISSIONER MASON: Well, I understand, but --  
34 COMMISSIONER WAITS: We're looking at reimbursing.  
35 COMMISSIONER STIENMETZ: We already told him to give us a  
36 proposal of what it would take to fix everything.  
37 COMMISSIONER GARNER: I don't -- I don't have a problem with  
38 buying the unit. I have a problem with renting the unit because  
39 at the time that you bought it and you took it there, you could --  
40 should have been on the next agenda to say, hey, this is a huge

1 problem. You know, if Joe's not going to do nothing, you know the  
2 next step where to come. You should have brought it towards us,  
3 because I've got five of these units, and I would love to rent  
4 them for a hundred bucks a day. And I would gladly have brought  
5 you one for a hundred dollars a day. And if we were going to  
6 spend that kind of money, we should have put that out to bid for a  
7 hundred dollars a day.

8 I understand emergency, but two months later is not an  
9 emergency. Two months ago, you should have been on the agenda, I  
10 think, saying we have an emergency. What are we going to do?

11 And we would have totally -- I would have totally allotted  
12 for that time. But now, being it's been so long and now you want  
13 reimbursed for it. Where's my opportunity to rent mine out is  
14 what I'm trying to say.

15 COUNTY CLERK SULLIVAN: In the courtroom. We have the same  
16 problem that started last year and has not been fixed with the  
17 cooling unit.

18 COMMISSIONER GARNER: I'll rent you one.

19 I understand your -- I understand your -- your frustration  
20 and everything. Trust me.

21 SCOTT BULLOCK: The -- the thing is is--

22 COMMISSIONER GARNER: But you see where I'm at, see, if it  
23 was going to go into a rental program, we should have been  
24 notified immediately.

25 SCOTT BULLOCK: I didn't.

26 CHAIRMAN BULLOCK: That should have come from the Building  
27 Department.

28 COUNTY CLERK SULLIVAN: The Building Department.

29 CHAIRMAN BULLOCK: It's not his responsibility to come to us.  
30 That's the Building Department.

31 SCOTT BULLOCK: I didn't even know there was a conflict.  
32 I've been trying to work with Joe and trying to get this fixed. I  
33 didn't know there was a conflict until I took him a bill. And as  
34 soon as I took him a bill and he refused to pay it, then I got on  
35 the agenda immediately.

36 COMMISSIONER GARNER: But if you've been -- you just said  
37 you -- for a year and a half you knew this was a conflict. Joe  
38 wasn't getting something done. We should have been notified  
39 immediately.

40 COMMISSIONER MASON: True.

1 COMMISSIONER GARNER: Via agenda request, I'm saying.  
2 Because I -- we don't know what every department personnel, if  
3 they're doing their job properly or not until the public tells us.  
4 Until somebody --  
5 SCOTT BULLOCK: So do I need to get on the agenda every time  
6 I see a county employee doing something they're not supposed to?  
7 COMMISSIONER GARNER: Well, you tell their supervisor. And  
8 if their supervisor, via -- via Joe, is not doing his job, then,  
9 yeah, absolutely somebody needs to be aware of that.  
10 SCOTT BULLOCK: I'd be here a lot.  
11 COMMISSIONER MASON: The immediate problem is to get the air  
12 conditioner fixed and rent whatever we have to for the next two  
13 weeks, and let's get on with it.  
14 COMMISSIONER WAITS: Or buy. Or buy.  
15 COMMISSIONER MASON: I don't want to buy another unit.  
16 COMMISSIONER WAITS: If you rented this unit, it's going to  
17 cost you \$14,000 [sic] for the next two weeks. And that's just  
18 pretty much what we're --  
19 SCOTT BULLOCK: \$14,000?  
20 COMMISSIONER WAITS: -- spending on the duct work.  
21 COMMISSIONER MASON: It's a hundred dollars a day.  
22 COMMISSIONER GARNER: A hundred.  
23 SCOTT BULLOCK: But if you want \$1,000 a day, we can work  
24 that out.  
25 COUNTY CLERK SULLIVAN: But he's been using it.  
26 COMMISSIONER MASON: Yeah. It's \$1400.  
27 COMMISSIONER GARNER: Yeah, but how much do we still owe for  
28 it?  
29 COMMISSIONER MASON: We need to get the building fixed.  
30 SCOTT BULLOCK: My -- my problem is I could have been renting  
31 this elsewhere. That's why.  
32 COMMISSIONER GARNER: But you should have told us. That --  
33 that's my problem.  
34 COMMISSIONER MASON: It should have been brought to our  
35 attention. But we've got to move on right now.  
36 COMMISSIONER GARNER: We could have -- we could have bought  
37 one under emergency. We have a emergency fund too where we could  
38 have just bought one and put it in that position. And then we're  
39 not paying rent for a month and a half.  
40 SCOTT BULLOCK: So you want --

1 COMMISSIONER GARNER: Donnie has a budget to do that. We  
2 have an emergency budget.

3 SCOTT BULLOCK: I mean, do you want me to come here every  
4 something doesn't get done?

5 COMMISSIONER GARNER: Yeah, absolutely. If it's -- if that's  
6 what we need to do.

7 SCOTT BULLOCK: Then we're going to have to be on the agenda  
8 a lot.

9 COMMISSIONER WAITS: If it's -- if it's --

10 SCOTT BULLOCK: Because I didn't know that's the procedure  
11 you wanted --

12 COMMISSIONER GARNER: Well, you should obviously you should  
13 take it to Joe. And if something's not happening in a year and a  
14 half, like you said, I would -- I would like know as a  
15 commissioner that -- you know. I understand -- I understood -- I  
16 understood the system got renewed. But I thought it was a looping  
17 problem is what I was under the understanding.

18 COMMISSIONER MASON: What are we going to with this problem  
19 we got right in front of us?

20 COMMISSIONER WAITS: How much would it cost us to buy that  
21 unit you have in right not?

22 SCOTT BULLOCK: That one's not for sale.

23 COMMISSIONER WAITS: That one's not for sale?

24 SCOTT BULLOCK: I rent them out.

25 COMMISSIONER WAITS: Yeah. Yeah. I can see why you would.

26 COMMISSIONER MASON: All right. It's costing us a hundred  
27 dollars a day to use yours. So let's continue to use it and get  
28 the stupid thing fixed.

29 COMMISSIONER WAITS: Well, he doesn't have anything to do  
30 with fixing it. That's something that has to come back before us.  
31 And even after it comes back before us, they may not be able to do  
32 it that time. It could be still 90 degrees next month. And even  
33 if we give him the contract. So we've got to look at more than  
34 just two weeks, Dave. You've got to look farther out here. So I  
35 think we need to buy a unit.

36 UNIDENTIFIED PARTICIPANT: Exactly.

37 COMMISSIONER WAITS: I think we need to replace this. And  
38 now on the agenda is paying for usage of this. And after the  
39 fact, I think is really poor to come in to us on that kind of  
40 money like that. What's your pleasure?

1 COMMISSIONER MASON: So your rent of the unit doesn't include  
2 the electric bill that's coming in?  
3 COMMISSIONER WAITS: No.  
4 COMMISSIONER STIENMETZ: That has nothing do with it.  
5 COMMISSIONER WAITS: That has nothing do with it.  
6 COMMISSIONER GARNER: No, we pay that.  
7 COMMISSIONER MASON: Well -- it sure does. It's part of the  
8 cost.  
9 COMMISSIONER WAITS: No.  
10 COMMISSIONER STIENMETZ: No.  
11 COMMISSIONER WAITS: He's renting. This is --  
12 COMMISSIONER GARNER: He's not charging us for that.  
13 COMMISSIONER MASON: Okay.  
14 COMMISSIONER WAITS: Whether it's Scott or XYZ rental.  
15 SCOTT BULLOCK: You pay for the electric bill.  
16 COMMISSIONER WAITS: Um, I would like to see us defer it  
17 until Joe's -- Joe's here to talk us to about the actual payment.  
18 I really would.  
19 COMMISSIONER GARNER: So if you want to defer it --  
20 COMMISSIONER WAITS: But we still have to do something.  
21 COMMISSIONER GARNER: Do you want to make --  
22 COUNTY CLERK SULLIVAN: -- safety for cooling.  
23 COMMISSIONER GARNER: Or is the safety guy here? Do we have  
24 to make the decision to buy one?  
25 COMMISSIONER WAITS: Yes, we do. Yes, we do.  
26 COMMISSIONER GARNER: And replace his unit, if that's what  
27 you -- and wait for Joe to negotiate your price or to approve your  
28 price or whatever.  
29 SCOTT BULLOCK: He's not gonna approve it. We already went  
30 through this.  
31 COMMISSIONER GARNER: Well, I mean, this Commission will --  
32 can --  
33 SCOTT BULLOCK: That's why we ended up here.  
34 COMMISSIONER WAITS: Now, the only thing on the agenda is the  
35 payment of the usage. So should we still have the authority under  
36 an emergency to -- to buy something to --  
37 COMMISSIONER GARNER: Can we make that kind of decision?  
38 ANNA PENOLA: I don't know that you need to. You can talk to  
39 Building or Safety or what to do about that.  
40 COMMISSIONER WAITS: To say buy the other one now.

1 COMMISSIONER STIENMETZ: -- and replace it --  
2 CHAIRMAN BULLOCK: Something we should have done all along.  
3 COMMISSIONER STIENMETZ: Should have been done.  
4 COMMISSIONER WAITS: Because we have to have something in  
5 there now.  
6 COMMISSIONER GARNER: And I'm not against giving you some --  
7 we just need to find Joe's side of the story and get it all  
8 together.  
9 COMMISSIONER WAITS: I think we should.  
10 COMMISSIONER GARNER: And you need to be reimbursed for  
11 something, because you have the loss of revenue. But I make a  
12 motion we defer the payment of the rental until Joe's -- can  
13 attend a meeting and --  
14 COMMISSIONER WAITS: Are you putting any termination? Like  
15 --  
16 COMMISSIONER STIENMETZ: Well.  
17 COMMISSIONER GARNER: Until the next scheduled meeting that  
18 Joe can attend.  
19 COMMISSIONER MASON: Or can we just instruct staff --  
20 COMMISSIONER GARNER: -- he'll be back on --  
21 COMMISSIONER MASON: -- to purchase a air conditioner.  
22 COMMISSIONER GARNER: -- and instruct staff to.  
23 COMMISSIONER WAITS: Make a motion first.  
24 COMMISSIONER STIENMETZ: -- to replace the unit.  
25 COMMISSIONER GARNER: Instruct Jake to get a temporary,  
26 similar unit immediately.  
27 COMMISSIONER WAITS: I'll second that.  
28 CHAIRMAN BULLOCK: Any public comment?  
29 COMMISSIONER GARNER: Jake -- Jake needs to -- did you hear  
30 that, Jake?  
31 Can you get one out there right away?  
32 JAKE EDGAR: Yep.  
33 COMMISSIONER STIENMETZ: All right.  
34 CHAIRMAN BULLOCK: Okay. All those in favor?  
35 COMMISSIONERS: Aye.  
36 CHAIRMAN BULLOCK: Those opposed?  
37 (None opposed.)  
38 COMMISSIONER STIENMETZ: --Thanks, Scott.  
39 CHAIRMAN BULLOCK: Let's go ahead and take a ten-minute  
40 recess.

1 COMMISSIONER GARNER: Thanks.  
2 COUNTY CLERK SULLIVAN: Joy, we're going to take a recess.  
3 JOY BRANDT: Okay.  
4 CHAIRMAN BULLOCK: I know we only got three items, but --  
5 COMMISSIONER WAITS: It's still been a grueling morning.  
6  
7 [Break from 11:07 a.m. to 11:19 a.m.]  
8  
9 CHAIRMAN BULLOCK: Item Number 18, discussion for po --  
10 Oh, let me call the meeting back to order first.  
11 COMMISSIONER WAITS: Good idea.  
12  
13 **18) Discussion for possible action regarding the Lander County**  
14 **Engineer's job description and responsibilities and other**  
15 **matters properly related thereto.**  
16  
17 CHAIRMAN BULLOCK: Item Number 18, discussion for possible  
18 action regarding Lander County Engineer's job description and  
19 responsibilities and other matters properly related thereto.  
20 MARK BRETHAUER: (Indiscernible.)  
21 CHAIRMAN BULLOCK: We have one in front of us. Just three  
22 months on the job.  
23 MARK BRETHAUER: Finally know who I'm responsible for.  
24 CHAIRMAN BULLOCK: Hm?  
25 MARK BRETHAUER: I'll finally know who I'm responsible for.  
26 CHAIRMAN BULLOCK: Oh, we just wanted to make sure we're on  
27 the same page.  
28 MARK BRETHAUER: Yeah, that's good.  
29 CHAIRMAN BULLOCK: As far as what we expect and -- and I  
30 guess, what you expect. So -- I guess my concern is you have an  
31 understanding. And we have assumption that you're project manager  
32 over all projects.  
33 MARK BRETHAUER: Correct.  
34 CHAIRMAN BULLOCK: And should be on-site visits and -- and  
35 follow-up with all -- you know inspections and everything, because  
36 that was the assumption that we had. So --  
37 MARK BRETHAUER: Right.  
38 CHAIRMAN BULLOCK: So for instance, let's see, lately we've  
39 had, of course, the Well Project. We expect you do be there.  
40 Third and Fourth Street alleyways, checking on that regularly. We

1 had the airport tank things, should be an inspection regularly of  
2 what's going on in there. And, you know, that's what we have as  
3 far as my interpretation. And I don't know how the rest of what  
4 it is to be a project manager to be out there to keep an eye on  
5 what's going on.

6 MARK BRETHAUER: Right. Right. Well, you do have your job  
7 description.

8 CHAIRMAN BULLOCK: You can't just trust the contractors  
9 though.

10 MARK BRETHAUER: Okay. And that's why you have inspectors.

11 CHAIRMAN BULLOCK: Yeah, but that's why we have you.

12 COMMISSIONER STIENMETZ: We don't have inspectors.

13 MARK BRETHAUER: Well, get us -- well, get us one.

14 CHAIRMAN BULLOCK: A lot of times they come at the end.

15 MARK BRETHAUER: We have two inspectors. So we can utilize  
16 them. They've never been trained to actually help us in this kind  
17 of respect. Except every time I've approached them, it's like, we  
18 don't have training in that kind of -- you know, to observe that  
19 kind of work. And it's -- it's not that difficult. It's actually  
20 simple.

21 CHAIRMAN BULLOCK: So I mean that's what we hoped that --

22 MARK BRETHAUER: You get trained.

23 CHAIRMAN BULLOCK: -- you protect our interests, because, you  
24 know, we come back -- things -- contractor did some shoddy work,  
25 who are we going to look at?

26 You.

27 MARK BRETHAUER: Yeah, right. Follow the chain of liability.

28 COMMISSIONER GARNER: So have you been -- so have you been  
29 out on Third and Fourth Street? Have you been on all those --

30 MARK BRETHAUER: I've been in contact. Yeah. We've had --

31 COMMISSIONER GARNER: Contact? Wait, wait --

32 MARK BRETHAUER: Contact with --

33 COMMISSIONER GARNER: Have you been in the hole --

34 MARK BRETHAUER: It's already been updated.

35 DEFENDANT'S ATTORNEY: Have you been taking pictures? Have  
36 you been looking at the project?

37 MARK BRETHAUER: No, because we don't have anything to take  
38 pictures of or look at. The contractor is not understanding that  
39 he has to call in on certain inspections. You didn't set up a  
40 permit for these jobs. How does he know who he's supposed to call

1 when certain things have to get looked at? And I'm assuming from  
2 what I've heard from your Public Works folks that they're actually  
3 out there just about every day, watching the job as well. They  
4 have issues, they come see me.

5 COMMISSIONER GARNER: That's --

6 MARK BRETHAUER: We haven't got a program set up.

7 COMMISSIONER GARNER: But that's --

8 MARK BRETHAUER: There's no direction.

9 COMMISSIONER GARNER: But you're the engineer.

10 MARK BRETHAUER: Yes.

11 COMMISSIONER GARNER: You're the one to make sure that that  
12 stuff is in the ground as per engineering.

13 MARK BRETHAUER: Right. That's my stamp on the line.  
14 Exactly.

15 COMMISSIONER GARNER: You should be looking at this. You  
16 should be taking pictures. And you should be inspecting this;  
17 correct?

18 MARK BRETHAUER: No. We have inspectors do that job. The  
19 Engineers get called to the field when there is an issue with the  
20 design. That's how it works.

21 COMMISSIONER GARNER: And you, knowing that our inspectors  
22 don't have qualifications --

23 MARK BRETHAUER: Right. We have inspectors you guys have  
24 hired.

25 COMMISSIONER GARNER: Why are you not watching this? Why are  
26 you not helping out if they don't know and showing --

27 MARK BRETHAUER: Well, because we've got a whole bunch --

28 COMMISSIONER GARNER: -- them what to look at?

29 MARK BRETHAUER: Okay, you have a whole bunch of other  
30 programs that are going on as well that I'm being involved with,  
31 meetings. I have no idea who I'm in charge of, exactly what that  
32 job responsibility is.

33 If you read the job description that I was given, I told you  
34 exactly in my interview what I was capable of and what my  
35 responsibilities were. And I have had no direction since I got  
36 here as far as what I'd actually be in charge of here. That's why  
37 I asked my first week here. What's my job respons -- I followed  
38 everything on this job description that so far is here.

39 COMMISSIONER GARNER: But as an engineer, you don't ever go  
40 out in field? You don't check --

1           MARK BRETHAUER: You do when you get called out for problems,  
2 for issues where the -- an issue where you have a change to the  
3 design. Then you're called out to the field if it's your design.  
4 These weren't my designs. When I came on, I inherited these  
5 projects, which is not a problem, but if there's an issue and all  
6 of a sudden a contractor says, I can't do this or I can't do that.  
7 He's following the plans. If he can't follow the plans, then he  
8 comes to the -- the lead engineer, which actually was Shaw  
9 Engineer, so the engineer in charge. They're the ones whose  
10 stamps is on those plans. And I -- I understand that your  
11 contractor knows about that.

12           And typically what, I guess, he's been doing is he's been  
13 going to Jake or one of the people in the field, and saying, well,  
14 can we do this? Can we do that?

15           And I guess this is where you guys have had problems in the  
16 past where changes have been made out there without authorization  
17 of the engineer, who stamped the plans. It's his licensing.

18           COMMISSIONER GARNER: But Jake -- but Jake and Donnie aren't  
19 engineers?

20           MARK BRETHAUER: Right, so --

21           COMMISSIONER GARNER: That's what we're trying to say is we  
22 want --

23           MARK BRETHAUER: -- they would -- should have gone to the  
24 engineers in charge, --

25           COMMISSIONER GARNER: But they don't know --

26           MARK BRETHAUER: -- which was Shaw Engineers.

27           COMMISSIONER GARNER: But they don't know what they're  
28 looking at.

29           MARK BRETHAUER: Then they should have made -- not made -- be  
30 making decisions in the field. That's why they go to the  
31 engineers. You don't change their plans.

32           COMMISSIONER GARNER: That's why -- that's why we hired you  
33 to look and process that.

34           MARK BRETHAUER: Right. And so far nobody's come to me with  
35 any problems out in the field. So if I have a problem, we address  
36 the problem.

37           CHAIRMAN BULLOCK: I guess this is a misassumption on our  
38 part, because that's what we thought you were hired. We weren't  
39 hired for problems; we were hired to keep tabs on.

40           MARK BRETHAUER: Yeah, and we are. We are.

1 CHAIRMAN BULLOCK: Because it was just like.  
2 MARK BRETHAUER: If there's problems that you don't know  
3 about, possibly bring it to your attention.  
4 CHAIRMAN BULLOCK: It's just like the courthouse, we were  
5 said -- we need somebody to keep an eye on the CMAR. Not when  
6 there's a problem. You need to protect the county's interest.  
7 MARK BRETHAUER: It's -- it was -- you're in design right  
8 now. You're not in the construction.  
9 CHAIRMAN BULLOCK: I understand that, but it goes to  
10 everything. We want to make sure -- um, I mean, and maybe we made  
11 a mistake here. I'll be honest. Because that's what we thought  
12 we were hiring is somebody to keep up on these projects.  
13 MARK BRETHAUER: Oh, and we are. We're keeping up on them.  
14 CHAIRMAN BULLOCK: And to be a project manager.  
15 MARK BRETHAUER: Yeah, we're keeping up on them.  
16 CHAIRMAN BULLOCK: Because you're on record as the county  
17 engineer, which means a bottom line --  
18 MARK BRETHAUER: There's a certain amount of responsibility  
19 that comes along with the stamp for the consultants you guys have  
20 hired.  
21 CHAIRMAN BULLOCK: And that's fine. They can stamp it all  
22 they want, and you're still our liaison to make sure --  
23 MARK BRETHAUER: Correct.  
24 CHAIRMAN BULLOCK: -- they've done it right. There's nothing  
25 saying that any engineering company's doing it right, whether they  
26 stamp it or not.  
27 MARK BRETHAUER: Right. You had -- you had a format all set  
28 up before I came on and apparently everybody would follow that  
29 procedure. And you've had a lot of projects get built out there.  
30 That they're apparently just fine and working just fine. And the  
31 contractor understands what he's supposed to do and his  
32 responsibilities. And there was a lot of changes that have to be  
33 made. A lot of --  
34 CHAIRMAN BULLOCK: The format wasn't fine. That's why we  
35 hired an engineer. We had a lot of issues. And that's the whole  
36 deal. We had issues coming back to haunt us that things that  
37 weren't done right.  
38 MARK BRETHAUER: Well, I was never told about those issues.  
39 So I had no idea you guys --  
40 CHAIRMAN BULLOCK: I mentioned three of them to you two weeks

1 ago, flaws.

2 MARK BRETHAUER: When I first came on -- I didn't. That's  
3 three weeks ago. I didn't know about these issues.

4 CHAIRMAN BULLOCK: But I'm saying that's why we want you over  
5 the projects. We don't want an outside engineering firm. We want  
6 you to keep an eye on the projects.

7 MARK BRETHAUER: Oh, we are. We're keeping eyes. They're  
8 fine as far as issues.

9 CHAIRMAN BULLOCK: No, not on paper, in the field.

10 MARK BRETHAUER: If an issue comes up in the field, when they  
11 have a problem, they come see the engineer. That's how it works.  
12 You have no -- like I said, you have had projects that have been  
13 inspected by your people out in field for a number of years and a  
14 number of projects. And if you're not feeling confident with  
15 those inspectors --

16 CHAIRMAN BULLOCK: So in other words, you don't want to  
17 comply with what we want as commissioners for you being in the  
18 field.

19 MARK BRETHAUER: No. No, no, no. I'm not saying that.  
20 There's just a way the organization kind of works.

21 CHAIRMAN BULLOCK: But that isn't how we want the organiz --  
22 we want you in the field. We are trying to tell you that.

23 MARK BRETHAUER: Nobody said I needed to --

24 CHAIRMAN BULLOCK: We're not trying to debate it.

25 MARK BRETHAUER: -- be in the field all the time.

26 CHAIRMAN BULLOCK: We want you checking these projects. We  
27 don't want the safety engineer sitting there running his thing out  
28 of his office. We want him out checking out everybody and talking  
29 everything. Same thing we want the engineer.

30 MARK BRETHAUER: We do. I was out there a couple of weeks  
31 ago to check up on Frank and the workers were out there. And they  
32 were working on the water line. Yeah, there was problems.

33 CHAIRMAN BULLOCK: Okay. So that's what we want. And we  
34 want reports, on-site reports. Not what's being handed back to  
35 us. Um, you know, it's --

36 MARK BRETHAUER: Well, I need direction as far as what other  
37 reports you're requiring. I give you updates as far as how the  
38 project is proceeding.

39 CHAIRMAN BULLOCK: If the contractor makes a mistake, they're  
40 not going to tell you if they can correct it before you see it.

1 MARK BRETHAUER: Unless you're willing to pay for a full-time  
2 inspector to stand out there all the time, then that's what you're  
3 going to get. You can't have -- if you want me out there full  
4 time, that's fine. I'll go out there and stand.

5 CHAIRMAN BULLOCK: I'm not saying full time, but there should  
6 be an --

7 MARK BRETHAUER: Well, there's going to be times where --

8 CHAIRMAN BULLOCK: -- occasional go by, not just sit on the  
9 paperwork relying on what the engineer is telling us, I guess. I  
10 mean, I don't care, just -- I'll pick Shaw because you brought  
11 them up. I don't care Shaw, Summit or whoever.

12 MARK BRETHAUER: Right. And they are. They still have co --

13 CHAIRMAN BULLOCK: They don't work for us. You do.

14 MARK BRETHAUER: Well, they do too because you guys have  
15 contracts with them.

16 CHAIRMAN BULLOCK: But they still do not work for us. You  
17 do.

18 MARK BRETHAUER: We don't have contracts with Shaw  
19 Engineering anymore?

20 CHAIRMAN BULLOCK: You're on our payroll. They are not on  
21 our payroll --

22 MARK BRETHAUER: I think they are.

23 CHAIRMAN BULLOCK: -- and so we're going to go to you.

24 MARK BRETHAUER: I think. We have contracts with Shaw for  
25 projects.

26 COMMISSIONER GARNER: But they're also bilateral. They're  
27 there to make money and they're there to protect their interests  
28 too. You're -- your main focus is to protect Lander County's  
29 interest.

30 MARK BRETHAUER: Correct. Correct.

31 COMMISSIONER GARNER: Not Shaw, not anybody else, Lander  
32 County.

33 MARK BRETHAUER: Well, now you have a contract with Shaw to  
34 do inspections on your projects too. And they're working in  
35 conjunction with me. If any issues pop up out there where we have  
36 to address them in the field, we address them in the field.

37 CODY BLACK: Can I interject here? Cody with Shaw  
38 Engineering. I think that -- it sounds like -- I'm just from the  
39 outside here, listening to you guys. It sounds like -- I know how  
40 these projects are going to go like on the 2012 water and sewer

1 right now. Shaw did design that. That is in construction right  
2 now.

3 There is no budget -- there's no -- for a full-time quality  
4 assurance inspection. All of that end field inspection, when the  
5 contractor does come up upon things, um, it's been a relationship  
6 with Frank and the guys out there that they call Jake directly.  
7 And they work directly with Jake. Where there's a contractor,  
8 they're working with Donnie. And so your guys' -- I think their  
9 foreman, correct? Jake and Donnie. They're kind of handling, I  
10 think, the role that you're thinking -- what you guys are saying  
11 Mark should be doing.

12 So I know on our projects for water and sewer, specifically,  
13 when the issues come up, it comes to Jake. If there's a problem  
14 with the contractor, then Jake's keeping Mark in the loop. If  
15 anything comes back from the design that we find out about, we're  
16 keeping Mark in the loop. So he's kind of the capital improvement  
17 projects manager over everything, but he's not really the quality  
18 assurance manager for the entire project.

19 MARK BRETHAUER: Right. If you --

20 COMMISSIONER GARNER: Here's the problem. Donnie's not an  
21 engineer.

22 MARK BRETHAUER: You don't have to be an engineer.

23 CODY BLACK: There's a lot of inspectors that aren't  
24 engineers.

25 MARK BRETHAUER: Yeah. Inspectors aren't engineers,  
26 otherwise they wouldn't be in the field.

27 COMMISSIONER GARNER: Could you let me talk for a second?  
28 Donnie's not an engineer. We don't want him to be an engineer, and  
29 we didn't hire him to be an engineer. We hired an engineer. And  
30 when there's road put down, we expect an engineer to go out and  
31 look at the road. Make sure the design follows engineering  
32 capacity, qualifications. Make sure it's inspected through that  
33 engineering stamp.

34 Then if there's problems, correct the problems, bring them to  
35 us if we need clarification.

36 Donnie is to run Road and Bridge. He is not an engineer. We  
37 don't want him to be an engineer. When he has a problem, he can  
38 call you. He has backup. He can fall back on you.

39 MARK BRETHAUER: Exactly what you just said.

40 COMMISSIONER GARNER: To fix these problems.

1 MARK BRETHAUER: Right. That's how it works.  
2 COMMISSIONER GARNER: But it is not his job every day to go  
3 make sure these projects are handled.  
4 MARK BRETHAUER: And it's not -- typically not the engineer's  
5 either.  
6 COMMISSIONER GARNER: His job is to run that department. And  
7 if he doesn't have time or has emergencies in his own department,  
8 it is not his capacity to check to make sure engineering specs are  
9 being met. That is your job.  
10 MARK BRETHAUER: Well, then that needs to be clarified  
11 somewhere, because that's not the job description.  
12 CHAIRMAN BULLOCK: That's what we're trying to clarify.  
13 MARK BRETHAUER: You want that in the job description?  
14 Right. Put that in the job description, --  
15 COMMISSIONER GARNER: And that's, I guess, where we  
16 assumed --  
17 MARK BRETHAUER: -- and I'll make sure I'm out there every  
18 day talking to these people.  
19 COMMISSIONER GARNER: -- and that's where we assumed an  
20 engineer, as an engineer.  
21 MARK BRETHAUER: Well, that's where your assumption is wrong,  
22 because that's not how real world works.  
23 COMMISSIONER GARNER: Well, it's not --  
24 MARK BRETHAUER: I'm trying to bring you guys up to the speed  
25 to the 21<sup>st</sup> century here and explain to you how real world works  
26 when you had engineers on staff, which you've never had an  
27 engineer on staff. So you guys don't understand how it works. I  
28 put 23 years in with Carson City Public Works. So I know how  
29 Public Works --  
30 COMMISSIONER GARNER: This isn't Carson City.  
31 MARK BRETHAUER: I know it's not. You need to come up to our  
32 standards, so you understand how a city system works with  
33 engineers who work with the county or with the city.  
34 COMMISSIONER GARNER: We don't have --  
35 CHAIRMAN BULLOCK: So apparently this isn't working for us.  
36 We'll readdress it in another meeting. We don't know what we're  
37 doing so --  
38 MARK BRETHAUER: Well, if I have direction or work with you  
39 folks --  
40 CHAIRMAN BULLOCK: We're trying to, and you're arguing with

1 us.  
2 MARK BRETHAUER: No, no. I'm trying to explain it to you how  
3 it works.  
4 CHAIRMAN BULLOCK: And we're trying to tell you what we want,  
5 and you're arguing that's not how others do it. We don't care.  
6 MARK BRETHAUER: Well, then we need direction.  
7 CHAIRMAN BULLOCK: This is how we want it done.  
8 MARK BRETHAUER: Well, I need direction then.  
9 CHAIRMAN BULLOCK: We've had flaws because people don't come  
10 out and inspect.  
11 COMMISSIONER GARNER: We don't have -- (indiscernible) --  
12 budget.  
13 CHAIRMAN BULLOCK: We've had engineers that have blown it --  
14 MARK BRETHAUER: I didn't know that.  
15 CHAIRMAN BULLOCK: -- because we had to go back and redo  
16 stuff because there was no inspection?  
17 MARK BRETHAUER: Nobody told me that when I came on.  
18 CHAIRMAN BULLOCK: That's the whole idea of why we wanted and  
19 engineer so we would have somebody keeping on top of that.  
20 MARK BRETHAUER: And they have.  
21 CHAIRMAN BULLOCK: We have a Public Works foreman and we have  
22 a Road and Bridge foreman.  
23 MARK BRETHAUER: Right.  
24 CHAIRMAN BULLOCK: There were engineers and things were going  
25 on not being done right.  
26 MARK BRETHAUER: Right. Exactly. And now it's here.  
27 CHAIRMAN BULLOCK: So we wanted somebody that was going to  
28 keep track of that, not when there's mistake. Because we find out  
29 the mistake when there's change order, which costs us money.  
30 MARK BRETHAUER: Right.  
31 CHAIRMAN BULLOCK: Because somebody didn't do their job.  
32 MARK BRETHAUER: Right.  
33 COMMISSIONER GARNER: Or when we have to dig it back up.  
34 MARK BRETHAUER: So --  
35 CHAIRMAN BULLOCK: So if that doesn't work --  
36 MARK BRETHAUER: you can't --  
37 CHAIRMAN BULLOCK: -- for you, we'll readdress this in  
38 another meeting.  
39 MARK BRETHAUER: You can't let the new person coming on be  
40 responsible for all the mistakes you guys have had in the past.

1 COMMISSIONER GARNER: We're not --  
2 CHAIRMAN BULLOCK: We're talking -- we're talking the new  
3 projects.  
4 MARK BRETHAUER: Right. No, we're still working on old  
5 projects here. I inherited three or four old projects, that --  
6 CHAIRMAN BULLOCK: I'm talking on the new projects.  
7 MARK BRETHAUER: I haven't got any new projects. I haven't  
8 got any new projects. What new ones have I been in charge of?  
9 CHAIRMAN BULLOCK: Well, since you're here, you have no  
10 responsible Third and Fourth Street alleys, whether that was  
11 started before or after.  
12 MARK BRETHAUER: But --  
13 CHAIRMAN BULLOCK: You were here when they started that.  
14 MARK BRETHAUER: I wasn't here when Third and Fourth  
15 Street -- isn't that the one that we're working on right now?  
16 CHAIRMAN BULLOCK: Yeah. Were you not here when they started  
17 it?  
18 MARK BRETHAUER: Yeah, but it hasn't start -- the project  
19 hasn't gone to construction yet. Isn't that where the problems  
20 were?  
21 CHAIRMAN BULLOCK: Third and Fourth Street alleys is just  
22 finishing up.  
23 CODY BLACK: It started construction. I don't know what day  
24 they started construction.  
25 COMMISSIONER GARNER: So obviously you haven't been there.  
26 MARK BRETHAUER: No, I wasn't here.  
27 CHAIRMAN BULLOCK: You were here when the airport tank thing  
28 had to be redone.  
29 MARK BRETHAUER: It -- I had just come on when the contract  
30 was signed.  
31 CHAIRMAN BULLOCK: And that's okay. That doesn't make you  
32 responsible? Because I don't care when the contract was started.  
33 MARK BRETHAUER: I wasn't made an airport adviser until --  
34 what? -- two or three weeks after I started. Airport -- director,  
35 administrator.  
36 CHAIRMAN BULLOCK: It's still a construction project. So  
37 we're at odds here. Because as any construction project, we  
38 expect you to be involved.  
39 MARK BRETHAUER: And I was involved. I wasn't told to be out  
40 there full time as a full-time inspector on a plumbing job.

1 CHAIRMAN BULLOCK: We didn't ask you to be full-time, and  
2 this is --  
3 MARK BRETHAUER: Well, that's how -- that's how things don't  
4 get watched is nobody's out there watching full time. That was  
5 the contract you guys approved before the JUB. JUB should have  
6 been out there with a full-time inspector, if that was a concern.  
7 CHAIRMAN BULLOCK: Okay.  
8 MARK BRETHAUER: You don't put your engineers in the field.  
9 CHAIRMAN BULLOCK: I don't have anything else on this issue.  
10 I see where we're headed.  
11 COMMISSIONER GARNER: I'm done.  
12 CHAIRMAN BULLOCK: Anybody else got anything?  
13 COMMISSIONER GARNER: Thank you.  
14 MARK BRETHAUER: Mm-hm.

15  
16  
17 **COURTHOUSE/ADMINISTRATION BUILDING PROJECT**

18  
19 19) **Discussion for possible action regarding status of the Lander**  
20 **County Courthouse/Administration Building Project and other**  
21 **matters properly related thereto.**

22  
23 CHAIRMAN BULLOCK: Okay. Item Number 19, discussion for  
24 possible action regarding status of the Lander County  
25 Courthouse/Administration Building Project and other matters  
26 properly related thereto.

27 He said he didn't have anything, but we'll see.

28 COMMISSIONER WAITS: But they're here. Yeah.

29 COMMISSIONER STIENMETZ: Well, they were here because they  
30 were at the school board last night. And they just stopped by to  
31 see Max.

32 CHAIRMAN BULLOCK: Looks good.

33 JUDGE BUNCH: Looks good.

34 Actually, we have a couple of samples they just gave me where  
35 they call it shot blast. And of course, I didn't have that for  
36 the agenda. And I didn't really have anything. But this is shot  
37 blast rock on the one side. And then if you chose not to do the  
38 ~~shot blast rock, then on the backside -- when you actually seal~~  
39 this, it looks kind of like granite. Um, this -- There's two of  
40 them.

1 CHAIRMAN BULLOCK: You know, I can see it. I just --  
2 JUDGE BUNCH: And there was actually four, but I think they  
3 were just taking off. And they were going back to the school  
4 district to do some stuff, but I'll be happy to let you look at --  
5 COMMISSIONER MASON: Is this for the fascia of the building?  
6 COMMISSIONER GARNER: Yes.  
7 COMMISSIONER WAITS: I like the lighter one. Thank you.  
8 COMMISSIONER MASON: And the smooth side is out? Or the  
9 smooth side in?  
10 COMMISSIONER GARNER: Either way.  
11 COMMISSIONER STIENMETZ: Either way. One's shot blasted and  
12 one's smooth. Whichever way you want to put that.  
13 COMMISSIONER GARNER: I like it.  
14 COMMISSIONER MASON: But you have to put a sealer on the  
15 rough side, right?  
16 JUDGE BUNCH: Shot blast.  
17 COMMISSIONER STIENMETZ: Either side. I like the shot blast.  
18 COMMISSIONER WAITS: This is awfully busy.  
19 COMMISSIONER MASON: But how often do you have to seal it?  
20 COMMISSIONER GARNER: You want it back?  
21 JUDGE BUNCH: Pardon me?  
22 COMMISSIONER MASON: How often will we have to seal that?  
23 JUDGE BUNCH: I think it just --  
24 CHAIRMAN BULLOCK: One time.  
25 COMMISSIONER MASON: One time?  
26 JUDGE BUNCH: And then the seal that's going to be used is  
27 tag resistant and spray paint resistant.  
28 COMMISSIONER GARNER: You can wash it off when it gets spray  
29 painted.  
30 JUDGE BUNCH: That you can wash.  
31 COMMISSIONER MASON: Really.  
32 JUDGE BUNCH: So if somebody comes and spray paints the  
33 building, you just wash it off with water and soap.  
34 COMMISSIONER MASON: So who -- who put this -- is this coming  
35 from the mine?  
36 COMMISSIONER GARNER: No.  
37 JUDGE BUNCH: No, this is not from the mine.  
38 COMMISSIONER STIENMETZ: No, this is for the other part of  
39 the building.  
40 COMMISSIONER GARNER: Looks good.

1 COMMISSIONER WAITS: I think the number 12 is kind of busy.  
2 But I like the other three.  
3 JUDGE BUNCH: Let me know which one it is because they just  
4 handed them to me as I walked in here.  
5 CHAIRMAN BULLOCK: Twelve's the bigger one.  
6 COMMISSIONER WAITS: That one right there.  
7 COMMISSIONER STIENMETZ: I like the shot blast side of it.  
8 More texture, gives it better color on either one of them.  
9 JUDGE BUNCH: Okay. So like -- I really didn't have any  
10 updates for today. I just --  
11 COMMISSIONER GARNER: Okay.  
12 JUDGE BUNCH: They just handed that to me as I was walking in  
13 here.  
14 COMMISSIONER MASON: What did they want us to say about it?  
15 CHAIRMAN BULLOCK: They're just showing us.  
16 COMMISSIONER WAITS: Show and tell.  
17 JUDGE BUNCH: Just to look at it just to see.  
18 CHAIRMAN BULLOCK: Just go aw, Dave.  
19 COMMISSIONER WAITS: Ooh.  
20 JUDGE BUNCH: It will be in any office. I'll be happy if you  
21 want to come look it. We -- it doesn't have to be that color.  
22 They have four different colors. They just gave me these two.  
23 And they were going to take two back to their office.  
24 And so I really don't have anything for the Commission to  
25 make any decisions at all. And if so, I'll make sure there's a  
26 special agenda for it.  
27 COMMISSIONER WAITS: We appreciate you sharing that with us.  
28 COMMISSIONER STIENMETZ: Thank you, Max.  
29 CHAIRMAN BULLOCK: Thanks, Max.  
30 COMMISSIONER WAITS: Show and tell.

31  
32

33 **COMMISSIONERS**

34

35 **20) Correspondence/reports/potential upcoming agenda items.**

36

37 CHAIRMAN BULLOCK: Okay. Item Number 20, Correspondence/  
38 Reports/Potential upcoming agenda items.  
39 Anything on the correspondence?

40

COMMISSIONER STIENMETZ: No.

1 COMMISSIONER GARNER: No.

2

3 (The following correspondence was received:

4 1. Kenneth R. Brown, Western Counties Alliance, to Lander  
5 County Commissioners, e-mail regarding Navajo Nation's support of  
6 State's horse slaughterhouse.

7 2. David H. Stearrett, FEMA, to Dean Bullock, Lander County  
8 Commission Chairman, letter regarding implementation of floodplain  
9 management measures for Lander County.

10 3. Jessica Arky, Battle Mountain Recreation Center, Inc.,  
11 to Lander County Board of Commissioners, letter requesting a copy  
12 of the written opinion of Mr. Stephen Balkenbush of Thorndal,  
13 Armstrong, Delk, Balkenbush & Eisinger regarding the legalities of  
14 the \$6.5 million grant from Lander County to the Battle Mountain  
15 Recreation Center.

16 4. Frank Whitman, Greater Austin Chamber of Commerce, to  
17 Steven Williams, District Ranger, letter supporting the Big Spring  
18 Gold Exploration Project in the Paradise Mountain Range, Nye  
19 County.

20 5. Frank Whitman, Austin Planning Committee/Austin Chamber  
21 of Commerce, to Chairman Dean Bullock, Lander County Commission,  
22 letter requesting that the Austin Planning Committee be given the  
23 opportunity to review the maps and road closures after the Austin  
24 Mapping process is completed to make sure it fits with the Austin  
25 Community Plan approved by the Planning Commission and the Lander  
26 County Commission in 2009.

27 6. Steve Bradhurst, Central Nevada Regional Water  
28 Authority, to Lander County Commissioners, e-mail regarding  
29 September 19, 2013 Central Nevada Regional Water Authority  
30 teleconference meeting, 2013 Great Basin Water Forum and water  
31 articles of interest.)

32

33 CHAIRMAN BULLOCK: Anything on the reports?

34 (No comment.)

35 Potential upcoming agenda items?

36 COMMISSIONER WAITS: You know, with the -- the new drug  
37 policy that we just looked at for the Senior Center, um, that  
38 brings to light, like I said, we're kind of outdated with our  
39 Policy and Procedures. And I know that's going to take a while to  
40 do. I don't know whether we're still working on that or not.

1 But I would like to see us go ahead and at least get on the  
2 agenda maybe looking at the new -- if you like the drug -- the  
3 drug one for the Senior Center that maybe we could just do that  
4 while we're still doing our Policy and Procedures, because that's  
5 going to take --

6 COMMISSIONER GARNER: We already tried last year.  
7 COMMISSIONER WAITS: -- months and months.

8 CHAIRMAN BULLOCK: We already approved one that was shot  
9 down.

10 COMMISSIONER GARNER: We got road blocked by the -- what  
11 corp? -- it's -- it's --

12 ANGIE ELQUIST: We have the -- we have the Policies and  
13 Procedures are with POOL/PACT, right? Aren't they? Or almost  
14 ready, Soveida, to come forward? The ones that --

15 SOVEIDA ROBINSON: Yeah, we're -- I'm working with POOL/PACT  
16 right now to start the workshops.

17 COMMISSIONER GARNER: On drug poli --

18 COMMISSIONER WAITS: Is that the new drug policy too?

19 COMMISSIONER GARNER: On the drug and alcohol policy?

20 ANGIE ELQUIST: It's part of the Policies and Procedures.

21 SOVEIDA ROBINSON: It's part of the Policies and Procedures.  
22 So like I said I'm in contact with POOL/PACT and start seeing when  
23 you guys as commissioners and they are available to start a  
24 workshop.

25 COMMISSIONER GARNER: Because last year we proposed one and  
26 it was shot down by --

27 SOVEIDA ROBINSON: It was. Yeah.

28 ANGIE ELQUIST: There will be a drug -- there will be a drug  
29 procedures.

30 SOVEIDA ROBINSON: And this Policy and Procedures, there's  
31 like the drug and alcohol and numerous policies within that  
32 Policies and Procedures. So -- and that has already been given to  
33 the elected officials.

34 JUDGE BUNCH: Right. And we're just --

35 SOVEIDA ROBINSON: And now we're getting ready to start --

36 JUDGE BUNCH: For example, myself, I've -- I've reviewed it.  
37 And I have a whole bunch of comments that I've tagged in the -- in  
38 the paper that was given to me.

39 CHAIRMAN BULLOCK: How come us elected officials didn't get  
40 to see it?

1 JUDGE BUNCH: I don't know. All I can tell you is I got it  
2 from HR.

3 CHAIRMAN BULLOCK: Yeah. I would like to see it, please.

4 SOVEIDA ROBINSON: Just remember, it's up to you guys when  
5 you want to start doing workshops so I can contact POOL/PACT.

6 COMMISSIONER WAITS: Start the workshops. So do we need it  
7 on the agenda just to begin the workshops?

8 COMMISSIONER STIENMETZ: No.

9 CHAIRMAN BULLOCK: When they're ready. When they're ready.

10 COMMISSIONER STIENMETZ: She'll get it -- when they're ready,  
11 she'll put it on there.

12 CHAIRMAN BULLOCK: Okay. Anything else?

13 COMMISSIONER STIENMETZ: No.

14 CHAIRMAN BULLOCK: Public comment for non-agendized items  
15 only?

16 JUDGE BUNCH: Yes, I have a public comment.

17 CHAIRMAN BULLOCK: Okay.

18 JUDGE BUNCH: I know that you can't do anything, but since  
19 it's been discussed today, I know the clerk has -- the County  
20 Clerk has brought it up. Our air conditioner in the courtroom --  
21 and I know that Snyder is up on the roof now looking at it.  
22 They've been here three times this year to fix it. And, um, there  
23 is -- our -- our courtroom is about 90 degrees all the time,  
24 because it's not working.

25 I know that they attempted to fix -- fix it. And -- and  
26 we're having a problem with the -- with trying to keep it too cool  
27 at some point in time and freezing up and different things like  
28 that.

29 So I just want to let all of you know that we're in the  
30 process of trying to do that. And potentially, after listening to  
31 what's happened here today, we potentially may end having to  
32 either go purchase a Porta Cool or look at some other alternative  
33 before we make that decision.

34 I know that, you know, when we get 50 or 60 people in the  
35 courtroom on Monday, um, it gets pretty warm in the courtroom by  
36 the time the end of the day comes. And you've got ten or fifteen  
37 in there, it -- it's getting pretty warm. And it gets very, very  
38 warm for not only the attorneys who have to wear a suit and ---and  
39 jackets and the judge having to wear the robe, and you know, it  
40 becomes a heat sauna within the building.

1 And I know that we've attempted to try and not purchase  
2 anything new, because of we're in the process of trying to build  
3 new. And so, um, just so that you guys are aware that there is  
4 something in the courtroom that we'll be working on. And I'll be  
5 sure to be very careful. And I've talked to Joe about this.  
6 It's -- it's been -- I mean, they've had Snyder over here three  
7 times to do it. So I don't know if we have to have quotes for a  
8 potential -- I think it's a quote for anything over 10,000. Is  
9 that right?

10 ANGIE ELQUIST: I don't think we need one for that. We  
11 aren't going to be spending that much, right?

12 COUNTY CLERK SULLIVAN: Snyder had made the comment to me  
13 that it could possibly -- because they'd have to redo the  
14 ductwork. And it would be around 14,000.

15 JUDGE BUNCH: Well, the ductwork's always fine.

16 CHAIRMAN BULLOCK: So -- so let's hold on here a minute.  
17 This is public comment.

18 JUDGE BUNCH: Yeah. I'm just.

19 ANGIE ELQUIST: We can put it on the next agenda.

20 CHAIRMAN BULLOCK: Yeah. Yeah.

21 JUDGE BUNCH: And -- and all I want do is just make public  
22 comment. I mean. But on the other hand, you know, if we get into  
23 a position, if the District Court Judge decides that they're going  
24 to just order that it get done, then -- then that's up to them.  
25 Um. And then we'll have to deal with that issue at a later time.  
26 The District Court Judge doesn't normally do that, but it could  
27 potentially -- it's been an issue all summer long. And we know  
28 how hot it's been.

29 Um, so I'm going to talk to the gentleman from Snyder. And I  
30 don't remember his name, but I'm going to talk to him in just a  
31 few minutes upstairs. So -- okay.

32 CHAIRMAN BULLOCK: All right. Thank you.

33 COMMISSIONER MASON: How about floor fans? You got floor  
34 fans?

35 CHAIRMAN BULLOCK: Hold on, Dave, it is public --

36 JUDGE BUNCH: It's public comment.

37 COMMISSIONER MASON: I'm public.

38 JUDGE BUNCH: I didn't mean to bring up a whole comment just.

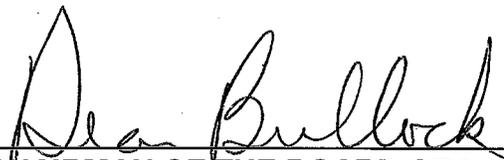
39 CHAIRMAN BULLOCK: That's all right.

40 JUDGE BUNCH: -- but come on upstairs and talk to me.

1 CHAIRMAN BULLOCK: Okay. Any other public comment?  
2 (No comment.)  
3 Nothing else?  
4 COMMISSIONER GARNER: Make a motion to adjourn.  
5 COMMISSIONER STIENMETZ: I'll second it.  
6 CHAIRMAN BULLOCK: Any public comment?  
7 (No public comment.)  
8 CHAIRMAN BULLOCK: All those in favor?  
9 COMMISSIONERS: Aye.  
10 CHAIRMAN BULLOCK: Those opposed?  
11 (None opposed.)  
12  
13

14 [Meeting adjourned at 11:42 a.m.]  
15

16 (This transcript was produced from the August 22, 2013 Lander  
17 County Commissioners Meeting "ForTheRecord" audio recording  
18 from the Lander County Clerk's office.)  
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31 **CHAIRMAN OF THE BOARD OF LANDER**  
32 **COUNTY COMMISSIONERS AND THE**  
33 **LANDER COUNTY LIQUOR BOARD**  
34

35  
36 **ATTEST:**   
37 **LANDER COUNTY CLERK**  
38

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