

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 February 13, 2014 at
4 9:00 a.m.

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

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

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

21
22 [Meeting commenced on February 13, 2014 at 9:00 a.m.]
23
24

25 CHAIRMAN GARNER: Call the meeting of the Lander County
26 Commission, Town Board of Battle Mountain and Austin Board of
27 County Highway Commissioners to order.

28 Patsy, will you give us the pledge?

29 COMMISSIONER WAITS: Yes. Please join me.
30

31 (Pledge of Allegiance)
32
33

34 **APPROVAL OF AGENDA NOTICE**
35

36 CHAIRMAN GARNER: Discussion for possible action regarding
37 approval of Agenda Notice.

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

40 COMMISSIONER WAITS: I'll second that motion. And I just

1 have a comment on it. I've had a couple of requests that
2 perhaps we can send this to Kingston also. The folks on the far
3 end of the county aren't getting into Austin to read the Agenda
4 Notices.

5 COUNTY CLERK SULLIVAN: We have one that's e-mailed. Is
6 there a specific lo -- another location that you are aware of?
7 Or --

8 COMMISSIONER WAITS: It's just not being posted apparently.

9 COUNTY CLERK SULLIVAN: So I'll look into where we're
10 e-mailing it and then --

11 COMMISSIONER WAITS: We can --

12 COUNTY CLERK SULLIVAN: -- touch base with you.

13 COMMISSIONER WAITS: We'll work on it then.

14 COUNTY CLERK SULLIVAN: Okay.

15 CHAIRMAN GARNER: Do I have a second?

16 COMMISSIONER WAITS: I seconded it.

17 CHAIRMAN GARNER: Okay.

18 Any public comment?

19 (No comment.)

20 CHAIRMAN GARNER: All those in favor?

21 COMMISSIONER STIENMETZ: Aye.

22 COMMISSIONER WAITS: Aye.

23 COMMISSIONER BULLOCK: Aye.

24 CHAIRMAN GARNER: Aye.

25 COMMISSIONER MASON: Aye.

26
27
28 **APPROVAL & ACCEPTANCE OF MINUTES**

29
30 CHAIRMAN GARNER: Discussion for possible action regarding
31 approval of and acceptance of minutes of January 23rd, 2014
32 Regular Session.

33 COMMISSIONER WAITS: On the January 23rd, I do have a
34 correction. Let's see. It would be page 76, line 24 and line
35 27. The correct name should be Jan Morrison on both of those
36 lines.

37 CHAIRMAN GARNER: Mm-hm.

38 COMMISSIONER WAITS: And I'll make a motion that we approve
39 the minutes of the January 23rd as corrected.

40 COMMISSIONER BULLOCK: I'll second.

1 CHAIRMAN GARNER: Any public comment?
2 (No comment.)
3 CHAIRMAN GARNER: All those in favor?
4 COMMISSIONER STIENMETZ: Aye.
5 COMMISSIONER WAITS: Aye.
6 COMMISSIONER BULLOCK: Aye.
7 CHAIRMAN GARNER: Aye.
8 COMMISSIONER MASON: Aye.
9 COMMISSIONER WAITS: Aye.
10 I'll make a motion we approve the Special Session minutes
11 of January 30th.
12 COMMISSIONER STIENMETZ: I'll second that motion.
13 CHAIRMAN GARNER: Any public comment?
14 (No comment.)
15 CHAIRMAN GARNER: All those in favor?
16 COMMISSIONER STIENMETZ: Aye.
17 COMMISSIONER MASON: Aye.
18 COMMISSIONER BULLOCK: Aye.
19 CHAIRMAN GARNER: Aye.
20 COMMISSIONER WAITS: Aye.

21
22
23 **COMMISSIONER REPORTS**

24
25 CHAIRMAN GARNER: Commissioners reports and meetings,
26 conferences, seminars attended.
27 COMMISSIONER MASON: I had two --
28 COMMISSIONER STIENMETZ: I --
29 COMMISSIONER MASON: -- on (indiscernible). Am I ahead of
30 you?
31 COMMISSIONER STIENMETZ: Go ahead.
32 COMMISSIONER MASON: Oh, you starting at that end? Go
33 ahead.
34 CHAIRMAN GARNER: Go ahead, Steve.
35 COMMISSIONER STIENMETZ: That's what we said we were going
36 to do.
37 I attended a meeting with Premier Gold out here on
38 May 10th. And they're looking at the Cove. They've leased
39 the property, the Cove Property, from Newmont. And they're
40 doing some exploration.

1 Right now they're doing core drillings outside the pit down
2 and underneath. And they've found some pretty high grade stuff,
3 what they say, under the pit now. And so they've got a plan
4 they're going through and they're looking at hopefully getting
5 approval to dewater, to pump the pit and dewater around it so
6 they can drill from the bottom of the pit. Because right now
7 it's costing anywhere from a half to a million dollars per bore
8 hole or core hole on the top. And it would substantially reduce
9 that cost. And that -- what they want to do is prove out the
10 properties. And then they'll see whether -- who's going to mine
11 it.

12 Then I had a -- Friday, I had a meeting on the Humboldt
13 River Basin Water Authority in Winnemucca. And the biggest --
14 our biggest concern there was the temp -- the water rights on
15 pit lakes. Because once you form a -- form a pit lake, it's
16 there forever. And you do get so much evaporation loss off of
17 it every year. And it is basically coming out of that ground
18 water basin -- that water basin. And so the -- the reason we're
19 looking at doing that is so that the state engineer has a way to
20 track that water so that they're not -- not over-appropriating
21 the basins because that's happening now.

22 And -- and then they were talking -- there is -- Barrick's
23 out at Pipeline, they're looking at going over to Pine Valley on
24 their new project. And they -- so they started doing well
25 sampling. And they were actually, because they're dewatering at
26 the Pipeline pit, it was actually starting to pull the water
27 level down at Pine Valley, the deep water. So they're trying to
28 figure out exactly what's going on there on that. They're
29 working with the state on that part of it. And that's all I've
30 got.

31 COMMISSIONER MASON: I've got a question for you. On the
32 pit, you were talking about digging down below the pit. Is that
33 Loan Tree or Phoenix?

34 COMMISSIONER STIENMETZ: Cove.

35 COMMISSIONER MASON: Huh?

36 COMMISSIONER STIENMETZ: The old Barrick -- the old Echo
37 Bay.

38 COMMISSIONER MASON: Oh, really?

39 COMMISSIONER STIENMETZ: Cove Pit. Because it's filled up.
40 It's stationary. And it's got like 650 feet of water in it.

1 COMMISSIONER MASON: And they found more gold down there?

2 COMMISSIONER STIENMETZ: They've got two different zones
3 that they want to explore.

4 COMMISSIONER MASON: Newmont owns that now?

5 COMMISSIONER STIENMETZ: Yeah. Newmont owns it. But Bar
6 -- that -- the Cove part of it is leased by Premier. They have
7 it leased to do the exploration in there.

8 COMMISSIONER MASON: Thank you.

9 COMMISSIONER BULLOCK: Okay. On the 5th, I attended the
10 LEDA board meeting. Things are progressing there pretty well.
11 We're going to have a more updated meeting with those that are
12 doing the SEDS project and finding leads to bring sustainable
13 economic groups here to -- to promote businesses. And so things
14 are -- seem to be progressing well there.

15 On Tuesday, I -- with the company that came here to look at
16 different well spurs that we had here. And it looked pretty
17 positive. They're very much looking at the possibility of
18 moving their operation here, which could go for -- employ as
19 many -- as low as 20 to as many as 50 employees. So -- and it's
20 a -- it's a pretty good company. And it's not a -- has nothing
21 to do with mining. So it's a different kind of group that's
22 looking to coming here. So it's pretty positive.

23 That's all I have.

24 CHAIRMAN GARNER: I attended Convention and Tourism. They
25 have a new executive director in place after the last one passed
26 away last year. Her name's Paula Tomera. And we'll be having a
27 kickoff meeting soon. We'll be posting the -- for the rec
28 center.

29 That's about all I've got. Patsy?

30 COMMISSIONER WAITS: Thank you. Dee, can you hear Brian
31 okay? Dee?

32 DEE HELMING: Yeah. I heard him.

33 COMMISSIONER WAITS: Okay, great. Thank you.

34 DEE HELMING: Uh-huh.

35 (To Chairman Garner) You're so soft.

36 Thank you. I have a few meetings I'd like to report on.

37 On January 24th, we had a joint meeting with NACO and the
38 Nevada Land Management Task Force.

39 Under NACO, first of all, we had our new officers sworn in.
40 We have Pat Irwin, who is our chair. And he's a commissioner

1 from Pershing. He's our President. Lorinda Wichman from Nye,
2 who is our President Elect. And Vida Keller from Lyon, who is
3 our Vice President.

4 NACO has been busy for us. And they've been doing a couple
5 of different things. Number one thing that I wanted to pass on
6 is their annual meeting in Washington, D.C. the end of this
7 month. So they put together some priorities to talk to meet
8 with our legislatures that they will be doing that in
9 Washington.

10 We actually, last fall, hired a company called Applied
11 Analysis and that was to put together an economic -- actually a
12 paper -- on economic impact assessment analysis. And they just,
13 this week issued the white paper report on that, which is
14 something that Jeff Fontaine, our Executive Director with NACO,
15 talked about our special session. That will give us the
16 criteria on -- on handling rebates when they come before us.

17 They also did a model ordinance for the rebate renewable
18 energy, the AB 239. And that was sent on to our DA.

19 And the medical marijuana establishments they sent us lot
20 of information. Lyon County had their ordinance completely
21 done. And they turned it down. They're not allowing any
22 medical marijuana establishments in their county at all right
23 now. We do have to do a model ordinance. That's from the
24 Senate Bill 374. And so that information has all been forwarded
25 to our DA on that.

26 Under the Nevada Land Management Task Force, our speaker
27 this last meeting was Leo Drozdoff, who is Director of the
28 Nevada Department of Conservation & Natural Resources. And he
29 gave us a total overview over how the state would be impacted,
30 which certainly includes his division because he's -- he handles
31 all the state lands and the Nevada Division of Forestry. So
32 he's giving us an idea of how that would be impacted if all the
33 public lands came back to Nevada, how the divisions are
34 currently structured. And he thought even though we have
35 significant changes in the state's lands ownership. Right now
36 the state land is 1%. So it would be a big impact. But he
37 thought it would be very, very small to change any of the
38 organizational structures. It was just putting the other --
39 other areas together in divisions that we would have to be
40 doing.

1 We actually reported to the legislative committee on public
2 lands. They had their -- their interim meeting on
3 February 5th in Las Vegas. And our chair, Demar Dahl,
4 reported to them. We did have a full consensus over a couple of
5 different things. One was all multiple uses and valid existing
6 rights would be transferred with the land. That was automatic.
7 And any lands that would be sold would focus primarily along the
8 checkerboard ownership pattern, which would affect us on
9 Interstate 80. And all the lands sold by the state must be
10 approved by the appropriate county commissions. And that was an
11 absolute consensus on everyone.

12 On February 3rd, we had a Public Lands Use Advisory
13 Planning Commission meeting -- PLUAC. They did give us some
14 information on the wild horse and burro. But they said the
15 horses they had checked were still in -- in pretty good
16 condition. Most of them were up in the real high country before
17 we had this last snow. But there are no -- no gathers are
18 scheduled in any of the western states.

19 The USDA Forest Service gave us a report. And they said
20 that they are proposing a project area to cut the pinion and
21 juniper trees, which would be north and east of Austin. And
22 that would actually involve about 52,000 acres right through the
23 Toiyabe Mountain Range. And that's right now up for comment.
24 The comments are -- any comments are due March 14th if anyone
25 has anything on that that they would like to give to the Forest
26 Service.

27 On February 10th, we had an airport -- Austin Airport
28 meeting. One of our concerns has been for some time the
29 installation of the GPS. And we thought that we were on track
30 for that. And our chair was not right there. But Ray Williams
31 contacted Lew Lott, which is our airport engineers. And he
32 finally got back to us saying we are in the running, but it
33 is -- lots of priorities ahead of us right now. So they do have
34 us, and now they're looking at some of the ones that had been in
35 there for a long time. So we may be coming up for something on
36 that. But it still will take a -- probably a minimum of a year
37 and a half or more.

38 We were working on the budget and grants to supplement the
39 fuel project we're doing. And they will do be doing a fly-in in
40 Austin August 23rd and 24th right now is the weekend they have

1 chosen. Thank you.

2 CHAIRMAN GARNER: Mason?

3 COMMISSIONER MASON: I attended the -- the teleconference
4 meeting of Lander County Public Land Use Advisory Board on
5 February 3rd, which our part of it was right here. That's the
6 night it was snowing. So we -- anyway -- there were 13 agenda
7 items. And Patsy's already reported on that.

8 And then the Planning Commission, which I regularly attend,
9 was canceled on February 12th.

10 I have nothing else.

11

12

13 **PAYMENT OF THE BILLS**

14

15 CHAIRMAN GARNER: Discussion for -- discussion for possible
16 action regarding Payment of the Bills.

17 JANE BIANCHI: I just have one this morning: Check #47099
18 in the amount of \$321.13 to Chase Card Services.

19 COMMISSIONER WAITS: I do need to abstain from Check
20 #47238, travel expenses.

21 COMMISSIONER BULLOCK: And I'll be abstaining from Check
22 #47143.

23

24 (Commissioners reviewing Payment of the Bills.)

25

26 **Chase Card Services**

27

28 COMMISSIONER STIENMETZ: I'll make a motion to ratify Check
29 #047099 in the amount of two hundred and -- or \$321.13 to Chase
30 Card Services.

31 COMMISSIONER BULLOCK: I'll second that.

32 CHAIRMAN GARNER: Any public comment?

33 (No comment.)

34 CHAIRMAN GARNER: All those in favor?

35 COMMISSIONER STIENMETZ: Aye.

36 COMMISSIONER BULLOCK: Aye.

37 CHAIRMAN GARNER: Aye.

38 COMMISSIONER WAITS: Aye.

39 COMMISSIONER MASON: Aye.

40

1 COMMISSIONER STIENMETZ: If there's no more questions on
2 the bills, I'll make a motion to approve submitted expenditures
3 in the amount of \$307,671.66 from Check #47129 through Check
4 #47245.

5 COMMISSIONER BULLOCK: I'll second.

6 CHAIRMAN GARNER: Any public comment?

7 (No comment.)

8 CHAIRMAN GARNER: All those in favor?

9 COMMISSIONER BULLOCK: Those in favor.

10 COMMISSIONER STIENMETZ: Oh, aye.

11 COMMISSIONER BULLOCK: Aye.

12 CHAIRMAN GARNER: Aye.

13 COMMISSIONER WAITS: Aye.

14 COMMISSIONER MASON: Aye.

15 COMMISSIONER STIENMETZ: Sorry about that.

16
17
18 **PAYROLL CHANGE REQUESTS**

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20 CHAIRMAN GARNER: Discussion for possible action regarding
21 Payroll Change Requests.

22
23 (Commissioners reviewing Payroll Change Requests.)

24
25 Any questions?

26 COMMISSIONER STIENMETZ: No questions. That's for him to
27 sign when he's through with it.

28 COMMISSIONER BULLOCK: If there's no more questions, then
29 I'll go ahead and make a motion we approve the Payroll Change
30 Requests for Employee #1116, Employee #1292, and Employee #1328.

31 COMMISSIONER WAITS: I'll second that motion.

32 COMMISSIONER MASON: Thanks, Jane.

33 CHAIRMAN GARNER: Any public comment?

34 (No comment.)

35 CHAIRMAN GARNER: All those in favor?

36 COMMISSIONER STIENMETZ: Aye.

37 COMMISSIONER BULLOCK: Aye.

38 CHAIRMAN GARNER: Aye.

39 COMMISSIONER WAITS: Aye.

40 COMMISSIONER MASON: Aye.

1 **PUBLIC COMMENT**

2
3 COMMISSIONER BULLOCK: Public comment for non-agendized
4 items only.

5 COMMISSIONER WAITS: I do have a public comment I'd like to
6 make.

7 This is regarding the Central Nevada Regional Water
8 Authority that we had taken some action on. And this is just an
9 update.

10 All eight counties now have voted to authorize the
11 Authority to be a plaintiff on the complaint to be filed by
12 White Pine County, the Great Basin Water, and others challenging
13 the Department of Interior's record of decision that grants the
14 Southern Nevada Water Authority right-of-way across federal land
15 to implement the SNWA ground water development project. It is
16 expected the complaint will be filed in federal court very soon.

17 CHAIRMAN GARNER: Okay.

18
19
20 **FINANCE**

- 21
22 1) **Discussion for possible action regarding budget review,**
23 **contracts, financial update, and other matters properly**
24 **relating thereto.**

25
26 CHAIRMAN GARNER: Item 1, discussion for possible action
27 regarding budget review, contracts, financial update, and other
28 matters properly relating thereto.

29 COMMISSIONER WAITS: Good morning, Nan.

30 NAN ANCHO: Good morning. Nan Ancho, Finance. This
31 morning I'd like to update you on a few things that we've been
32 taking care of in the last couple of weeks.

33 The B of A ATM is officially gone. The building has been
34 restored back to its normal state. And it is -- they did a very
35 nice job.

36 COMMISSIONER STIENMETZ: They did.

37 NAN ANCHO: It looks as if it was original.

38 COMMISSIONER STIENMETZ: You can't tell it was there.

39 NAN ANCHO: Uh-uh. No. It looks good.

40 W-2s and 1099s have been printed and sent out. We're done

1 for another year.

2 Per a memo from Assessor Lura Sandoval [sic], a request has
3 been made to move funds from the technology fund to the general
4 fund for the technology at the new administrative building.

5 So please read into the minutes a debit to account number
6 300-068-59045 in amount of 1,800,000 and the credit to
7 001-003-39003 in the amount of 1,800,000. This money will
8 remain in the general fund until construction is underway. And
9 at that time the money will be transferred to the CC Fund 055.

10 Accounts receive -- receivable for the month of January are
11 as follows: water is 13,059; sewer, 13,171; miscellaneous water
12 and sewer, 5,760; landfill, 15,454; ambulance, 820; for a total
13 accounts receivable of 48,264.

14 In your packets, you should have a memo regarding current
15 contracts that we have. I don't know if you've had time to
16 review this list. If you want to look at it quickly, we can see
17 if you want to do anything different or not. We did have one
18 that says it is past due, but it does roll over to 2015.

19 COMMISSIONER WAITS: Nan, on the Austin Roping Club,
20 actually, that one was never approved from last year. They're
21 not in compliance right now so the contract has never been
22 signed.

23 NAN ANCHO: Okay.

24 COMMISSIONER WAITS: So that one is still a holdup.

25 NAN ANCHO: Okay.

26 Are there any others that you guys have a question?

27 CHAIRMAN GARNER: January 30 -- are we going to put out the
28 Robin -- the mosquito? Are we going to put that out?

29 NAN ANCHO: That's what we're -- we're asking for direction
30 if you want to put it out.

31 CHAIRMAN GARNER: It's a month -- when was the -- I think
32 we should put it out.

33 NAN ANCHO: Okay.

34 CHAIRMAN GARNER: Anybody else?

35 COMMISSIONER STIENMETZ: I think so.

36 NAN ANCHO: Okay.

37 CHAIRMAN GARNER: The other one --

38 COMMISSIONER STIENMETZ: Do we need a motion?

39 CHAIRMAN GARNER: -- the other ones are four months and
40 farther.

1 NAN ANCHO: Yeah, those are just a heads up that they're
2 going to come due.

3 CHAIRMAN GARNER: Okay.

4 NAN ANCHO: Okay. Budgets were due February 3rd. And
5 since then, we've been reviewing the budgets to prepare for
6 individual meetings starting the week of February 18th through
7 the 21st.

8 Chair Commissioner Garner has shown an interest in sitting
9 in on these meetings. Is there anyone else that would like to
10 participate? If so, let me know, and I'll give you a schedule.

11 And that's all I have.

12 COMMISSIONER WAITS: I would.

13 CHAIRMAN GARNER: Thank you.

14 NAN ANCHO: You would like -- we'll get you a schedule.

15 COMMISSIONER BULLOCK: Okay. I'll make a motion that we
16 transfer \$1,800,000 from account 300-068-59045 to account
17 #001-003-39003.

18 COMMISSIONER STIENMETZ: I'll second the motion.

19 CHAIRMAN GARNER: Any public comment?

20 (No comment.)

21 CHAIRMAN GARNER: All those in favor?

22 COMMISSIONER STIENMETZ: Aye.

23 COMMISSIONER BULLOCK: Aye.

24 CHAIRMAN GARNER: Aye.

25 COMMISSIONER WAITS: Aye.

26 COMMISSIONER MASON: Aye.

27

28 2) Discussion for possible action regarding direction from the
29 Lander County Board of Commissioners on requesting a waiver
30 from the removal of Lander County from the guaranteed status
31 under the Supplemental City-County Relief Tax (SCCRT)
32 distribution formula, pursuant to the provisions of Nevada
33 Revised Statutes (NRS) 377.057(3), and other matters properly
34 related thereto.

35

36 CHAIRMAN GARNER: Two, discussion for possible action
37 regarding direction from the Lander County Board of
38 Commissioners on request of a waiver from the removal of Lander
39 County from the guaranteed status under the Supplemental
40 City-Council [sic] Relief Tax distribution formula, pursuant to

1 the provisions of Nevada Revised Statute 377.057, and other
2 matters properly related thereto.

3 NAN ANCHO: Okay, I'm just looking for direction to see if
4 you -- if it is the wish of the Commission to request the SCCRT
5 waiver for fiscal year 2014/2015.

6 You've been provided with the backup information in regards
7 to this item.

8 COMMISSIONER WAITS: I have a question. Rogene, is this --
9 this is the one that you thought that we wouldn't be able to
10 apply for --

11 ROGENE HILL: Yes.

12 COMMISSIONER WAITS: -- and we did last year --

13 ROGENE HILL: Yes.

14 COMMISSIONER WAITS: -- and got it anyway.

15 ROGENE HILL: Yes.

16 COMMISSIONER WAITS: Right?

17 ROGENE HILL: Absolutely.

18 COMMISSIONER WAITS: So if you don't ask, you don't get.

19 ROGENE HILL: Exactly.

20 COMMISSIONER WAITS: Okay.

21 ROGENE HILL: And Rex Massey represented us at the meeting
22 in March and will be there this year as well. Through the DOE,
23 he was able to go back and do the report and got some very good
24 information showing the volatility of the mining to the county.
25 So that's what they were looking for last year, some more
26 information why we're requesting. So --

27 COMMISSIONER WAITS: Thank you.

28 COMMISSIONER BULLOCK: I feel we need to still request.
29 We're too far into it to back out of it now.

30 COMMISSIONER STIENMETZ: Yeah.

31 COMMISSIONER BULLOCK: So --

32 ROGENE HILL: And once you go out, --

33 COMMISSIONER STIENMETZ: You can't go back in.

34 ROGENE HILL: -- you can't go back in.

35 COMMISSIONER WAITS: I'll make a motion the Finance
36 Director submit a letter to the Nevada Department of Taxation
37 requesting a waiver pursuant to the provisions of NRS 377.057(3)
38 to allow Lander County to remain in the guaranteed allocation
39 formula for the distribution of Supplemental City-County Relief
40 Tax for the fiscal year 2014/2015.

1 COMMISSIONER BULLOCK: I'll second it.
2 CHAIRMAN GARNER: Any public comment?
3 (No comment.)
4 CHAIRMAN GARNER: All those in favor?
5 COMMISSIONER STIENMETZ: Aye.
6 COMMISSIONER BULLOCK: Aye.
7 CHAIRMAN GARNER: Aye.
8 COMMISSIONER WAITS: Aye.
9 COMMISSIONER MASON: Aye.
10 NAN ANCHO: Thank you.
11 COMMISSIONER BULLOCK: Thanks, Nan.

12
13
14 **BUILDING**

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

20 CHAIRMAN GARNER: Item 3, discussion for possible action
21 regarding operations and projects for the Building Department,
22 and other matters properly related thereto.

23 JOE LINDSEY: Good morning.

24 CHAIRMAN GARNER: Good morning.

25 COMMISSIONER BULLOCK: Good morning.

26 COMMISSIONER WAITS: Good morning, Joe.

27 JOE LINDSEY: Okay. I've got a few things on here today.
28 January we issued 18 new building permits. We performed four
29 non-permitted inspections.

30 Our ongoing projects include AT&T mobility at Stony Point,
31 Antelope Valley, Cortez mine site, as well as AT&T at Stony
32 Point in Austin. So we permitted five new communication tower
33 upgrades in the county. And we have more coming in as we speak.
34 They're just adding or replacing antennas and upgrading some of
35 the towers. So -- for AT&T.

36 As far as our budget's concerned, we're waiting on a few
37 more quotes to complete our budgetary process. And hopefully
38 we'll have most all of those in by Wednesday of next week. We
39 do have our budget meeting with Finance Department, I believe,
40 on Wednesday afternoon. So hopefully, we'll have all of that

1 information in to them.

2 The south county, one Verizon tower in Austin we have
3 permitted for upgrades. We're getting pretty good cell phone
4 reception in that area now for anybody that may not know it.
5 It's kind of spotty on the trip down, but if you use your cell
6 phone, it's a lot better than it used to be.

7 We had a preconstruction meeting with Ormat for their Phase
8 2 Project out in -- what's -- Smoky valley? Not Smoky Valley.
9 Is it Smoky?

10 COMMISSIONER WAITS: Grass Valley?

11 CHAIRMAN GARNER: Grass Valley.

12 JAY FISCHER: Grass Valley.

13 COMMISSIONER STIENMETZ: Grass Valley.

14 JOE LINDSEY: Thank you, very much. I get confused. In
15 Grass Valley.

16 They're in the planning stages right now. And I just
17 received yesterday a submittal packet with some information. I
18 haven't opened that package yet. However, it's going to be
19 exact same footprint as the Phase 1 facility was, other than
20 Phase 2 will be operated from the Phase 1 control room.

21 Austin Airport fuel system plans were approved by my office
22 on Monday. I informed the Austin Airport Board and J-U-B on
23 Monday regarding the plan review process. It was completed and
24 so it's ready to go out to bid.

25 Miscellaneous projects. We finalled the Newmont Lab
26 Project in January.

27 We had a preconstruction meetings with CTA Architects for
28 Battle Mountain General Hospital for their new facility across
29 Humboldt Street, which hopefully will include a -- a new --
30 helipad for the helicopter. So it's just -- just getting off
31 the ground now. But looks like it's going to be a pretty nice
32 project for the county.

33 And that's all I've got today. Any questions?

34 COMMISSIONER WAITS: Did they give you any idea, Joe, on
35 how long before they would be able to go out to bid, when the
36 documents would be ready?

37 JOE LINDSEY: As far as the airport?

38 COMMISSIONER WAITS: Yes. J-U-B --

39 JOY SWEENEY: No, they did not.

40 COMMISSIONER WAITS: -- with the fuel system?

1 JOE LINDSEY: They did not. They did not.
2 I think now that the process would be just trying to find
3 contractors, going out to bid for contractors -- so getting some
4 nettles. So hopefully.
5 CHAIRMAN GARNER: Thanks, Joe.
6 JOE LINDSEY: Thank you.
7 COMMISSIONER WAITS: Thank you.

8
9
10 **SAFETY**

11
12 4) **Discussion for possible action regarding presentation by Mike**
13 **Fitzsimmons, Brian Boyd and/or Delyne Kirkham of the National**
14 **Weather Service to recognize Lander County as a StormReady**
15 **Community, and other matters properly related thereto.**
16

17 CHAIRMAN GARNER: Four, discussion for possible action
18 regarding presentation by Mike Fitzsimmons, Brian Boyd and --
19 sorry --

20 COMMISSIONER WAITS: Delyne.

21 DELYNE KIRKHAM: Delyne.

22 CHAIRMAN GARNER: Delyne Kirkham of the National Weather
23 Service to recognize Lander County as a StormReady Community.

24 MIKE FITZSIMMONS: Mr. Chairman, members of the Commission,
25 general public. The National Weather Service over the last
26 couple of months --

27 COMMISSIONER BULLOCK: Please state your name, please.

28 MIKE FITZSIMMONS: Michael Fitzsimmons, --

29 COMMISSIONER BULLOCK: Thank you.

30 MIKE FITZSIMMONS: -- National Weather Service in Elko.
31 Over the last several months, the National Weather Service
32 in Elko has been working very hard with Keith Westergard [sic]
33 and Sheriff Unger.

34 Brian Boyd's worked especially hard with both of these
35 individuals in making sure that the communication infrastructure
36 within the County of Lander is very sound.

37 We just installed a new transmitter out in Battle Mountain
38 for NOAA weather radio within the last year. So the
39 communication infrastructure is very much in place all the way
40 down to Austin. There are a few gaps, but we're working to fill

1 those in.

2 And based on everything that we have worked on with the
3 general population in the county and going through the
4 StormReady application, you all have been certified by the
5 National Weather Service and also through Washington, D.C. as a
6 StormReady county.

7 And you should be very proud of all the achievements you
8 have done. Your EOP -- or EAP was in outstanding order. It was
9 the first emergency action plan that we've come across in my
10 career and in Brian's that we have ever seen everything up to
11 date and everything addressed that the StormReady program was
12 asking for. So for that, we'd like to congratulate all of you
13 and also Keith and Sheriff Unger for doing an outstanding job.

14 With that, we would like to give you a couple of NOAA
15 weather radio -- NOAA signs for StormReady. They are to be
16 placed somewhere in the county, wherever you like.

17 And also we have a certificate and a letter signed by my
18 boss, Greg Barnhart. And this will be officially put you on the
19 map as a StormReady county for the State of Nevada. So
20 congratulations to all of you.

21 CHAIRMAN GARNER: Thank you.

22 COMMISSIONER MASON: Thank you.

23 COMMISSIONER BULLOCK: Is there any way we can get a third
24 sign?

25 MIKE FITZSIMMONS: I can work on it. It will be kind of
26 difficult, but I --

27 COMMISSIONER BULLOCK: Well, I was just thinking because we
28 got really three --

29 COMMISSIONER STIENMETZ: Major.

30 COMMISSIONER BULLOCK: -- major. Where we come into the
31 town, it would be nice to have one in all three --

32 MIKE FITZSIMMONS: I will --

33 COMMISSIONER BULLOCK: -- areas.

34 MIKE FITZSIMMONS: I will look into it.

35 Western region allowed us to order as many as we could.

36 And I ordered up to six. But we have three other counties --

37 COMMISSIONER BULLOCK: Okay.

38 MIKE FITZSIMMONS: -- that we're looking at.

39 But there's another way to get an additional sign. And
40 I'll -- I'll pursue that when I get back to the office. And

1 I'll let you know.

2 CHAIRMAN GARNER: Can we get --

3 DELYNE KIRKHAM: There's also a way to pay for --

4 COMMISSIONER WAITS: Wait a minute. If we -- if we do

5 three for Battle Mountain, what do we do for the southern part?

6 CHAIRMAN GARNER: We're putting one in each county. Or one

7 in each.

8 COMMISSIONER WAITS: Is that it?

9 CHAIRMAN GARNER: That's one in each place.

10 COMMISSIONER BULLOCK: Yeah, we're going to have three.

11 COMMISSIONER WAITS: Or do you need a couple coming in?

12 CHAIRMAN GARNER: It would just be the one.

13 COMMISSIONER BULLOCK: It would be nice to have, you know,

14 three or four in each town, but that isn't going to work, so --

15 MIKE FITZSIMMONS: It won't work.

16 COMMISSIONER WAITS: Are they available for purchase?

17 MIKE FITZSIMMONS: Through us, the government. We'll have

18 to go through the Oklahoma Correctional Center. That's where

19 they're being made in Oklahoma City.

20 And because of our budget constraints, they stopped

21 allowing the weather offices to order them from Washington, D.C.

22 And then would put the order in to Oklahoma City.

23 We have in the past, Greg and I have gone through our

24 office just directly to the Correctional Center. And we have

25 gotten signs. So that's the avenue I think I have to look at

26 right now for extra ones.

27 DELYNE KIRKHAM: So the bottom line is yes. They're

28 available for purchase. But we just have to go through a few

29 hoops.

30 MIKE FITZSIMMONS: Yeah.

31 COMMISSIONER WAITS: Thank you.

32 CHAIRMAN GARNER: Can we get a picture, please, with you

33 and the Safety Director and Ron Unger?

34 MIKE FITZSIMMONS: Yes.

35 SHERIFF RON UNGER: Woo hoo.

36 COMMISSIONER WAITS: Well, thank you for the recognition.

37 And thank you -- kudos to all of our staff that worked so -- so

38 hard on this. We appreciate it.

39

40 (Whereupon a photograph was taken of Mike Fitzsimmons, Greg

1 Barnhart, Delyne Kirkham, Sheriff Unger, and Keith Westengard
2 for a StormReady Community photograph.)
3

4 5) Discussion for possible action regarding approval/disapproval
5 of the Agreement between Lander County, the Lander County
6 Local Emergency Planning Committee (LEPC) and Newmont Mining
7 Corporation for mutual aid emergency response, and other
8 matters properly related thereto.
9

10 CHAIRMAN GARNER: Item 5, discussion for possible action
11 regarding approval/disapproval of the Agreement between Lander
12 County and the Lander County Local Emergency Planning Committee
13 and Newmont Mining Corporation for mutual aid emergency
14 services, and other matters properly related thereto.

15 KEITH WESTENGARD: Sorry. Good morning.

16 COMMISSIONER BULLOCK: Good morning, Keith.

17 CHAIRMAN GARNER: Good morning, Keith.

18 COMMISSIONER WAITS: Good morning.

19 KEITH WESTENGARD: Through LEPC, we've been working on an
20 agreement for the past several months with Newmont regarding our
21 mutual response with their HAZMAT teams and LEPC.

22 So Shar had -- Shar and I got together. And she provided
23 me with the contract that's being -- that's used in other
24 counties. We had the DA review it. And we'd just like to get
25 your blessing on it so that we can put it into place.

26 You should have a copy in your -- in your packets there.
27 It's pretty basic agreement, just outlines everybody's roles,
28 responsibilities, types of command systems to use, reimbursement
29 procedures and so forth in the event of an incident.

30 CHAIRMAN GARNER: Okay.

31 COMMISSIONER MASON: I make a motion we approve the
32 agreement between Lander County, the Lander County Local
33 Emergency Planning Committee, and Newmont Mining preparation for
34 mutual aid emergency response and authorize the chair to sign.

35 COMMISSIONER WAITS: I'll second.

36 COMMISSIONER STIENMETZ: I'll second the motion.

37 CHAIRMAN GARNER: Any public comment?

38 (No comment.)

39 CHAIRMAN GARNER: All those in favor?

40 COMMISSIONER STIENMETZ: Aye.

1 COMMISSIONER BULLOCK: Aye.
2 CHAIRMAN GARNER: Aye.
3 COMMISSIONER WAITS: Aye.
4 COMMISSIONER MASON: Aye.
5 KEITH WESTENGARD: Thank you.
6 COMMISSIONER BULLOCK: Thanks, Keith.
7 KEITH WESTENGARD: Do you need a copy, or do you guys have
8 a copy to sign?
9 CHAIRMAN GARNER: Do you have that?
10 COMMISSIONER WAITS: We have a copy of the contract.
11 COMMISSIONER BULLOCK: Molly, do you have it?
12 COMMISSIONER STIENMETZ: She should have the original.
13 MOLLY GONZALEZ: Yeah.
14 KEITH WESTENGARD: Thank you.
15 SHAR PETERSON: Thank you.
16 COMMISSIONER STIENMETZ: Thank you, Keith.
17 COMMISSIONER BULLOCK: Thanks.
18 COMMISSIONER WAITS: Thank you, Shar.
19 COMMISSIONER MASON: Thank you, Shar.
20 SHAR PETERSON: Thank you, guys.
21 COMMISSIONER MASON: Shar, when's the next meeting.
22 SHAR PETERSON: March 5th. The notice will be coming out.
23 March 5th.
24 COMMISSIONER MASON: March 5th. Thanks.

25
26
27 **ROAD AND BRIDGE SOUTH**

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

32
33 CHAIRMAN GARNER: Item 6, discussion for possible action
34 regarding operations and projects for the Road and Bridge South
35 Department.
36 Burt?
37 DEE HELMING: He's not here.
38 CHAIRMAN GARNER: Thank you.
39 JAKE EDGAR: He's actually in Grace's office. Do you want
40 me to grab him?

1 CHAIRMAN GARNER: Mm.
2 COMMISSIONER BULLOCK: Well, he's probably here for a
3 reason.
4 JAKE EDGAR: I -- yeah. Whatever.
5
6 (While waiting for Burt Ramos to appear, County Clerk
7 Sullivan, Chairman Garner, and Commissioner Bullock have a side
8 discussion regarding having a photograph taken during the next
9 break with the StormReady sign as requested by Delyne Kirkham of
10 the National Weather Service.)
11
12 BURT RAMOS: Good morning.
13 CHAIRMAN GARNER: Good morning.
14 COMMISSIONER STIENMETZ: Good morning.
15 COMMISSIONER WAITS: Good of you to show.
16 BURT RAMOS: Sorry.
17 CHAIRMAN GARNER: Better late than never.
18 BURT RAMOS: Yeah, talking to Grace takes a while
19 sometimes.
20 JAY FISCHER: No.
21 BURT RAMOS: I didn't really mean that.
22 CHAIRMAN GARNER: Mm-hm. She wrote it.
23 BURT RAMOS: For what we got going on down there, just
24 general maintenance just doing everything -- just kind of
25 everything's going to be on the next agenda that I've been
26 working on as far as the mapping and airport and things of that
27 nature.
28 So unless you guys have any questions for me, I'm pretty
29 basic today.
30 CHAIRMAN GARNER: Mm. No. We'll be --
31 COMMISSIONER STIENMETZ: No.
32 CHAIRMAN GARNER: -- through. I'll be through next
33 Wednesday to tour with you.
34 BURT RAMOS: Oh, good deal.
35 CHAIRMAN GARNER: Okay. Wednesday I think.
36 BURT RAMOS: Okay. Going to be able to sucker you into
37 coming up, Dean? How about you, Steve?
38 COMMISSIONER BULLOCK: Sometime.
39 BURT RAMOS: Before budget?
40 COMMISSIONER BULLOCK: Sure.

1 BURT RAMOS: Good deal. So I can show you guys what I
2 want -- or what I need. What I need.
3 COMMISSIONER MASON: Thank you.
4 COMMISSIONER BULLOCK: What you're dreaming of?
5 COMMISSIONER WAITS: Thanks, Burt.
6 BURT RAMOS: What's that?
7 COMMISSIONER BULLOCK: What you are dreaming of?
8 BURT RAMOS: Oh, you better believe it. Dream big, right?
9
10

11 **ROAD AND BRIDGE NORTH**

12
13 7) **Discussion for possible action regarding operations and**
14 **projects for the Road and Bridge North Department, and other**
15 **matters properly related thereto.**
16

17 CHAIRMAN GARNER: Discuss -- Number 7, discussion for
18 possible action regarding operations and projects of the Road
19 and Bridge North Department.

20 And we don't have Donnie. And he has none at this time in
21 the packet. So we'll move on to eight.
22
23

24 **PUBLIC WORKS**

25
26 8) **Discussion for possible action regarding operations and**
27 **projects for the Public Works Department, and other matters**
28 **properly related thereto.**
29

30 CHAIRMAN GARNER: Discussion for possible action regarding
31 operations and projects for the Public Works Department, and
32 other proper -- matters properly related thereto.

33 Good morning, Jake.

34 COMMISSIONER STIENMETZ: Good morning, Jake.

35 COMMISSIONER WAITS: Good morning.

36 JAKE EDGAR: Good morning. So we've been fairly busy. Had
37 the major water leak behind the Owl Club and got them back into
38 water. But we're going to have to shut them down again.

39 And it's going be next Wednesday at 7:00 o'clock in the
40 morning. So we'll have that whole block off, the flower shop

1 and all three other businesses on the block. So we're going to
2 put an isolation valve in. Hopefully, it will only take about
3 an hour and a half. And then we'll turn the water back on. So
4 they won't be down long.

5 I am going to provide Porta potties and hand wash stations
6 for that time. They got beat up on the social network pretty
7 hard for not having restrooms.

8 And I just got done meeting with Rich this morning. And he
9 agrees with our plan. And he said thanks for trying to work,
10 you know, work with them and whatever.

11 So the valve -- after we put the isolation valve in, the
12 other valve set kit is probably going to take around eight
13 hours. So we do have to have a traffic plan in NDOT. I met
14 with NDOT. All we're going to do is move one lane over into the
15 turn lane and everything should be fine. Did not cost us any
16 extra money to get the traffic plan. It was provided free to
17 us. So that was a benefit for us.

18 Other than that, we've -- last night the crew worked --
19 went in at midnight and changed the power head at the sewer
20 plant. We have a valve out there that we just -- that we
21 noticed last night was not working. When we pulled the power
22 head off, the valve was in the closed position, but it would not
23 seal all the way so it became kind of a mess out there. And
24 they're still out there right now cleaning. Hopefully, we
25 can -- it is an adjustable valve. It's an electric valve. So
26 hopefully, we can adjust it back down and get it to -- to seal
27 up next time. And next time we do it, I think we'll just shut
28 back up the lift stations for a little bit so we don't have any
29 incoming flow. We tried to do it without doing that, but it
30 didn't work.

31 We had a lift station go down in the Echo Bay Subdivision.
32 And when we finally got that one up and running, when it
33 started, it pumped all the heavy solids that were in the bottom
34 of the lift station to Silver State lift station, which then in
35 turn plugged both of those pumps. And we fought it for -- oh,
36 we're still fighting it.

37 But we do have one pump that's completely good that's
38 running. And it's keeping up the town. But we keep having to
39 pull -- pull one, put the other one back in until we get rid of
40 all those solids that are actually settled in, we'll just have

1 to deal with it.

2 So other than that, we put in a few water boxes here and
3 there.

4 We're chaining the benches down at the park. Kids keep
5 moving them. So we're going to chain them to the concrete. I
6 don't know if that's going to help. Probably -- it will
7 probably ruin the table neck, but I don't know what else to do.
8 So --

9 But other than that, then nothing. I don't really have
10 anything. Do you guys have any questions?

11 COMMISSIONER WAITS: Thank you, I have -- I have a
12 question, Jake, on the isolation valve?

13 JAKE EDGAR: Mm-hm.

14 COMMISSIONER WAITS: When you know this far in advance of
15 what you're doing, how do you notify the business people?

16 JAKE EDGAR: We get -- we actually have a -- a document
17 that we've had for -- since I've been here. And it states what
18 time, you know, what time we're going to shut the water off, how
19 long it's going to be -- or, you know, approximately how long
20 it's going to be off. And we give them 72 hours. Basically, we
21 give them, like, on Friday, I'll go over to all the businesses,
22 talk to each owner. We'll hand them the paper.

23 If there's residents in the neighborhood, we will tape one
24 to the door or knock on the door and hand it to them. And
25 they'll all know that their water -- their water's going to be
26 off, basically.

27 COMMISSIONER WAITS: So they have 72-hours notice, but you
28 know much further than that in advance.

29 JAKE EDGAR: Yeah. Until it breaks. I mean, like if it
30 breaks, you don't have any notice.

31 COMMISSIONER WAITS: I think that's under an emergency
32 line, right?

33 JAKE EDGAR: So --

34 COMMISSIONER WAITS: No, I meant when --

35 JAKE EDGAR: Yeah.

36 COMMISSIONER WAITS: -- you know you're going to do that as
37 early as you can notify them would be preferable, I should
38 think.

39 JAKE EDGAR: Right. And what we try to do, though, is --
40 if I know, I -- this has changed four times. We came up with

1 the plan on -- when the water line broke. Well, Valentines we
2 can't shut the flower shop down, of course. So that moves us
3 day back. Well, then Newmont has 500 people breakfast at the
4 Owl Club's Catering, so then that moves us another day back. So
5 we try to work with everyone, if we can. But sometimes you just
6 say you can't.

7 I mean, so 72 hours is sufficient for most residents to get
8 buckets of water or whatever they're going to get so -- that's
9 how we do it.

10 CHAIRMAN GARNER: Thanks, Jake.

11 JAKE EDGAR: You bet.

12 COMMISSIONER STIENMETZ: Thanks.

13

14 9) Discussion for possible action regarding award of bid to H.E.
15 Hunewill Construction, Inc., in the amount of \$1,419,900.00,
16 for construction of the Domestic Well #9 Pump House and
17 Transmission Main Project for the Battle Mountain Water and
18 Sewer Department, and other matters properly related thereto.
19

20

21 CHAIRMAN GARNER: Number 9, discussion for possible action
22 regarding award of bid to H.E. Hunewill Construction in the
23 amount of \$1,419,900 for construction of the Domestic Well #9
24 Pump House and Transmission Main Project for the Battle Mountain
25 Water and Sewer Department.

26 JAKE EDGAR: So we had quite a bit of interest on this one.
27 There was, I believe, 15 people that bid.

28 Hunewill came in at the lowest. We do see that they are
29 capable of doing the job. And I do recommend that we award H.E.
30 Hunewill Construction the -- the contract for \$1,419,900 and
31 authorize -- and hopefully you guys will authorize the Chair to
32 sign and sign the Notice of Award at the same time.

33 COUNTY CLERK SULLIVAN: Jake, do you have that?

34 JAKE EDGAR: Yeah. I have copy for you also.

35 COMMISSIONER STIENMETZ: I'll make a motion to award the
36 bid to Hunewill Construction, Incorporated, in the amount of
37 \$1,419,900 for the construction of the Domestic well #9 Pump
38 House and Transmission Main Project for Battle Mountain Water
39 and Sewer and authorize the Chair to sign.

40 And what was the other thing he needed to sign?

JAKE EDGAR: The Notice of Award.

1 COMMISSIONER STIENMETZ: And also to sign the Notice of
2 Award.
3 COMMISSIONER BULLOCK: I'll second.
4 CHAIRMAN GARNER: Any public comment?
5 (No comment.)
6 CHAIRMAN GARNER: All those in favor?
7 COMMISSIONER STIENMETZ: Aye.
8 COMMISSIONER WAITS: Aye.
9 COMMISSIONER BULLOCK: Aye.
10 COMMISSIONER WAITS: Aye.
11 COMMISSIONER MASON: Aye.
12 I have a question on Pump 9. Is that -- still operating at
13 the same amount of volume?
14 JAKE EDGAR: We don't have a Pump 9 yet.
15 COMMISSIONER MASON: I mean, the test well. Has it gone
16 down? Has it changed? Or --
17 JAKE EDGAR: No. Maybe I don't understand what you're
18 asking, Dave. There's no pump in the well so the water just
19 sits there.
20 COMMISSIONER MASON: Yeah, I know. But it was tested.
21 CHAIRMAN GARNER: Mm-hm.
22 JAKE EDGAR: Yeah, a long time ago.
23 COMMISSIONER MASON: Okay.
24
25 CHAIRMAN GARNER: Number 10, discussion for possible action
26 regarding --
27 JAKE EDGAR: Before you say anything, CFA is here to
28 discuss the jail thing. I got to go back out to the sewer
29 plant. But they're going to provide you with some options or
30 whatever. And whatever you come up with, I just want to say I'm
31 fine with whatever happens.
32 CHAIRMAN GARNER: Yeah.
33 COMMISSIONER STIENMETZ: All right.
34 CHAIRMAN GARNER: All right.
35 COMMISSIONER STIENMETZ: Thanks, Jake.
36 JAKE EDGAR: Yeah.
37
38
39
40

1 PLANNING COMMISSION

2
3 10) Discussion for possible action regarding approval/disapproval
4 of a parcel map for Jim Fouts, located in Lots 2 and 3 of
5 Block A of Subdivision Map #094436, in a portion of the SW4
6 of Section 24, T32N, R44E, APNs 011-050-03 and 011-050-04,
7 splitting one (1) parcel into two (2) parcels each, and other
8 matters properly related thereto.
9

10 CHAIRMAN GARNER: Number ten, discussion for possible
11 action regarding approval/disapproval of a parcel map for Jim
12 Fouts, located in Lots 2 and 3 of Block A of Subdivision Map
13 094436, in a portion of the Southwest 4, SW4 of Section 24,
14 T32N, R44E, APN 011-050-03 and 011-050-04, splitting one parcel
15 into two parcels.

16 COMMISSIONER MASON: I sat in the Planning Commission
17 meeting on this approval. And I make a motion the Commission
18 uphold the recommendation of the Lander County Planning
19 Commission and approve parcel map for Jim Fouts in Lots 2 and 3
20 of Block A of Subdivision Map #094436, in a portion of the
21 Southwest -- Southwest 4 Section 24, T32N, R44E, APNs 011-050-03
22 and 011-050-04 as presented and authorize the Chair to sign the
23 mylar.

24 COMMISSIONER WAITS: I'll second that motion.

25 CHAIRMAN GARNER: Any public comment?

26 (No comment.)

27 CHAIRMAN GARNER: All those in favor?

28 COMMISSIONER STIENMETZ: Aye.

29 COMMISSIONER BULLOCK: Aye.

30 CHAIRMAN GARNER: Aye.

31 COMMISSIONER WAITS: Aye.

32 COMMISSIONER MASON: Aye.

33
34 (Whereupon, the Chair and the County Clerk signed the mylar.)

35
36 JAN MORRISON: Great. Thank you.

37 CHAIRMAN GARNER: Thank you, Jan.

38 JAN MORRISON: Thanks.
39
40

1 11) Discussion for possible action regarding approval/disapproval
2 of a parcel map for David A. and Kristine R. Itza, located in
3 Lot 5, Block A, in a portion of the SW4 of Section 24, T32N,
4 R44E, APN 011-050-11, splitting one (1) parcel into four (4)
5 parcels, and other matters properly related thereto.
6

7 CHAIRMAN GARNER: Number 11, discussion for possible action
8 regarding approval/disapproval of parcel map for David A. and
9 Kristine R. Itza, located in Lot 5, Block A, in a portion of the
10 SW4 of Section 24, T32N, R44E, APN 011-050-11, splitting one
11 parcel into four parcels.

12 COMMISSIONER MASON: Once again, I sat in on this meeting,
13 and they have met all the county requirements.

14 And I make a motion the Commission uphold the
15 recommendation of Lander County Planning Commission and approve
16 the parcel map for David A and Kristine R. Itza, located in Lot
17 5, Block A, in a portion of Southwest 4 of Section 24, T32N,
18 R44E, APN 011-050-11 splitting one parcel into four parcels as
19 presented and authorize the Chair to sign the mylar.

20 CHAIRMAN GARNER: I have questions.

21 COMMISSIONER WAITS: I have a question too.

22 I -- I think we should put more on that. This is the one
23 with the road improvements. And we don't want to sign off on
24 the mylar until the road improvement is done, right?

25 JAN MORRISON: Right.

26 COMMISSIONER WAITS: So if we amend the motion to authorize
27 the Chair to sign upon certification that the road's been
28 accepted by the county or something like that?

29 CHAIRMAN GARNER: That's what I'm just looking at. Is
30 there a road there?

31 COMMISSIONER WAITS: No. No. He's going to put a road in.
32 And then we need -- is that right?

33 JAN MORRISON: Right.

34 COMMISSIONER WAITS: Do we need to accept it?

35 JAN MORRISON: Jan Morrison, Community Services Officer.
36 So as a condition of the parcel map of the Planning Commission
37 stage, the road is to be completed. And your code reads it's to
38 be certified by the building official before the Chair signs.
39 So you're approving it conditionally. We will keep the maps in
40 our office. The second one -- the next item is the same

1 thing -- we'll keep it in our office until the building official
2 certifies to the Chair that the road is completed and accepted
3 by the County. And then we record it. And they have one year
4 in order to do that.

5 COMMISSIONER WAITS: And if they haven't completed the road
6 and the county accepted it within one year --

7 CHAIRMAN GARNER: So --

8 COMMISSIONER WAITS: -- nothing is signed.

9 CHAIRMAN GARNER: So --

10 JAN MORRISON: That's correct. They would have to start
11 the process all over. Chris -- this is a recognized developer.
12 He's certainly done these before. So, I mean, I'm sure we'll be
13 coming -- asking you to sign this within a month or two.

14 COMMISSIONER MASON: So the mylar is not signed until after
15 the road is --

16 JAN MORRISON: No, you're authorizing the Chair to sign it
17 upon written certification of the building official that the
18 road has been accepted by County.

19 So that is the process according to our code. I don't -- I
20 don't know if we've had too many of these before. So -- so if
21 there were another condition of planning, for example, a water
22 main or something like that that was a condition, we'd be doing
23 the same. We'd be holding the map until the improvements are
24 accepted by the County. And then we come to the Chair. And the
25 Chair would be previously authorized so it wouldn't come in
26 front of you again.

27 And they have one year to do it. And then if it's not done
28 within the year, it's simply reverted. And the person would
29 have to start the practice over. As a practical matter, of
30 course, this is a seasoned developer, and it will be done very
31 quickly. But that's the process.

32 COMMISSIONER WAITS: Are you okay with that?

33 CHAIRMAN GARNER: No.

34 COMMISSIONER WAITS: And?

35 What would you recommend?

36 COMMISSIONER MASON: That's in the code. We can do it that
37 way.

38 JAN MORRISON: It is code.

39 COMMISSIONER MASON: So why you would you not approve it?

40 JAN MORRISON: And -- and by the way, there's a little

1 hiccup --

2 CHAIRMAN GARNER: Previous history.

3 JAN MORRISON: -- in the code. The code actually states

4 the building official certifies in writing.

5 COMMISSIONER STIENMETZ: If he doesn't do it in a year, he

6 --

7 JAN MORRISON: I think, traditionally, of course, it's been

8 Road and Bridge and that might be addressed sometime in the

9 future. But --

10 COMMISSIONER WAITS: Well, the building official talks to

11 road and bridge.

12 JAN MORRISON: That's right.

13 COMMISSIONER WAITS: I mean, is that -- they don't? I mean

14 they will.

15 JAN MORRISON: They will.

16 COMMISSIONER WAITS: -- from now on, right?

17 JAN MORRISON: You haven't in the past --

18 COMMISSIONER WAITS: Okay.

19 JAN MORRISON: -- necessarily, in the past. But you

20 haven't had too many of these either. So --

21 CHAIRMAN GARNER: My curiosity is the fire district -- the

22 fire, you know. Obviously, that road goes all the way to the

23 other side. Is it --

24 DONALD NEGRO: This is the road that they're splitting four

25 lots on each of them.

26 CHAIRMAN GARNER: Mm-hm.

27 DONALD NEGRO: Four and four. And they'll put the road in.

28 This way we don't have the problem of after they start selling

29 the lots then -- then you come in and say, how come our road

30 hasn't been completed? The road will be completed before they

31 sell the lots.

32 COMMISSIONER BULLOCK: And the 30-foot easement's good?

33 DONALD NEGRO: It should be a 60-foot easement.

34 COMMISSIONER BULLOCK: Well, it's all it's -- all it's

35 showing is 30, because we're not showing into the next property.

36 JAN MORRISON: The next item on your agenda is the opposite

37 side of the street.

38 COMMISSIONER BULLOCK: All right.

39 JAN MORRISON: And what I'd like to do in the future is tie

40 them together at the planning-commission level and bring them to

1 you that way. So -- this --

2 COMMISSIONER WAITS: So we need a conditional approval is
3 what we're doing?

4 JAN MORRISON: Yes. But authorizing the Chair to sign at
5 the direction of the building official.

6 CHAIRMAN GARNER: That's right here in your --

7 COMMISSIONER BULLOCK: Yeah. I'll make a motion the
8 Commission uphold the recommendation of the Lander County
9 Planning Commission and approve the parcel map for David A. and
10 Kristine R. Itza, located in Lot 5, Block A, in portion of
11 Southwest 4 of Section 24, T32N, R44E, APN 011-050-11, splitting
12 one parcel into four parcels as presented and authorize the
13 Chair to sign the mylar upon written certification that the road
14 improvements have been built and accepted by the county. The
15 required improvements must be built and the parcel map must be
16 recorded with one -- with one year of the conditional approval.

17 COMMISSIONER MASON: I'll second that.

18 CHAIRMAN GARNER: Any public comment?

19 (No comment.)

20 CHAIRMAN GARNER: All those in favor?

21 COMMISSIONER STIENMETZ: Aye.

22 COMMISSIONER BULLOCK: Aye.

23 CHAIRMAN GARNER: Aye.

24 COMMISSIONER WAITS: Aye.

25 COMMISSIONER MASON: Aye.

26 JAN MORRISON: Thank you.

27 COMMISSIONER MASON: For the record, I withdraw my first
28 motion.

29 CHAIRMAN GARNER: Want to do 11?

30 JAN MORRISON: Oh. I'm sorry. Yes.

31 COMMISSIONER WAITS: Twelve.

32 JAN MORRISON: Thank you.

33

34 12) Discussion for possible action regarding approval/disapproval
35 of a parcel map for David A. and Kristine R. Itza, located in
36 Lot 4, Block A, in a portion of the SW4 of Section 24, T32N,
37 R44E, APN 011-050-12, splitting one (1) parcel into four (4)
38 parcels, and other matters properly related thereto.

39

40 CHAIRMAN GARNER: Discussion for possible action regarding

1 approval/disapproval of parcel map for David A. and Kristine R.
2 Itza, located in Block 5 [sic], Block A, in a portion of the SW4
3 of Section 24, T32N, R44E, APN 011-050-11 [sic], splitting one
4 parcel into four parcels.

5 COMMISSIONER MASON: So this could have been submitted --

6 COMMISSIONER STIENMETZ: We already approved --

7 COMMISSIONER WAITS: We're on twelve.

8 COMMISSIONER MASON: -- together?

9 COMMISSIONER BULLOCK: No.

10 CHAIRMAN GARNER: Mm-hm.

11 COMMISSIONER STIENMETZ: (indiscernible)

12 JAN MORRISON: Um.

13 COMMISSIONER MASON: I mean, as far as the road is
14 concerned --

15 COMMISSIONER WAITS: You said one one.

16 COMMISSIONER BULLOCK: This is the other side.

17 COMMISSIONER MASON: -- this is the other half?

18 JAN MORRISON: It's a condition of both of them.

19 CHAIRMAN GARNER: I said one one.

20 JAN MORRISON: And as we work through --

21 COMMISSIONER WAITS: We just did that --

22 JAN MORRISON: -- the process of both of these in the
23 Planning Department, I want to bring them to have them --

24 COMMISSIONER STIENMETZ: We do 11 first and then you did 12
25 --

26 JAN MORRISON: -- tied together more for you. Yes.

27 COMMISSIONER WAITS: Yeah, we just did that.

28 CHAIRMAN GARNER: Oh.

29 JAN MORRISON: So we'll be working on that.

30 CHAIRMAN GARNER: Correction APN 011-050-12.

31 COMMISSIONER BULLOCK: I'll make a motion the Commission

32 uphold the recommendation of the Lander Planning Commission
33 approved parcel map for David A. and Kristine R. Itza, located
34 in Lot 4, Block A, in a portion of the Southwest 4 of Section
35 24, T32N, R44E, APN 011-050-12, splitting one parcel into four
36 parcels as presented and authorize the Chair to sign the
37 mylar -- mylar upon written certification that the road
38 improvements have been built and accepted by the County. The
39 required improvements must be built and the parcel map must be
40 recorded within one year of the conditional approval.

1 COMMISSIONER STIENMETZ: I'll second the motion.
2 CHAIRMAN GARNER: Any public comment?
3 (No comment.)
4 CHAIRMAN GARNER: All those in favor?
5 COMMISSIONER STIENMETZ: Aye.
6 COMMISSIONER BULLOCK: Aye.
7 CHAIRMAN GARNER: Aye.
8 COMMISSIONER WAITS: Aye.
9 COMMISSIONER MASON: Aye.
10 CHAIRMAN GARNER: Sadie. Do you want us --
11 COMMISSIONER WAITS: Thank you, Jan.
12 CHAIRMAN GARNER: -- to sign those? Do we sign those now,
13 Jan?
14 JAN MORRISON: No. No, they -- when the roads are
15 completed, we will bring them back to you.
16 CHAIRMAN GARNER: Okay. I thought she said we didn't.

17
18
19 **COMMISSIONERS**

20
21 13) **Discussion for possible action regarding membership**
22 **appointments to the Battle Mountain Recreation Center**
23 **Building Committee, including appointment of Rogene Hill as**
24 **an alternate member, and other matters properly related**
25 **thereto.**
26

27 CHAIRMAN GARNER: Thirteen, discussion for possible action
28 regarding membership appointments to the Battle Mountain
29 Recreation Center Building Committee, including the appointment
30 of Rogene Hill as an alternate member, and other matters
31 properly related there.

32 We have the Battle Mountain Recreation Center. We had Dean
33 step off, so Steve was an alternate. So do you want to fill
34 that position?

35 COMMISSIONER STIENMETZ: Yes. I will fill that position.

36 CHAIRMAN GARNER: And Rogene is on there as an alternate.
37 Rogene, is that correct?

38 COMMISSIONER WAITS: And Rogene isn't sitting in as -- as a
39 county employee.

40 CHAIRMAN GARNER: No, she's --

1 COMMISSIONER WAITS: She will continue to sit in --
2 CHAIRMAN GARNER: Yes.
3 COMMISSIONER WAITS: -- when you leave the County, right?
4 COMMISSIONER STIENMETZ: Mm-hm.
5 COMMISSIONER WAITS: Good. I have a question the way it's
6 written because I don't understand that part of it. It says,
7 membership appointments? It sounds like -- like a membership to
8 --
9 CHAIRMAN GARNER: Well, we're switching. That's --
10 COMMISSIONER STIENMETZ: His membership to that committee.
11 COMMISSIONER WAITS: Membership to that committee. And
12 they're short one?
13 COMMISSIONER STIENMETZ: Yeah, they're short one.
14 COMMISSIONER WAITS: Okay.
15 COMMISSIONER STIENMETZ: And we're filling that. And then
16 Rogene's going to fill my position as the alternate.
17 COMMISSIONER BULLOCK: Judy needs to be approved.
18 Judy Allan was asked to be on there. And she needs to be
19 approved by this board.
20 COMMISSIONER WAITS: I'll make a motion that we appoint
21 Steve Stienmetz as the member to the Battle Mountain Recreation
22 Center Building Committee. And Rogene Hill as an alternate
23 member.
24 CHAIRMAN GARNER: And? Judy Allan --
25 COMMISSIONER STIENMETZ: Judy.
26 CHAIRMAN GARNER: -- as a --
27 COMMISSIONER STIENMETZ: As a permanent member.
28 CHAIRMAN GARNER: -- as a permanent member.
29 COMMISSIONER WAITS: As what?
30 CHAIRMAN GARNER: Did you hear Dean? And Judy Allan as a
31 permanent member.
32 COMMISSIONER WAITS: Oh.
33 COMMISSIONER STIENMETZ: She's also --
34 COMMISSIONER WAITS: Judy isn't on it? She has to be
35 reappointed?
36 COMMISSIONER STIENMETZ: Yeah.
37 CHAIRMAN GARNER: Yeah.
38 COMMISSIONER BULLOCK: She was appointed.
39 COMMISSIONER WAITS: And Judy Allan --
40 COMMISSIONER STIENMETZ: Appoint her to it.

1 COMMISSIONER WAITS: As appointed. I can redo that and
2 appoint Steve Stienmetz and Judy Allan to the membership
3 Recreation Center Building Committee and Rogene Hill as an
4 alternate.

5 CHAIRMAN GARNER: Thank you.

6 COMMISSIONER MASON: Second.

7 CHAIRMAN GARNER: Any public comment?

8 (No comment.)

9 CHAIRMAN GARNER: All those in favor?

10 COMMISSIONER STIENMETZ: Aye.

11 COMMISSIONER BULLOCK: Aye.

12 CHAIRMAN GARNER: Aye.

13 COMMISSIONER WAITS: Aye.

14 COMMISSIONER MASON: Aye.

15 COMMISSIONER WAITS: Thank you.

16 CHAIRMAN GARNER: Fifteen, discussion for possible action
17 regarding review and ratification of -- comments --

18 COMMISSIONER BULLOCK: You've got fourteen.

19
20 **14) Discussion for possible action regarding approval/disapproval**
21 **of the Contract for Library Service between Lander County and**
22 **the Elko County Library Board of Trustees, in the amount of**
23 **\$102,834.00, for library services in Battle Mountain and**
24 **Austin for FY 2014-2015, and other matters properly related**
25 **thereto.**

26
27 CHAIRMAN GARNER: Discussion for possible action regarding
28 approval/disapproval of the Contract for Library Services
29 between Lander County and the Elko County Library Board of
30 Trustees, in the amount of \$102,834, for library services in
31 Battle Mountain and Austin for FY --

32 COMMISSIONER MASON: Do you see how that's written?

33 CHAIRMAN GARNER: -- 2014-15, and other matters properly
34 related thereto. There you go.

35 COMMISSIONER WAITS: Oh, no. That's not right.

36 COMMISSIONER MASON: When I first read the -- you're on
37 this 14, right?

38 CHAIRMAN GARNER: Yes, sir.

39 COMMISSIONER MASON: The way it's -- in that paragraph it
40 says the annual agreement provides for library services in

1 Austin, Battle Mountain at a total of cost of 102,000, which is
2 an increase over last year's contract of 1,700 -- I misread it.
3 I got it now.

4 COMMISSIONER WAITS: It's an increase. Last year's --

5 COMMISSIONER MASON: I got it. I got it.

6 COMMISSIONER WAITS: Okay. Last year's was 101,045.

7 COMMISSIONER MASON: I was going to say it shot up a
8 hundred thousand dollars.

9 COMMISSIONER WAITS: No. I do have a question on this.
10 though. When this came up last year, we had asked about the
11 Austin participation of our library. And we asked for internet
12 service to Austin. And we asked that they have a drop box. And
13 the contract was not conditional upon that, but we requested
14 that they ask Elko for that. Fortunately, we have gotten the
15 internet service. Of course, that comes and goes, but that's
16 Austin. So that's a good thing.

17 However, there still is no drop box. And it's not open
18 that often, only what? -- three days a week, and those --
19 they're not full days. And we really do need that drop box.
20 Even -- and I know we rent the property, but even if we had one
21 of those letter openers in the door where you could drop it
22 through, if the people we rent through would do that for us.
23 And I don't necessarily want to make the whole contract
24 conditional upon that again, but it has been a whole year --

25 COMMISSIONER MASON: Why not?

26 COMMISSIONER WAITS: -- and we haven't done a thing on that
27 part of it.

28 CHAIRMAN GARNER: We have to take --

29 COMMISSIONER STIENMETZ: Rogene wants to talk.

30 ROGENE HILL: I will get ahold of them and let them know.
31 I don't know if that would be the responsibility of us as the
32 County to do that or as part of the library contract. But I
33 will find out.

34 COMMISSIONER WAITS: No, all the inventory is the
35 library's.

36 ROGENE HILL: Yes, it is.

37 COMMISSIONER WAITS: So we're asking them to protect it.
38 and if they think that we should be responsible to step up and
39 protect it, then --

40 ROGENE HILL: Okay.

1 COMMISSIONER WAITS: -- then we need to know, I guess.
2 ROGENE HILL: Okay.
3 COMMISSIONER BULLOCK: But I know the one here, we are
4 required to put -- we are responsible for the drop box. So
5 they're going to come back and say it's up to us.
6 ROGENE HILL: Yes.
7 COMMISSIONER BULLOCK: We have to provide the one here for
8 the library.
9 CHAIRMAN GARNER: Mm-hm.
10 COMMISSIONER WAITS: Because the lia --
11 COMMISSIONER BULLOCK: It's --
12 COMMISSIONER WAITS: -- the liability is ours till they get
13 the inventory back?
14 COMMISSIONER BULLOCK: That would be our responsibility.
15 That's, I think, a budget issue that we need to look at.
16 COMMISSIONER WAITS: Okay.
17 COUNTY CLERK SULLIVAN: Brian, Donnie had a question.
18 COMMISSIONER STIENMETZ: Donnie had a question.
19 DONALD NEGRO: I think there's a drop box over here across
20 the street that the sewer and water -- we might be able to scam
21 it. And my friend Burt, he'll put it up.
22 CHAIRMAN GARNER: That's a good suggestion.
23 COMMISSIONER STIENMETZ: Yeah.
24 CHAIRMAN GARNER: There is a -- there is one unused in the
25 county.
26 BURT RAMOS: That's giving it up on our friendship.
27 COMMISSIONER WAITS: But you would have -- but you would
28 have to put it in cement or something.
29 CHAIRMAN GARNER: Yes, that's what --
30 COMMISSIONER MASON: It has to be --
31 CHAIRMAN GARNER: -- it's designed for --
32 COMMISSIONER MASON: -- to be anchored.
33 CHAIRMAN GARNER: -- it's designed for that. It's des --
34 COMMISSIONER WAITS: We can do something like that?
35 COMMISSIONER MASON: Anchored to our building would be our
36 responsibility.
37 COMMISSIONER WAITS: Okay.
38 ROGENE HILL: It's not our building. We rent the building.
39 COMMISSIONER WAITS: Okay.
40 COMMISSIONER BULLOCK: We have to --

1 COMMISSIONER WAITS: Otherwise there's nothing different in
2 the contract --

3 CHAIRMAN GARNER: No.

4 COMMISSIONER WAITS: -- at all, Angie, right? Okay.

5 COMMISSIONER STIENMETZ: I'll make a motion to approve the
6 contract for the library services between Lander County and Elko
7 County Library Board of Trustees in the amount of \$102,834 for
8 the library services in Battle Mountain and Austin for FY 2014
9 and 2015 and authorize Burt to remove the drop box out of the
10 old water building -- is that what that is? -- and take it down
11 there and install it.

12 CHAIRMAN GARNER: Authorize the --

13 COMMISSIONER BULLOCK: Authorize the chair.

14 CHAIRMAN GARNER: -- chair to sign.

15 COMMISSIONER STIENMETZ: And authorize the chair to sign.

16 COMMISSIONER WAITS: I'll second that motion.

17 COMMISSIONER BULLOCK: Comments.

18 CHAIRMAN GARNER: Yeah. Any public comment?

19 (No comment.)

20 CHAIRMAN GARNER: All those in favor?

21 COMMISSIONER STIENMETZ: Aye.

22 COMMISSIONER BULLOCK: Aye.

23 CHAIRMAN GARNER: Aye.

24 COMMISSIONER WAITS: Aye.

25 COMMISSIONER MASON: Aye.

26 COMMISSIONER WAITS: Thank you.

27

28 **15) Discussion for possible action regarding review and**
29 **ratification of comments submitted to the Bureau of Land**
30 **Management (BLM) concerning the Draft Environmental Impact**
31 **Statement (DEIS) for Sage Grouse, and other matters properly**
32 **related thereto.**

33

34 CHAIRMAN GARNER: Discussion for possible action regarding
35 review and ratification of comments submitted to the Bureau of
36 Land Management concerning the Draft Environmental Impact
37 Statement for Sage Grouse, and other matters properly related
38 thereto.

39 COMMISSIONER WAITS: These were the comments that were due
40 by January 29th. And in your packet is the information that

1 our consultant, Rex Massey, has put together for us and the
2 letter that went in.

3 And I'd also like to add that we had some other entities
4 that provided the comments also. And they're all on the same
5 page with what we've been looking for with federal lands and --
6 and our master plans and everything.

7 NACO submitted a letter with their comments. And the
8 Western Counties Alliance submitted a letter. And LEDA
9 submitted a letter. And those are the ones that I'm aware with
10 that all went in along our comments that were sent in timely to
11 the BLM.

12 CHAIRMAN GARNER: Does anybody have anything else on it?

13 COMMISSIONER BULLOCK: I make a motion we ratify the
14 comments submitted to the BLM regarding the sage grouse draft
15 EIS.

16 COMMISSIONER STIENMETZ: I'll second the motion.

17 CHAIRMAN GARNER: Any public comment?

18 COMMISSIONER MASON: Yeah. I want to say that I appreciate
19 the work that Rex has put. Rex, I appreciate the work you put
20 into this because it says a lot.

21 I mean, if you take the time to read your comments that
22 we're ratifying right now, BLM has left an awful lot out, you
23 know.

24 Your work really expresses -- actually your work is a
25 complement to the County. And I think BLM has to read this
26 letter and I -- whether they will or not, that's the other
27 part -- but we hope they will read it and take heed. And I
28 thank you for your work -- and Patsy.

29 COMMISSIONER WAITS: Thank you. I'll also make a comment
30 on that then because actually they do have to read it. And they
31 do -- they do have to -- to respond.

32 And what they consider like regular comments like, I don't
33 like this, is a regular comment. But a comment that's anything
34 substantative. And they certainly are all the way through. Rex
35 hit it right down the line with what -- questions their adequacy
36 of methodology. It presents new information that's relevant to
37 the analysis. It presents reasonable alternatives. And it
38 causes changes or revisions in one or more of the alternatives.
39 And he's hit them all along. So my kudos, thank you.

40 COMMISSIONER MASON: And this is worth reading. There's

1 66 para -- 66 statements here. I think it's worth reading.
2 CHAIRMAN GARNER: Sixteen, discussion for poss --
3 COMMISSIONER BULLOCK: All those in favor.
4 COMMISSIONER WAITS: We haven't had any action.
5 CHAIRMAN GARNER: Oh, he did make a motion.
6 COMMISSIONER WAITS: He made a motion. You made a motion.
7 COMMISSIONER MASON: No, he's --
8 COMMISSIONER BULLOCK: We were on comments.
9 CHAIRMAN GARNER: We were on comments.
10 COMMISSIONER MASON: The motion --
11 CHAIRMAN GARNER: All those in favor?
12 COMMISSIONER STIENMETZ: Aye.
13 COMMISSIONER BULLOCK: Aye.
14 CHAIRMAN GARNER: Aye.
15 COMMISSIONER WAITS: Aye.
16 COMMISSIONER MASON: Aye.
17 CHAIRMAN GARNER: Good.
18

19 16) Discussion for possible action regarding changes to the
20 requirements for items to be placed on commission meeting
21 agendas and the possibility of changing agenda setting
22 meetings to Mondays, and other matters properly related
23 thereto.
24

25 CHAIRMAN GARNER: Sixteen, discussion for possible action
26 regarding changes to the requirements for the items to be placed
27 on commission meeting agendas and the possibility of changing
28 agenda setting meetings to Mondays, and other matters properly
29 related thereto.

30 We had a short discussion on this in the agenda setting. I
31 guess what we would -- what we want from the elected officials
32 and from our department is if you do hand in -- if you hand in
33 an agenda request, everything should be on it. And it should
34 be -- if it's a contract, it should already be processed through
35 the District Attorney's office is what we're after. Correct,
36 Angie?

37 DISTRICT ATTORNEY ELQUIST: Mm-hm.

38 CHAIRMAN GARNER: She wants to see it first. And then if
39 we get it, everything's in the -- so we're not getting late
40 information. We're not getting information a day or two before.

1 If it's on the agenda and it's set on the agenda, all the proper
2 items are with the packet.

3 COMMISSIONER STIENMETZ: And you want them so that you can
4 have the agenda setting on Monday?

5 CHAIRMAN GARNER: Monday. And that gives --

6 COMMISSIONER STIENMETZ: So that has to be in on Friday?

7 CHAIRMAN GARNER: They can still hand it in Monday.

8 COMMISSIONER STIENMETZ: Morning.

9 CHAIRMAN GARNER: What that would allow is for Donna to
10 process everything and get agendas out and then get your binders
11 by Friday. And it gives you the weekend --

12 COMMISSIONER STIENMETZ: To go over everything.

13 CHAIRMAN GARNER: -- to go over everything.

14 COMMISSIONER STIENMETZ: It's a good idea.

15 COMMISSIONER MASON: If Monday's a holiday, how does that
16 work?

17 CHAIRMAN GARNER: It would go to -- it would revert to
18 Tuesday.

19 At worst you would get it on a Monday. But it would still
20 give you your packet several days in advance.

21 COMMISSIONER WAITS: That's nice.

22 CHAIRMAN GARNER: That's --

23 COMMISSIONER WAITS: The earlier the better. But I know
24 it's -- it's very time consuming to put together. So --

25 CHAIRMAN GARNER: Yes. But if --

26 COMMISSIONER WAITS: -- if that couple of days will help --

27 CHAIRMAN GARNER: But if the information is there when you
28 turn it in, it's not near as complicated to get the packet
29 together. And that's -- we have -- basically, I guess, is if we
30 agree on this, is we'll put out a memo to the -- within the
31 county to all elected officials, department heads, that this is
32 what we'd like to have happen. Because we're getting a lot of
33 information late.

34 COMMISSIONER STIENMETZ: Rogene.

35 ROGENE HILL: Basically Donna --

36 CHAIRMAN GARNER: Rogene, can you step you up here so
37 everybody can hear.

38 ROGENE HILL: Rogene Hill. Donna had asked me to speak up
39 that this was brought up, I believe, at the agenda setting
40 meeting --

1 CHAIRMAN GARNER: Mm-hm.
2 ROGENE HILL: -- that she answers to the pleasure of the
3 Commissioners, that whatever she will do accordingly as to what
4 your wishes are. If you want to leave it remain or you want to
5 bring it to the Monday, she will make it happen, whatever
6 needs to happen.
7 CHAIRMAN GARNER: Okay.
8 COMMISSIONER BULLOCK: How does this affect --
9 ROGENE HILL: She --
10 COMMISSIONER BULLOCK: -- bills?
11 ROGENE HILL: Pardon me?
12 COMMISSIONER BULLOCK: How does this affect paying the
13 bills?
14 ROGENE HILL: We would just move our payment up earlier.
15 It wouldn't affect it at all.
16 COMMISSIONER BULLOCK: We'd just be ratifying more?
17 ROGENE HILL: No.
18 COMMISSIONER BULLOCK: That are time sensitive?
19 ROGENE HILL: No, you wouldn't ratify. We would just move
20 up our cutoff date for the bills to be submitted for payment.
21 So if they're not submitted, no different than they are today.
22 They would move to the following commission meeting. So it
23 would not affect that. It's just -- it's just change. You
24 know, we'll -- with a --
25 COMMISSIONER STIENMETZ: Yeah.
26 ROGENE HILL: -- little bit of change, absolutely, it
27 doesn't hinder anything.
28 CHAIRMAN GARNER: Thanks, Rogene.
29 ROGENE HILL: Okay.
30 COMMISSIONER WAITS: So you're only changing -- moving it
31 up what? two days?
32 CHAIRMAN GARNER: Yeah. Which would largely impact your --
33 COMMISSIONER WAITS: Mm-hm.
34 CHAIRMAN GARNER: And we're also changing that all
35 documents from the District Attorney's office need to be true
36 and correct --
37 COMMISSIONER WAITS: Included.
38 CHAIRMAN GARNER: -- by the time they get there, so it's
39 not a backwards process. Which helps every department. And I
40 don't --

1 Austin, a public meeting. That's going to be from 4:00 p.m. to
2 6:00 p.m.

3 And also last Friday Larry met with Burt Ramos and Donna
4 White in Austin in which they went over some of the -- the draft
5 map that Larry presented last commission meeting. During that
6 meeting with Burt, there was some initial comments that resulted
7 in some modifications of the -- the draft in which Larry will be
8 presenting a little later.

9 And in addition, we also had a phone conversation with
10 Commissioner Stienmetz in which he voiced some concerns as far
11 as the direction that we're heading. And during that discussion
12 with Commissioner, we agreed to come back here today. And we
13 can discuss our scope in a little further detail.

14 So basically, we're here to answer any questions you may
15 have or concerns. So --

16 COMMISSIONER STIENMETZ: Right. I -- I requested it come
17 back at -- per the request of Lura Duvall because I talked to
18 her. And her biggest concern is she wants the basic that you've
19 got down there that you show all the existing lot lines and the
20 right-of-ways and where all the houses are located.

21 But then she would also like to have all the existing
22 roadways plotted on that map because they're grandfathered in.
23 They were done long before any of this was done. So we need --
24 she -- she would like to see that on the map.

25 And after we have that, then if there's additional
26 right-of-ways or whatever needs to be done, they can adjust them
27 so that the houses that are in the right-of-way they can, you
28 know, swap off properties. Where they have right-of-ways on
29 people's lots or where there's that so they can come out and
30 come up with a final map showing where all the houses are and
31 that they're on their own properties.

32 That is what she told me. I don't know -- I wish she was
33 here now.

34 ROGENE HILL: Do you want me to go get her?

35 COMMISSIONER STIENMETZ: Yeah, if you would please.
36 Because she was -- she was more interested in that right off the
37 bat.

38 The other stuff was fine, but we don't have to worry about
39 the slopes of the road or the width the right-of-ways or
40 anything like that because that's all been grandfathered in.

1 COMMISSIONER STIENMETZ: Do we need a motion?
2 CHAIRMAN GARNER: -- think we need a motion for it. It was
3 just --
4 COMMISSIONER STIENMETZ: It was just a direction?
5 CHAIRMAN GARNER: -- discussion for all five commissioners
6 --
7 COMMISSIONER STIENMETZ: Yeah, --
8 CHAIRMAN GARNER: -- to have this discussion.
9 COMMISSIONER STIENMETZ: -- I agree with it.
10 CHAIRMAN GARNER: Okay.
11 COMMISSIONER MASON: I agree.
12 CHAIRMAN GARNER: All good?

13
14 17) Discussion for possible action regarding presentation by
15 Larry Grube, Ryan Cook and/or Tom Gallagher of Summit
16 Engineering Corporation on the status of the Land Surveying
17 Rights-of-Way Project for the Town of Austin, and other
18 matters properly related thereto.
19

20 CHAIRMAN GARNER: Moving on to 16 -- 17, discussion for
21 possible action regarding presentation by Larry Grube, Ryan Cook
22 and Tom Gallagher of Summit Engineering Corporation on the
23 status of the Land Surveying Rights-of-Way Projects for the Town
24 of Austin, and other matters properly related thereto.

25 RYAN COOK: Good morning.

26 COMMISSIONER STIENMETZ: Good morning.

27 COMMISSIONER WAITS: Good morning, gentlemen.

28 RYAN COOK: I'm Ryan Cook. With me today is -- is Larry
29 Grube and Tom Gallagher. Tom Gallagher is our President and CEO
30 of Summit Engineering. Larry Grube and I are land surveyors
31 working on the Austin right-of-ways project.

32 Larry -- The last commission meeting, Larry Grube attended
33 and presented an update on the status of the project. And since
34 then, I'll give you -- during the last few weeks -- I'll give
35 you a brief update on the discussions we had since that
36 meeting -- discussions with Lura Duvall and Nicole Ting while
37 she was with Lura went over some specifics, phone conversations
38 with Mark Brethauer.

39 We had a call with Commissioner Waits, in which we in part
40 have set up a meeting schedule for Monday, February the 24th in

1 And that's what she would like to see on the map first.
2 RYAN COOK: Okay, just --
3 COMMISSIONER WAITS: Steve --
4 RYAN COOK: Go ahead.
5 COMMISSIONER WAITS: Steve, would you clarify that for me?
6 When you say grandfathered in, you're talking about the roads
7 still right now that are there?
8 COMMISSIONER STIENMETZ: The ones that are in the use.
9 COMMISSIONER WAITS: Okay. Okay. Just the ones we're
10 using?
11 COMMISSIONER STIENMETZ: The right -- the roadways that are
12 in use, she'd like to see that on a drawing so that they can do
13 that, so they can use that. Because those are grandfathered in.
14 We don't have to change those. And then anything we add after
15 this has to fall under the new.
16 RYAN COOK: So our scope is -- is using the court decree.
17 COMMISSIONER STIENMETZ: Right.
18 RYAN COOK: So the court decree created the official map of
19 Austin.
20 COMMISSIONER STIENMETZ: Right.
21 RYAN COOK: In which it in part designated the
22 right-of-ways.
23 COMMISSIONER STIENMETZ: Right.
24 RYAN COOK: So there are -- you're right. There are some
25 --
26 COMMISSIONER STIENMETZ: There's roadways down --
27 RYAN COOK: There's roadways --
28 COMMISSIONER STIENMETZ: -- there that aren't in
29 right-of-ways.
30 RYAN COOK: Correct. Yep. And that's in part --
31 COMMISSIONER STIENMETZ: And they -- they've been decreed
32 in as legal roadways. So that's what -- that's what she told
33 me. Now, I'm just saying what Lura told me. And she would like
34 to see that on a map.
35 RYAN COOK: Yeah. And that -- the draft of that map was
36 what Larry presented last time. So that shows in part that
37 shows two things. It does show some proposed, but it shows --
38 also does where the existing lines are. It's twofold.
39 COMMISSIONER STIENMETZ: All right. Well, she was more
40 interested in seeing the existing lines right now and not worry

1 about any future roadways until we get everything resolved -- is
2 what she was wanting.

3 COMMISSIONER MASON: I don't think we can just leave it at
4 that.

5 RYAN COOK: So -- and just keep in mind, we've also had
6 discussions --

7 COMMISSIONER STIENMETZ: Right.

8 RYAN COOK: -- with Lura the afternoon of the last
9 commissioners meeting. And it ended that she was -- I mean, in
10 our opinion, she was on board with the route we're going. So
11 there's obviously --

12 COMMISSIONER STIENMETZ: (indiscernible)

13 RYAN COOK: -- some miscommunication.

14 COMMISSIONER STIENMETZ: Yeah, because I got it just after
15 the meeting --

16 RYAN COOK: Yeah. And I think --

17 COMMISSIONER STIENMETZ: -- and she said she wanted --

18 RYAN COOK: -- I think that's part --

19 COMMISSIONER STIENMETZ: (indiscernible)

20 RYAN COOK: -- of the misunderstanding.

21 COMMISSIONER STIENMETZ: Yeah. And that's why I wanted
22 this. I wanted to sit down with her and us and decide exactly
23 what needs to be done.

24 RYAN COOK: Sure. Understood.

25 COMMISSIONER MASON: Our last meeting, I have a copy of
26 that three map proposal you guys presented.

27 RYAN COOK: Correct.

28 COMMISSIONER MASON: Has anything changed there?

29 RYAN COOK: It has. After -- last Friday, Larry went to
30 Austin and met with Burt Ramos and Donna White in which just at
31 first glance, you know, Burt, being very familiar obviously with
32 this road infrastructure, did have some comments, concerns in
33 which Larry addressed.

34 So with us today, we do have a -- it's very similar to what
35 you're seeing there. But we can provide you with a revised --

36 COMMISSIONER MASON: But this one is --

37 RYAN COOK: -- draft.

38 COMMISSIONER MASON: -- now obsolete?

39 RYAN COOK: There's been some minor changes. But this is
40 also preliminary --

1 COMMISSIONER MASON: Right. I understand.
2 RYAN COOK: -- at this stage.
3 COMMISSIONER MASON: I understand. It's just --
4 COMMISSIONER WAITS: How many changes are we talking, Ryan?
5 RYAN COOK: From what --
6 LARRY GRUBE: I made about -- I'm Larry Grube, for the
7 record -- I made about three changes, I want to say, based on --
8 RYAN COOK: Minor.
9 LARRY GRUBE: -- what Burt showed me.
10 RYAN COOK: But until we meet, in part, there's going to be
11 a public input component, --
12 COMMISSIONER BULLOCK: Right.
13 RYAN COOK: -- which is starting on the 24th. So that in
14 part is going to be subject to change as we move forward.
15 COMMISSIONER WAITS: No, I'm okay -- I'm okay with that
16 because with your changes and talking to Road and Bridge and
17 then of course the community, then it comes back to us --
18 RAY WILLIAMS: Right.
19 COMMISSIONER WAITS: -- and we'll make some decisions.
20 RYAN COOK: Correct. Absolutely.
21 COMMISSIONER WAITS: So I'm fine with the way it's going.
22 CHAIRMAN GARNER: Lura, we're just talking about Steve --
23 COMMISSIONER STIENMETZ: Yeah, you know --
24 LURA DUVALL: Mm-hm.
25 CHAIRMAN GARNER: What you talked to Steve and then what
26 you talked to them and it sounds like there's a communication --
27 LURA DUVALL: Yeah. Well. Where are we at?
28 Sorry.
29 CHAIRMAN GARNER: Steve was saying that he want --
30 COMMISSIONER STIENMETZ: You wanted a map with the plots --
31 LURA DUVALL: Mm-hm.
32 COMMISSIONER STIENMETZ: -- and things and then one showing
33 the existing roadways so you could determine -- and the existing
34 buildings -- so you could determine --
35 LURA DUVALL: Mm-hm.
36 COMMISSIONER STIENMETZ: -- what's in the right-of-ways.
37 LURA DUVALL: Yes.
38 COMMISSIONER STIENMETZ: And what roads are not in the
39 right-of-ways --
40 LURA DUVALL: Right.

1 COMMISSIONER STIENMETZ: -- so that can all be renegotiated
2 out.

3 LURA DUVALL: Which we have already, but that's what this
4 survey did was make it very detailed to determine in a more
5 finite format rather than kind of the broad overlay that we had
6 before. So they did the on-ground.

7 And it was my understanding that once it's all done, then
8 the big map, which I did print a bunch of those out, will show
9 where the true encroachments where the true issues are so we can
10 determine -- and I believe that's when we're going to get
11 together with the meeting and kind of go over, you know, where
12 the serious areas, where the minor areas, what do we really need
13 to do to go forward with that? That's what my understanding
14 of --

15 COMMISSIONER STIENMETZ: Yeah.

16 LURA DUVALL: -- the process was.

17 COMMISSIONER STIENMETZ: And what was your -- you had
18 concerns with the maps we had last time because --

19 LURA DUVALL: Well, I didn't understand what -- and then
20 when I met with them, well, this is just kind of a --

21 COMMISSIONER MASON: Pre- --

22 LURA DUVALL: -- suggestion.

23 COMMISSIONER MASON: Yeah.

24 LURA DUVALL: Yeah.

25 COMMISSIONER MASON: A preview.

26 LURA DUVALL: Of what you might want to consider in the
27 future. Right?

28 LARRY GRUBE: Correct. In other words, we're not
29 advocating building anything. But we want to maintain a kind of
30 a big picture of what's -- we might need in the future. It's
31 just trying to look forward and -- and basically, instead of

32 just looking at -- at individual situations is -- is, you know,
33 basically come up with the -- make sure that we're going to have
34 a -- a road network within the town that's going to support any
35 kind of emergency operations and that there can be the kind of
36 traffic flow that the -- that the town is going to need.

37 RYAN COOK: So the end product of this -- just to keep in
38 mind -- does not proposal to at this stage, build anything new.
39 But you have --

40 COMMISSIONER STIENMETZ: Yeah.

1 RYAN COOK: -- going forward, you'll have that ability to
2 do so if -- you know -- if you want to make some of these
3 improvements to some of these thoroughfares and simplify the
4 town that's -- that's the ultimate goal here is to clarify, you
5 know, have actual right-of-way instead of --

6 COMMISSIONER STIENMETZ: Right.

7 RYAN COOK: -- a potential for --

8 COMMISSIONER STIENMETZ: And that's what I was trying to
9 get across because that's what Lura was wanting.

10 LURA DUVALL: Yeah. And then, of course, ultimately, it
11 will be the decision of the Commissioners because it's going to
12 be very costly to -- to do some of those things. And I don't
13 think, I mean, that's something that would have to be addressed
14 through the budget process and through --

15 CHAIRMAN GARNER: And at the time, when we get the two
16 overlaps and they're exactly like you want which I think is the
17 right way to --

18 LURA DUVALL: Mm-hm.

19 CHAIRMAN GARNER: That would be every particular case in
20 that town would have to come forth to Planning and Zoning to go
21 through that direction.

22 LURA DUVALL: Correct.

23 CHAIRMAN GARNER: It's not the county's responsibility --

24 LURA DUVALL: No.

25 CHAIRMAN GARNER: -- to fix that stuff. But we will then
26 know an exact fix of which could happen.

27 LURA DUVALL: Correct.

28 COMMISSIONER STIENMETZ: Right.

29 CHAIRMAN GARNER: Correct?

30 LURA DUVALL: Correct. Yes.

31 CHAIRMAN GARNER: Is that what we're trying

32 to (indiscernible) --

33 COMMISSIONER STIENMETZ: Yeah.

34 LURA DUVALL: I believe so.

35 CHAIRMAN GARNER: And then we'll know exactly where we're
36 talking about.

37 LURA DUVALL: There may be --

38 CHAIRMAN GARNER: Because there are some roads were never a
39 road. It's just kind of been that way. But there's a lot of
40 stuff that needs to be fixed, but then we'd know exactly what

1 needs to be fixed.

2 LURA DUVALL: We have the platted roads, which would be the
3 legal easement roads that are platted but not built.

4 CHAIRMAN GARNER: Mm-hm.

5 LURA DUVALL: It means that they are on paper only, but
6 they don't physically exist. But then we have the traveled ways
7 where the actual roads are developed and built, which are not
8 within the legal platted right-of-ways. And that's what they're
9 addressing. Some things we will most likely have to correct --

10 CHAIRMAN GARNER: Mm-hm.

11 LURA DUVALL: -- because there may be some situations -- I
12 haven't really gone over that with them yet, but -- where there
13 is issues that we probably will have to fix. But a lot of the
14 things, the encroachments where people have structures that are
15 within the platted right-of-ways.

16 And then we have a traveled way on their property. We --
17 that's where over time there have been a large number of street
18 abandonments and property exchanges that have been -- that were
19 ongoing for a lot of years. They've kind of ceased over the
20 last probably eight years. I would say eight to ten years.

21 But, yeah, that would be each case by case and each
22 property owner would, you know, would come to the county to
23 request the abandonment and the property exchange.

24 In the past, that survey was done at the expense of that
25 property owner, not at the county.

26 So again, everything is case by case. A lot of different
27 scenarios, a lot of different things.

28 But my understanding of this project was the big picture.
29 What do we got? What's the areas that are really an issue?
30 What does it look like? What do -- what is -- what are we going
31 to be faced with, you know, ongoing down the road?

32 And this -- we needed a really good survey because all we
33 had was an overlay of an aerial -- of aerial photography that
34 was done about 20 some years ago. And the technology has vastly
35 improved since then.

36 And we've not had an actual on-ground survey, which is what
37 they have done. And that's what -- they needed the two. They
38 needed to tie the two together and the three, I guess, you would
39 say, the third layer of overlaying that on the existing plattes
40 that we have right now and then go forward.

1 COMMISSIONER WAITS: Ryan, let me ask, have you got this in
2 you Outlook box for people to actually go in and take a look at
3 like you did on the other roads?
4 RYAN COOK: The -- these maps you're talking about?
5 COMMISSIONER WAITS: Yes.
6 RYAN COOK: No, --
7 COMMISSIONER MASON: They're --
8 RYAN COOK: -- because some --
9 COMMISSIONER MASON: It's premature, isn't it?
10 RYAN COOK: This is something that we're like a starting
11 point for the meeting on the 24th with the public.
12 COMMISSIONER WAITS: Okay.
13 RYAN COOK: And there will be details, probably this format
14 a little more detailed, probably block by block, in which the
15 public can be a part.
16 You know, obviously, again, it's -- it's your decision how
17 ultimately it's going to be configured those right-of-ways.
18 And as Lura just said, it -- I can't reiterate enough that
19 it is case by case.
20 COMMISSIONER WAITS: Okay.
21 RYAN COOK: We are probably going to be doing different
22 procedures. You know, we've talked in the past about doing a
23 series of abandonments and/or dedications --
24 COMMISSIONER WAITS: So it's premature to put them --
25 RYAN COOK: -- and record of surveys. There's -- Larry
26 mentioned last meeting another avenue is what's referred to as a
27 merger and re-subdivision --
28 LURA DUVALL: Mm-hm.
29 RYAN COOK: -- where you take the block, the whole block,
30 and this -- we may -- we talked about possibly doing a sample
31 block, you know, starting with a block or two in -- in Austin
32 and seeing if you can get everybody -- everybody being Lander
33 County and the owners of that block to all agree. The advantage
34 of a merger and re-subdivision is that it simultaneously will
35 define that limits of the right-of-way. And it will -- as you
36 know, Austin has a bunch of little lots, little parcels where
37 people are occupying over those boundaries. It would then in
38 turn eliminate those internal parcel lines. It cleans up the
39 title is what it does. Per code, you're not supposed to be
40 building over old parcel lines. You're supposed to revert or

1 combine those lines. This is one -- this is a process that
2 would eliminate those lines.

3 And honestly, on our end, it's probably the simpler
4 process, believe it or not. I mean, it -- so I -- it's your
5 decision, again.

6 But our recommendation is that we try it, a sample block or
7 two and see how it goes. And if it goes well, we might continue
8 to expand upon it and go that route.

9 There's still the review process to -- to, you know, we'll
10 be coming forward with how -- what portions of the right-of-way
11 is going to be essentially abandoned with that process.

12 But the end result is you're -- you get to the big picture,
13 you know, where, you know, you get roads within lands that you
14 control what you own.

15 I see a hand.

16 TOM GALLAGHER: I just -- I'm Tom Gallagher. And I just
17 want to make a comment and Larry when we were coming down here,
18 he had -- he had an idea as to how the 24th meeting should go.
19 And I agree with him. A lot of times I don't. But this time I
20 did.

21 And what we're thinking is taking numerous 11 X 17s of
22 various areas in town and talk to each property owner in an area
23 and see what they think they want. We can tell them why they
24 either -- a way they can do it or we can tell them a way why
25 they can't do it.

26 And that's a meeting that I probably wouldn't miss for all
27 the money in the world. So I'll probably be there.

28 COMMISSIONER MASON: Is that the 24th of February or March?

29 RYAN COOK: February.

30 LARRY GRUBE: February.

31 RYAN COOK: A Monday.

32 LARRY GRUBE: A week from this Monday.

33 LURA DUVALL: And what time?

34 LARRY GRUBE: 4:00.

35 RYAN COOK: 4:00 p.m. to 6:00 p.m. is what we have
36 allocated.

37 Patsy, do you know the location?

38 COMMISSIONER WAITS: It's at the Town Hall. And Dee?

39 CHAIRMAN GARNER: This is the whole town?

40 DEE HELMING: Yes, ma'am.

1 COMMISSIONER WAITS: Could we ask you to do those flyers
2 and get those up?
3 DEE HELMING: I was just waiting for approval from you guys
4 on the meeting. And I will get the flyers done and get them --
5 and I will also send out and e-mail to everybody that I have on
6 my chamber list.
7 COMMISSIONER WAITS: Thank you.
8 CHAIRMAN GARNER: Better allocate a --
9 DEE HELMING: Okay. Patsy?
10 CHAIRMAN GARNER: -- a few more hours.
11 COMMISSIONER WAITS: Yes.
12 DEE HELMING: We would also like a draft map brought back
13 so that we can review some of this stuff in advance before the
14 meeting, which should make the meeting go faster.
15 COMMISSIONER MASON: Yeah, I think they have copies for us.
16 RYAN COOK: We can do that.
17 DEE HELMING: Okay. We would appreciate that.
18 COMMISSIONER MASON: But they're not carved in stone.
19 RYAN COOK: No, it's just a starting point is what --
20 DEE HELMING: We understand that, but that's what we want
21 to look at so that we have something to start with too to make
22 the meeting go faster.
23 RYAN COOK: Absolutely.
24 So I have -- I do have ten sets here. And I can provide
25 this via PDF, in addition. So --
26 DEE HELMING: Okay. If you have a website that they could
27 go onto, I would also put that on the poster so that some of the
28 people can actually just go online and look it.
29 RYAN COOK: We can do that as well.
30 TOM GALLAGHER: Put it in Outbox.
31 RYAN COOK: We could post it to our Outbox and have it
32 available for downloading or just viewing.
33 DEE HELMING: Okay. Perfect. Thank you.
34 RYAN COOK: Can I hand these out?
35 COMMISSIONER MASON: Yes. Please. I'd like two copies.
36 RYAN COOK: You know, there's three changes per --
37 COMMISSIONER BULLOCK: Why do we need them? I'd say give
38 them all to Patsy.
39 CHAIRMAN GARNER: Yeah.
40 COMMISSIONER STIENMETZ: Yeah.

1 COMMISSIONER MASON: Well, I want --
2 RYAN COOK: There's all ten.
3 COMMISSIONER MASON: I want two, and I'm going to give one
4 to Mark. He's on vacation.
5 RYAN COOK: Here you go.
6 COMMISSIONER MASON: Yeah.
7 COUNTY CLERK SULLIVAN: Dave, I can make copies if you'd
8 like. So then that way Patsy has some --
9 COMMISSIONER WAITS: These are different than the ones last
10 meeting by just three changes, right?
11 LARRY GRUBE: I want to say -- I believe I made three
12 changes. If I made another one, it was just.
13 COMMISSIONER WAITS: We won't hold you to three or four.
14 It's okay. Thank you, Larry.
15 CHAIRMAN GARNER: Do we need a motion?
16 COMMISSIONER BULLOCK: No. I don't think so. I think you
17 guys are doing a great job.
18 COMMISSIONER STIENMETZ: Yeah, I do too. As long as Lura's
19 happy with what's going on, that's my whole point in bringing
20 this up.
21 COMMISSIONER MASON: Keep going.
22 LURA DUVALL: We had these printed --
23 COMMISSIONER MASON: it's not easy.
24 LURA DUVALL: -- on the plotter. They're pretty clear and
25 crisp, but they're very large. Thought these could be put up,
26 like, on the wall so they can see them. Sometimes it's a lot
27 easier to have a bigger picture.
28 RYAN COOK: We will bring large -- we will bring sizes.
29 LURA DUVALL: Okay, but yeah. I thought that --
30 RYAN COOK: The current ones that Burt just commented on.
31 LURA DUVALL: Okay.
32 RYAN COOK: So we'll bring some both reduced and large.
33 LURA DUVALL: And I thought perhaps that Commissioner Waits
34 could take that back with her so that they would have a chance
35 to kind of look at it before you guys get there, if that's okay
36 with you.
37 RYAN COOK: Yes.
38 COMMISSIONER MASON: You have this meeting scheduled for
39 4:00 p.m. to 6:00 p.m.?
40 LARRY GRUBE: Yes, sir.

1 COMMISSIONER WAITS: Yes.
2 COMMISSIONER MASON: Is that enough time?
3 COMMISSIONER WAITS: Well, if we run over until 6:30,
4 they're not going to kick us out.
5 COMMISSIONER BULLOCK: They might leave.
6 COMMISSIONER MASON: Okay.
7 RYAN COOK: We will stay as long as needed. And if
8 necessary, we could have -- I mean, this is not the last meeting
9 that there will be. This is not the one and only meeting in
10 Austin. This is the first meeting.
11 COMMISSIONER MASON: It's an introduction?
12 RYAN COOK: It is.
13 COMMISSIONER MASON: Okay.
14 RYAN COOK: Starting point. So there will be -- there will
15 be future meetings Austin as well.
16 COMMISSIONER MASON: All right. Thank you, guys.
17 CHAIRMAN GARNER: Thank you.
18 COMMISSIONER WAITS: Thank you.
19 COUNTY CLERK SULLIVAN: Did you have a question, Jay?
20 JAY FISCHER: No.
21 COUNTY CLERK SULLIVAN: Okay.
22 JAY FISCHER: They answered it. Thanks.
23
24 CHAIRMAN GARNER: Eighteen. Let's take a ten-minute break.
25 COMMISSIONER BULLOCK: Thank you.
26 RYAN COOK: Thank you.
27 COMMISSIONER STIENMETZ: Thank you.
28
29 (A break was taken between 10:35 a.m. and 10:45 a.m.)
30
31 CHAIRMAN GARNER: Call the meeting back to order.
32 COMMISSIONER WAITS: Angie isn't here.
33 CHAIRMAN GARNER: Do we need her here for this now?
34
35

36 **COURTHOUSE/ADMINISTRATION BUILDING PROJECT**

37
38 18) **Discussion for possible action regarding status of the Lander**
39 **County Courthouse/Administration Building Project, and other**
40 **matters properly related thereto.**

1 CHAIRMAN GARNER: Item 18, discussion for possible action
2 regarding status of the Lander County Courthouse/Administrative
3 Building Project, and other matters properly related thereto.

4 Jim?

5 JIM MILLER: Good morning, Commissioners. Jim Miller, CORE
6 Construction.

7 I'm reporting on behalf of Judge Bunch. He couldn't be
8 here today. He's got court in Lovelock.

9 Update on the project currently. We've been finalizing
10 civil design plans, our low voltage systems, and interior
11 spaces. Plan is to have design development documents here in
12 the next month to do another DD presentation to the board with a
13 budget update.

14 So currently, right now budget's -- everything's on budget
15 and design is moving forward.

16 CHAIRMAN GARNER: Perfect.

17 JIM MILLER: No issues to report. All good.

18 COMMISSIONER STIENMETZ: Thank you.
19

20 **19) Discussion for possible action regarding a presentation by**
21 **CORE Construction for Lander County to select one of four**
22 **options for the proposed waterline to the new Lander County**
23 **Courthouse/Administration Building, and other matters**
24 **properly related thereto.**
25

26 CHAIRMAN GARNER: Moving on to 19. Discussion for possible
27 action regarding a presentation by CORE Construction for Lander
28 County to select one of four options for the proposed waterline
29 to the new Lander County Courthouse/Administration Building, and
30 other matters properly related thereto.

31 JIM MILLER: All right. Thank you, again. Jim Miller,
32 CORE Construction. And with me today, I have two
33 representatives of CFA. CFA was out and performed the water
34 flow test along with a CORE representative. CFA presented and
35 prepared this report to back up our options that we're
36 presenting to you today.

37 The four options that are outlined that we want to present
38 to you is A is now that we've done some more testing, we worked
39 with the county, we found some valves that were closed during
40 the last time we tested. The test results on the existing

1 hydrant there on site, the flows were at 1900. That is still,
2 you know, short of the 2500 required, but it is an improvement
3 from last time.

4 Option B is a water line from the Old 8A intersection.

5 Option C is a new water line from Sheep Creek to the
6 project site.

7 And Option D is extending Sheep Creek all the way too 8A.

8 And I'll let Shaun, with CFA, and Russ kind of explain the
9 report and give you just a little explanation of kind of what
10 they want went through and what's entailed in the report. So --

11 COMMISSIONER WAITS: Before they -- they go on to that, --

12 JIM MILLER: Yep.

13 COMMISSIONER WAITS: -- just answer a question for me, Jim.
14 Because I'm looking at the four different options that we have.
15 And right off the bat you're saying A is short of the required
16 delivery.

17 JIM MILLER: Mm-hm.

18 COMMISSIONER WAITS: And C, you can't deliver the required
19 amount of water.

20 JIM MILLER: Mm-hm.

21 COMMISSIONER WAITS: Right. So that's what they're
22 addressing. I -- what we could do to change that? Is there any
23 option? Or do we wipe those out because they don't meet it? I
24 know the fire marshal can overdo it, run it, and that kind of
25 thing, but --

26 JIM MILLER: They are all considerations that will work for
27 the project.

28 COMMISSIONER WAITS: But is it anything you would consider
29 as our project manager?

30 JIM MILLER: As -- you know, to meet code, the simple
31 solution is 8A.

32 COMMISSIONER MASON: Yes, I agree.

33 JIM MILLER: You know, that gives you the water flow
34 that's, you know, required per code. However, code does
35 stipulate that the fire chief can sign off on the flows, if they
36 are less than -- and I think we -- we allude to that --

37 COMMISSIONER WAITS: You did.

38 JIM MILLER: -- in the report. Yeah. Option A, it's
39 Section B103, Appendix B of 2006 IFC:

40 "The fire chief is authorized to reduce the fire-flow

1 requirements for isolated buildings or groups of
2 buildings in rural areas or small communities where
3 the development of full fire-flow requirements is
4 impractical."

5 You know. So we have 1900 on the site. We need 2500. So
6 there is a 600 -- just to add to that, I know that Judge Bunch
7 has had discussions with the fire chief, and the fire chief is
8 willing to accept the 1900 and provide a letter stating that.

9 COMMISSIONER WAITS: I -- I read that. I understand that.
10 But I'm saying you as our project manager, are you really
11 considering all four options that we should or are you narrowing
12 it down to two for us at all?

13 JIM MILLER: We were offering all four for you.

14 CHAIRMAN GARNER: He can't make that decision. That's up
15 to us.

16 COMMISSIONER WAITS: Well, I know that it's up to us, but
17 we're paying them to guide us. It's like having a committee.
18 We look to what they bring us.

19 JIM MILLER: I can give you explanations for each one, why
20 we chose these four --

21 COMMISSIONER WAITS: Okay.

22 JIM MILLER: -- to present to you.

23 So Option A, obviously is the most cost effective. It does
24 give an option, you know, with the option with the fire chief to
25 sign off on it. You know. In my pref -- in my opinion,
26 requirement is impractical. That's subjective. I always try to
27 stay -- stay away from subjective. If there was -- happens to
28 been an incident or a emergency there and it goes back on water
29 flow and fire flows. That impractical subjective comment could
30 come into play if there's legal involved.

31 Option B, 8A, to me makes the most sense. It's the most
32 cost effective. It gives us the best fire flow and meets all
33 the requirements of the code.

34 Option C, you know, it was the intent -- I know that future
35 improvements to the county, the intent is to extend that water
36 line down. It is a big water line. Our initial assumptions was
37 that waterline would provide better flows than what we indicated
38 into the testing. But testing resulted in 2573 gallons up at
39 Sheep Creek. So by the time you add friction loss, extending
40 that waterline to the site, which is roughly 14-; 15-; 3,000.

1 Well, it's 1400.
2 SHAUN SMITH: Twenty eight fifty.
3 JIM MILLER: Twenty eight fifty.
4 SHAUN SMITH: From Sheep Creek.
5 JIM MILLER: Twenty eight hundred feet. That friction loss
6 is going to be less than what's required at the site.
7 So in essence, it would probably be comparable to Option A
8 if we extend that to the site.
9 Then Option D, the thought there was is we know that future
10 expansion and, you know, the master plan is to extend Sheep
11 Creek to 8A and possibly underneath Interstate 80 where there is
12 a -- a sleeve to extend that line and now you have two lines
13 coming in to this side of Interstate 80. So that's why we
14 provided that option.
15 These four options just the economies to scale, the design
16 team is on board with the County currently designing in the
17 area. They could assume those responsibilities to design that
18 to, you know, more efficient design cost, contractors on site.
19 We're going to be bidding the process. So we were able to send
20 that out for bid. The contractor that gets awarded the
21 courthouse project, you know, could do this work as well.
22 In lieu of this becoming a Public Works project. Public
23 Works then would have to go out and hire design services. And
24 then once the design is done also then solicit and send it out
25 to bid. So it's just, you know, efficiency and use of
26 resources. So --
27 COMMISSIONER BULLOCK: So estimated of cost of linear feet
28 -- foot here, what's the cost?
29 JIM MILLER: Per foot?
30 COMMISSIONER BULLOCK: Yeah.
31 JIM MILLER: Or for each option?
32 COMMISSIONER BULLOCK: Well, yeah, you need each option.
33 You know --
34 JIM MILLER: Okay. Option B -- so the new water line from
35 8A. And I'll just --
36 Option A can be covered under the current courthouse
37 budget. There is no additional cost to do Option A.
38 Option B is extending the water line from 8A. Those budget
39 costs. And these are budget costs that we prepared. That is
40 258,610.

1 Option C, which is extending the waterline from Sheep Creek
2 to the project site, that is 387,238.

3 And Option D, extending the waterline from Sheep Creek all
4 the way to the 8A intersection, that is 522,636.

5 COMMISSIONER WAITS: In the absence of our county
6 engineer -- I know you've had discussions, and he was out here
7 on this. Did -- since he's not here to guide us any, do you
8 know, did he look more favorable towards one or another or a
9 couple of them or anything? Did he have any comments at all?

10 JIM MILLER: I'm going to defer conversations with the
11 engineer to Shaun because they've had extensive conversations.

12 COMMISSIONER WAITS: Okay. Thank you.

13 JIM MILLER: I can talk to my conversations with Jake. And
14 Jake's preference was the 8A intersection and tying into 8A.

15 COMMISSIONER MASON: Let's stay with that a second --

16 JIM MILLER: Okay.

17 COMMISSIONER MASON: -- before you move on. Eight A -- the
18 regulations allow us to move ahead with this single structure --

19 JIM MILLER: Correct.

20 COMMISSIONER MASON: -- without -- without any further
21 cost, just --

22 JIM MILLER: Option A.

23 COMMISSIONER MASON: -- because this is a Public Works
24 project -- turning into a Public Works project for the City of
25 Battle Mountain.

26 JIM MILLER: Mm-hm.

27 COMMISSIONER MASON: And I think what we have to do here is
28 take the easiest course and get the building built.

29 JIM MILLER: Correct.

30 COMMISSIONER MASON: That's what I would look at. I don't
31 know how the rest of the Board feels, but the -- the Public
32 Works project probably is going to need to be looked at a little
33 harder for the town's purposes --

34 JIM MILLER: Mm-hm.

35 COMMISSIONER MASON: -- rather than for just this one
36 building.

37 JIM MILLER: Right.

38 COMMISSIONER MASON: -- because we're going to have people
39 tying in.

40 Once the courthouse is finished, I would imagine we're

1 going to have some expansion down there. We'll have to look at
2 all that.

3 JIM MILLER: Right.

4 COMMISSIONER BULLOCK: But this is going to be put into the
5 budget. We could start in July --

6 CHAIRMAN GARNER: Mm-hm.

7 COMMISSIONER BULLOCK: -- while we're building the
8 courthouse. I mean, we -- we -- it should be have
9 simultaneously done here.

10 JIM MILLER: Just to give you an idea here?

11 COMMISSIONER MASON: I don't have a problem here. I'm just
12 saying --

13 JIM MILLER: You know, Option A, obviously, we're already
14 down the road with A, with Option A.

15 Any of these other options B, C and D. So today, if the
16 decision was to go in one those directions, we are still
17 currently -- we're at 50% design right now. That would just get
18 incorporated where we're at right now. And we would incorporate
19 that design. And -- and we wouldn't be taking a step backwards
20 in other words.

21 CHAIRMAN GARNER: In effect with that, it would be a little
22 bit cheaper?

23 JIM MILLER: Correct.

24 CHAIRMAN GARNER: If we put it onto your project?

25 JIM MILLER: Correct.

26 COMMISSIONER MASON: Is that what your meaning was, Dean?

27 CHAIRMAN GARNER: No.

28 COMMISSIONER BULLOCK: Yeah. We go ahead and go for --

29 COMMISSIONER WAITS: Well, the price isn't going to go down
30 if we wait ten years and then add it on.

31 COMMISSIONER MASON: No, and we've got their help already.

32 COMMISSIONER STIENMETZ: And then they can design it for --

33 CHAIRMAN GARNER: I think go all the way --

34 UNIDENTIFIED SPEAKER: Yeah.

35 CHAIRMAN GARNER: -- or at least to the jail because that
36 Sheep Creek loop should have been there when we did the other
37 loop, --

38 COMMISSIONER STIENMETZ: Yeah.

39 CHAIRMAN GARNER: -- I believe.

40 COMMISSIONER WAITS: Well, let's see what they have to say

1 and what our engineer --

2 COMMISSIONER MASON: Let's listen to these options now.
3 Thank you.

4 COURT REPORTER: Can I get your last name too.

5 SHAUN SMITH: Sure. It's Smith. Shaun Smith with CFA
6 Engineering. Excuse me.

7 We -- as Jim had mentioned, we -- we looked at the water
8 model that we had, that the County has in place. We looked at
9 the flow testing that was done by the County. And we saw some
10 discrepancies; therefore, we came out. We did an independent
11 flow test a couple of weeks ago.

12 And it came to light, as Jim mentioned, that there were
13 some valves closed. There were some different pressures that --
14 on the pressure-reducing stations that were causing these
15 differences in the model and then the flow test that we got.

16 So we've kind of rectified that. We took the flow test
17 model that we did. We did -- we tested ten sites in town. We
18 took those flow test models, or those flow tests' data and
19 prepared a model that was specific to this area, this project
20 for the courthouse/administration building. And that's how we
21 came up with the four options.

22 Option C, I want to -- I want to just clarify that. Option
23 C, which is Sheep Creek to the courthouse, does not give us the
24 flows that we need to meet the fire code. So as Jim mentioned,
25 it would be similar to Option A, we'd still need to have an
26 administrative allowance from the fire chief to allow that one.

27 We looked closely at Option -- the option from Sheep Creek
28 to the Courthouse, because working with the county engineer, it
29 seemed like the -- a correct place to serve from with the
30 undeveloped land in that area and just, you know, the -- the
31 master plan to connect it. So we looked at that. Those were
32 the -- those were the conclusions that we came up with is that
33 just a dead-end line from Sheep Creek to the courthouse does not
34 provide the -- the flow we need.

35 From Sheep Creek, if you tie it all the way to 8A, we do
36 get that -- the flow that is required.

37 Or the shorter dead-end section from 8A to the courthouse
38 does give us the -- give us the flow as well. So --

39 COMMISSIONER WAITS: And our engine -- county engineer?

40 SHAUN SMITH: The county engineer -- so we've -- we've --

1 our discussions with Mark was to look at that option from Sheep
2 Creek. And we've done that. We've made the recommendations.
3 I -- to be honest with you, I don't know if Mark has had an
4 opportunity to review those because he's been on vacation. So
5 since we prepared the --
6 COMMISSIONER MASON: He'll be back Monday.
7 JIM MILLER: But that was his preference was -- was running
8 Sheep Creek --
9 SHAUN SMITH: I mean, preference is probably a strong word.
10 He wanted to look at it. I don't know that he had -- if he ever
11 said to me that that was his preference. He said that made
12 sense to look at that option as well.
13 COMMISSIONER BULLOCK: My opinion is that I don't want to
14 halfway do it. Let's put the whole line in. As long as we're
15 doing it --
16 COMMISSIONER STIENMETZ: Right.
17 COMMISSIONER BULLOCK: -- let's get the loop in and, you
18 know, tie the systems together.
19 Then we're not looking at it, you know, if there's
20 expansion here in two or three years, oh, well, we've got to put
21 in another line. So then you've got to bring in another
22 contractor, go out to bid. I mean, my opinion is we go all the
23 way from --
24 COMMISSIONER STIENMETZ: Option D?
25 COMMISSIONER BULLOCK: -- Sheep Creek to Old -- to 8A to D.
26 CHAIRMAN GARNER: That's mine too.
27 JIM MILLER: If the economy's to scale, that is the
28 preferred option. You know.
29 COMMISSIONER MASON: If we do D, -- you're talking option
30 D?
31 CHAIRMAN GARNER: Yes.
32 COMMISSIONER BULLOCK: Yeah.
33 COMMISSIONER MASON: So how many --
34 CHAIRMAN GARNER: I mean, if we're just going to the
35 courthouse, we're just doing a Band-Aid fix. I don't care.
36 COMMISSIONER MASON: Right.
37 COMMISSIONER BULLOCK: Let's do the whole fix. This is
38 going to solve things clear down the line.
39 COMMISSIONER MASON: So if --
40 COMMISSIONER STIENMETZ: We can budget it.

1 COMMISSIONER BULLOCK: We can budget it in budget.
2 COMMISSIONER STIENMETZ: Yeah, and put it in the budget so
3 we have the money for it.
4 COMMISSIONER MASON: Yeah. It's coming up next month.
5 COMMISSIONER STIENMETZ: Mm-hm.
6 COMMISSIONER MASON: What about fire hydrants on -- on D?
7 -- if we do D. How far apart are they? Two hundred feet?
8 COMMISSIONER WAITS: Four hundred.
9 RUSS APPELGATE: I think -- I think on a big distribution
10 main, the code makes you put them in at a thousand feet --
11 COMMISSIONER MASON: Oh, good.
12 RUSS APPELGATE: -- just at a minimum so that you -- so
13 that you'll have some access.
14 It doesn't make sense to put full fire hydrants on, you
15 know, on undeveloped land. But my understanding is, I think --
16 I could look into this, but my -- off the top -- a thousand
17 feet.
18 JIM MILLER: That's why --
19 COURT REPORTER: Can I get your name -- like your full
20 name?
21 RUSS APPELGATE: Russ. Russ Applegate. Yeah. You don't
22 want to put in, you know, every 400 foot put a fire hydrant
23 that, you know, another development is going to come along and
24 have a conflict with. But the code does dictate minimums. And
25 we can get --
26 COMMISSIONER WAITS: And the requirement is --
27 RUSS APPELGATE: I believe it's a thousand feet.
28 COMMISSIONER WAITS: That's the requirement? Okay.
29 RUSS APPELGATE: Yes.
30 COMMISSIONER WAITS: Okay.
31 On -- actually the pipe that you're putting in on -- on D
32 besides double the price, you're getting more than -- than
33 double the pipeline. It was 1,960 feet more on Option D too.
34 So --
35 JIM MILLER: Right.
36 COMMISSIONER WAITS: -- when you're looking at it besides
37 the -- the cost efficiency of the design, you're actually saving
38 money. And like I said, it's not going to go down.
39 So I'm -- I'm okay with that, Gentlemen.
40 CHAIRMAN GARNER: Do we have a motion?

1 COMMISSIONER STIENMETZ: I'll make a motion that we go with
2 Option D for the -- to install the 14-inch waterline from Sheep
3 Creek to Old 8A on -- to supply water.

4 COMMISSIONER MASON: Subject to budget.

5 COMMISSIONER STIENMETZ: Subject to being approved in the
6 budget.

7 COMMISSIONER MASON: I second that.

8 CHAIRMAN GARNER: Any public comment?

9 (No comment.)

10 CHAIRMAN GARNER: All those the favor?

11 COMMISSIONER STIENMETZ: Aye.

12 COMMISSIONER BULLOCK: Aye.

13 CHAIRMAN GARNER: Aye.

14 COMMISSIONER WAITS: Aye.

15 COMMISSIONER MASON: Aye.

16 JIM MILLER: Thanks.

17 CHAIRMAN GARNER: Thanks, Gentlemen.

18 COMMISSIONER STIENMETZ: Thank you.

19 JIM MILLER: Thank you.

20 COMMISSIONER MASON: You'll be talking to Mark next week,
21 will you?

22 COMMISSIONER STIENMETZ: Yeah.

23 SHAUN SMITH: He gets back on the 17th, I believe. So --

24 COMMISSIONER MASON: Whatever, but --

25 COMMISSIONER BULLOCK: Tuesday.

26 COMMISSIONER MASON: He had a two-week vacation. It's
27 over.

28
29
30 **COMMISSIONERS**

31
32 20) **Discussion for possible action regarding possible termination**
33 **of the Battle Mountain Airport Fuel Storage Tanks Repair**
34 **Agreement made between Lander County and Fuel and Power**
35 **Logistics, LLC, that was recorded July 1, 2013, if the work**
36 **is not completed or near completion; and other matters**
37 **properly related thereto.**

38
39 CHAIRMAN GARNER: Twenty, discussion for possible action
40 regarding --

1 COMMISSIONER MASON: Thank you, guys.

2 CHAIRMAN GARNER: -- possible termination of the Battle
3 Mountain Airport Fuel Storage Tanks Repair Agreement made
4 between Lander County and Fuel and Power Logistics, LLC, that
5 was recorded July 1, 2013, if the work does not -- is not
6 completed or near completion; and other matters properly related
7 thereto.

8 I put this on. I don't know if anybody's been out to the
9 airport to follow-up with that. I did on --

10 Joe, can you come up, please. We had an emergency repair
11 at the airport last year for the --

12 COMMISSIONER STIENMETZ: Leakage.

13 CHAIRMAN GARNER: -- leakage. And the company we hired is
14 not doing their job.

15 COMMISSIONER WAITS: You didn't -- you didn't --

16 CHAIRMAN GARNER: J-U-B was the ones who put this out to
17 bid. I think there was 12 or 13 people. J-U-B hired this
18 company through us to do emergency repairs.

19 Correct me if I get any of this wrong because I'm coming in
20 as people are just getting mad. And I'm not realizing this was
21 -- I thought this job was done. I thought -- I didn't ever hear
22 we didn't have the job correct. It's been open. The system --
23 the contractor was gone for almost a month. And the system was
24 left open. There was rabbits, everything in the world, open in
25 this system at the airport. When the airport was out of fuel,
26 they had no way to fuel their trucks.

27 So Joe worked on it with me last week. J-U-B was
28 reintroduced into it as to why this wasn't getting done. The
29 gentleman did come back last weekend to perform his job that he
30 was supposed to do nine months ago.

31 And there's been some interruptions. There's been some
32 complications with tankers and this and that.

33 But Joe went back out and did an inspection on it. And the
34 job is not -- it's not satisfactory. We'll just put it that
35 way.

36 JOE LINDSEY: Let me give you an update, Commissioners. I
37 went out. Commissioner Garner and I went out on February 3rd
38 and took photographs. And as he stated, the -- the pipes were
39 open. The, you know, pump flanges were left open to the
40 weather. We had two or three inches of snow on the ground at

1 that time. Went back out on the 11th? Was that yesterday?
2 Must have been.

3 CHAIRMAN GARNER: Two days ago.

4 COMMISSIONER STIENMETZ: Two days.

5 JOE LINDSEY: Two days ago. Okay. The -- the project had
6 been completed. Apparently, they had come in -- the contractor
7 had come in on the 10th and completed the project.

8 There were a few issues that still need to be addressed.
9 We had a couple minor fuel leaks, one on one pump and one on a
10 filter housing where they had replaced a valve. I made an
11 attempt to tighten the flange on the -- on the pump. And I got
12 the leak to slow down. It was very minor.

13 Rick Harless met me out there yesterday morning. And we
14 went out and ~~looked at the project together. The piping had not~~
15 been painted as apparently contracted for. Now, I do not have a
16 contract for that -- or a copy of that contract in my records.

17 The shaft housings between the pumps and the -- and the
18 motors were setting loose. Rick was going to get bolts and bolt
19 those down.

20 But there were a few issues that had not been addressed.
21 Apparently, according to Rick in the contract there was -- all
22 the old piping was supposed to be hauled off, cleaned up. The
23 area was supposed to be cleaned up and that had not been done.
24 So Mr. Harless was pretty upset about it. The Commission's
25 pretty upset about it as understandable.

26 Anyway, that's basically all I've got. I got an e-mail
27 from J.D. Heithoff with J-U-B, opened it this morning. I must
28 have received it late yesterday afternoon -- stating that
29 basically the project had been completed other than the pipes
30 had not been painted as in the contract and that he recommended
31 that the county withhold \$550 in payment for the contractor not
32 painting the pipe.

33 COMMISSIONER MASON: Can you paint in that kind of weather?

34 JOE LINDSEY: Negative. No, it's -- it's pretty difficult.

35 COMMISSIONER MASON: Let me --

36 JOE LINDSEY: However, we will have a few days of nice
37 weather, but getting the contractor back down here for 500 bucks
38 to paint that piping, I don't know that we'll ever do that.

39 COMMISSIONER BULLOCK: No, I'd withhold all the money.

40 JOE LINDSEY: Pardon me?

1 COMMISSIONER BULLOCK: I'd withhold it all.
2 JOE LINDSEY: Well --
3 COMMISSIONER BULLOCK: I wouldn't pay until the project is
4 complete.
5 JOE LINDSEY: And that's up to the Commission. I mean.
6 But that was -- I'm just informing you what I received. So --
7 COMMISSIONER MASON: This was a patch and repair project?
8 CHAIRMAN GARNER: No.
9 JOE LINDSEY: This was supposed to be, initially, back in
10 February, I believe. March of last year, I believe is when all
11 this -- we started finding problems out there. And Commissioner
12 Stienmetz asked me to look into it to see what I could do about
13 getting it fixed.
14 COMMISSIONER MASON: Right.
15 JOE LINDSEY: So just to give you a brief history, I
16 contacted L.A. Perks. They came out -- they came out and looked
17 at the project. And they were worked with myself, Rick
18 Harless -- and I don't know where J-U-B came into the picture,
19 but -- but L.A. Perks was -- was getting ready to give a quote
20 on -- on emergency repair on this system. They would have had
21 this done within a matter of weeks. And this was back in March
22 of last year. I don't know how this -- this con -- this other
23 contractor came into the picture.
24 Once J-U-B got involved, I basically walked away. They're
25 airport engineers. I stepped back and let them run with it. So
26 I've been kind of kept out of loop on this up until just a few
27 months ago when we started getting complaints again.
28 COMMISSIONER MASON: I remember last year we -- we did a
29 patch and repair. We agreed to a patch and repair job for the
30 airport and waiting till spring to take a look at that.
31 JOE LINDSEY: The patch and repair never got completed --
32 COMMISSIONER STIENMETZ: Completed.
33 CHAIRMAN GARNER: Yeah. We're still --
34 JOE LINDSEY: There's still a problem.
35 CHAIRMAN GARNER: That's what we're trying to say is we're
36 still on it.
37 COMMISSIONER MASON: I'd kind of like to see what Mark has
38 to say about this because I know he's hands on. And he's not
39 here to give us any more information. You got anymore on it?
40 JOE LINDSEY: That's basically all I've got on it at this

1 point. Now, I've been works with Mark. He's been forwarding me
2 correspondence between J-U-B, the contractor. And he made sure
3 I had all that correspondence before I left on vacation because
4 he knew there would probably something come up, because the
5 project had not been completed at the time he left.

6 COMMISSIONER MASON: Well, I know Mark has been working
7 with J-U-B on the airport overview program for the future.

8 What do you call that? The --

9 ROGENE HILL: Master plan.

10 JOE LINDSEY: Master plan?

11 COMMISSIONER MASON: Master plan. And I'd like to hear
12 Mark's remarks on this before we make any move on it. And --
13 and I don't know anything more than that and what I'm --

14 CHAIRMAN GARNER: That's --

15 COMMISSIONER MASON: -- hearing here.

16 CHAIRMAN GARNER: That's --

17 COMMISSIONER MASON: But I know Mark has been working on
18 it. I'd like to see --

19 CHAIRMAN GARNER: The system.

20 COMMISSIONER MASON: -- what that is.

21 CHAIRMAN GARNER: Whether -- what Mark has to say or not,
22 the system is unsatisfactory. We did not get what we paid for.
23 We did not get it when we asked for it.

24 And I asked for J-U-B for bid documents for bid bonding.
25 And this company does not even have bid bonding. So they do not
26 even have -- the job is not bonded. So we need to make a
27 decision as a Commission if we want to withhold their funding
28 for a non-job that was supplied or what do we want to do?

29 I'm in favor of Dean's. I say we hold the money. We don't
30 pay them until this job is 100% satisfactory. And it was to our
31 specification.

32 COMMISSIONER WAITS: I do not believe that we should
33 terminate at this point.

34 I think perhaps a letter from our legal department or
35 something showing the checklist or -- or what we expect of them.
36 You have to give them on opportunity to fix it when you're
37 dealing with contractors. You just can't say, well, this isn't
38 right, and cancel it. So I think we're in a real crisis
39 situation here. I think we've waited long enough.

40 CHAIRMAN GARNER: The contract -- it is working now. But

1 the contract is black and white. It showed exactly what they
2 were to do, and it wasn't --

3 COMMISSIONER WAITS: No, that's not my point.

4 DISTRICT ATTORNEY ELQUIST: I'd like to make a comment.
5 This is Angie Elquist, District Attorney.

6 Yeah, when this came to the attention at the agenda
7 setting, the work hadn't been done. And then we put this on
8 the -- on the agenda. And then apparently he came after the
9 fact. So we put all this on there in anticipation he wasn't
10 going to show up.

11 So I would recommend that we -- we hold up off and wait
12 until the engineer gets back, sit down, see what has been done
13 and not been done. And then we can meet and decide, maybe
14 outside in a legal arena of what the next step is and then bring
15 it forward that way.

16 COMMISSIONER MASON: Would we --

17 DISTRICT ATTORNEY ELQUIST: But I would suggest nothing now
18 and defer it --

19 COMMISSIONER BULLOCK: Mm-hm.

20 COMMISSIONER STIENMETZ: Yeah.

21 DISTRICT ATTORNEY ELQUIST: -- and have the engineer go
22 out, the expert, and Joe and them and itemize what actually
23 hasn't been done.

24 COMMISSIONER WAITS: I --

25 COMMISSIONER MASON: Do we get enough time if we put it
26 back on the agenda for the 27th? Do you have enough time to
27 work with that?

28 DISTRICT ATTORNEY ELQUIST: You can bring it, and if I
29 don't then we can defer it again?

30 COMMISSIONER MASON: Mark will be back Monday so --

31 DISTRICT ATTORNEY ELQUIST: Tuesday.

32 COMMISSIONER BULLOCK: Tuesday.

33 COMMISSIONER WAITS: Mark --

34 COMMISSIONER MASON: Tuesday. Whatever.

35 I'm going to make a motion that we defer this until the
36 next agenda meeting, which would be February 27th.

37 DISTRICT ATTORNEY ELQUIST: Okay.

38 CHAIRMAN GARNER: Or -- yeah.

39 COMMISSIONER BULLOCK: I'll second it. Don't need a date,
40 but I'll second it.

1 CHAIRMAN GARNER: Yeah. Any public comment?
2 (No comment.)

3 CHAIRMAN GARNER: All those in favor?

4 COMMISSIONER STIENMETZ: Aye.

5 COMMISSIONER BULLOCK: Aye.

6 CHAIRMAN GARNER: Aye.

7 COMMISSIONER WAITS: Aye.

8 COMMISSIONER MASON: Aye.

9

10 21) Discussion for possible action regarding the emergency
11 completion of the Battle Mountain Airport fuel storage tank
12 repairs by another company if the Agreement with Fuel and
13 Power Logistics, LLC is terminated, and other matters
14 properly related thereto.
15

16 CHAIRMAN GARNER: Discussion for -- 21, discussion for
17 possible action regarding emergency completion of the Battle
18 Mountain --

19 DISTRICT ATTORNEY ELQUIST: Yeah, that was the other issue.
20 So --

21 COMMISSIONER WAITS: Yeah. If we terminate it, then we
22 need to look at 21. Right.

23 UNIDENTIFIED SPEAKER: (indiscernible)

24 CHAIRMAN GARNER: We'll defer item 21.

25

26 22) Discussion for possible action regarding presentation by
27 Michael Klug of the Nevada Division of Forestry on the status
28 of the Wildland Fire Protection Program, and other matters
29 properly related thereto.

30 CHAIRMAN GARNER: Twenty-two, discussion for possible
31 action regarding presentation by Michael Klug of the Nevada
32 Division of Forestry on the status of the Wildland Fire
33 Protection Program, and other matters properly related thereto.

34 MICHAEL KLUG: Well, good morning.

35 CHAIRMAN GARNER: Good morning.

36 COMMISSIONER BULLOCK: Good morning.

37 COMMISSIONER WAITS: Good morning.

38 MICHAEL KLUG: Mike Klug, Nevada Division of Forestry. Is
39 this --

40 COUNTY CLERK SULLIVAN: Yeah.

1 MICHAEL KLUG: Okay, how do we turn the LCD on? I do have
2 some extra handouts here. The Commission should have one.
3 UNIDENTIFIED SPEAKER: Do you all have one?
4 CHAIRMAN GARNER: I believe we do.
5 COMMISSIONER MASON: Thank you.
6 COMMISSIONER WAITS: I -- just for future, Gentlemen, may I
7 suggest on your nice handouts that you also provide those early
8 so that we can get them to Austin --
9 MICHAEL KLUG: Oh.
10 COMMISSIONER WAITS: And the southern Lander County.
11 MICHAEL KLUG: Okay. Yes.
12 COMMISSIONER WAITS: Because now you're talking about some
13 wonderful things that they can't follow.
14 MICHAEL KLUG: Yeah. We did e-mail them up, but I didn't
15 think about --
16 COMMISSIONER WAITS: Just a suggestion.
17 MICHAEL KLUG: -- Austin. But thanks for that suggestion.
18 So anyways. Morning. Mike Klug, Nevada Division of
19 Forestry.
20 Just a couple of quick introductions: Tim Woolever, our
21 Fire Management Officer, whom I believe most of you know. Eric
22 Antle was recently promoted to the Humboldt Camp Supervisor. So
23 he's one of the camp -- you have the Carlin camp to the east and
24 the Humboldt Camp to the west that works in this area. And then
25 Tom Turk our Battalion Chief. So -- oops.
26 All the counties in the green are current wildfire
27 protection partners with Nevada Division of Forestry. And Elko
28 will be coming online January 1. And then we're still working
29 on some of the others. So the program, as you're aware, started
30 last July 1 and got off to a quick start.
31 Last year, this is just an overall of the fire season.
32 Just under 700 fires statewide. Thirty-eight of those were
33 large fires, you know, totaling almost 190,000 acres. You know,
34 when I first started as a firefighter, we would have thought
35 that was a really large fire season. But anymore, with the way
36 the trends in fire seasons, it was kind of a moderate season,
37 which shows you how things have changed with the drier climate
38 and invasive species.
39 But our helitack crew responded to 30 fires throughout
40 Nevada. One of the things that we were doing the last

1 legislature, we had funding to hire an additional pilot and
2 working on hiring an aviation supervisor and helicopter manager.
3 So our goal is to get two helicopters fully staffed so that we
4 can have one stay primarily in the western part of the state.
5 And then the other could be used where needed elsewhere in the
6 state.

7 Then we do a lot of fire prevention, public education,
8 Smokey Bear programs, school programs, defensible space, Living
9 With Fire, all that good stuff.

10 We do have hired fire staff at the Humboldt Camp. One
11 captain is Emory Paul. And his phone number was on the bottom.
12 So he's been coming out and working and talking with the BLM and
13 the volunteer fire departments that get engaged in any of the
14 prevention activities that come along. So you'll probably be
15 seeing him. And he has one firefighter working for him. And
16 we'll have one -- a couple of seasonal firefighters there at the
17 Humboldt Camp.

18 As far as resource projects, this is just kind of your
19 breakdown of some of the things we've done last year: a lot of
20 reseeding; fuels reduction; invasive plant treatments, as far as
21 the cheatgrass, (indiscernible); some fire rehabilitation,
22 forest and woodland health.

23 And the pictures there, those are some of the brush
24 mastification [sic] that we've done.

25 Other projects we've done, we do have rangeland seed drills
26 available. And I don't know -- Tim, do you have that that they
27 can contact you if a rancher would need that?

28 TIM WOOLEVER: Correct.

29 MICHAEL KLUG: And basically, it's available on a pretty
30 simple agreement where a rancher could borrow it, reseed the
31 property if it had been burned over. We do have seed available
32 at our seed bank in --

33 TIM WOOLEVER: We actually have professional or area
34 coordinators who are professional mediators for the ranchers
35 that can go through and tell them what kind of seed is good for
36 their allotments and what not.

37 MICHAEL KLUG: Yeah.

38 TIM WOOLEVER: So we've got professional services also that
39 will assist them in going through the seed bank and getting that
40 appropriate need.

1 MICHAEL KLUG: Part of what we do is, you know, hazardous
2 fuels mitigation and fire adaptive communities. These pictures
3 here are before and after in Jarbridge where we sent crews up
4 there for, what? a week?

5 They camped out there for a week and just did a total fuels
6 reduction and fuel break all around the community. So --

7 COMMISSIONER WAITS: While you're on that, --

8 MICHAEL KLUG: Yes.

9 COMMISSIONER WAITS: -- let me ask: do you just choose so
10 many areas to do the fuel breaks? Or if someone has something
11 identified that we wanted around an area we could call --

12 MICHAEL KLUG: You call.

13 COMMISSIONER WAITS: -- and ask you to put that on the
14 list?

15 MICHAEL KLUG: Yeah. Usually we -- we'll send out
16 information if there's a, you know, grant opportunities. People
17 apply for grants to, like, the fire -- various communities used
18 to be fire-safe council, but that's changing to fire-adapted
19 communities.

20 And so our foresters, fuels people will work with local
21 group and identify projects. But yeah, if you see something,
22 you know, there's need you have, you can certainly contact us,
23 and we could help you with the grant applications or help you
24 get crews out there. And that's -- as Tim mentioned, we have
25 the professional expertise to help set up projects where it's,
26 you know, in the forest or woodlands or, you know, or the sage
27 brush.

28 One thing we're getting more and more involved in is
29 prescribed fire. We'll be doing an awful lot -- developing our
30 personnel and also as far as planning the fires and -- and
31 running down -- but we do a lot with the Department of Wildlife
32 for wildlife habitat improvement and then some rangeland and
33 forest health.

34 These pictures here, the bottom one is actually a burn that
35 we did in Fallon on the -- to improve the water fowl habitat.
36 And then the top one was at the Mesa Valley Wildlife Refuge.
37 And both of those are from the Department of Wildlife.

38 TIM WOOLEVER: Can I interject here, Mike, --

39 MICHAEL KLUG: Yes.

40 TIM WOOLEVER: -- real quick. Also with that, if you'll

1 notice on the top bullet there, the wildlife habitat, we are
2 working closely with acres burned in your counties as well as
3 all the counties we deal with fires.

4 And I noticed earlier in your presentation on the sage
5 grouse habitat issue. We're working close with NDOT on that
6 issue where acres burned. So on your behalf with this program,
7 you're getting all that input through DOT towards the federal
8 document.

9 MICHAEL KLUG: We do have a team that we have some of our
10 natural resource people on. It works with the -- Governor's set
11 up. But it's the sage brush -- I know they told me -- sage
12 brush team. And its -- basically, its goal is to help maintain
13 the habitat for the sage grouse. But we have one of our natural
14 resource people and then there's like Wildlife and State Lands
15 and various -- about a half of dozen people on a team working
16 around the state trying to identify projects and mitigations we
17 can do to help that -- with that issue.

18 Right here in Lander County, just kind of get a few of the
19 fires, you know, we've kind of identified. We helped out with
20 one fire here. And that was the --

21 UNIDENTIFIED SPEAKER: Goat Peak.

22 MICHAEL KLUG: -- Goat Peak Fire that happened.

23 There was one cost share we did with BLM, about 51%
24 private, just under 2,000 acres. But that started June 30th, so
25 just before the Wildfire Protection Plan went into effect at
26 midnight that night. So we picked up all the costs on the
27 private land after midnight. And so --

28 And we actually had -- I don't know -- about 20 or so fires
29 around the state and other various counties that we picked up
30 the cost on private land. So --

31 As far as, you know, part of the program is trying to
32 enhance our fire program. We mentioned that we hired a fire
33 captain and a firefighter to work out at Humboldt Camp. And the
34 goal was they could work Humboldt County, Lander County, this
35 whole kind of area where we didn't have much fire staff before.
36 We'll hire two seasonal firefighters there. We have a type-six
37 engine. It's going through the ordering, state purchasing
38 process right now that will be there. And the type-six engine
39 is just the smaller truck, you know, that's like the 2-,
40 300-gallons kind of a more of pickup with the utility bed. So

1 we'll see. Be seeing that around when it comes.

2 And here you're talking about, you know, if you had
3 projects that you might be interested, here are some phone
4 numbers of people you could call to get information on technical
5 assistance, on financial assistance. Those would be the numbers

6 You know, the stewardship works with landowners, ranchers,
7 developed management, you know, natural resource management
8 plans.

9 Urban/community forester more of the -- you know in the
10 town parts.

11 And we mentioned the seed bank earlier. What we do is we
12 have a lot of native seed and perennial grasses on hand so that
13 if we do have a fire that they need to reseed, we can pull the
14 seed out of that seed bank and use it, and then we'll replace it
15 later rather than trying, you know, to buy it when we already
16 have it there.

17 And the community protection, last number, is one of our
18 foresters. And she coordinates all the grants, activities, and
19 also like the volunteer firefighter assistance. So that's a
20 good number to have on hand.

21 So like I mentioned, volunteer firefighter assistance
22 grants, that's Kacey. And then Emory Paul is the captain at
23 Humboldt Camp. So if there's any volunteer fire department
24 would like any basic wildland training, you can give them a
25 call.

26 So we also -- probably not a big news flash to you guys,
27 but it's been very, very dry. This is the drought conditions
28 prior to this last rain. So -- but -- so the rain did help but
29 Nevada's still in a very serious drought as you're well aware
30 of. So looking ahead, that's obviously going cause us problems.

31 So that's what I have. Any questions?

32 CHAIRMAN GARNER: No, sir.

33 MICHAEL KLUG: All right.

34 COMMISSIONER WAITS: I have one. Do you --

35 MICHAEL KLUG: Okay.

36 COMMISSIONER WAITS: Do you do any type of advertising?
37 Are there grants available for that? I'm thinking specifically
38 of that wonderful billboard they have in Elko with the picture
39 of the baby deer and the nests. And it says, not everyone has
40 fire insurance.

1 MICHAEL KLUG: Yeah, --
2 COMMISSIONER WAITS: And I thought, you know, --
3 MICHAEL KLUG: -- I know the one you're talking about.
4 COMMISSIONER WAITS: -- you see things like that. Do you
5 do any type of advertising with --
6 MICHAEL KLUG: You know, we try to when we have funding
7 available. A lot of what we do is through the Living With Fire
8 Program. We fund one of the -- one of the positions there with
9 Living With Fire. And they work real closely, you know, getting
10 information out as far as to homeowners and community groups
11 about how to, you know, prepare their homes and communities for
12 fire. And so a lot of our work we do is through them as far as
13 the public outreach.
14 COMMISSIONER WAITS: For some reason, I think a banner that
15 says, you know, think about this, is --
16 MICHAEL KLUG: You're right.
17 COMMISSIONER WAITS: -- kind of tugs on the emotional heart
18 strings --
19 MICHAEL KLUG: Yeah.
20 COMMISSIONER WAITS: -- as Smokey the Bear and the deer and
21 the babies and the wildlife. So I just wondered whether there
22 was something available?
23 UNIDENTIFIED PARTICIPANT: (inaudible)
24 COMMISSIONER WAITS: Or whether you do it automatically.
25 MICHAEL KLUG: Right. A lot of what we do is -- is -- is
26 the Wildfire Awareness Week. This is actually Wildfire
27 Awareness Month. And that's in May.
28 And we have a number of our people on the Planning
29 Commission and that includes, you know, us, BLM, Forest Service,
30 Living With Fire, and a lot of other interested people. And so
31 we try to coordinate it through them. And they will actually --
32 they do put banners out every year. And you should see those
33 around. I don't know. Do you guys bring them up here or we can
34 --
35 UNIDENTIFIED PARTICIPANT: There's one right down the road.
36 MICHAEL KLUG: Yeah.
37 CHAIRMAN GARNER: Mm-hm.
38 MICHAEL KLUG: So it's really a coordinated effort between
39 us, BLM, and all the other agencies trying to get these banners
40 all over the state.

1 COMMISSIONER WAITS: We have those. And, of course, we
2 work --

3 MICHAEL KLUG: Right.

4 COMMISSIONER WAITS: -- with you on that. But I'm saying
5 as far as doing the advertising that we thought might -- might
6 get to their heart strings a little bit more. The answer is no,
7 you don't have any advertising money available, right? Was that
8 it?

9 MICHAEL KLUG: Well, no. I was saying when we have funding
10 available, we do try to.

11 But as I was saying, we try to do it in conjunction with
12 all the other agencies, because we think it's important that --
13 you know, we want the public to understand that it's kind of a
14 united effort between us, the federal agencies, the local
15 cooperators. That we're all in this together. And so it's not
16 just the state or it's not just the BLM telling you, hey, you
17 guys, you know, we need to be fire safe. But it's a united
18 front. So we try to work with everything interagencies in a lot
19 of what we do. We have been talking about trying to get some,
20 you know, something out on, you know, some public service
21 announcements or something. We have been talking about -- about
22 doing that. So you might see that in the future.

23 COMMISSIONER WAITS: Well, in your meetings and with your
24 coordination of all of these, --

25 MICHAEL KLUG: Yeah.

26 COMMISSIONER WAITS: -- would you take back some of the
27 concerns that a different type of advertising? And if they have
28 funding, they might be able to expand a little bit for --

29 MICHAEL KLUG: Which type of --

30 COMMISSIONER WAITS: If this doesn't work, let's try this?

31 MICHAEL KLUG: Which type of advertising, in your opinion,
32 would you like to see? You know because we're always --

33 COMMISSIONER BULLOCK: I disagree. I'd don't think -- I'd
34 rather spend the money preventing fires and fighting fires --

35 MICHAEL KLUG: Right.

36 COMMISSIONER BULLOCK: -- than worrying about advertising.
37 You've got media that's already covering the advertisements --

38 MICHAEL KLUG: Right.

39 COMMISSIONER STIENMETZ: Right.

40 COMMISSIONER MASON: -- you know, with the National

1 Advertising Counsel.

2 MICHAEL KLUG: Right.

3 COMMISSIONER BULLOCK: You already got people doing it.

4 I'd rather seeing the money going to fight, you know, the fires.

5 I just, that's my opinion on this.

6 COMMISSIONER WAITS: See, I think the advertising goes with

7 preventing fires. So --

8 COMMISSIONER BULLOCK: But it's already out there.

9 MICHAEL KLUG: Yeah.

10 COMMISSIONER BULLOCK: You know, I mean -- you know it's --

11 UNIDENTIFIED SPEAKER: Well, Commissioners, --

12 COMMISSIONER BULLOCK: -- if somebody advertises a similar

13 product that I sale in my restaurant, it's good advertising for

14 me. And I don't have to --

15 MICHAEL KLUG: Yeah.

16 COMMISSIONER BULLOCK: -- pay for it. So --

17 TIM WOOLEVER: Well, Commissioner, --

18 COMMISSIONER BULLOCK: you know, let the others go --

19 TIM WOOLEVER: -- to address your question honestly, in

20 May, coming up, we do have a prevention program that's coming

21 around. And we're going address that.

22 But the Living With Fire Program that we're talking about

23 has to be adopted by the communities. So we do have that coming

24 around. And that's near future, and you are going to be seeing

25 us here in the near future because we need to get on the agenda

26 to give a Living With Fire. And in the process, we're working

27 with BLM in the tri-county area, as far as Elko, Lander and

28 Humboldt, we're getting together and doing that, what you're

29 talking about.

30 But the funding is there, but it comes through Living With

31 Fire. But you have adopt it. We need to get on the agenda to

32 address just that.

33 MICHAEL KLUG: What they'll do is they have -- when they

34 get it all set up, is they'll ask each county just to pass a

35 resolution recognizing Wildfire -- May as Wildfire Prevention

36 Month or Awareness Month.

37 ERIC ANTLE: And Commissioners, one other thing that I know

38 Captain Paul has been working on is a 30-foot defensible space.

39 So him and the other firefighters will go out in the community

40 and recognize homes that pose a threat to fire and then identify

1 what those conditions would be and then propose to the Humboldt
2 Conservation Camp that we get a crew out there to remove those
3 fuels and possibly put some new seeding in or continue to treat
4 the property so invasive species such as cheat grass don't grow
5 back in and have a continuous problem. So there will be boots
6 on the ground coming for -- the people who can attend the
7 meeting or especially for the areas that are threatened by
8 wildfire because of vegetation.

9 CHAIRMAN GARNER: Thank you.

10 COMMISSIONER BULLOCK: I'd rather see that because that's
11 fire prevention. That's money well spent.

12 ERIC ANTLE: And there'll be options. We're working with
13 options so that there won't be money out of pocket for the home
14 owners. We can put it on a grant. And so the work will be
15 completed for no cost of the homeowner, which makes the
16 community.

17 COMMISSIONER BULLOCK: Good.

18 CHAIRMAN GARNER: Awesome.

19 COMMISSIONER WAITS: Thank you.

20 COMMISSIONER MASON: I have a question.

21 MICHAEL KLUG: Okay.

22 COMMISSIONER MASON: You said Elko County is coming on line
23 this year?

24 MICHAEL KLUG: January 1 of 2015. So, --

25 COMMISSIONER MASON: Okay.

26 MICHAEL KLUG: -- yes.

27 COMMISSIONER MASON: And then Ely? What about Ely?

28 MICHAEL KLUG: We're still working with them.

29 They got a new fire chief very recently. And so we'll make
30 contact with them again. We've -- we've talked to them a couple
31 of times, but they were kind of in a state of transition with
32 hiring a chief. And so --

33 COMMISSIONER MASON: So basically, the program's going very
34 well.

35 MICHAEL KLUG: Very well. Yes.

36 COMMISSIONER MASON: Thank you.

37 TOM TURK: Tom Turk, for the record.

38 We just completed the transition with Eureka County back to
39 the all-risk portion with them on January 1st. And we'll now be
40 following up on contract with them like your county with the

1 wildfire protection plan and its integration with local
2 resources and cooperators, et cetera.

3 One of things we noticed in Eureka County, for example,
4 after '06 and '07, we had a lot of communities at risk. And
5 there were a lot of fuel break, fuel manipulation on the edge of
6 the communities put in. But there was no grant money or
7 foresight to continue in maintenance with those.

8 So now that's one of the targets for these programs is to
9 continue to go back. We put mowing strips in, for example, and
10 now, they're been overrun after the disturbance with, in some
11 cases, noxious weeds. We've got -- we're looking at some
12 spraying programs, some more mowing, maybe even some grazing --
13 targeted grazing in those areas to reduce that fuel buildup.
14 We're kind of, you know, talking about as much as they can
15 improving these with high number, short duration grazing, for
16 example, on some of these allotments on the edge of the
17 communities and that.

18 CHAIRMAN GARNER: Thank you.

19 COMMISSIONER STIENMETZ: Thanks.

20 CHAIRMAN GARNER: Thanks, guys.

21 MICHAEL KLUG: You're welcome. Well, thank you for your
22 time.

23 COMMISSIONER STIENMETZ: Thank you.

24 COMMISSIONER WAITS: Thank you.

25
26 **23) Correspondence/reports/potential upcoming agenda items.**

27
28 CHAIRMAN GARNER: Twenty-three, correspondence/reports/
29 potential upcoming agenda items.

30 Anybody?

31
32 (The following correspondence was received:

33 1. Kenneth R. Brown, Western Counties Alliance, to Lander
34 county Commissioners, e-mail regarding status of horse slaughter
35 program.

36 2. Gene Seidlitz, Bureau of Land Management, to
37 Permittee/Stakeholder/Interested Public, letter regarding update
38 on current drought conditions within the Winnemucca District.

39 3. Richard E. Adams, Bureau of Land Management, to 25
40 Ranch LLC, letter regarding Livestock Grazing Management

1 Decision - Notice of Closure to Livestock Grazing on the
2 Twenty-five Allotment and Rehabilitation Objectives for the
3 Waterpipe Fire.

4 4. Charlie L. Myers, Elko County Board of Commissioners
5 Chairman, to The Honorable Brian Sandoval, Governor of Nevada,
6 letter regarding Resolution No. 01-2014, a resolution by the
7 Elko County Board of Commissioners declaring the common raven a
8 nuisance and threat to the health, safety and welfare of the
9 people of Elko County.

10 5. Steve Bradhurst, Central Nevada Regional Water
11 Authority, to Lander county Commissioners, e-mail regarding
12 Statewide Drought Situation Report #1.

13 6. Bob Madewell, Nevada Department of Transportation, to
14 Lander County Commissioners, e-mail regarding status of the Road
15 Relinquishment Guide.

16 7. Paul Thomsen, Director, Nevada Office of Energy, Order
17 of Recusal.

18 8. Kenneth Brown, Western Counties Alliance, to Lander
19 County Commissioners, e-mail regarding status of Payment in Lieu
20 of Taxes (PILT) for FY 2014.

21 9. Kenneth Brown, Western Counties Alliance, to Lander
22 county Commissioners, e-mail regarding WCA's comments on the
23 Nevada/Northeastern California Greater Sage Grouse land use
24 Plan/EIS.

25 10. Charlie L. Myers, Chairman, Elko County Board of
26 Commissioners, to Bureau of Land Management, letter regarding
27 Greater Sage Grouse Draft EIS/LUPA comments.

28 11. US Nuclear Waste Technical Review Board (NWTRB), Press
29 Release entitled "US NWTRB March Meeting to Focus on Department
30 of Energy (DOE) & Research and Development (R&D) Related to Salt
31 as a Geologic Medium for Disposal of Spent Nuclear Fuel (SNF)
32 and High Level Radioactive Waste (HLW)".

33 12. Marka Turner, LCSW, Director of Housing Programs,
34 Nevada Rural Housing Authority, Nevada Rural Housing Authority
35 (NRHA) Plans Available for Public Comment.

36 13. Steve Bradhurst, Central Nevada Regional Water
37 Authority, to Lander county Commissioners, e-mail regarding exit
38 interview with Pat Mulroy.

39 14. Nevada Department of Tourism and Cultural Affairs,
40 Nevada Arts Council, News Release entitled "Nevada Arts Council

1 Brings Community Art Visioning to Town Halls Statewide.

2 15. Jill Silvey, Bureau of Land Management, to
3 Permittees/Interested Parties, letter regarding revised version
4 of Management & Mitigation for Drought Impacted Rangelands
5 Environmental Assessment (EA) previously released last spring.

6 16. Jim McGuire, PLS, Summit Engineering Corporation, to
7 Mark Brethauer, P.E., Lander county Engineer, letter regarding
8 status of the Lander County Minor Road Mapping Project, Task 2,
9 as of January 31, 2014.

10 17. Lander Economic Development Authority (LEDA)
11 Commissioners Report, February 2014.)

12

13 COMMISSIONER WAITS: I have a couple.

14 One is our medical marijuana --

15 UNIDENTIFIED SPEAKER: All right.

16 COMMISSIONER WAITS: -- establishments. And I think we
17 should have that on the agenda so we can discuss that and direct
18 our DA on how we're going to go with our new ordinances. So I
19 would like to see that on.

20 And the other one -- and I'll kind of leave this up to
21 Angie, because I know she's on top of this. But this is from
22 the Nevada State Clearinghouse. And McGinness has actually
23 filed under the provisions of the Utility Environmental
24 Protection Act for a permit to construct their new -- in their
25 new facility the overhead transmission lines and such. And
26 there is a comment period that ends Monday March 3rd of whether
27 we have any comments to make or not. And I don't -- I'll leave
28 that up to our DA on whether you think that's something we
29 should do, could do, want to do?

30 DISTRICT ATTORNEY ELQUIST: I can bring it to your
31 attention, but I don't -- I don't know if -- we can bring it on
32 the 27th if you want to have somebody file the comments or an
33 environmentalist or something that somebody that is a familiar
34 with that. So we'll bring that forward.

35 COMMISSIONER WAITS: Yeah. I'll leave that on the agenda
36 setting and you decide whether it's something you want to bring
37 on board, as long as you're aware of it.

38 COMMISSIONER STIENMETZ: I have one on -- on the Item 1.
39 It's from Kenneth Brown Western County's Alliance to Lander
40 County Commissioners. He's talking about the horse slaughter

1 program. And I would like us -- I know we approved going with
2 them and that. But I think we should put it on the thing to
3 discuss this. Because I don't agree with the horse slaughter
4 program. And I think it should be brought up. And we should
5 decide what we want to do on that or not.

6 COMMISSIONER MASON: Can you supply more information?

7 COMMISSIONER STIENMETZ: Well, they say they've got them.
8 He said they had the slaughterhouses set up and everything. My
9 personal feeling is is once we start letting them start
10 slaughtering the horses. Pretty soon they'll become an
11 endangered species and we will have to set property aside for
12 them. That will not be allowed to be --

13 COMMISSIONER WAITS: Well, number one, they're not --
14 they're not wildlife.

15 CHAIRMAN GARNER: Uh-uh.

16 COMMISSIONER WAITS: So it --

17 COMMISSIONER STIENMETZ: Won't be any wild horses.

18 COMMISSIONER WAITS: -- won't be an endangered species.

19 No. No. They are not wildlife. No. No. No. No. That's not
20 considered wildlife. I'm sorry.

21 CHAIRMAN GARNER: Uh-uh.

22 COMMISSIONER STIENMETZ: They're not considered wildlife?

23 CHAIRMAN GARNER: Uh-uh.

24 COMMISSIONER STIENMETZ: So they'll just deplete them?

25 COMMISSIONER WAITS: Yep. But yes, if you want it on the
26 agenda for us to discuss --

27 CHAIRMAN GARNER: They won't -- they won't kill over a
28 certain percentage.

29 COMMISSIONER STIENMETZ: Well, that's what I'd like to know
30 is what they're talking about. I think it just makes it too
31 easy get rid of the horses.

32 COMMISSIONER MASON: Do you still want it on the agenda?

33 COMMISSIONER STIENMETZ: Yeah, I'd like for us to --

34 COMMISSIONER WAITS: Sure.

35 COMMISSIONER STIENMETZ: -- discuss it.

36 COMMISSIONER WAITS: We'll discuss it.

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1 24) Discussion for possible action for the Board of Lander County
2 Commissioners to send to the State of Nevada Office of
3 Energy, a recommendation, and/or approve or deny the
4 application submitted by ORNI 39, LLC (owned by Ormat Nevada,
5 Inc.), for a partial abatement of taxes imposed pursuant to
6 Chapter 361 of the Nevada Revised Statutes (NRS), that was
7 submitted pursuant to NRS 701A.360 to NRS 701A.390, for the
8 McGinness Hills geothermal power plant located in Lander
9 County; and other matters properly related thereto.

10
11 CHAIRMAN GARNER: Moving on to 24, discussion for possible
12 action for the Board of Lander County Commissioners to send to
13 the State of Nevada Office of Energy a recommendation and/or
14 approve or deny the application submitted -- submitted by ORNI
15 39, LLC, for a partial abatement of taxes imposed pursuant to
16 Chapter 361 of the Nevada Revised Statute that was submitted
17 pursuant to the NRS 701A.360 to NRS 701A.390, for the McGinness
18 Hills geothermal power plant located in Lander County; and other
19 matters properly related thereto.

20 DISTRICT ATTORNEY ELQUIST: Can I start this one, please.
21 Angie Elquist, --

22 COMMISSIONER WAITS: I think we have someone too.

23 DISTRICT ATTORNEY ELQUIST: -- District Attorney.

24 I supplied a draft letter to each of you for the
25 Commissioners to review.

26 The first page is -- basically, it's -- it's similar to
27 what Elko has done. And it's recommending to the -- to the
28 state agency that -- that you guys don't believe that they can
29 file a second application. They already filed in 2010. It was
30 denied. And Elko, they did the same thing in Elko. Elko just
31 sent their letter two days ago, I believe, the same thing,
32 stating that it shouldn't be considered because of the -- for
33 legal reasons. So that's -- that's what I've done the first
34 page there, is just kind of outlining that.

35 The second page, I just kind of just have if you want to go
36 into the discussion about approval and denial, you can do that
37 as well. But Elko has just only done -- we're not even looking
38 at it. So that's kind of what we've done on the first page
39 here. I've set that out for you. If you guys want to make
40 changes -- if you want to go into the numbers and all of that to

1 deny, we can -- I don't know if we have them. Lura's kind of
2 looked at that.

3 But there may be somebody here. Are you from ORNI?

4 TIMOTHY CLAUSEN: I am.

5 DISTRICT ATTORNEY ELQUIST: Okay. But that's where we
6 stand. That's the recommendation.

7 COMMISSIONER MASON: So they just sent in the first page
8 saying it's, basically, it's not --

9 DISTRICT ATTORNEY ELQUIST: This is what I've drafted for
10 you guys as a letter from the Commissioners, kind of like what
11 we did last time. This is kind of the legal arguments. Elko's
12 done the same thing. And their Commissioners signed this that
13 this says, we're not even going to look at it right now. And
14 then we'll make those legal arguments down the road. So --

15 COMMISSIONER MASON: Okay. And that's going to suffice as
16 legal? That's going to suffice?

17 DISTRICT ATTORNEY ELQUIST: Yeah. Well, again, this is --

18 COMMISSIONER WAITS: (indiscernible)

19 DISTRICT ATTORNEY ELQUIST: This is really our only
20 recourse at this point. But there may be recourse down the
21 line. And we can discuss that.

22 COMMISSIONER MASON: Okay.

23 DISTRICT ATTORNEY ELQUIST: As far as going before the
24 Energy Office and all of those things also.

25 TIM CLAUSEN: Good morning. My name's Tim Clausen, for the
26 record. I'm from the law firm of Lewis Roca and Rothgerber,
27 here on behalf of Ormat Nevada.

28 Before you, you have our second application for a partial
29 property tax abatement for the McGinness Hills facility. The
30 main reason we're here today is the law has changed since you
31 previously denied our application.

32 In 2010, the county had broad discretion in approving and
33 denying tax abatement applications.

34 In 2013, the legislature passed a law which set forth two
35 requirements that have to be met for -- or one has to be met for
36 the County to actually deny the application. That's the
37 revenues from the tax abatement is -- exceeds the amount that
38 benefits a county. And the other is that the revenue loss is
39 also -- exceeds the -- or is -- or -- I'm sorry -- let me go
40 back. The public services as you, the County provides the

1 facility exceeds the benefits received.

2 That's not the case in this project. The capital
3 investment was \$160 million. It's an ongoing investment of
4 40 million through property tax abatements, sales and use tax
5 abatements, modified business tax abatements, net proceeds tax.
6 They hired more than 160 employees. A majority of those were
7 Nevada and Lander County residents.

8 And moving forward, the law also changed in the fact that
9 you do not lose as much revenue from the tax abatements now.
10 The state, they passed a law that the state actually provides
11 their share of the revenue from the abatement loss back to the
12 county. So the revenue you saw you were going to lose in 2010
13 is not the same as you're now going to lose.

14 I know there's some legal questions about whether or not we
15 can submit a second application. We have an Attorney General's
16 opinion from the office of -- who represents the Office of
17 Energy that we are legally allowed to do this. We are moving
18 forward.

19 We would ask for your support, but we understand that, you
20 know, your concerns. And we're here to answer any questions.

21 COMMISSIONER BULLOCK: Where's this supposed 160 employees?

22 TIMOTHY CLAUSEN: What's that?

23 COMMISSIONER BULLOCK: You said there's 160 employees?

24 TIMOTHY CLAUSEN: They hired 160 employees.

25 COMMISSIONER WAITS: Throughout the state?

26 TIMOTHY CLAUSEN: For the project itself. Seventy-five of
27 the 160 were Nevada residents.

28 COMMISSIONER BULLOCK: To build it?

29 TIMOTHY CLAUSEN: Mm-hm.

30 COMMISSIONER BULLOCK: How many -- how many are actually
31 there?

32 TIMOTHY CLAUSEN: The project's been completed so those
33 employees have left.

34 COMMISSIONER BULLOCK: So how many's there?

35 TIMOTHY CLAUSEN: There's 22 there now.

36 COMMISSIONER WAITS: And how --

37 COMMISSIONER BULLOCK: There's 22 employees?

38 TIMOTHY CLAUSEN: Mm-hm.

39 COMMISSIONER WAITS: And how many -- and how many live in
40 Lander County? Do you know?

1 COMMISSIONER BULLOCK: I don't think so.
2 TIMOTHY CLAUSEN: I do not have that information in front
3 of me.
4 COMMISSIONER BULLOCK: Okay.
5 DISTRICT ATTORNEY ELQUIST: Can I ask one question?
6 TIMOTHY CLAUSEN: Yes.
7 DISTRICT ATTORNEY ELQUIST: Do you happen to have the
8 attorney general opinion regarding the information on that?
9 TIMOTHY CLAUSEN: I don't -- it wasn't -- it was in e-mail
10 form. So I could give you -- I can, when we're done, I can give
11 you the Attorney General for the Office of Energy's name and
12 e-mail.
13 DISTRICT ATTORNEY ELQUIST: And then one other quick
14 question just -- I don't know if you'll know this either. But
15 if this goes through, then I know in Elko County, Ormat came
16 back after the fact and then went to the Board of Equalization
17 and asked to have the taxes lowered -- the tax amount lowered.
18 So in the end, it ended up costing Elko County more money. Will
19 they do the same thing in Lander county after?
20 TIMOTHY CLAUSEN: I don't believe they've ever appealed the
21 McGinness Hills property tax.
22 DISTRICT ATTORNEY ELQUIST: Right. Because it was timeline
23 issues before. But --
24 TIMOTHY CLAUSEN: And I don't -- I don't represent them on
25 that matter. It's -- I could tell you of Elko, it was just the
26 way the state eval -- valued the property.
27 DISTRICT ATTORNEY ELQUIST: Right.
28 TIMOTHY CLAUSEN: It had nothing to do with Elko itself.
29 It just happened to impact Elko.
30 DISTRICT ATTORNEY ELQUIST: Right.
31 TIMOTHY CLAUSEN: It was just the way the state improperly
32 valued the plant and the property just like any other county
33 assessor would do with just a property tax.
34 DISTRICT ATTORNEY ELQUIST: Right. Do you know if Ormat
35 intends to do that as well with Lander County?
36 TIMOTHY CLAUSEN: No, I do not know that.
37 COMMISSIONER WAITS: Counselor, are you with the same firm
38 that represented them in 2010 when they came?
39 TIMOTHY CLAUSEN: No, I'm not.
40 COMMISSIONER WAITS: Oh. Okay.

1 You did say that the Department of Energy had released a
2 paper saying they thought that would be okay to come back and
3 reapply?

4 TIMOTHY CLAUSEN: Yes. Before we submitted the
5 applications that are before you today, (indiscernible) -- went
6 to the Elko, the Attorney General said there was nothing
7 prohibiting us from submitting a second application.

8 The regulations don't provide any -- the regulations didn't
9 stop us from doing that was basically what the Attorney General
10 said. And they've processed the applications at the State
11 Office of Energy. They've sent them to you and sent them to the
12 Department of Taxation. And we're moving -- as far as I know --
13 we're moving forward with the hearing in March.

14 COMMISSIONER WAITS: So when -- when was this done, the
15 attorney general gave their opinion?

16 TIMOTHY CLAUSEN: It was in 2013 in December. They were at
17 a --

18 COMMISSIONER WAITS: That's close enough. December 2013.

19 TIMOTHY CLAUSEN: Yes.

20 COMMISSIONER WAITS: Thank you.

21 CHAIRMAN GARNER: A motion?

22 COMMISSIONER WAITS: Okay. With that, I guess we're ready
23 for a motion.

24 And I still have a real problem -- and like our DA says it
25 probably will go on. We have to get our -- our I's dotted and
26 T's crossed because it will probably end up going to an appeal
27 by all means.

28 But I'm surely not in favor of the reapplication.

29 So help me with this, do we need to deny it and then tell
30 them why we are denying it --

31 DISTRICT ATTORNEY ELQUIST: No, it's gonna --

32 COMMISSIONER WAITS: -- because we don't believe, according
33 to the first part of your letter, that they can reapply?

34 DISTRICT ATTORNEY ELQUIST: It's the recommendation that
35 they don't approve it on the -- under the current law now to
36 deny it, you have to meet those standards. So it's not a
37 denial.

38 COMMISSIONER WAITS: Okay, so not doing a --

39 DISTRICT ATTORNEY ELQUIST: It's the fact that we think
40 they shouldn't even be looking at it. So that's how I -- it's a

1 recommendation to the Board, the state board, as you can see
2 here, that's how it's -- if you want to review that and let me
3 know if you think --
4 COMMISSIONER WAITS: Okay.
5 DISTRICT ATTORNEY ELQUIST: -- of any changes.
6 COMMISSIONER BULLOCK: So basically, we're just accepting
7 the letter.
8 COMMISSIONER STIENMETZ: Yeah, this one --
9 DISTRICT ATTORNEY ELQUIST: You're basically approving this
10 for -- for Brian --
11 COMMISSIONER STIENMETZ: Yeah, (indiscernible)
12 COMMISSIONER BULLOCK: For Brian to sign the letter and
13 send it.
14 DISTRICT ATTORNEY ELQUIST: -- to sign. Yeah. For the
15 first page. The rest is just if you guys were going to consider
16 the other -- get rid of all that. Just to lay out the law, the
17 legalities of that. This would just be approving.
18 COMMISSIONER WAITS: So my motion is that Lander County
19 recommends that the State of Nevada Office of Energy dismiss the
20 application submitted by ORNI 39, LLC, ORNI because Lander
21 County does not believe that this application can be filed
22 pursuant to Nevada Revised Statutes 701A.360 and Nevada
23 Regulations LCB File Number R094-10 Section 14, 6.
24 DISTRICT ATTORNEY ELQUIST: And then the rest of the
25 letter --
26 COMMISSIONER STIENMETZ: Right.
27 DISTRICT ATTORNEY ELQUIST: -- that gives the history.
28 Just that --
29 COMMISSIONER WAITS: And to write a letter --
30 DISTRICT ATTORNEY ELQUIST: With -- yes.
31 COMMISSIONER STIENMETZ: With the --
32 COMMISSIONER WAITS: -- with the information that's covered
33 under the first page.
34 COMMISSIONER STIENMETZ: I will second that motion.
35 CHAIRMAN GARNER: Any public comment?
36 (No comment.)
37 CHAIRMAN GARNER: All those in favor?
38 COMMISSIONER STIENMETZ: Aye.
39 COMMISSIONER WAITS: Aye.
40 COMMISSIONER BULLOCK: Aye.

1 CHAIRMAN GARNER: Aye.
2 COMMISSIONER MASON: Aye.
3 COMMISSIONER WAITS: Thank you for coming.
4 TIMOTHY CLAUSEN: Thank you, very much.
5 COMMISSIONER STIENMETZ: Thank you for coming.
6 COMMISSIONER MASON: Okay.
7 COMMISSIONER WAITS: Your timing was great. Are you okay?
8 COMMISSIONER STIENMETZ: Want to make a motion to adjourn?
9 COMMISSIONER BULLOCK: We have to have public comment.
10 COMMISSIONER STIENMETZ: Oh, yeah. Sorry.
11
12

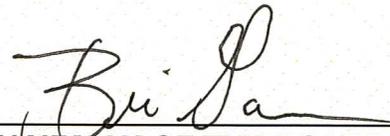
13 **PUBLIC COMMENT**

14
15 CHAIRMAN GARNER: Any public comment?
16 (No comment.)
17
18

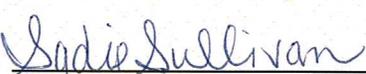
19 **ADJOURNMENT**

20 COMMISSIONER WAITS: Was it something we said?
21 COMMISSIONER BULLOCK: Motion to adjourn.
22 COMMISSIONER STIENMETZ: I'll second the motion.
23 CHAIRMAN GARNER: Any public comment?
24 (No comment.)
25 CHAIRMAN GARNER: All those in favor?
26 COMMISSIONER STIENMETZ: Aye.
27 COMMISSIONER MASON: Aye.
28 CHAIRMAN GARNER: Aye.
29 COMMISSIONER WAITS: Aye.
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**CHAIRMAN OF THE BOARD OF LANDER
COUNTY COMMISSIONERS AND THE
LANDER COUNTY LIQUOR BOARD**

ATTEST: 

LANDER COUNTY CLERK

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

1 STATE OF NEVADA)
2) ss.
3 COUNTY OF LANDER)
4
5
6
7

8 I, TIFFANY ELKINGTON, A CERTIFIED COURT REPORTER, DO HEREBY
9
10 CERTIFY THAT I WAS PRESENT IN THE COMMISSION CHAMBERS OF THE
11
12 LANDER COUNTY COURTHOUSE IN THE STATE OF NEVADA, ON THE 13TH
13
14 DAY OF FEBRUARY 2014, AND REPORTED THE FOREGOING PROCEEDINGS;
15
16 THAT THE SAME IS FULL, TRUE, AND CORRECT AS REFLECTED BY MY
17
18 ORIGINAL MACHINE SHORTHAND NOTES TAKEN AT SAID PLACE AND TIME
19
20 BEFORE THE HONORABLE BOARD OF LANDER COUNTY COMMISSIONERS.
21

22
23 DATED AT BATTLE MOUNTAIN, NEVADA,
24 THIS 27 DAY OF FEBRUARY 2014.
25

26
27 
28 _____
29 TIFFANY ELKINGTON, CCR #930
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